

REFERENCE

Steven Ratuva *Editor*

# The Palgrave Handbook of Ethnicity

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Steven Ratuva  
Editor

# The Palgrave Handbook of Ethnicity

With 46 Figures and 57 Tables

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macmillan

*Editor*

Steven Ratuva  
Department of Anthropology and Sociology  
University of Canterbury  
Christchurch, New Zealand  
Macmillan Brown Centre for Pacific Studies  
University of Canterbury  
Christchurch, New Zealand

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## Preface

Since the end of the cold war, the world has seen an unprecedented multimodal transformation involving the complex interplay of various forces such as globalization and nationalism; the resurgence of extreme right and the unrelenting response from the left; the consolidation of neoliberal hegemony and creation of conditions for its own crisis; the rise of authoritarian leadership and the widespread democratic reactions; the popularization of the social media and the declaration of cyber wars; and the rise of China and how this poses a threat to US hegemony. A salient feature of many of these is the multiple expressions of ethnicity as a factor in shaping geopolitical, socioeconomic, and sociocultural relations. The explosion of ethno-nationalist conflicts and religious tension; the resurgence and electoral mainstreaming of ultra-right political groups with racial supremacist ideals; the widespread expressions of extremist Islamic groups; the anti-immigration policies of President Trump and various European states; the use of the cyberspace as an arena for racial vilification; the rise of extremist and terroristic violence; and the fluid nature of ethnic relations are just some of the manifestations of the new transformation. These have justifiably inspired a surge in interest in research and discourses around ethnicity.

Commissioned by Palgrave Macmillan, this comprehensive work on global ethnicity – which spans diverse national, political, cultural, and ideological boundaries, schools of thought, and methodological approaches – is a result of an exhaustive international search for the right experts, mobilization of a wide range of resources, writing, editing, reviewing, and production over 3 years. With 102 chapters (and more than 90 authors from around the world), this was a mammoth task, which involved the collective synergies of the editor-in-chief, section editors, chapter authors, the Palgrave editorial team, and the production team. It is a great example of transnational cooperation, innovative communication, systematic networking, and durable patience. At a time when academia is obsessed with the fetishization of individual output, as a result of the pervading audit and metric culture wrought by neoliberal reforms, a collaborative interdisciplinary and transnational effort of this scope and magnitude is a rarity. This is why all those involved in this mega project deserve whole-hearted congratulations.

The different parts and individual themes of the chapters are connected in a complex web of historical, intellectual, sociocultural, and political narratives and are meant to converse with each other using different contextual yet familiar

discourses. Ostensibly, while they encapsulate different schools of thought and disciplinary traditions, they share a common thread of optimism and hope of expanding the horizons of knowledge of humanity and contributing to debates and discussions about creating a better world.

Ethnicity is not an easy subject to deal with because of its intersectional relationship with a host of factors including identity, inequality, conflict, religion, economic distribution, class, politics, and other aspects of everyday life. History is littered with the residues of ethnicity's connection with wars, mass killings, terrorism, poverty, and discrimination. History is also blessed with moments of interethnic embracement, multicultural engagements, and collective voices of humanity crying for justice and yearning for equality against the forces of discrimination, abuse, and oppression. These three volumes echo the multiple sentiments of history and capture some of the moments of human frailty and strength, human fiasco and fortitude, human retardation and progress, manifested in the different corners of the globe.

Some chapters are theoretical and some are based on empirical case studies and cover more than 70 countries around the world. Due to the massive size of the undertaking and the limited time available for its completion, the volumes are not able to cover all the countries in the world. Nevertheless, the existing chapters provide a wealth of discourses, experiences, reflections, and analysis, which would no doubt enrich our understanding of ethnicity as complex developments in our contemporary world unfold over time. The volumes are meant to inspire further debate and research and not meant to provide the panacea for global ethnic utopia. They are meant for a wide range of interests including scholars and researchers, policy makers, political leaders, corporate personnel, international agencies, peace-builders, educators, security community, civil society organizations, and the public at large. This diversity reflects the underlying normative sentiments of inclusivity, accessibility, (in)formativeness, and enrichment.

Some chapters provide practical solutions to problems, while some provide abstract analyses of complex dynamics to unpack deeper and latent manifestations of social realities. While some are concerned with the global context, some revolve around geopolitical and geocultural regions, and some are focused on national and even local situation. These multiple layers of narratives are interconnected and provide intellectual enrichment for each other. The volumes do not pretend to provide definitive and conclusive analysis of ethnic issues that enshroud our times, but rather speak to them and raise important issues that need closer and serious scrutiny with the ambitious goal and sincere hope of making the world a better place for humanity.

Department of Anthropology and Sociology  
University of Canterbury  
Christchurch, New Zealand

Steven Ratuva  
Editor

Macmillan Brown Centre for Pacific Studies  
University of Canterbury  
Christchurch, New Zealand

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## About the Editor



**Steven Ratuva**

Department of Anthropology and Sociology  
University of Canterbury  
Christchurch, New Zealand

Macmillan Brown Centre for Pacific Studies  
University of Canterbury  
Christchurch, New Zealand

**Steven Ratuva** is Director of the Macmillan Brown Center for Pacific Studies and Professor in the Department of Anthropology and Sociology at the University of Canterbury. He was Fulbright Professor at UCLA, Duke University, and Georgetown University and currently Chair of the International Political Science Association Research Committee on Security, Conflict, and Democratization. With a Ph.D. from the Institute of Development Studies at the University of Sussex, Ratuva is an interdisciplinary scholar who has written or edited a number of books and published numerous papers on a range of issues including ethnicity, security, affirmative action, indigenous intellectual property, geopolitical strategies, social protection, militarization, ethno-nationalism, development, peace, and neoliberalism. He has been a consultant and advisor for a number of international organizations such as the UNDP, International Labour Organization, International Institute for Democracy and Electoral Assistance, Commonwealth Secretariat, and the Asian Development Bank, and has worked in a number of universities around the world including in Australia, USA, New Zealand, Fiji, and UK.

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## About the Section Editors



**Steven Ratuva**

Department of Anthropology and Sociology  
University of Canterbury  
Christchurch, New Zealand

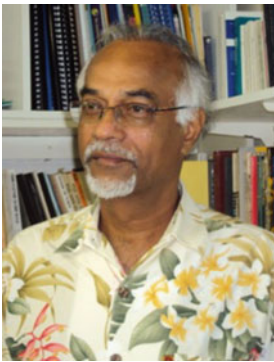
Macmillan Brown Centre for Pacific Studies  
University of Canterbury  
Christchurch, New Zealand

**Steven Ratuva** is Director of the Macmillan Brown Center for Pacific Studies and Professor in the Department of Anthropology and Sociology at the University of Canterbury. He was Fulbright Professor at UCLA, Duke University, and Georgetown University and currently Chair of the International Political Science Association Research Committee on Security, Conflict, and Democratization. With a Ph.D. from the Institute of Development Studies at the University of Sussex, Ratuva is an interdisciplinary scholar who has written or edited a number of books and published numerous papers on a range of issues including ethnicity, security, affirmative action, indigenous intellectual property, geopolitical strategies, social protection, militarization, ethno-nationalism, development, peace, and neoliberalism. He has been a consultant and advisor for a number of international organizations such as the UNDP, International Labour Organization, International Institute for Democracy and Electoral Assistance, Commonwealth Secretariat, and the Asian Development Bank, and has worked in a number of universities around the world including in Australia, USA, New Zealand, Fiji, and UK.

**Joseph R. Rudolph**

Department of Political Science  
Towson University  
Baltimore, MA, USA

**Joseph R. Rudolph, Jr.** received his Ph.D. from the University of Virginia and is currently a Professor in the Department of Political Science at Towson University (Baltimore, Maryland, USA). He has served as a Fulbright appointee to Czechoslovakia (1991–1992) and Kosovo (2011–2012), and has published in the field of ethnic and nationalist politics for more than 30 years. Since 1997, he has also frequently been a part of the democratization operations of the Organization for Security and Cooperation in Europe (OSCE) in areas of the former Yugoslavia and former Soviet Union. His Palgrave publication *Politics and Ethnicity: A Comparative Study* (2006) is now in its second printing. More recent work includes compiling and contributing to *The Encyclopedia of Modern Ethnic Conflicts* (editor, 2nd edition, 2015), and *From Mediation to Nation Building: Third Parties and the Management of Communal Conflict* (coeditor, 2013).

**Vijay Naidu**

University of the South Pacific  
Suva, Fiji

**Vijay Naidu** completed his undergraduate and M.A. studies at the University of the South Pacific in Fiji, and his doctoral degree at the University of Sussex in the UK. He has been Professor and Director of Development Studies in the School of Government, Development, and International Affairs at the University of the South Pacific (USP), and the School of Geography, Environment, and Earth Sciences at the Victoria University of Wellington. He is a Pacific development scholar and has written on aid, electoral politics, ethnicity, higher education, land tenure, migration, urbanization, social exclusion, the state, poverty and social protection, informal settlements, human security, and MDGs.

**Paul J. Carnegie**

Institute of Asian Studies  
Universiti Brunei Darussalam  
Bandar Seri Begawan, Brunei Darussalam

**Paul J. Carnegie** is Associate Professor of Politics and International Relations at the Institute of Asian Studies, Universiti Brunei Darussalam and the former Director of the Postgraduate Governance Program at the University of the South Pacific. He has research specializations in comparative democratization, human security, and localized responses to militant extremism in Southeast Asia, MENA, and the Asia Pacific with a particular focus on Indonesia. Paul has published widely in his fields including the monograph *The Road from Authoritarianism to Democratization in Indonesia* (Palgrave Macmillan) and the coedited volume *Human Insecurities in Southeast Asia* (Springer). He has been awarded multiple research grants with related output in leading international journals including *Pacific Affairs*, *Australian Journal of Politics and History*, the *Middle East Quarterly*, and the *Australian Journal of International Affairs*. Paul has extensive applied research experience and networks having lived and worked previously in Australia, Brunei Darussalam, Egypt, Fiji, and the United Arab Emirates.

**Airini**

Faculty of Education and Social Work  
Thompson Rivers University  
Kamloops, BC, Canada

Professor Airini is Dean of the Faculty of Education and Social Work at Thompson Rivers University, British Columbia, Canada (<https://www.tru.ca/>), and previously at the University of Auckland, Aotearoa New Zealand. Airini's research looks at how to build world-class education systems where success for all means all. Her current focus is on closing education achievement gaps experienced by Indigenous school and university students in Canada and internationally. Airini is the recipient of national research and teaching awards in New Zealand (*Success for All: What university teaching practices help/hinder Maori and Pasifika student success*) and Canada (*Knowledge Makers: Indigenous*

*undergraduate and graduate student research mentoring*). To identify how we can influence better outcomes for all, Airini went to Washington DC as a Fulbright Scholar and investigated how to convert tertiary education policy into better results for underserved students (E-mail: [airini@tru.ca](mailto:airini@tru.ca); Twitter: [@truAirini](https://twitter.com/truAirini); LinkedIn: <https://ca.linkedin.com/in/airini>).



**Melani Anae**

Pacific Studies|School of Māori Studies  
and Pacific Studies,  
Te Wānanga o Waipapa  
University of Auckland  
Auckland, New Zealand

**Lupematasila, Misatauveve Dr. Melani Anae**, is Senior Lecturer in Pacific Studies, Te Wānanga o Waipapa, at the University of Auckland. Anae has been a former Director of the Centre for Pacific Studies (2002–2007), a recipient of the Fulbright New Zealand Senior Scholar Award (2007), and was awarded the Companion to the Queen’s Service Order for services to Pacific communities in New Zealand (2008). In 2014, she was awarded the prestigious Marsden Grant from the Royal Society of New Zealand for her project “Samoan transnational matai (chiefs): ancestor god avatars or merely title-holders?” Focusing on her research interests of ethnic identity for first-/second-generation Pacific peoples born in the diaspora, social justice and Pacific activism, and the development of her *teu le va* paradigm in relational ethics, her transformational work has successfully developed strategies for policy formation, service delivery, and optimal research outcomes for Pacific peoples/families and communities across the sectors of education, health, and well-being for Pacific peoples, families, and communities in New Zealand. She has taught, researched, and published extensively in these specialty areas and is currently focused on transnational identity construction of Pacific peoples and communities in the diaspora. She carries two Samoan chiefly titles from the villages of Siumu and Falelatai in Samoa, is part of a large transnational Samoan *aiga*, and is a grandmother and mother of three children.



**Radomir Compel**

School of Global Humanities and Social Sciences  
Nagasaki University  
Nagasaki, Japan

**Radomir Compel** is Associate Professor of comparative politics at the Global School of Humanities and Social Sciences of Nagasaki University in Japan. He has edited or coauthored several books, including *Guns and Roses: Comparative Civil-Military Relations in the Changing Security Environment* (2019), *Hito to Kaiyo no Kyosei wo Mezashite VI* (2013), and *Ashida Hitoshi Nikki 1905–1945 V* (2012), and has published articles in Japanese and English on Okinawa, Japan, East Asia, Middle East, and maritime issues. He obtained a Ph.D. from Yokohama National University, and taught at Hosei University, Yokohama National University, Nihon University, University of Oulu, and other educational institutions in Japan and Europe.



**Sergio Luiz Cruz Aguilar**

Sao Paulo State University (UNESP)  
Marilia, São Paulo, Brazil

**Sergio Luiz Cruz Aguilar** holds a Ph.D. in History (UNESP), and is Associate Professor at the Sao Paulo State University (UNESP), Brazil, where he coordinates the Group of Studies and Research of International Conflicts and the International Conflicts Observatory. He is also Professor of the postgraduation programs San Tiago Dantas Program on International Relations (UNESP/UNICAMP/PUC-SP) and Social Sciences (UNESP – Campus of Marilia/SP). He was visiting researcher at the Department of Politics and International Relations – University of Oxford, UK. He was military observer on the United Nations Peace Force (UNPF) and on United Nations Transitional Administration for Eastern Slavonia (UNTAES), during the civil war in the former Yugoslavia. Sergio was also Director of the Brazilian Defense Studies Association (ABED) and wrote four books, edited five books, and published many journal articles in Portuguese, English, and Spanish languages.



**Lyndon Fraser**

Department of Sociology and Anthropology  
University of Canterbury  
Christchurch, New Zealand

Historian **Lyndon Fraser** is currently the Head of Department (Sociology and Anthropology) at the University of Canterbury, Christchurch, New Zealand, and Research Fellow in Human History at the Canterbury Museum. He is coeditor (with Linda Bryder) of the *New Zealand Journal of History*, and his recent publications include *Rushing for Gold: Life and Commerce on the Goldfields of Australia and New Zealand* (Otago University Press, 2016, with Lloyd Carpenter) and *History Making a Difference: New Approaches from Aotearoa* (Cambridge Scholars Publishing, 2017, coedited with Katie Pickles, Marguerite Hill, Sarah Murray, and Greg Ryan).

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## Contributors

**Sergio Luiz Cruz Aguilar** Sao Paulo State University (UNESP), Marilia, São Paulo, Brazil

**Yaser Alashqar** Trinity College Dublin (the University of Dublin), Dublin, Ireland

**Hassanein Ali** Department of International Studies, College of Humanities and Social Sciences, Zayed University, Dubai, United Arab Emirates

**Jean M. Allen** Faculty of Education and Social Work, The University of Auckland, Auckland, New Zealand

**Trevor J. Allen** Department of Political Science, Central Connecticut State University, New Britain, CT, USA

**Sara N. Amin** School of Social Sciences, Faculty of Arts, Law and Education, The University of the South Pacific, Suva, Fiji Islands

**Ryosuke Amiya-Nakada** Tsuda University, Kodaira, Japan

**Melani Anae** Pacific Studies|School of Māori Studies and Pacific Studies, Te Wānanga o Waipapa, University of Auckland, Auckland, New Zealand

**Remus Gabriel Anghel** The Romanian Institute for Research on National Minorities, Cluj Napoca, Romania

**S. Apo Aporosa** Te Huataki Waiora: Faculty of Health, Sport and Human Performance, University of Waikato, Hamilton, Waikato, New Zealand

**Felicia Arriaga** Sociology Department, Appalachian State University, Boone, NC, USA

**Nicole L. Asquith** Western Sydney University, Kingswood, NSW, Australia

**Maria-Irini Avgoulas** School of Psychology and Public Health, College of Science, Health and Engineering, La Trobe University, Bundoora, VIC, Australia

**Mansi Awasthi** Tata Institute of Social Sciences (TISS), Mumbai, India

**Emmanuel Badu** Faculty of Health and Environmental Studies, Auckland University of Technology, Auckland, New Zealand

**Paul Bagguley** School of Sociology and Social Policy, University of Leeds, Leeds, UK

**Isabelle Bartkowiak-Théron** Tasmanian Institute of Law Enforcement Studies, University of Tasmania, Hobart, TAS, Australia

**Rohan Bastin** School of Humanities and Social Sciences, Deakin University, Geelong, VIC, Australia

**Jóhanna K. Birnir** Government and Politics, University of Maryland, College Park, MD, USA

**Gawaian Bodkin-Andrews** Centre for the Advancement of Indigenous Knowledges, University of Technology Sydney, Broadway, NSW, Australia

**Roland Boer** School of Liberal Arts, Renmin University of China, Beijing, People's Republic of China

**Igor Boog** Institute of Cultural Anthropology and Development Sociology, Leiden University, Leiden, The Netherlands

**Birgit Bräuchler** Monash University, Melbourne, VIC, Australia

**Johan Brosché** Department of Peace- and Conflict Research, Uppsala University, Uppsala, Sweden

**Heather Came** Faculty of Health and Environmental Studies, Auckland University of Technology, Auckland, New Zealand

**Paul J. Carnegie** Institute of Asian Studies, Universiti Brunei Darussalam, Bandar Seri Begawan, Brunei Darussalam

**Mitchell James Chang** University of California, Los Angeles, Los Angeles, CA, USA

**Chelegeer** University of Leeds, Leeds, UK

**Karl Ian Uy Cheng Chua** History Department, Ateneo de Manila University, Quezon City, Philippines

**Suryakanthie Chetty** University of South Africa, Pretoria, South Africa

**Treena Clark** Centre for the Advancement of Indigenous Knowledges, University of Technology Sydney, Broadway, NSW, Australia

**Radomir Compel** School of Global Humanities and Social Sciences, Nagasaki University, Nagasaki, Japan

**Neil Cruickshank** Political Scientist and Dean of the Faculty of Arts, Science, and Technology, North Island College, Courtenay, BC, Canada

Faculty Associate, Centre for European Studies, Carleton University, Ottawa, ON, Canada

**Christian Cwik** Department of History, The University of the West Indies, St Augustine, Trinidad and Tobago

**Sharyn Graham Davies** Auckland University of Technology, Aotearoa, New Zealand

**Michael Davis** Department of Sociology and Social Policy, The University of Sydney, Sydney, NSW, Australia

**Premakumara de Silva** Department of Sociology, University of Colombo, Colombo, Sri Lanka

**Zbigniew Dumieński** Auckland University of Technology, Auckland, New Zealand

**Emma Elfversson** Department of Peace and Conflict Research, Uppsala University, Uppsala, Sweden

**Mostafa Entezarulahdy** Political Science Department, Robat Karim Branch, Islamic Azad University, Tehran, Iran

**Jovanie Camacho Espesor** Department of Political Science and International Relations, University of Canterbury, Christchurch, New Zealand

Department of Political Science, Mindanao State University, General Santos City, Philippines

Center for Middle East and Global Peace Studies, Universitas Islam Negeri Syarif Hidayatullah Jakarta, Tangerang, Indonesia

**Rebecca Fanany** School of Health, Medical and Applied Sciences, Central Queensland University, Melbourne, VIC, Australia

**Shannon Foster** Centre for the Advancement of Indigenous Knowledges, University of Technology Sydney, Broadway, NSW, Australia

**László Fosztó** The Romanian Institute for Research on National Minorities, Cluj Napoca, Romania

**Jeffrey A. Gardner** Department of Sociology, Sam Houston State University, Huntsville, TX, USA

**Rodrigo Luiz Cunha Gonsalves** European Graduate School (EGS), Saas fee, Switzerland

University of Sao Paulo (IPUSP), Sao Paulo, Brazil

**Farzana Haniffa** Department of Sociology, University of Colombo, Colombo, Sri Lanka

**Kate Hannan** Department of History and Politics, University of Wollongong, Wollongong, NSW, Australia

**Kathleen Harrington-Watt** Anthropology, Canterbury University, Christchurch, New Zealand

**Hamdy Hassan** College of Humanities and Social Sciences, Zayed University, Dubai, UAE

**Keakaokawai Varner Hemi** University of Waikato, Hamilton, New Zealand

**Sarah Herbert** Faculty of Health and Environmental Studies, Auckland University of Technology, Auckland, New Zealand

**Matthew Hoddie** Department of Political Science, Towson University, Towson, MD, USA

**Louise Humpage** Sociology, Faculty of Arts, University of Auckland, Auckland, New Zealand

**Yasmin Hussain** School of Sociology and Social Policy, University of Leeds, Leeds, UK

**Aphun Kamei** Department of Sociology, Delhi School of Economics, University of Delhi, Delhi, India

**Romitesh Kant** Institute for Human Security and Social Change (IHSSC), College of Arts and Social Sciences, La Trobe University, Melbourne, VIC, Australia

**Masaki Kataoka** University of Canterbury, Christchurch, New Zealand  
Institute of Developing Economies, Japan External Trade Organization, Chiba, Japan

**Amanda Kearney** College of Humanities, Arts and Social Sciences, Flinders University, Bedford Park, SA, Australia

**Misty Knight-Finley** Department of Political Science and Economics, Rowan University, Glassboro, NJ, USA

**Rajesh Kumar** Tata Institute of Social Sciences (TISS), Mumbai, India

**Wendy Lambourne** Department of Peace and Conflict Studies, University of Sydney, Sydney, NSW, Australia

**Jianxia Lin** University of Leeds, Leeds, UK

**Stefano Luconi** Department of Education (DISFOR), University of Genoa, Genoa, Italy

**Kristen Lyons** School of Social Science, University of Queensland, Brisbane, QLD, Australia

**Nic Maclellan** Melbourne, Australia

**Adis Maksic** International Burch University, Sarajevo, Bosnia and Herzegovina

**Sam Manuela** University of Auckland, Auckland, New Zealand

**Paul H. Mason** School of Social Sciences, Monash University, Clayton, VIC, Australia

Department of Anthropology, Macquarie University, North Ryde, NSW, Australia

**Jacob Mwathi Mati** School of Social Sciences, Faculty of Arts, Law and Education (FALE), The University of the South Pacific, Suva, Fiji Islands

Society, Work and Politics (SWOP) Institute, The University of the Witwatersrand, Johannesburg, South Africa

**Eyal Mayroz** University of Sydney, Sydney, NSW, Australia

**Tim McCreanor** Te Rōpū Whāriki, Massey University, Auckland, New Zealand

**Cathal McManus** School of Social Sciences, Education and Social Work, Queen's University Belfast, Belfast, Northern Ireland

**Bruno Mendelski** Institute of International Relations (IREL), University of Brasilia, Brasilia, Brazil

International Relations at Department of Economics, University of Santa Cruz do Sul, Santa Cruz do Sul, Viamão, Brazil

**Alois S. Mlambo** University of Pretoria, Pretoria, South Africa

**M. Bashir Mobasher** Department of Political Science, American University of Afghanistan, Kabul, Afghanistan

**Monique Mulholland** College of Humanities, Arts and Social Sciences, The Flinders University of South Australia, Adelaide, Australia

**Murtala Murtala** Suara Indonesia Dance Troupe, Sydney, NSW, Australia

**Nasser Mustapha** Department of Behavioural Sciences, University of the West Indies, St Augustine, Trinidad and Tobago

**Todd Nachowitz** University of Waikato, Hamilton, New Zealand

**Sereana Naepi** Thompson Rivers University, Kamloops, Canada

**Vijay Naidu** University of the South Pacific, Suva, Fiji

**Subhankar Nayak** Tata Institute of Social Sciences (TISS), Mumbai, India

**Ryota Nishino** University of the South Pacific, Suva, Fiji

International Research Center for Japanese Studies (Nichibunken), Kyoto, Japan

**Nyaz N. Noori** Department of Economic History, Uppsala University, Uppsala, Sweden

Lecturer, Department of Economics, University of Sulaymaniyah, Sulaymaniyah, Kurdistan Region, Iraq

**Adele Norris** School of Social Sciences, Sociology and Sociology Program, The University of Waikato, Hamilton, New Zealand

- Alfra O'Sullivan** Suara Indonesia Dance Troupe, Sydney, NSW, Australia
- Henry D. Overos** Government and Politics, University of Maryland, College Park, MD, USA
- Gairoonisa Paleker** Department of Historical and Heritage Studies, University of Pretoria, Pretoria, South Africa
- Antoine Pécoud** University of Paris 13, Paris, France
- Geoff Pfeifer** Worcester Polytechnic Institute, Worcester, MA, USA
- Kathryn Pillay** University of KwaZulu-Natal, Durban, South Africa
- Ralph Premdas** University of the West Indies, St. Augustine, Trinidad and Tobago
- Sangit Kumar Ragi** Department of Political Science, Social Science Building, North Campus, University of Delhi, Delhi, India
- Bishnu Ragoonath** Department of Political Science, University of the West Indies Trinidad, St. Augustine, Trinidad and Tobago
- Arjun Rajkhowa** University of Melbourne, Melbourne, Australia
- Sanjay Ramesh** Department of Peace and Conflict Studies, University of Sydney, Camperdown, NSW, Australia
- Steven Ratuva** Department of Anthropology and Sociology, University of Canterbury, Christchurch, New Zealand  
Macmillan Brown Centre for Pacific Studies, University of Canterbury, Christchurch, New Zealand
- Sadasivam Jaganada Reddi** Réduit, Mauritius
- Patricia Richards** Department of Sociology, University of Georgia, Athens, GA, USA
- Tara Ross** University of Canterbury, Christchurch, New Zealand
- Joseph R. Rudolph** Department of Political Science, Towson University, Baltimore, MA, USA
- Joseph Rudigi Rukema** School of Social Sciences, University of KwaZulu-Natal, Durban, South Africa
- Brinsley Samaroo** History Department, University of the West Indies, St. Augustine, Trinidad and Tobago
- Sam Scott** University of Gloucestershire, Cheltenham, UK
- Madhushree Sekher** Centre for Study of Social Exclusion and Inclusive Policies (CSSEIP), Tata Institute of Social Sciences (TISS), Mumbai, India
- Renat Shaykhtudinov** Florida Atlantic University, Boca Raton, FL, USA

**Badrus Sholeh** Department of International Relations, Faculty of Social and Political Sciences, Syarif Hidayatullah State Islamic University, Jakarta, Indonesia

**Sherry-Ann Singh** The University of the West Indies, St. Augustine, Trinidad and Tobago

**Stephen Small** Department of African American Studies, University of California, Berkeley, Berkeley, CA, USA

**Zhifang Song** University of Canterbury, Canterbury, New Zealand

**Sheetal Sheena Sookrajowa** Department of History and Political Science, Faculty of Social Sciences and Humanities, University of Mauritius, Réduit, Mauritius

**Paul Spoonley** College of Humanities and Social Sciences, Massey University, Auckland, New Zealand

**Jessica Terruhn** Massey University, Auckland, New Zealand

**Allen Thomas** Tata Institute of Social Sciences (TISS), Mumbai, India

**Andrew Thomson** Queens University of Belfast, Belfast, UK

**Stefánia Toma** The Romanian Institute for Research on National Minorities, Cluj Napoca, Romania

**Elya Tzaneva** Institute of Ethnology and Folklore Studies with Ethnographic Museum, Bulgarian Academy of sciences, Sofia, Bulgaria

**Nasir Uddin** Department of Anthropology, University of Chittagong, Chittagong, Bangladesh

**Beatrice Umubyeyi** School of Built and Environmental Studies, University of KwaZulu-Natal, Durban, South Africa

**Francisco J. Villegas** Department of Anthropology and Sociology, Kalamazoo College, Kalamazoo, MI, USA

**Paloma E. Villegas** Sociology, California State University, San Bernardino, CA, USA

**Tarisi Vunidilo** Department of Anthropology, University of Hawaii-Hilo, Hilo, HI, USA

**Melinda Webber** Faculty of Education and Social Work, The University of Auckland, Auckland, New Zealand

**Aleksandra Zdeb** Centre for Southeast European Studies of the University of Graz, University of Graz, Graz, Austria

**Cindy Zeiher** University of Canterbury, Christchurch, New Zealand

**Juan Zhang** Department of Anthropology and Archaeology, University of Bristol, Bristol, UK





# Exploring Global Ethnicity: A Broad Sociological Synopsis

1

Steven Ratuva

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## Abstract

This ethnicity project brings together a diverse range of international scholars from various disciplinary orientations, theoretical inclinations, and methodological approaches but connected by their shared expertise and interest in ethnicity or ethnicity-related issues. Ethnicity is more than just complex. It is contested, has the capacity to be politically provocative and intellectually mystifying, especially in an age where the parameter of its scholarly use is ever changing in response to unfolding social realities. A result of collective social construction, it influences and in turn influenced by attitudes, perceptions, practices, policies, laws, and norms and is reproduced through multiple societal means of socialization. It is a

S. Ratuva (✉)

Department of Anthropology and Sociology, University of Canterbury, Christchurch, New Zealand  
Macmillan Brown Centre for Pacific Studies, University of Canterbury, Christchurch, New Zealand  
e-mail: [steven.ratuva@canterbury.ac.nz](mailto:steven.ratuva@canterbury.ac.nz)

means with which we define ourselves and how we categorize individuals and groups. What is ethnicity and how can we understand its manifestations, influences, and social dynamics? the three volumes provides multiple prisms through which ethnicity can be understood and articulated. This chapter is a broad introduction which raises a number of critical issues about ethnicity which are articulated, unpacked, analyzed, and critiqued in about a 102 chapters in this major Palgrave global ethnicity handbook project. This is the most comprehensive coverage of a subject that has been part of human development and consciousness since time immemorial.

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**Keywords**

Ethnicity · Identity · Racism · Nationalism · Globalization · Race

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## Introduction

Mobilizing the array of international expertise in this project was not a simple undertaking as it involved pulling together scholars with diverse disciplinary, theoretical, and methodological orientations into a harmonious ensemble of multiple voices. In a world where ethnicity is an inescapable part of our humanity and everyday life, a critical understanding of ethnic identity as a complex, contested, provocative, and sometimes mystifying subject is of utmost importance. The surge in interest in the phenomenon of ethnicity in the post-cold war era has been enthused by a number of factors including: the proliferation of ethno-nationalism and ethnic-based conflict; terrorism and associated ethno-cultural ideologies; institutionalized subconscious racial prejudice and bias; expressions of racially motivated tension in many parts of the world; growth in anti-foreigner sentiments; rise in populist right wing political agitations in Europe and the United States; President Donald Trump's anti-Muslim immigration policies; sectarian religious conflicts; ongoing refugee crisis; pervading inequality and the increasing demands for sovereignty by indigenous peoples and marginalized ethnic minorities. Associated with these is the growing desire by many to reconnect with their own sense of identity, humanity, and culture in response to a pervading sense of alienation associated with globalization.

While ethnicity itself is a form of sociocultural identification, its intersection with other factors, such as class, competition for political power, resources distribution, historical grievances, human rights abuse, marginalization, and discrimination, makes it as potent force for political mobilization. Ethnic differences on their own may not "cause" conflict but how these differences intersect with or interplay with other social, economic, and political factors may prove potentially explosive.

Although ethnicity has continued to evolve as a result of social transformation and globalization, it still remains as a primary means of identification and mobilization for many in response to external threats to their groups and the uncertainties of the contemporary world. Sometimes, ethnicity can also be used as a convenient way to advance one's political and economic interests or as a means to scapegoat a group in times of crisis. Over the years, wars have been waged, governments have been

overthrown, groups have been oppressed, societies have been torn apart, and millions of lives have been lost in the name of ethnicity. The trend continues unabated in different degrees and manifestations.

Thus understanding how ethnicity is constructed and how it manifests itself in everyday life is critical in illuminating our own self-perception and view of others in our dramatically transforming social world. This is especially so because of the multiple ways in which ethnicity is projected and deployed including justification for political ideas and practices; imposition or opposition to affirmative action policies; support for liberation movements; imposition of repressive rule; carrying out genocide; discrimination against immigrants; organizing revolutions; hiring and firing employees; and the list goes on. To many, it is an almost inescapable part of everyday reality in a globalizing world.

The three volumes provide a diverse and comprehensive exploration of ethnicity in its conceptual and empirical manifestations. They do not claim to provide definitive answers but rather raise important issues associated with ethnicity in our contemporary era. The authors were chosen because of their respective expertise and research proficiency across the broad academic spectrum of anthropology, sociology, political science, psychology, economics, literature, gender studies, development studies, and indigenous studies, to name a few. The different contributors employ a range of conceptual narratives including classical sociological and anthropological prisms, critical social discourses, gender lenses, intersectional framework, postmodern narratives, and postcolonial analysis to illuminate some of the manifest and latent expressions of ethnicity and their meanings in a whole range of case studies in different parts of the world. The case studies are not presented in a comparative way but are articulated as unique social contexts in their own right with their own unique voices and identities which converse with each other through strands of shared themes and conceptual narratives. One of this shared themes is that ethnicity needs to be understood as a form of collective identification constructed by a group or by others outside the group to emphasize exclusive claim to various forms of social symbolisms, historical experience, ancestry, or cultural heritage (Rex 1970). As a form of collective identification, ethnicity is closely associated with cultural norms, religious beliefs, claims to motherland, historical memory, collective mythology, land rights, nation states, and other forms of sociocultural symbolisms that are associated with many conflicts today.

The handbook is meant for researchers, students, teachers, professionals, policy makers, community leaders, and general public. It is organized into ten parts based on subthemes. Part I (Nexus Between Ethnicity and Identity) is edited by Steven Ratuva; Part II (The State, Society, and Ethnopolitics) by Joseph Rudolph; Part III (Stereotypes and Prejudices) by Vijay Naidu; Part IV (Ethno-nationalism and Power) by Paul Carnegie; Part V (Indigeneity, Gender, and Sexuality) by Airini and Steven Ratuva; Part VI (Globalization and Diaspora) by Melani Anae; Part VII (Ethnic Relations and Policy Responses) by Radomir Compel; Part VIII (Ethnic Cleansing and Genocide) by Sergio Aguilar; Part IX (Ethnicity, Migration, and Labor) by Lyndon Fraser; and Part X (Cultural Celebration and Resistance) by Steven Ratuva.

This chapter is largely introductory and provides some basic conceptual approaches to the ever expanding area of ethnicity. It draws from the multiplicity of approaches provided by the individual chapters and provides a broad framework for the handbook.

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## Exploring Some Sociological Debates

The notion of ethnicity has varying sociological undertones. The term “ethnic,” from which it is derived, originates from the Greek term *ethnos* and the meaning in different languages evolved in specific circumstances. Its use in the English language evolved from reference to heathens and pagans around the eighteenth century to association with “race” during the nineteenth century. The interchangeable use with the term race (which is defined in relation to inherited biological features) has created some confusion and this continues today. Debates on the nature and dynamics of ethnicity has continued in different forms until today as a result of changing circumstances and new ways of framing identity in a globalized and conflict-prone world. We have to recognize the fact that the terms race and ethnicity are for historical, political, and other reasons used in different ways in different countries; thus we have to understand them in relation to their contextuality and variability.

Because of its subjectivity, it is important to surmise at the outset that conceptions of ethnicity are often contested. For instance, those who frame it within the primordialist discourse tend to view ethnicity as more or less innate, fixed, and permanent (Erikson 2010), in “a state of intense and comprehensive solidarity” (quoted in McKay 1982: 398) and associated with “tribalism, parochialism, communalism” (Geertz 1963: 261). The critics of this view argue that it lacks human agency in that ethnicity has “innate disposition” (Cohen 1974: xii), and as such tends to purvey “a picture of underives and socially-unconstructed emotions that are unanalysable and overpowering...” and “a more unintelligible and unsociological concept would be hard to imagine” (Eller and Coughlan 1993: 187). Because of this tendency, primordialism fails to explain the changing patterns of social organization, identity, and culture and tends towards a static and almost biologically deterministic view of human society. Associated to some degree with primordialism is the notion of essentialism which tries to frame complex ethnic issues into a single category with given characteristics which are often based on generalizations and assumptions of some given features which are often devoid of time and place (Erikson 2010; Seibers 2017).

Most of the critics of the primordialist and essentialist positions emanate from the other end of the sociological camp. These are principally the social constructionists and instrumentalists who see human intent, experience, belief, and action, not innate determinism, as basis for constructing ethnic identity. The instrumentalist approach conceives of ethnicity in terms of how people subjectively select aspects of cultural norms and institutions to serve their purposes (Barth 1969). So rather than assuming that ethnic identity is inborn and permanent, Barth argues that it is situational and ever-changing depending on people’s subjective needs in response to changing

circumstances. In some ways, Max Weber, who earlier on used the term ethnicity, generally had a similar view that ethnicity does not constitute a group as such but simply acts as facilitator for group formation in a political environment (Weber 1971). In a similar strand of thought, Everett Hughes talks about ethnicity as a result of the way in which the “ins” and “outs” groups define each other’s space on the basis of difference and separation (Hughes 1994). In a way, Weber and Hughes influenced the later social constructionist conception of ethnicity which can be summed up as: “ethnic groups are what people believe or think them to be; cultural differences mark ‘group-ness’, they do not cause it (or indelibly characterise it); ethnic identification arises out of, and within, interaction between groups” (Jenkins 1997: 11).

Along the same trend, while the instrumentalists see ethnicity as subject to selective and conscious manipulation, the social constructionist view sees it as a constantly “constructed” and reproduced phenomenon. The emphasis is the mechanics of construction, the purpose behind the process, and by whom. There are three main subapproaches to the social constructionist discourse. The first is that individuals through social interaction construct various symbolisms which constitute the collective ethnic identity. The second is that discursive formations are agents of social construction and create meanings which frame and differentiate a group from one another (Fearon and Laitin 2000). The third and most prominent of the social constructionist subcategories is the idea that ethnicity is a result of the complex interplay between social, economic, cultural, and political forces linked to colonialism, globalization, modernity, postmodernity, cultural commodification, cyberspace identity, nationalism, and the formation of the nation-state (Erikson 2002, 2010).

By the 1980s, the growth of the postmodern approach shifted the debate from grand narratives of ethnic identity as a social phenomenon to casting it as a reflection of consciousness. Postmodernists argue that identity is superfluous, fragmented, and transactional and must not be considered as a durable social phenomenon (Jenkins 2008). In addition, ethnicity was also seen through the lenses of intersectionality and how issues such as ethnicity must not be understood on its own but should be framed in terms of their relationship with other interconnecting factors such as gender, class, sexuality, ability, age, country of origin, and education as these factors shape ethnicity and each other in complex ways (Collins and Chepp 2013). Meanwhile, at the other extreme end of the postmodern continuum are those like Carter and Fenton (2009) who argue that ethnicity should be abandoned altogether as a useful conceptual tool.

The idea of ethnicity and race as being superfluous is further developed by postcolonial writers. An icon of postcolonial discourse, Stuart Hall, asserts that the historical conditions are construction grounds for new forms of identification. For instance, the changing nature of ethnic representation among the diaspora contributes to “new ethnicities” which are constructed from the old forms of postcolonial representations (Hall 1996). Hall does not see ethnicity as a “thing” but lenses through which social dynamics and structures must be explored (Grossberg 2007). In all social processes, race is to be understood in its internality because it is lived and experienced as well as woven into the fabric of inequality (Alexander 2009).

Along this line of thought, the historical agenda of colonialism was the construction and institutionalization of separate ethnic identities and how this was leveraged as part of the broader ideological, socioeconomic, political, and cultural project of domination that kept colonized ethnic groups marginalized and divided.

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## **Ethnicity, Communal Boundaries, and Group Dynamics**

A number of chapters speak to the salience of boundaries and group dynamics. The critical significance of ethnicity, according to Ratcliffe (1994: 6), “lies in its salience for group consciousness and collective action.” The idea of collectivity and shared characteristics such as kinship, religion, language, shared territory, nationality, or physical appearance are often used as factors in defining ethnicity. Eriksen (2010) suggests that, far from being an unchangeable characteristic of groups, ethnicity is a dynamic and as such constantly transforms aspects of social relationships which cannot be detached from other social identifiers such as class, gender, and nationhood, as well as major contemporary issues of racism, globalization, and multiculturalism.

In this context, ethnicity cannot be easily divorced from other forms of group identity such as shared language (ethno-linguistic), shared nationality (ethno-national), shared region (ethno-regional), or shared religions (ethno-religious) because of the way that it emphasizes the common characteristics of people within the group. In these cases, ethnicity is not only an identifier; it is also a force for mobilization of common interests as well as a defensive mechanism against threats to the group. These forms of mobilization are often referred to as communal nationalism or ethno-communalism. Communalism is a broad term which is defined by identifiers such as language, religion, nationality, region, and other forms of group identification. For Cohen, community is based on simultaneous symbolic construction of similarities and differences:

“Community” thus seems to imply simultaneously both similarity and difference. The word thus expressed a *relational* idea: the opposition of one community to others or to other social entities...The use of the word is only occasioned by the desire or need to express such a distinction. It seems appropriate, therefore, to focus our examination of the nature of community on the element which embodies this sense of discrimination, namely, the *boundary*. (Cohen 1985: 12, original emphasis)

Communal boundaries are defined either internally by the group itself based on its historical claims, mythology, and symbolisms, reproduced and passed down over generations or externally by others based on how they see the group from “outside.” These internal and external definitions of boundaries could be based either on consensus or differences. The state, as an all-powerful external force, may impose its boundaries according to its own political interests and use laws to legitimize this. In other cases, the state may allow members of the group to self-classify. The variables used to define ethnic boundaries consist of an array of factors such as

common cultural descent, common history, genetic and kinship links, sociopolitical symbolisms, and notion of motherland (Erikson 2010). Boundaries become tightly drawn as a defensive mechanism during times of political conflict and socioeconomic crisis as certain groups are targeted, stereotyped, scapegoated, and framed as “undesirables” or even “enemies.” In the recent refugee crisis around the world, migrants were branded as such as their ethnic groups were publicly named to profile them. Discursive branding through “naming” is a way of shaming as well as drawing a tight boundary around a group. It is also a way of drawing attention to the plight of these groups either in a tokenistic and patronizing way or in an empowering manner.

Boundaries are often contested and subverted even from within as societies become more transnational and cultures interact. In contemporary multiethnic societies, where intermarriages, global transmigration, and cultural interaction are common, communal boundaries become more porous and volatile as new generations assimilate new cultures, languages, and new forms of identity. The new globalized middle class in many communities find themselves assuming more internationalized identities and interests which are outside their “traditional” communal boundaries.

One of the most significant factors in group identity is “sense of belonging.” Identification with a primary group through language, nation, religion, territory, tribe, cultural symbolism, or historical association provides a sense of individual and collective bond in an “imagined community” where people who do not know each other share common bonds (Anderson 2006). The feeling that others share similar sense of belonging, no matter where they might be around the world and no matter how much they understand about their original language, religion, or other aspects of their culture, is often reassuring and gives people a sense of purpose and meaning in a globalizing and fast-changing world.

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## Ethnicity and Nationalism

A common strand in the handbook is the relationship between ethnicity and nationalism. The surge of nationalism worldwide has transformed the political landscape significantly because of its tendency to inflame differences and tension. It is important to note that nationalism has two rival conceptions which have competed for historical legitimacy up to now. The first is what may be termed civic nationalism, referring to the creation of collective identity in relation to the state, and this may express itself in the form of a secular ideology for a common civil identity across the within a state. Ethnic characteristics are subsumed under a single national identity within the territory of a sovereign state. This, according to Stavenhagen (1996: 3), may be referred to as “territorial or civic nationhood, and is determined by the state itself through law and shared experience.”

The second conception, ethno-nationalism, refers to intracommunal mobilization using social markers such as language, religion, tribe, ethnicity, and other forms of historically determined links and loyalties, either to establish claims for a separate state or to consolidate domination of a group within an existing state. Unlike civic nationhood, the fundamental determining factor is cultural identity, not formal

citizenship. Sometimes, territory is a necessary aspect of identification, not so much as a space for the application of formal citizenship as for creating an historic homeland to which primordial identification could be made. In this regard, ethnic nationalism attempts to mobilize ethnic groups in relation to actual territories as the ethnic motherland. In these cases, we see a double process of defining a nation around a territorially based state, and of making one particular group the privileged bearer of national identity, defining and controlling the symbols of that identity (Stavenhagen 1996).

The two forms of nationalism have a syncretic relationship which involves the simultaneous interplay between contradiction, accommodation, negotiation, and even selective synthesis. In many cases, the need to unify ethnic groups under a common civic nation is often counteracted by the demand for separate ethnic identity, but this is often mediated by moderate elements within the community who attempt to balance the two. Sometimes, the state plays an active role in mediating this relationship and in certain circumstances this may involve the ethnicization of political space for political, military and other forms of mobilization (Enloe 1980). Sometimes, a particular ethnic group may be dominant with a certain degree of control of the state institutions through the deployment of ideological, legal, political, or cultural mechanisms to maintain hegemony. The dominant ethnic group may even attempt to create and impose a “common” national identity as an ethnic cultural arbitrary. Ethnic conflict between two groups within a state boundary does not necessarily result from ethnic differences in themselves as suggested by advocates of pluralism such as Furnivall (1948) but from a complex interplay of identity with ideological, political, and socioeconomic forces.

The creation of an ethno-nationalist ideology is underpinned by four fundamental factors. Firstly, the “nation” may constitute a community with a distinctive culture and group consciousness articulated in cultural symbols such as language, historical memory, genealogical system, mythology and folkways. Secondly, the group has claim to a common history about common ancestry and the need to perpetuate the unbroken link with the past. Thirdly, the concretization of the ancestral narratives through claims to territorial Motherland, Fatherland, or Homeland. Fourthly, it is the demand that communal and cultural distinctiveness is deserving of political and cultural autonomy (Stavenhagen 1996). These four traits are intertwined and reproduced over time as ideological, cultural, and political basis for ethno-nationalism. But it must be noted that there are other factors such as human rights violation, inequality, resources distribution, political repression, and marginalization which may spawn or trigger the expressions of ethno-nationalism as well as determine its magnitude.

Nevertheless, a nation and nationalism are not always neatly defined through collective familiarity as Benedict Anderson suggests. To Anderson, a nation is “an imagined political community-and imagined as both inherently limited and sovereign” (Anderson 2006: 6). It is imagined because members of the nation do not know of other’s existence, yet they feel that they are part of the same group. It is limited because it includes some people and excludes some, and sovereign because nationalism can be associated with independence and self- government. While Anderson



assumes that nationalism and racism may be dissimilar, Robert Miles counter-argues that the ideological foundation of nationalism and racism are very much the same, because both assume “the existence of a natural division of people of the world’s population into discrete groups” and are used as justification for a group’s superiority over another (Miles 1989, 1993).

The idea that nationalism is fundamentally an ideological construction pervades. For instance, Eriksen asserts that nationalism and ethnicity are different but argues that a nationalist ideology is fundamentally an ethnic ideology and is a celebration of the setting up of a state on behalf of an ethnic group (Eriksen 1993). Immanuel Wallerstein (1991) stretches the argument further by contending that the reality of the modern world is that people have “ambiguous identity” and our complex sociohistorical conditions make precise definition and labelling of social groups absurd. Ethnic and nationalist concepts, he argues, are purely ideological forms of representation and explanations relating to nationalist and ethnic relations must be sought in relation to the “world system” paradigm. Ethnicity is a social construct and a legitimizing tool of capitalist expansion in the world economy. The positions of ethnic groups or nations in the global economic hierarchy are results of the internationalization of capital and labor, Wallerstein continues. In this context, ethnic consciousness can be seen as both situational and subject to “shifting contexts” Horowitz (1985: 4). This means that collective enmities can be created, manipulated, and reproduced at different historical junctures and these may impact upon the direction and degree of social change.

Thus in a broad way, nationalism can be identified and framed at different levels: at the national level where there is an attempt to unify the country as a single political and ideological construct and the creation of a homogeneous and collective identity, or at the local level where the exertion of conflicting identities within a common political space, based on narrow and localized constructs.

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## Ethnicity and Race

As some of the chapters show, both race and ethnicity are social constructs which are often used interchangeably. In a rather simplistic way, race is usually associated with the collective identity of people sharing the same physical attributes while ethnicity is often related to shared cultural inheritance. But it does not end here. Underlying the assumptions about race is the idea that primordial physical characteristics are intrinsically associated with people within a geographical boundary and sharing similar cultural traits. For instance, when references to “Chinese race,” “Aboriginal race,” or “Irish race” are made, there is an implicit assumption of interrelationship between both biological and social characteristics. Sometimes race is used as broad sociobiological construct used as generic constructs such as “black race,” “white race,” or “Aryan race,” which often have political or ideological connotations attached to them to demarcate (horizontally and vertically) groups from one another.

In some countries (such as the USA and South Africa), the generic concept of race is officially employed to demarcate and categorize groups of people with perceived

similarities – the notions of “black” and “white” are central to this classification. But these color codes are associated with perceptions and attributes which go beyond just the skin pigmentation into the realm of cultural hierarchy and even level of intelligence (Fredrickson 2015). The racialization of intelligence and superiority of culture has underpinned racism over the years but despite criticisms, it still exists in various institutionalized and subtle forms. The belief in the link between race and sociocultural progress still lurks in subconscious ways in many academic discourses such as psychology, economic development, and political development. In his book, *The Bell curve*, Herrnstein and Murray (1994), tried to make the argument that race and intelligence had some association. The modernization theory which has been a dominant narrative in economics, sociology, political science, and other social science disciplines is based on the assumption that societies can be ranked on a unilineal scale based on their level of cultural, technological, and scientific progress and superiority. Even the use of indexes in analytical templates such as the United Nations Human Development Index, Fragile State Index, Corruption Index, Governance Index and other forms of country classifications, selectively use indicators which favor “Western” countries and associated cultural groups over postcolonial societies which are largely populated by “less superior” racial groups.

Recent advances in the area of genetic studies have helped reshape some of the assumptions about ethnicity and race. DNA mapping of human groups show that there are no genetic basis for racial differences thus nullifying the age-old myths of racial superiority on which scientific racism is based. It is now a scientifically proven reality that human genetic variation occurs more within geographically distinct groups (85%) than between them. Thus racism as a constructed behavioral disposition is based on flimsy myths of differences rather than on any scientifically sound basis (Rutherford 2017).

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## Shifting Ethnicity, Self, and Others

Several chapters deal with the challenges of ethnicity in a changing and complex social environment and collective definition. In an increasingly complex world, ethnicity has become relational with constantly constructed and shifting boundaries based on responses to the changing contexts. This is a theme elaborated by Barth (1969), who used the social anthropology framework to understand how groups mediate and define themselves in relation to others. This requires the use of symbolism to unify individuals and create a commonly shared sense of belonging. These symbolisms express cultural narratives and values which often change over time. According to Jenkins (1997: 40), ethnicity involves cultural “differentiation” (although identity is always dialectic between similarity and difference) as well as “variable” and “manipulable” as well as both “externalized” and “internalized.” Because it is manipulable, ethnicity is potentially explosive and fraught with intellectual and political prejudice and controversy, as Horowitz wrote: “Ethnicity has fought and bled and burned its way into public and scholarly consciousness” (Horowitz 1985: xi). It is sometimes conceived of as being “situational” (Ratcliffe

1994) because ethnic identities are created in relation to certain situations; or “mobilizational” (McKay 1982) because ethnicity is based on mobilizing along certain identities to serve certain purposes. As a way of sustaining their collective identity in a situation of change, groups will continue to “reinvent” identity and tradition (Hobsbawm and Ranger 1983).

Ethnicity is also transactional in two ways. Firstly, the processes of internal definition where members of a group collectively define their own individual and group identity in relation to some recognizable culturally specific practices; and secondly, is external definition where individuals and groups are collectively defined by “others.” External definition could either entail validation of other’s internal definition of themselves or the imposition and characterization by others which may significantly affect the social experiences of the categorized (Eriksen 2010). The processes of internal and external definition are, in the complex day-to-day social life, interrelated in a dialectical way. External definition takes place within an active social relationship between individuals and groups.

As Jenkins (2008) further suggests, the “us” and “them” or “in group” and “out group” definitions are fundamental to the process of ethnicity formation. It involves the interrelated processes of production, reproduction, and transformation of the “groupness” of culturally differentiated collectivities. Here, the distinction between “groups” and “categories” must be made. A group (as in ethnic group) represents a collectivity as meaningfully conceptualized and defined by its members, and self-awareness of their distinctiveness; while category (as in ethnic category) is a collectivity defined externally in relation to criteria formulated by sociologists or anthropologists.

External definition could be a mirror for internal definition since it has an impact on conceptualization of the self (Harter 2015). It can also pose a threat to a group since external definition could imply stereotyping or worse, undermining of internal definition or worse still, a prelude to political interference and even ethnic cleansing as we saw in Rwanda and Bosnia. Defense of threatened identities could be a basis for political mobilization, around certain culturally specific or historically constructed symbols such as flags, land, mythology, or language. Collective identification is a result of acculturation into an ethnic group identity through complex processes of formal and informal socialization at different stages in life. These may include family nurturing; routine public interaction; sexual relationships; communal relationships; membership of informal groups; marriage and kinship; market relationships; employment; administrative allocation; organized politics; official classification (Jenkins 2008).

Moreover, external categorization may be “internalized” by the categorized group in different ways and these may have implications on intergroup relations. Sometimes, external definitions may complement and validate existing internal definitions, and this has potential to open up group boundaries to allow for greater interaction. Sometimes, external definitions which are incompatible with internal definitions can create hostility and invoke resistance thus tightening intergroup boundaries further. In times of crisis and conflict, intergroup definitions could become intensely political and the ethnic boundaries drawn more rigidly and well-guarded. In some cases, external definitions may be externally imposed by more powerful groups, sometimes with the help of the state, and this has the potential effect of creating a subaltern identity under

the hegemonic shadows of a dominant group. External categorization can mean intervening into and changing others' social world and experiences as we have seen in the case of vulnerable minority groups such as the Rohingya in Myanmar, Aborigines in Australia or certain indigenous minorities in China.

Also, in times of conflict, claims to land, rights, identity, religion, history, language, and other aspects are constructed as a way of legitimizing political demands or as protective mechanisms against counter-claims. These claims are often articulated as immemorial and even primordial and involve invoking genealogical continuity and intimate embeddedness in ancestral land. This may involve reproducing myths of common ancestry, origin, migration, and history as a basis for constructing an ethnic ideology. To Stavenhagen (1996), the ideological consciousness arising from identification as a "kinship myth" community could remain embedded in the communal psyche for a long time and deployed in various forms as a justification underscoring demands for various political rights, economic rights and nationalistic causes. Thus ethnic solidarity tends to intensify as the struggle over scarce resources escalates. The ethnic myths reproduced over time can define the moral and political character of the "us" in relation to "them." An important component of these ethnic myths is ethnic stereotypes that collectively embody the identity with strangers in an "imagined community" (Anderson 1983).

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## Ethnicity and the State

A number of chapters in the project deal with the complex relationship between ethnicity and the state. Ethnicity is often conceptualized partly as an ideology employed by individuals and the state to resolve insecurities arising from the power structure within which they are located (Brown 1994: 1). The relationship between ethnicity and the state is complex, especially when associated with contestation for power and wealth. In its role in the distribution of power, status, wealth, and security arrangements in society, the state may align itself with certain groups over others on grounds of religion, language or cultural identity. In addition, the state may impose a power structure and impose an ideology to define the parameters within which ethnic identity and consciousness of particular groups should exist. The state may even derive its official ideology from the cultural values of a particular ethnic group using cultural markers such as language, religion, and territory. Some examples such as Malaysia, Iran, and Indonesia where Islamic values are associated with state ideology, come to mind. Even in "Western" states such as France, assimilation into the dominant "liberal" French values are enforced by the state through banning of certain cultural symbols such as burka in various places.

States differ greatly in their capacity, legitimacy, autonomy and organizing ideologies in relation to dealing with the challenges of ethnic relations. Perhaps a broad and arbitrary distinction could be made between "autonomous" and "non-autonomous" states, as two ends of a continuum, based on their deployment of ethnic policies. States which tend towards being autonomous would be "ethnically impartial" or ethnically depoliticized, that is, ethnicity arises only as a factor in national

integration and development. On the other hand, states which have nonautonomous tendencies have a strong ethnic orientation in relation to state ideology, resource allocation, and political mobilization. This is where the hegemony of the ethnic paradigm as a state ideology is more likely to be a dominant trend. This does not mean that the state creates ethnicity. Rather, the state, because of its control of the power structure, is able to intervene and influence the operationalization of ethnic relations through subtle legal means, direct coercion, or a mixture of both. Reaction to this intervention can be determined by how much state power threatens existing in-group identity (Brown 1994).

The state-ethnicity power dynamics may involve the stratification of political power and resource ownership along ethnic lines. A particular ethnic group may, for historical reasons, be able to control and use the state machinery to make territorial claims and to advance its political and economic interests, ahead of the interests of other subaltern ethnic groups. The state is rarely an innocent bystander as state power could be used by “dominant elites to impose, preserve or extend their hegemony over other ethnies or over territory which they claim as their own”; this becomes destabilizing because “power in the state rests principally with a dominant or majority ethnic group, or when the national society constitutes an ethnically stratified system” (Stavenhagan 1996: 1–2). The relationship between the state and ethnicity is a complex and dynamic one which changes and manifests itself in different ways because ethnicity can be political as well as well as a potential central ingredient in the construction and mobilization of state power (Enloe 1980).

The state presides over a terrain of class and ethnic complexity which it shapes and in turn shapes the character of the state. The capacity of the state to sustain its hegemony depends on how it maps out the ethnic terrain, selectively nurtures ethnic categories, and carries out political and economic mobilization along constructed ethnic divisions. Thus the role of the state is a deliberately active one, either to contain ethnic friction or encourage ethnic conflict and hegemony through direct or indirect alignment to ethnic-based values in a direct or very subtle ways. The state’s role in ameliorating ethnic conflict through affirmative action, truth and reconciliation commissions, diversity policies, and other measures have sometimes led to stability, but in some cases, these have encouraged essentializing groups and further ethnicization of the state (Ratuva 2013). The state’s control and monopoly over force and the legal process enables it to construct and reproduce ethnicity in ways that are consistent with certain elite interests. This could feed into what Enloe (1980) refers to as “ethnic mapping” or how the state stratifies ethnic groups in terms of trustworthiness and potential threat to the state. After 9/11, people of Middle Eastern origin were regarded as posing the largest threat to the USA and many were publicly attacked and vilified. In Israel, those of Palestinian origin are regarded as least trustworthy while in many European countries, migrants of non-European background are seen suspiciously as potential threats to the state and the European culture.

Weiner (1987) notes that when the state acts as an agency for a dominant ethnic community and acts to accommodate its cultural, economic, and political interest in a highly institutionalized way, it becomes an “ethnocratic state.” To Brown, the ethnocratic state has three main aspects; firstly, the state overwhelmingly recruits

from members of the dominant ethnic category into the state elite positions (such as military and civil service); secondly, the national ideology is based on the values of the dominant ethnic category and; thirdly, the superstructural arrangements (constitution, law, political structures) serve to maintain monopolization of power by an ethnic group (Brown 1994: 36–37). In this sense, policies pertaining to multiculturalism or national integration often translate to cultural assimilation of subaltern communities into the values of a dominant ethnic group.

Moreover, one of the levers of interethnic engagement in “plural” state is to generate consensus by elites of competing ethnic groups through what Lijphart refers to as “consociationalism.” Consociationalism contends that arriving at social homogeneity and political consensus is an essential prerequisite for maintaining a stable democracy (Lijphart 1968). This requires that competing ethnic leaders engage in coalescent rather than adversarial decision-making. However, this could lead to elite bargaining and consensus based on narrow self-interest and because of this, the idea of constitutional and electoral engineering is seen by some as a way of maintaining ethnic balance and stability (Horowitz 1985).

The state’s engagement with ethnicity could be multidimensional and contradictory. For instance, the state may be involved in strategies to minimize ethnic tension, while on the other hand, it may contribute to conflict through policies which exacerbate inequality, unemployment, loss of educational opportunities and human rights abuse. Or states may articulate humanistic liberal policies such as multiculturalism at one level but engage in institutionalized and subconscious discrimination and marginalization of some groups at the same time. A significant number of conflicts around the world today revolve around this state-ethnicity dynamics. Responses to state-sponsored injustices, oppression, and malpractices may even take the form of violence and succession and these can lead to interrogation of the legitimacy of the states.

In recent years, the assault of the state from both the “right” (which demands more power to corporations and particular ethnic groups) and the “left” (which demands more ethnic diversity and more power to the people) has raised fundamental questions about the role and capacity of the state in dealing with the complex issues relating to ethnicity. States have been forced to rethink their strategies by either taking a more exclusive strategy or swing down the path of exclusivity. This is happening in the context of the weakening of the state through the neoliberal agenda including the privatization of state functions (including the military), undermining of state autonomy and sovereignty through global trade agreements, growth of the social media, as a means of mass mobilization, increase in arms deal outside the ambit of states and growth of people’s movements. We are bound to see these trends increasing in the near future.

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## **Racism and Subconscious Bias**

A number of chapters cover how racism and subconscious bias play out in various situations and countries. At the outset, it is important to note that a vital ingredient of ethnic relations is people’s interpretation of other’s experiences, perceptions,

attitudes, and behavior, as well as norms, belief systems, and institutional policies and laws. Negative attitudes towards others are often referred to as “racism,” the belief that one’s own race is superior than others. The notion of superiority is perceived to permeate many aspects of human ability and capacity such as intelligence, culture, technology, political systems, economic systems, and belief systems (Kivel 2017).

There are various types and degrees of discrimination and prejudices, ranging from genocide to more subtle forms such as subconscious bias in everyday life (Levison 2012). History is littered with killing of people on grounds of ethnicity and this continues today (Wolff 2006). Many indigenous groups suffered massacres and oppression in the hands of colonial invaders because they were seen to be subhuman and thus dispensable. Even in postcolonial societies, some of the ethnic stereotypes constructed during the colonial days became the basis for ethno-political tension and even violence in new states. Prejudice can be publicly invoked by competition for control of economic resources, employment, land, political power, and other aspects of life where any form of competition can easily digress into scapegoating and racialization. Racism and colonialism were symbiotic in many ways because while racism provided justification for colonialism, colonialism and its civilizing mission was also used to justify racism (Ross 1982). Slavery, like colonialism, was justified on the grounds that there were certain people who were destined to be subservient because of their inferiority in the natural order of humanity. This was the ideological narrative used to justify exploitation of cheap labor to generate profit for the globally expanding colonial capitalism and also a way of softening the moral burden of the largely Christian European society which was involved in slavery, colonialism, and other forms of human subjugation (Williams 1994).

Racial prejudice can be institutionalized in a deliberate or subconscious way through the use of policies or practices which favor a dominant group while subconscious racism is far more subtle and not easy to “detect” although it can be “felt” in a profoundly subjective way by victims. Because of this, it is easy to deny it. People’s prejudices are developed through religion, home upbringing, education, media, and other means of socialization. Often these are “normalized” and deeply embedded in our psyche, and they are articulated through thoughts, language, behavior, and actions. Subconscious racism pervades a whole range of our daily activities including marking student essays, selection of a football team, recruitment in a firm, service in a restaurant, or catching a taxi. Some forms of subconscious bias are more subtle than others. For victims of racism who have been subjected to “normalized” prejudices, their interpretation of language and action can be colored by preconceptions of prejudice. Thus victims can also manifest subconscious bias but in a different way from the perpetrators. Policies and laws often have deeply entrenched implicit biases against subaltern groups – this by and large reflects the racialized and unequal nature of the legal system and society generally (Levinson and Smith 2012).

The electoral victory of the far right and neo-Nazi political parties in some countries in Europe and Trump’s ethnic policies in the USA has helped “normalized” racial prejudice and deepened ethnic divide. To be clear, the divide is not so much



between the “racial” categories of “whites” and “non-whites” but between the supporters and opponents of white supremacy, an ideology which believes in the natural superiority of whites. Many opponents of white supremacy are moderate and progressive whites themselves. However, as Robin DiAngelo observes in her book, *White fragility*, even liberals contribute to racism through self-serving attitudes and by pretending to be vanguards of multiculturalism (DiAngelo 2018). One of the misleading assumptions is that racial supremacy is only manifested by neo-Nazi groups making public political demands. The reality is that the belief in racial and cultural superiority is also subtly embedded in a range of dominant discourses in development (Western form of economics is superior), politics (Western form of politics is more advanced), psychology (Westerners are more motivated), and the list goes on. Subtle variations of supremacy are wired into educational curriculum, medical practice, sports, Hollywood films, mainstream media, and other daily activities, but the fact that these have been mainstreamed makes their prejudice “invisible.” Through Christianity and modern education, dominant ethnocentric views also become mainstreamed and act as yardstick for defining progress, civilization, and modernity.

Constant reproduction of prejudice as part of the normal moral discourse can be overwhelming and even victims themselves often end up internalizing the imageries, stereotypes, and prejudices against them, and they may even consider them as natural. Accepting one’s own cultural and intellectual inferiority is reinforced by the education system, Hollywood movies, literature, media, and other forms of communication. This can be traumatizing for some groups who are caught between the rock and a hard place – on one hand, the desire to protect their identity and, on the other hand, the pressure and expectation by society to assimilate into the bigger social and political environment.

Racism is not only between a dominant group and a minority; it also exists amongst minority and marginalized groups. For instance, as Matori (2015) found out, in a situation where several minorities are victims of racism, the competition to be accepted by the dominant group can create tense contestation. Often the idea is to determine the most recognized and privileged within in a pecking order determined by the dominant whites or who best emulates the dominant white racial ideal. Matori found that competing minorities have created racial hierarchies and boundaries which they passionately guard from each other. The irony of utilizing the standard of “whiteness” as basis for intra-minority racism – where those with the darker skin and fuzzy hair are considered inferior to those with fairer skin and straighter hair – adds a new dimension to intergroup racism.

Racism can also be time and context bond and people’s subconscious bias may change in relation to changing circumstances. For instance, Johnson and Jone (2015) note that the perception in the 1800s in the USA that Asians, especially Chinese and Japanese, were culturally and intellectually inferior and good only for manual labor, changed over time as a result of the Asians’ achievements in education, commerce, and various professional undertakings. While there is still contextual racial bias, the Chinese and Japanese are now often regarded as equals or even better than whites in educational areas such as mathematics, science, and technology. But then these



successes are often seen as results of narrow mechanical role learning, an Asian educational trait, as opposed to enlightened critical thinking, a feature of “Western” scholarship. Despite these contextual shifts (contextual because it can be seen as just temporary or exception of the norms), there is still a belief that success of minorities can be just due to the assimilation into the superior dominant ways rather than a manifestation of equality of intelligence or skills between the dominant and minority groups.

Beyond perception, racism and the imposition of dominant values is more durable and permanent when embedded and reproduced in powerful institutions and systems such as education, economy, health, religion, and sports. While these institutions provide means of empowerment social mobility, they can also breed inequality and deprivation and those without the means to climb up the ladder may find themselves caught up in a vicious cycle of inequality over generations. As discussed by Thomas and Clarke (2013), the global neoliberal economic agenda has further marginalized many ethnic minorities whose land has been appropriated for corporate business or who remain disempowered unskilled workers. The growth in global labor migration from various poor communities (mostly from the Global South) around the world has added a very visible ethnic dimension to capitalism’s global division of labor. Global neoliberalism has created a dynamic nexus between international labor and ethnicity through the creation of a globally mobile working class who continue to be subjected to racial profiling in countries where they work whether they be Latinos in the USA, Asians in the Middle East, Eastern Europeans in Western Europe, Africans in Europe, or Pacific Islanders in New Zealand.

The increase in migration and refugees has also heightened the incidents of racist attacks in various parts of the world such as in Europe. Migrants and refugees are seen not only as economic liabilities but also as threats to local culture and security (Fekete 2018). The fact that most migrants and refugees into Europe are non-whites draws a clear racial line of demarcation between “them” and “us” and the public visibility of the “them” makes them very vulnerable to attacks by right-wing groups and anti-migrant ordinary citizens.

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## **Ethnic Diversity and Assimilation**

A number of articles directly speak to the notion of ethnic diversity. A concept often associated with diversity is assimilation. Assimilation refers to smaller groups being absorbed into a large one through voluntary association, use of force, or through tactical co-option. This can lead to different scenarios such as subjugation to the dominant culture, negotiation over one’s place in the new order, marginalization due to failure by the dominant group to acknowledge minorities or outright resistance and conflict. Integrating into the new order is challenging because of the existing structures of social, political, and economic inequality which automatically slot people into class and racial silos. Without education, language proficiency (especially English), and professional skills, it would be very difficult for new immigrants to be absorbed mutually into mainstream society. For migrant minorities,

assimilation often means, firstly, facing up to the complex paradoxes of acquiring the host country's culture while threatening to lose one's own and secondly, being part of a structure of socioeconomic inequality and political subalternation and racism which keep them marginalized. Reaction and resistance to this can build up over time and could be expressed in violent forms such as terrorism (Chrichlow et al. 2018).

Examples of this abound. In France, whose colonial rule equated to "Frenchnization" of colonized people, assimilation meant "de-ethnicizing" and transforming one's identity to become "French" and may include banning of cultural symbols such as dress and artifacts from public places in the name of secularism (Thomas 2013). The haunting paradox is that French secularism not only forces migrants to integrate into the French culture, the French society itself does not accept them as equals, thus creating a class and ethnic schism which has contributed to instability and violence. In Britain, while ethnic minorities can continue to celebrate their unique cultures, in latent ways, they are also expected to assimilate to certain values, behavior, and thinking consistent with being "British." The notion of Britishness is contested between those who believe in maintaining the old imperial symbolisms and those who want it redefined and rearticulated to reflect the country's globalized and diverse character (Erel 2016). Although assimilation has its own problems, in many European countries, it has now come under assault by the emerging populist right-wing parties and political groups campaigning against migration. In the USA, the intersection between class and racial inequality has made a mockery of the mythical ideals of accommodation to the "American dream," "land of the free," and "god's own country" which define the virtue of "Americanness" as millions of people sink into poverty while corporate America continues to prosper (Chomsky 2017).

One of the criticisms of assimilation is that the economic, cultural, and political structures which are meant to facilitate the process of acceptance and integration actually create the conditions which promote class inequality and racial separation. It is difficult to assimilate horizontally when the structures of inequality still create vertical separation and marginalization of migrant minorities. This often breeds grievances and sometimes violent reaction. Cultural assimilation often involves redefining identities, readapting to a new cultural sphere, and sometimes reinventing one's own ethnicity. This requires constant negotiation between the original identity and the new one and people deploy one over the other to suit their interests in different contexts.

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## The Process of De-ethnicization

A number of articles elude to the issue of de-ethnicization in indirect ways, although the term itself (de-ethnicization) may not be used. The term refers to the process of erasing ethnic aspects of identity of a person, group, or object voluntarily, through legal mandate or forcefully through political coercion. Sometimes this can be subtle and institutionalized such as the removal of ethnic labels and symbols and reducing

people into quantifiable statistical information as consumers, citizens, or population, a common form of categorization by economists.

Deliberate de-ethnicization by neoliberal forces has impacted significantly on indigenous groups around the world. For instance, indigenous people who sit on profitable land are seen not as cultural groups with a history but as impediments to the march of modernity (Thomas and Clarke 2013). The desire for greater privatization, profit-making, and free trade has led to the reframing of indigenous culture, knowledge, identity, and even people (through their labor) as mere marketable commodities devoid of human qualities. This is quite pronounced in the area of indigenous intellectual property where through the process of biopiracy, pharmaceutical companies have transformed traditional mediational knowledge into profitable market commodities. The loss of indigenous knowledge for the purpose of making corporate profit has stripped away the connection between ethnicity and knowledge, an ethical issue which has resonated in recent decades (Ratuva 2009).

In professional sports, de-ethnicization of individuals is part of the commodification of their physical prowess and their identity is associated with sports brands and sponsoring companies (Poli 2007). The same goes for high achievers in various fields, where the media often portrays people in terms of their nationality and place of residence rather than ethnicity. A particular form of commodification is the way in which identity has been “digitized” in the cyberspace world. Often that cyber identity has to be paid for. Engagement with the cyber world requires people to reconstruct new virtual and digital identities to connect with other digital identities globally. In this realm, ethnicity as a social category is overshadowed by a virtual personality. However, the dynamics may change when the virtual space is used for ethnic and cultural networking either to promote or subvert ethnic identity as Sullivan and Chen (2016) have shown in the case of Chinese speaking or “Sinophone” virtual discussants.

De-ethnicization can also take place through assimilation as we have seen earlier. Diversity and equal citizenship policies can be used as Trojan horse for assimilation and de-ethnicization of minority groups. In some cases, attempts by states to de-ethnicize and impose a new identity has been met with creative and innovative means of “resistance.” For instance, research in China has shown that people have used common religious beliefs as new cultural unifying forces that transcend people’s ethnic identity imposed by the state (Lim 2015). In other cases, the process of granting citizenship for migrants can lead to de-ethnicization through provision of a new identity (re-ethnicization) based on the values of the new nation and residency. Loyalty to the new state, or civic nationalism becomes an overriding consideration over loyalty to one’s ethnicity. Creating a new civic identity and de-ethnicization may become complementary forces in the new experience and this may enhance symbolic assimilation where people will show outward loyalty but latent resistance (Joppke 2003).

Another strategy which is linked to de-ethnicization is the use of “color blindness” as a means of responding to the challenges of relationships in a multi-ethnic society. This entails removing ethnicity from daily discourse and treating people on the basis of “equality.” While this may seem like a just and morally virtuous

approach, the reality is much more complex since removal of ethnic labels only helps to conceal the structural and historical inequalities and injustices suffered by the de-ethnicized minorities. These inequalities are linked to income, education, and opportunities and to gloss over through “color blind” policies may hide the situations of the minorities and marginalized further thus in effects legitimizing them (Fryberg 2010).

Although on the surface, de-ethnicization could be regarded as a progressive approach to creating a harmonious and diverse society, the subjective reality is far more complex. For dominant groups, this means disregarding race, a rather difficult subject to deal with, as an important factor in interpreting and understanding inequality. For minorities who are victims of discrimination, this may hide the very factors which keep them in a disadvantaged position. The argument that needs to be made here is that ethnicity has to be illuminated and consciously dealt with to reveal how it disadvantages some groups and privileges some. One of the ways to address this is endorsement of ethnic and cultural diversity and acceptance of differences as social capital for interracial harmony (McCabe 2011).

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## **Ethnicity and Intersectionality**

Ethnicity intersects in complex ways with other social factors such as class, gender, and political ideology. In situations of “ethnic” conflict, the major causes could be structurally associated with economic inequality, competition over resources, or contestation over political power. Often ethnicity becomes a conduit through which conflict is expressed. The situation is much sharper in societies where there is a clear relationship between class and ethnicity, especially where an entire ethnic group constitutes the economically subaltern class (Healey 2011).

In many postcolonial societies, the deep rifts resulting from the intersection between ethnicity and socioeconomic class is a result of historical processes such as colonialism that involved the transmigration of ethnic labor to provide cheap labor for colonial capitalism. Slavery, indentured labor, and other forms of cheap labor recruitment created a new class of international migrant workers from Africa, Asia, Pacific, and other parts of the world. Although colonialism and slavery have long gone, the impacts are still felt today in terms of how many descends of slavery and other forms of transnational laborers still face poverty and marginalization.

The disjuncture between high economic expectations and lack of opportunities has potential to nurture grievances amongst the young and this can easily translate into mobilization of ethnic identity and expressions of resistance. This could be worsened by the racialized policies of some states which neglect the ethnic poor. In the long run this can breed violent forms of ethno-nationalism. The assimilationist policies of the state aimed at domesticating poor ethnic minorities has not been totally successful as many young people seek alternative support systems and modes of expression such as “terrorism” (Zizek 2016). In the USA and Brazil, the descendants of former slaves, still remain at the bottom of the social rug and their

opportunities are worsened by the neoliberal policies which impact negatively on housing, health, and employment.

The issue of gender is closely tied to ethnicity in various forms. Women in minority groups are subordinated in multiple ways because of their gender, ethnic background, as well as socioeconomic status. In some societies, minority women often suffer not only masculine violence, also racism in everyday life and sexism at work (Healey 2011). The rise of black feminism as a discourse of resistance is a response to the ethnicity-gender intersectionality and the oppression and marginalization of poor colored women. Similarly, discrimination against members of the LGBT (lesbian, bi-sexual, gay and trans-gender) community is even more discernible if one is colored or belongs to an ethnic minority. Dominant masculine notions of morality often institutionalized in religious, legal, cultural, and political institutions are usually based on dominant European sensibilities.

Globalization has transformed the politics and spaces of intersectionality which links together ethnicity with class and gender within states and between states. Although globalization may appear to be integrating peoples and cultures into a unifying embrace, the reality is that it has created significant power inequality, a class of vulnerable subalterns, and a deeply racialized global society (Chrichlow et al. 2018).

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## Ethnicity and Affirmative Action

As some chapters indicate, attempts to address ethnic tension abound and affirmative action is just one of them. Affirmative action refers to policies and programs aimed at redressing the disadvantaged position of groups who have historically been denied opportunities, power, and resources. Many countries have used it as policy response to issues of racism, inequality, and lack of opportunities resulting from a history of racial discrimination, denied opportunities, and oppression (Arthur 2007; Kahlenberg 1997). The types and intensity of racial discrimination and separation differs from country to country, although the justifications may be similar (Ratuva 2013).

The philosophical justifications for affirmative action include reparation for past wrongs and injustices, creation of a more equal playing field and allowing equal opportunity, or as a form of conflict resolution (Ratuva 2013; Arthur 2007). In the USA, some states still allow race-based affirmative action for blacks and other minorities, while some like California have banned it altogether in favor of diversity-based approaches. In Malaysia, affirmative action started in 1970 under the New Economic Policy to equalize wealth distribution between the Chinese and Malays and both South Africa and Fiji copied the Malaysian model (Ratuva 2013). In India, there is ongoing affirmative action for the scheduled caste, who are also often regarded as belonging to an ethnic group. A number of countries like Brazil, Canada, and New Zealand, among others, also practice affirmative action as a way of redressing the disadvantaged socioeconomic situation of their indigenous people. Ethnic-based affirmative action is justified on the principles of justice and equity and

the recognition of the faults of history that need to be rectified or at least acknowledged. In this case, it is a matter of moral consideration and a matter for the conscience of the nation (West 2001).

Critics of affirmative action have provided different counter narratives and some have referred to affirmative action as a form of “reverse discrimination” basing their arguments on the fact that through preferential resources distribution, whites and other nondesignated groups are denied their rights of access and natural justice. Along this reasoning, there have been some challenges in US courts over the years on university entry either by white or Asian students (Kennedy 2015), one of the latest being on Harvard’s diversity-based admission policies which allegedly disqualified entry by some Asian students. There is a claim that characteristics such as sex, religion, or race, used as basis for arbitrary discrimination, should not be used as basis for compensation (Faundez 1994). For instance, the use of ethnicity as ground for affirmative action to counter previous acts of discrimination that were based on ethnicity, tantamount to another form of discrimination. Some like Gross (1978) and Goldman (1979) argue that affirmative action, if it is compensatory, is unjustified.

One of the counter arguments against the reverse discrimination theory is that it does not consider the historical and structural aspects of discrimination and the effects on the subalternation of an entire group. Along this line of logic, affirmative action should be seen as contributing to equity creation in the broader context of society rather than an attempt to deprive the more privileged groups. Demands for more equitable distribution through affirmative action is often met with resistance by more privileged groups in society because of fear that it would undermine their dominant position, take away their rights they are entitled to, and that the designated groups need to work harder rather than rely on handouts.

Nickle (1977) argues that affirmative action does not really involve reverse discrimination because it involves reparations for past wrongs and as such is not based on morally irrelevant factors. Affirmative action is also a way of making up for the losses incurred under discriminatory systems such as slavery and Jim Crow laws in the USA or apartheid in South Africa (Katznelson 2006). These forms of inequality were hegemonic, predatory, and exploitative and meant to maintain racial supremacy, while affirmative action attempts to create a level playing field. It is important also to note that the playing field is never level in the USA, despite myths of the “American dream,” because of the complex ways in which the interplay between ethnic and economic inequality are institutionalized in the corporate US society. Even the black middle class is not fully accepted into the white corporate America, and race still matters in defining class membership and privileges (West 2001).

Perhaps one of the most successful forms of affirmative action has been education while other programs in the area of business have been problematic. For instance, in cases such as Malaysia, South Africa and Fiji, affirmative action in education has created a vibrant and large middle class while preferential policies in the area of commerce has led to institutionalized corruption by ethnic elites working in collusion with state bureaucrats and business (Ratuva 2013). Some of the biggest beneficiaries of affirmative action are state aligned elites, their cronies, and families.

One of the controversial issues refers to the question of whether affirmative action should take place within the context of group or individual rights. Critics of group rights such as Cowan (1977) argue that affirmative action is only justified as a remedy for individuals who have suffered discrimination. On the other hand, Nickle (1977) admits that individuals need compensation but mainly because they were part of a group that suffered discrimination; hence the only solution is for the entire group to be compensated. It is important to note that in most cases of ethnic inequality, group and not individual identity was the basis for discrimination and marginalization, thus affirmative action needs to have a group focus.

A central tenet of affirmative action is the issue of justice and whether it has the potential to heal some of the wounds of the past. As a mode of distributive justice and a means of peace-building in societies where ethnic strife is part of the political and social life, affirmative action can either be built into law or maintain a voluntary status. The issue of whether affirmative action should remain strictly ethnic or become more class-based is a critical one, particularly with the increase in the number of well-off individuals from the designated group and the need to address the socioeconomic issues of the poorest people among the subaltern groups. Creating opportunities for the most disadvantaged is a moral imperative which transcends race and class – it is fundamentally a humanity-driven concern.

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## Conclusion

Ethnicity is one of the most basic forms of identification but over the years, the way it is defined by groups and by those outside the groups has been subjected to reevaluation and reconceptualization as a result of changing contexts. Globalization has worked in diverse ways in terms of creating new forms of identification including the de-ethnicization of identities and at the same time it has created conditions which have spawned the growth of re-ethnicization as individuals and groups try to reconstruct their identities as protective, reactive, proactive, or mobilizational tools in response to perceived threats.

Ethnicity is complex and contentious, and there are diverse approaches used to understand the underlying forces which frame it as well as some of its manifestations. This chapter has briefly examined a number of issues focusing on some sociological debates; ethnic boundaries and group dynamics; nationalism; ethnicity and race; ethnicity and the state; racism and subconscious bias; ethnic diversity, assimilation, and integration; de-ethnicization; intersectionality; and affirmative action. There are a number of lessons that we can learn from this chapter – perhaps the most important is that ethnicity is a social construct which is framed and articulated at the whims of groups and individuals. Because it defines our humanity and sense of being, ethnicity is shrouded with emotion and often with imprecise boundaries. Historically, people have killed and destroyed in the name of ethnicity and a lot of today's conflicts and wars are associated, either directly or indirectly with ethnicity. The rise of Trump and his racially loaded policies and political narratives; the war on terror; the conflict in the Middle East, Africa, Europe, and Asia; and the

rise of right-wing parties and groups in response to immigration show that old forms of ethnic identity can be reimagined and reinvented and used as justifications for new interests.

Ethnicity is closely aligned with other social forms of identity such as class and gender and when laced with political and religious ideologies, the outcome can be dramatically transformative. Ethnicity is transformative, and at the same time, it is being transformed and will continue to be a defining force for human identity and destiny.

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# Nexus Between Ethnicity and Identity

## Part Introduction

Ethnicity is an expression of identity, yet how the two interplay and shape each other is complex and takes multiple forms. Ethnic identity is framed and articulated in diverse ways, including symbolisms, sense of belonging, shared consciousness, collective imageries, historical memories, genealogical ties, and even institutionalized definitions and policies.

Symbolisms help in defining ethnocultural group identity as Elya Tzaneva discusses. To sustain this sense of group identification, a common sense of belonging and consciousness, inculcated through cultural socialization, is needed, a theme expounded by Sara Amin. Group identity evolves and constructs its sociocultural trajectory through cosmological, mythological, or ideological reference points, which are often inspired by a group's historical memory. This is a theme explored by Cindy Zeiher who connects historical memory to ethnic myths. As a binding force for collective identity, historical memory is strongly tied to a group's sense of kinship, genealogy, and affinity. Furthermore, in everyday life, these identity relationships are projected outwards and negotiated through various lenses. Perceptions and imageries often inform the way social groups are framed and classified in a multiethnic society. An important factor, which interplays in a prominent way with ethnicity is class. There are different angles from which this is approached and Rodrigo Gonsalves takes a more philosophical and psychoanalytical approach in analyzing the nexus between ethnicity and class.

The above articles are more conceptual in their use of different sociological and philosophical framing of the nexus between identity and ethnicity, while the rest of the articles are more empirical-based in terms of how this nexus plays out in various social contexts. The dynamics in different societies are specific to the historical, political, and sociocultural conditions. One of the challenges for minority ethnic groups is how they are able to maintain their identities within a hegemonic state system which imposes an external definition as well as determines the limits of their political rights. Roland Boer provides a comprehensive analysis of how minority ethnic groups are redefined and provided official identities by the Chinese state. Such construction of official ethnic boundaries and formal identities also

characterize the situation in South Africa, where state-based categorizations have raised serious dilemmas in the post-apartheid era, as Kathryn Pillay observes.

The interplay between the state and ethnic identity is multifaceted and can be syncretic – that is, it can be contradictory while at the same time accommodating. The state, as we have seen in the case of China and South Africa, may impose formally constituted identities as a form of control, and at the same time, the state itself maybe transformed and threatened by identity conflicts. Hassanein Ali shines light on the latter by discussing the dilemma of the nation-state and the rise of identity conflicts in the post-Arab spring. Interestingly, sometimes, the state may even suppress formal articulation of ethnic identity through policies of “ethnic blindness” with the hope of exercising greater state hegemonic control. This is explored by Romitesh Kant who focuses on ethnic blindness in ethnically divided societies, drawing on the Fiji example.

While the theme of ethnicity and identity runs through the entire handbook, the focus of this part is to explore some initial conceptual narratives, which other parts will expand on using different approaches and a diversity of comparative case studies from around the world.

Steven Ratuva



# Ethno-cultural Symbolism and Group Identity

# 2

Elya Tzaneva

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## Abstract

This chapter is aimed at helping researchers study the ways in which communities and individuals perceive their own ethnic identity under the conditions of cosmopolitanism, transnationalism and mobility. Such analysis, the chapter argues, can be successfully conducted within three main contexts: in the era of constant movement around the globe, the *ethnic* mobilizes and expresses its *multiidentical*, *situational*, and *contextual* nature. Thoughts are shared on the necessity of finding a precise scholarly lexicon and suitable combined approach to ethnic phenomena today. The term *ethnic* as a scholarly construct is suggested to combine the contents of both *ethnos* and *ethnicity* and to denominate the past and present specifics and processes of ethnic identity phenomenon. Also suggested is the use of *ethno-symbolism* to order and sort out, trace the dynamics, and reveal the malleable position of different identity components. Discussed are some specifics of the ethnic symbols, along with their classification and role at the ethnic/national level. Finally, some ideas are provided about the scale and order of the cultural symbols and their development in the recent global situation.

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E. Tzaneva (✉)

Institute of Ethnology and Folklore Studies with Ethnographic Museum, Bulgarian Academy of sciences, Sofia, Bulgaria

e-mail: [etzaneva@gmail.com](mailto:etzaneva@gmail.com)

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**Keywords**

Ethnic · Identity · Cultural symbols · Ethno-symbolism · Globalization · Multiculturalism

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**Introduction**

Approaching the end of the new millennium's second decade, social scientists and researchers should admit that the predicted and mostly expected tendency towards ethnic and cultural relational rearrangement, leading to unification/regimentation as a result of globalization (Bauman 1996; Rosencrane 2001; Cohen 2004), did not occur in social reality, and as a result minority cultures have not been assimilated into the leading industrialized nation states.

On the contrary, amidst the recent process of democratization in many different zones of older or newly promoted ethno-cultural contacts, a globalization-related dynamics and social reconfigurations happened, such as a rather unexpected flowering of ethnic movements, the activation of voluntary and forced migration and other forms of mobility, and changes in attitudes to ethnic values. With people easily moving around the globe, many areas – not only throughout their entire history but especially today – represent an explosive ethnic mixture of conflicting social, economic, and political as well as cultural views and respective interests. Many regions today offer rich diversity in issues of rivalries and conflicts, as well as border and memory issues associated with traditional and new ethnicities and their cultures. The reason for this is that, in most developing countries, **ethnic cultures** are expressions of long-established tactics of survival and the protection of groups' livelihood, embodying life experiences and adapting useful influences, that today, even more than before, the group chooses to cherish and transmit. The ethnically diverse population, maintaining its contacts and keeping its different social and cultural characteristics, continues to create ideas, theories, programs, and respective tactics and strategies in the current social practice, which, whether officially promoted or neglected, feed into the various ethnic conflicts. If neglected or treated incompetently, the present forms of ethnic solidarity, confrontation, and movements within multiethnic states arising from past ethnic sentiments and current interests can create national and national-territorial problems in a global world and complicate the contemporary transition of many states to a political, economic, and ideological pluralism and democratic structure.

**Mobility, migration, and refugees** are today the key instruments of population change in Europe. As a result of mobility, migration, and integration, many communities and group members develop multiple affiliations and more complex **group identities** (Castles and Miller 1993; Vertovec and Cohen 1999), while keeping their ethnic loyalties strong. In many cases, the acculturation processes from the past are significantly substituted by the strengthening of ethnic identification and self-identification on a large scale. This has an impact on the current population size in Europe with migration flows of two million non-EU immigrants, with foreign citizens making up to 7.5% of persons living in the EU Member States in 2017,

and almost 22 million non-EU citizens living in the EU (Eurostat 2017). According to a demographic projection (Lanzieri 2011), by 2060, persons of all nationalities with at least one foreign-born parent are expected to account for about 33% of the EU-27 population. The national countries and their societies will inevitably become increasingly diverse in an ethno-cultural sense. Remaining an important aspect of group consciousness, the ethnic identity shows its malleable nature in adapting to the new circumstances.

The discourse of ethnic culture in its dynamics as a mediator for a “rearrangement of national space due to ‘globalizing’ forces” (Berking 2003) is therefore a logical and analytical way to discuss the relationship between current **ethnization** and **globalization**. With such an approach, a twofold problem comes to the fore: on one hand, what is happening with **the national** in the context of increasing contemporary ethno-cultural diversity?; and on the other, what is the destiny of **the ethnic** in the contemporary nation state, which is usually multiethnic and multinational? Actually, this is the question of how *ethnic* the *national culture* is today, and, in a more general context, how can the *ethnic* be defined today on a canvas of mobility, escalating a population’s diversification and cultural variety, since it is beyond doubt that cultural diversity is the main characteristic of today’s “global village.” The following text offers a view on those problems by focusing on the methodological and historiographical points of the subject and projecting them onto the contemporary social background.

*Contexts of investigation.* Research on how group identity is constructed through symbols is especially meaningful for communities demanding self-determination and rights; respective claims for them are usually underwritten by the ethno-symbolic cultural definitions of identity. Actually, the interplay between this diversity and contemporary national societies is analyzed within the interpretative framework provided since the rise of modernization theory and, later, by the theoretical study of nationalism. As a result, a distinctive characteristic in the study of ethnic phenomena in the last few decades became the growing convergence of its subject with the theme of nation and nationalism. This convergence of research fields directed scholars’ interest either to the mechanisms that create social cohesion among an ethnically distinctive group of people – a cohesion which under different circumstances can reach a certain degree of intensity and make that group significant in some sense, usually political – or towards the examination of emerging loyalties to the state and their transformation from attachments to the previously existing ethnic formation. This rapprochement between the notions of *national* and *ethnic* occurred at the end of the nineteenth century, and even today in the sociological literature there is a tendency to consider these two viewpoints of ethnicity, nations and nationalism together (Koptseva et al. 2011; Smith 2009; Eriksen 1993; Hutchinson 1994; Hutchinson and Smith 1996; Guibernau and Rex 1997). No matter how old and criticized these approaches are, both aspects are important today, for example, in the adaptation of migrants, refugees, seasonal workers, to a receiving country’s culture and life through the processes of the *melting pot*, *assimilation*, *acculturation*, *homogenization*, *pluralism*, *multi-*, *inter-*, and *transculturalism*.

Despite the variety of approaches, the research on *ethnos/ethnicity* and the other ethnic issues (all of them interweaved in the notion of *ethnic identity*) remains one of those themes in social sciences that seem to not only generate recurrent and intensive debates, but also feed doubts about how correctly the subject has been investigated, especially on the theoretical level. The confusion derives from the different substances advanced by scholars in these categories in the past and today as both social and research phenomena. Recently, based on the analysis of case studies, it is not difficult to conceptualize their dynamics (Cohen 2004; Leoussi and Grosby 2006; Tzaneva 2015): Today's countries, with their national societies in a globalized environment, are modern constructs often fashioned from selectively chosen and reworked premodern materials, receiving additional activation and change, new components, and contents under the motive of new interests and goals.

Their dual character, as modern and global inventions constructed largely from reworked premodern materials, has made the interplay among nations and their old and new ethnic essence difficult to fathom for scholars working in both the "Western" and "Eastern" liberal social-science traditions. Both "schools," however, agree that to express and frame theoretically their existence today is to ascribe to the groups within a nation, certain identity. Identity itself is an immutable, subjective, and evolving concept, defined by the process of identification. Among the various identifications, the only ethnic identity that matters is the one that the individuals as members of the group ascribe to. It is socially constructed as self-identified, and is perceived as such. It is constructed under the direct influence and guidance of societal interests and culture in interplay. The process of its establishment draws much of its content and energy from preexisting and newly added forms of solidarity and multifaceted images of collective belonging. It respectively explores the formation and expression of national identity by examining the role of cultural and "culturalized" political and economic factors and the way these have been shaped, adapted, reordered, and changed over time by the mobilizing power of those factors. The scholarly approach should therefore seek the development of contemporary globalized ethnic identities as changes in consciousness brought about by cultural shifts (motivated and driven by societal powers and interests). Recently, many attempts have been made to conceptualize the methodological bases of ethno-cultural studies under the conditions of globalization (Tomlinson 1999; James and Mandaville 2010; Lechner and Boli 2012). Intended to give some historiographical and methodological insights for a possible interpretation of the state of the ethnic in the contemporary global world, the text below begins with some basic notions from the ethnic lexicon in use, judged according to their potentials to adequately analyze the present-day social processes.

Being one of the major forms of group (collective) identity, ethnic identity often surprises today's researcher with its malleable character. Both components of the phenomenon's nomination – the classification of *ethnic* and *identity* – are problematic regarding their content and form. The outset and early development of the globalized world set standards and tried to argue perspectives about the academic future of both these components. However, the social and political reality produced its own picture and caused significant turns in the line of scholarly investigation. The variations of ethnic terms such as *ethnic*, *ethnos*, *ethnie*, *ethnicity*, *core/kernel of*



*ethnos*, *identity*, and *nation* are steadily being used in the public language. In scholarly discourse, however, they are often omitted or substituted due to *ethnic nihilism*, which was fashionable at the start of the millennium, and especially strong (at terminological level) in the Russian social science. “I don’t use the term ‘ethnos,’” wrote V. Tishkov (the most prominent representative of the school which actually invented *ethnos*), “because I don’t know what it is” (Tishkov 2003). Up to the present day, in trying to adequately reflect the processes, the term *ethnos* acquired gradually different nuances: from denotation of a social-cultural historical group with certain specifics, through bio-cultural and natural-geographic formation with mainly behavioral uniting characteristics, to an ethnic substance present in a member of a group (Bromley 2008; Rybakov 1998), the last coming closer to an attributive understanding of *ethnic* as present in the non-Russian schools of thought. Recently, in the global era, some scholars, especially ethnologists, have tended to interpret *ethnic* only as a tool for scholarly analyses, devised and used by academicians (Tishkov 2001; Banks 1996). In neo-Marxist “ethnos theory,” the idea was shared that the only way to make sense of the variety of branched and subordinated ethnic terms is to view the main one among them – *ethnos* (adopted from the meaning of the original Ancient Greek) – as such a category of classification and an academic construct that serves analytical purposes (Tzaneva 2015).

The potential definitional problems were outlined early in the etymological history of the term (beginning in the 1950s) in Western social science as well. At that time, *ethnicity* was first used to characterize the “quality of ethnic groups.” The conceptual framework elaborated in the United States later saw the alignment of national-cultural particularities within the formation of a homogeneous and culturally standardized society – a society quite different from our contemporary one. Hence, the earliest conceptions of a *melting pot* and *ethnic pluralism*, which sought to explain such diverse phenomena as social and political changes, nation building, identity formation, and cultural and political assimilation (and in some attempts even race relations), are now often empty vessels in most cases, and more or less of historiographical interest only, although they can still prove adequate and vivid in some real situations in our ethnically dynamic world.

It is in the field of socio-anthropological literature and the conceptual apparatus of contemporary ethnology where *ethnicity* is generally defined in terms of a cultural ethos, such as shared customs, institutions, rituals, values, intentions, relations, and behavior. Yet the members of an ethnic group who possess a common “cultural ethos” were always seen as sharing “a genetic and/or a linguistic, religious, national and social connection.” Meanwhile, more than 20 years after M. Weber’s successful attempt to combine the cultural and political aspects of *ethnic*, many scholars still think that a distinction must be made between cultural and political ethnicity (the former referring to a belief in shared cultural values, the latter to a political awareness or mobilization). Actually, this highlights the complex incorporation of several forms of identity in today’s world also known as *multiple identities*. Suggested and elaborated in the past, this context is workable today in the situation of constant mobility and settlements in unfamiliar environments, when the multitude of identities receives its concrete and detailed expressions.

The further determination of *ethnicity* through cultural identification, but with respect to some characteristics of sociological type, was an advanced way of looking at the phenomenon. In this context, each present study should adopt the idea that ethnic formations cannot exist in isolation but only in contrast to other such groups. That is, the boundaries distinguish between two or more “somethings” which carry their own initial distinctiveness. Also entailed is the idea of a choice in the expression of ethnic identity or what is called “**situational ethnicity**” – that components of identity emerge and change situationally and do not express permanent absolutes. Respectively, when included in a territorial state, “the conflict potential of ethnicity is highlighted” because of the contrasts in the differences of religion, language, descent, and history that reflect on groups’ social psychological modes. Living as a minority in a multiethnic society builds existing relationships to one’s own ethnicity (both in the foreign country and at home) and the host society simultaneously. This is expressed through identity components chosen for preferable identification in different situations of the new, often hostile, social milieu. Ethnic identity therefore also becomes contextual when forced to communicate these components within the milieu. So, *ethnic* in the era of mobility and migration mobilizes and expresses its *multiidentical*, *situational*, and *contextual* nature, and these are the three possible contexts within which it could be studied successfully today.

According to the latest research, other basic notions related to *ethnos* and *ethnicity*, such as *kernel of ethnos*, *ethnic/nonethnic groups*, *symbolic ethnicity*, *multiethnicity*, *dual ethnicity*, and *quasi-ethnicity*, are presented in both the contemporary Western and today’s Russian science with regards to the globalization processes (Wiener 2005; Koptseva et al. 2011). Still in use are the previous terms of *ethnic groups*, *ethnic identity*, *ethnic community*, *ethnic unit*, and *ethnic relations* as synonyms to *ethnic*, but they are being stepped back as they are subject to much misinterpretation today. To reveal the characteristics of *ethnic* today, both *ethnos* and *ethnicity* have a place for the following distinction in their meaning that seems reasonable and consensual: the first designates the grouping of culturally related people, associated with territory, economy, history, lifestyle, etc., while the latter – their psychological unity based on rationalization of the features mentioned and expressed in some standards of their behavior. Some scholars are in search of a combined term. A. D. Smith uses the concept of *ethnie*, perceived as the prerequisite of a nation, tied to both premodern and modern phenomena (Smith 1986). Also suggested (and used in this text) is the attributive *ethnic*, designating the social category and its symbolic content, also acknowledging the importance of the circumstances for their appearance. In the substantial body of literature on the subject in both schools, the notion and dominant meaning of *ethnic* is considered in continuously developing aspects, although some of its important characteristics still appear to be untranslatable into a language of theory. Even today, after a century-long study, many researchers of *ethnic* recognize that not all its meanings can be grasped through objective scientific methodology, especially those linked to psychological elements such as thinking, will, memory, and the main focus of *ethnic* – the *ethnic identity*. Conceptualizing ethnic identity is the general context for the investigation of *ethnic* today, and it demands the approbation and application of multiple and manifold viewpoints, even if this might sometimes seem eclectic.

*A suggested convergence of research schools.* It is the ethno-cultural approach that from the outset recognizes nations as modern constructs often devised from available and selected premodern, but also newly incorporated, materials. This is also true for the contemporary multiethnic civil nations which are willingly or forcibly accommodating ethnic newcomers who are trying to balance their cultural identifications between “foreignness and indigeneity,” and so are the host-countries. Because of this complexity, it is difficult to fit contemporary ethnic and national phenomena into accepted conceptualizations and established theories (e.g., the nation as a mode of production, or the nation defined in class and economic terms, as a product of industrialization, modernization/postmodernism and progress, or of institutional and political conflicts). The problem becomes more complicated when trying to clarify the mechanisms involved in the changes of ethnic, nation, and its identity under the influence of contemporary population motilities. Discussion on the relationship between *ethnic* and *nation* includes first the question how the scholar approaches the nation with its ethnic content, choosing between or combining the above-defined specifics of *ethnos* and *ethnicity*: as an intellectually constructed concept, an “instrumental” creation serving particular rationalized interests, or as a specific historically established ethnic and social formation. As stated, this was the main dilemma between the “theory of *ethnos*” and the “theory of *ethnicity*,” and the answer gives radically different directions for today’s presence of *ethnic* in the national picture of the global world. Therefore, for such research, the possibilities for bringing both concepts closer together in one integrated vision to study the phenomenon of *ethnic* must be considered. Before suggesting this, an analysis is needed to relate the developments traced to certain similar, even parallel, antinomies in the orthodox Eastern European and mainstream Western European/American theories of ethnicity, *ethnos*, nation, and identity. There are recent studies that seek to demonstrate, rather than a simple convergence between the two general approaches, a similarity in the impasse, which scholars in the two traditions experienced in the face of nations’ dual characters and the re-appropriation of ethnically different materials in modern forms for novel purposes. How modern nations draw upon simple continuations of premodern (before) or foreign (recently) ethnic memories and cultural legacies but are growing to be different and even contradict them, is a complex process, focused on the social circumstances and procedural tools that allow nations to use and shape various characteristics in their need to construct innovative thinking and social sensibility.

To extract and analyze the cultural essence of *ethnic* today, its attachment to the two abovementioned contrasting concepts (approaches) of investigation should be conceptualized. According to a “**primordialist**” (“**essentialist**”) position, which has grown unfashionable in recent years, the social markers (manifested as loyalties, attachments, endowments, etc.) were primary, or taken as given. This approach emphasized the naturalness and stability of culture, religion, history, and emotional links within communities that derived from place of birth, kinship relationships, religion, language, and social practices through members’ lives that are “natural” for them and that provide a basis for an easy affinity with other people from the same background. These attachments constitute the givens of the human condition and

might be rooted in the nonrational foundations of personality. They develop in childhood and remain with the person through the whole life; consciously or not, they often provide a basis for the formation of social and political groupings. Even in threatening moments – for example, when the objective cultural markers do not really exist, including under foreign political domination and forced and voluntary migrations, or in situations when people are removed from their origins or have rejected their childhood identifications (refuge cases) – ethnic loyalties are supposed to continue reflecting not real but imagined, memorized, or idealized uniting/distinguishing factors. Therefore, the resulting identity is often viewed as being “based on national and ethnic factors rather than civilizational ones” with “old heroes and narratives, with ethnicity and religion playing a major role” (Martins 2010). According to C. Geertz, the personal and collective identity of the ethnic groups’ members, although an interplay between contemporary dynamics and past loyalties, is mostly driven by ties of blood, mother tongue and language, homeland, religion, historical memories and images, and traditional attachments (Geertz 1996). So, the main advantage of a primordial perspective, applied to present-day situations, is focusing the attention on the active emotional power of ethnic ties. But in using this view, the researcher cannot explain the dynamics of past and contemporary *ethnics* or the political consequences sometimes marked by quick changes in political partners, loyalties and preferences, and group political behavior. The contrary idea that cultural symbols and cultural affinities are used by a certain group of interests, or an elite, seeking instrumental advantage for themselves or the group they claim to represent, is central for the modern perspective on ethnicity in all its branches: “instrumental/situational/mobilizationist.” Ethnicity is seen as strategically “constructed” and susceptible to redefinition in concrete situations, needing to be assessed in each context separately. The mobilization of loyalties obviously affects the self-definition of the group and its boundaries, which can be shifted and extended, so ethnicity appears to be an artifact imagined by political and cultural leaders in accordance with their particular interests. This approach tends towards an idea that ethnicity has no content of its own, no independent status; it is “nothing but a tool for pursuing nonethnic goals” for different interest/status-groups. Within constructivist readings of ethnicity dynamics, “material terms” are elaborated, such as competition for resources, distribution of resources, elite strategies, status and wealth, and power and rational choice (Banton 2008). They do not deny the existence of bonding through symbols and loyalties but view symbols and culture as resources for achieving positions desired by different groups’ elites.

Although this perspective pervades in the modern debates on the subject, ethnic phenomena are much more than just manipulative instruments. No doubt, ethnic boundaries are fluid; they move and change, but some immanent characteristics of the group keep the balance within those boundaries and maintain them. So, despite the “natural” temptation for the researchers to give preference to one or another of the existing approaches, and to apply it critically to their concrete study, and also because of the comprehensive and changing character of the ethnic phenomena themselves, a theoretical and methodological strategy combining these approaches should be employed in the study of *ethnic*. Today, there is no doubt that fruitful ideas

and concepts from different approaches and perspectives may be combined to reveal the nature of the phenomenon more adequately. Even in the early 1980s, within the dominant modernist perspective, there were some reasonable suggestions to create “an exploratory synthesis of primordial and mobilizationist approaches” to developing ethnicity for the purpose of an adequate study (McKay 1982). Later, a huge breakthrough happened by recognizing that “approaches to ethnicity are not necessarily mutually exclusive” (Tishkov 2001).

A fruitful suggestion was offered in the field of anthropology, in which ethnicity was assessed as referring to people’s classification in a context of “**self-other**” **distinctions** on the cultural level (Eriksen 1993). Accordingly, the ethnic identity is viewed as referring to: “the individual level of identification with a culturally defined collectivity . . .” (Hutchinson and Smith 1996). The separate existence of a given ethnic formation is defined by the unique balance between **universal cultural features** (characteristic for the whole of human civilization), the **general** (characteristic for a large group of neighboring or somehow related peoples), and the **particular** (characteristic only for a given local group). In combination, these features create a cultural configuration that makes the “cultural level” of the group objectively different and unique and determines it as such in a specific social context; within a spatial frame, corresponding characteristics will be global, regional, and local (Genchev 1984). Because of the distinctive combination of those features, the ethnically determined grouping looks to be distinct from all similar establishments; it looks different to its “own” people, as well as to “strangers” or “outsiders.” If brought together, the “own” people and the “outsiders” should share the unique notions of the mentioned cultural “foreignness and indigeneity” in an effort to create their mutual belonging to a political and cultural community of the whole state (Castles 2000).

To study how these notions develop towards successful co-existence, an approach and investigative mechanism should be suggested that brings together the expertise of the above dichotomized views. It will help to use the contrasting views and scholarly debates for providing useful explanatory and normative insights for understanding the phenomenon. This approach should combine the earlier established (and often considered “essential”) attachments and loyalties within their historical trajectory and transformation, with their recent (“modernist,” “postmodernist,” and “globalized”) applications. This approach, labeled as *ethno-symbolism*, was developed from the 1980s mostly by Anthony D. Smith and his followers within the tradition of historical sociology, stressing cultural continuity and the role of historically preserved and transferred affiliations. As an academic current, the *ethno-symbolic approach* reflects the interest in the creation and representation of complex identities, as well as their adoption and modeling by the ethnic group over time, and therefore contains potentials for application within the constructivist perspective. In recent decades, serious and successful attempts have been made to apply the ethno-symbolic approach as a working synthesis in this perspective (Hutchinson and Smith 1994; Guibernau and Hutchinson 2004; Leoussi and Grosby 2006; Smith 2009; Kaplan et al. 2011; Tzaneva 2015). Now, “the question is rather how far such synthesis can be empirically helpful” (Hutchinson and Smith 1996).

To avoid the controversial debate about its predominantly “essentialist nature,” I would suggest using ethno-symbolism as an instrumental research body (a set of contexts, symbols, and analytical methods) for studying how a national community, both in the past and global, could be considered and sustained. Such a view should be based on a consensual idea of *ethnic* that also combines the potentials of the existing concepts and opens up fields for the study of its symbols. A possible new anthropological direction understands *ethnic* as a complex cultural integrity of a group, existing in all individual members as an ethnic substance, with united external and internal components which are ordered and symbolically expressed (Rybakov 1998; Koptseva et al. 2011). Ethnic substance is an attribute of the personality – it is always in the individual, and visible in symbolic signs, even if, outside the main group, the person still carries a certain model of ethnic values and expresses them in sticking to norms, models and certain behaviors. Personal ethnic features are very stable, existing regardless of such conditions as change of territory, language, and even religion. Emotions and all their manifestations in loyalties, attachments, endowments, etc., are deeply associated with *ethnic*, and this also characterizes today’s ethnic groups living in multiethnic states. Such a view is obviously a combination of classical *theories of ethnos and ethnicity* through distinguishing objective and subjective ethnic properties. It also comes closer to the representatives of Western ethno-symbolism by indicating the presence of some stable ethnic structures in a person that are susceptible to mobilization and change.

Ethno-symbolism in this perspective handles the question of how cultural markers, or complex symbolic practices as expressions of these structures, appear and function as characteristics of a group. It can be used as an investigative textual and contextual tool for the dynamics of national identity in conditions of ethnic mobility – not as a theoretical approach (as stated by its founders), but as an instrumental construct for sorting out, tracing the changes, and revealing the malleable position of different identity components. Even serving as “actors” on a “cultural scene,” ethnic symbols have a serious political role when used to enhance ethnic/national awareness, and legitimize self-determination demands (Guibernau and Hutchinson 2004). By accepting the changeable nature of **ethno-cultural symbols**, ethno-symbolism also provides a terrain for studying their manipulation and the pressure on them from different social forces and interests, and also the mechanisms of their forced or voluntary adjustment to new social, political, and economic environments.

*Investigating ethnic as an indexed and dynamic cultural hybridity.* Culture, history, religion, language, and other markers not only shape but objectively distinguish ethnic groupings. They are also subjectively distinguishing and uniting indicators as far as group members interpret all these markers according to their different values and standards, and the historical and social contexts of their lives. The sum of these changeable interpretations creates the sense of community, or the sense of identity. For the existence and maintenance of that identity, the balance of the group’s markers needs to be rationalized. This necessity makes the dichotomy sameness/distinctiveness an element of a consciousness or identity and a subjective category. It is precisely this rationalization which provides the content of *ethnic* as a

specific sense of identity. Hence, the conclusion that *ethnic* is that characteristic of the group which keeps its cultural content and inner integrity sufficiently balanced so that it can exist as a whole, without changing its boundaries as a group. In this light, the main analytical concept concerns the simultaneous historical/chronological alongside the situational/contextual character of the phenomenon, whose constitutive elements undergo change as actors seek to keep *ethnic* alive, or changes in the cultural content within the ethnic boundaries should be studied as a main research problem. Therefore, a suggested synthesis between the essentialist/primordial and situational/instrumental approaches to the *ethnic* in ethno-symbolic instrumental analysis, applied to and organized around the theory of symbolic boundary maintenance and development, seems reasonable.

Two other related research perspectives could be also of use: the “transactionalist” and “socio-psychological.” But the most detailed interpretation of the much-needed concept which emphasizes the persistence, transformation, and resurgence of ethnos/ethnicity through the device of cultural symbolism pervades the works of J. Armstrong (in the early 1980s) and especially A. Smith and his school (late 1980s to early 1990s and to the present), followed by a number of talented scholars, although their ideas are still not unanimously accepted in the literature as a general theoretical framework of the *ethnic* (Barth 1994; Horowitz 1996, 2004; Smith 2009). The validation of these ideas can be proven or rejected only by a multitude of case-study investigations. In this light, ethno-symbolism analyzes the nature of ethnic and interprets it as an embodiment of a hybrid cultural amalgamation of malleable markers.

**Cultural hybridization** is a result of cultural encounters that happen during the increasingly intense mobility of our time. In their fulfillment, ethnic contacts and contradictions, interaction, and exchange occur. Both “hosts” and “outsiders” participate in these processes with their look, dress style, manners and foods, music and dances, followed by more communicational means as feasts and celebrations, religion (faith, beliefs), stereotypes, education, and morals and values. Moving around globally, individuals and groups, families and kins, households, companies and neighbors, carrying this set of endowments, try to (1) keep their home identities and (2) construct their new ones. The former process is loyalty to an inherited and approbated cultural survival mechanism brought from home, the latter an adaptation to the new environments and experiences with the purpose of survival. This is obviously the interplay between long-established (primordial) and newly learned (constructed) norms, which again is in favor of the ethno-symbolic research mechanism combining the two linked but separate investigations. In this interplay, old and new values can mix and change their roles, places, and significance as identity factors and can also disappear or minimize their presence among the markers.

This approach is closely associated with elaborated and approbated indexes of **identity markers**. The present reading of those markers understands them as susceptible to disappearance and evolution, to change and variation, over time and according to the particular interests of the people, the members of the group, involved. To study *ethnic* through its symbols, the concept of identity construction and dynamics through different socio-political periods should first be “loaded” with



concrete and precise content, and then the dynamics should be traced. The investigation of identity's structure as composed of a number of identifiers is the necessary beginning. The distinguishing features of *ethnic* as a sense of identity, and of a multiethnically composed contemporary nation, are usually organized in lists of criteria associated with both phenomena.

As a whole, those lists show an impressive stability and steady contents through time. One of the first attempts to formulate the attributes or "prerequisites" of identity on the national level was made by the Royal Institute of International Affairs in 1939. It formulated six criteria, which were rather formal in their expression (Nationalism 1966). About two decades later, B. Shafer, taking up this report, and using on the latest factual material, listed the following historical-political ingredients normally essential to the existence of nationhood. This list, which Shafer himself regarded as incomplete, consisted of ten statements: (1) an undivided territory actually or virtually held; (2) features in common, such as language, literature, and customs; (3) a minimum of common social (including religious) and economic institutions; (4) a common independent or sovereign government either actually or virtually in existence (type does not matter), or, with rare exceptions, the desire for one; (5) a shared belief in a common history and often in a common ethnic origin sometimes thought to be religious or racial; (6) some common values held by all nationals, or preference and esteem for fellow nationals; that is for those who share the common culture, institutions, interests, and heritage, or at least greater preference and esteem for them than for members of other similar groups (the "foreigners") who do not share these; (7) pride in the successes and chagrin at the failures of national policy; (8) contempt for or hostility to foreign nationalities; (9) a devotion to the entity (even if little comprehended) called the nation (or patria, or fatherland) that embodies or symbolizes the territory, people, culture, institutions, interests, heritage and whatever else the people have or think they have in common; and (10) hope for the future national power. They do not all have to be present at the same time and in the same way or to the same degree. The varieties of combinations and emphases are manifold. The components of identity do not define the process of its creation in a global aspect, but taken together they describe its basic attributes, both real and mythical. J. Hutchinson and A. D. Smith, in their introduction to a volume of readings on ethnicity (Smith introduced ethno-symbolism in 1986 and 1991), list six main features of this type of community. They compose and create a specific set of endowments, loyalties, and identifications that every individual shares with other group members, and that are symbolically expressed: (1) a collective proper name; (2) a myth of common ancestry; (3) shared memories of a common past (4) one or more differentiating elements of common culture, normally including religion, custom, or language; (5) an association with a specific "homeland"; and (6) a sense of solidarity among major sectors of the population. This is one expanded list of the mostly concentrated index by Smith's famous teacher H. S. Watson, who listed four factors in the process of the formation of national consciousness in the following order: "State, Geography, Religion and Language." As pointed out by M. Nash, these: "index features . . . must be easily seen, grasped, understood, and reacted to in social situations" (Nash 1989). That is why the suggested lists or enumerations are



similar in many respects; as already listed, they usually include such markers as proper name, common ancestral origin and kinship, common history, same culture, territorial boundedness, language and religion (sometimes also race or physical characteristics), sense of peoplehood and endogamy. The effectiveness of symbols in keeping ethnic group identity as distinct derives from the fact that these symbols represent features of the group which are usually considered objective by the members. During mobility and migration, the **group boundaries** are threatened and the process of the transformation of some subjectively perceived and fluid traits into more concrete objective ethnic features is more dynamic and strong (Smith 1981). Accordingly, the attachment to them can also get stronger, as if they are real, rather than imagined or invented symbols.

Having in mind the present picture of population structure as a result of mass mobilities, the differentiation between the so-called *status* and *auxiliary* symbols of *ethnic*, also called ascriptive (fixed by birth) and achieved (e.g., through culture, language, or religion), takes on a greater role. The first group of symbols consists of visible marks such as skin pigmentation, face and hair type, standardized body gestures, and other physical features and provides an important basis for making the “first-glance” distinction. When displayed, these symbols can differentiate and unite members of the group with both majority and minority status and in this way play an important part in systems of social composition. The psychological ground for this lies in the fundamental of ethnic groupings – since they are believed to consist of people who are alike by virtue of common ancestry, these conventionalized hereditary markers naturally become symbols of identification. But they cannot be the only or even the most important defining ethnic markers. To be recognized as valid by the members of a group, they must always be combined with other symbols of belonging, such as clothing, decals, adornments, flags, manner of behavior, language, dietary habits, and this is equally valid for areas where ethnic groups from the same race or population stock have long been in contact, so physical differentiation therefore becomes progressively more difficult. Their role is clearly rationalized today by “hosts” and “newcomers”: The debate in Europe about, for example, the *burqa*, *hijab*, *niqab*, etc., which might serve as a public affirmation of a group’s ethnic claim, becomes significant. In such cases, what Smith calls the “auxiliary symbols” of belonging and identity achieve a greater significance. Ethnic identity is viewed by some scholars along two other axes: a cognitive/affective axis and a specific/universal axis (Cohen 2004), where the ethnic symbols are organized with various presences at ethnic and national levels. The symbols are created in a cultural sense (Smith 1986), and their acceptance by the whole cultural environment is an aim of the civilized efforts of the states. Investigation through narratives, personal behavioral actions, and groups’ social and political activities, as sources for changeable order and meaning of the mentioned marker-indicators of identity, is a precise research path valid for each study in the handling of the problem.

*Current Dynamics of Indexed Symbols.* The scholarly thought behind the research in identity dynamics is that the listed components of identity are far from fixed and stable categories. They are in fact very malleable notions, which can be mobilized, activated, and ordered differently in different discursive contexts. According to the

ethno-symbolic concept, each case study explores the dynamics of identity in the selectively chosen mobilization forms of collective attachments. For a better structuring of identity research, the investigated ethnic loyalties can be grouped according to their ethno-political and ethno-cultural parameters. The former are associated with all nuances of group members' lives in political, economic, and social meaning, and their attitude to all state-related elements – territorial bound, market unity, government, institutions of power and authority, army, etc. – also including the emotional expression and feelings they provoke in members, such as pride, glory, dignity, sense of collective possession, and readiness to defend. This scale of ethnic symbols begins with ethnic labeling. The latter includes the rationalization of features with cultural meaning focusing on linguistic and religious and ending with **ethnic imageology**. In a situation of settlement in a host-country, the use of these symbols may reinforce the group's assertiveness of self-determination claims and respective demands, as many case studies show (Kaya and Keranen 2015). Together, they create the group's ethnic identity, which is transferable and variable in its content. As stated by A. D. Smith: "collective cultural identity refers not to a uniformity of elements over generations but to a sense of continuity on the part of successive generations of a given cultural unit . . ." (Smith 1991).

The systematic research on today's choices of ethnic labeling is still an emerging field (Phinney 2003). Subsuming the different loyalties and the stock of endowments and identifications is the group's ethnic name, the so-called *ethnonym*, considered the most significant among the ethnic symbols. The "proper ethnic name" is usually mentioned as the first marker of the *ethnic* by most existing classifications of identity's attributes or features. The ethnonym is claimed by or ascribed to the group. A study of certain ethnic labeling and naming practices is an expression of the extent of the communication process in a contemporary global situation. Also proposed is research in the process of encoding an "identification idea" into a word or group of words and the decoding of that idea among the members of a group. Encoding refers to the selection of the term that the person (a member of the migrating group) feels best conveys the meaning intended; decoding refers to the fact that the hearer (a member of the host-group) must interpret it according to their own understanding. The accuracy of the interpretation depends on a mutual understanding between both groups. The content and meaning of ethnic names in the case of migration indicate the level of identity of both bearers of the ethnonym (new-comers) and users of it from outside (hosts); the adequacy of the mutual understanding shows the level of the spread of identity among the population and is a sign of the level of settlement and the acculturation process.

The researcher of ethnic names today should be aware of the fact that ethno-naming is always a "placing of labels for identification purposes" (Lampe 1982). "At home," these are labels or signs of identification a person shares from the first moment of socialization into the family and kin group. The ethnic name is a group convention and has been identified as one of the first dimensions of language. Like all other kinds of naming, the ethnonym entails the establishment of certain verbal symbols to refer to specific things or categories, in this case ethnically determined values. This allows members of a group to make verbal distinctions whenever ethnic

things and categories are concerned; these distinctions are regarded as *correct* and *important* within the group. When the members of an ethnic group learn appropriate words, they also learn the corresponding attitudes and behaviors that accompany them. The ethnonym (together with its variants and respective adjectives) generalizes all ethnic values and loyalties, especially when used as a differentiator. Its diffusion, frequency, and usage provide clear signs of the level of ethnic development and the degree of old and inherited/newly established identity purposes. Despite the limits of case studies, and although dependent on a combination of contextual factors, the authors agree that, in our global world, “ethnic labels have been increasingly used as prominent and meaningful markers of identity” (Phinney 2003). In a situation of mobility, their use has an extended ethno-uniting and ethno-distinguishing role. An important aspect of research will focus on the changing of personal ethnic names for employment, status, or other purposes, which has recently gained scholars’ attention (Giampapa and Canagarajah 2017).

The formation of a new identity consists of the creation of new ethnic categories, possibly through an extension of existing ethnic symbols and investing them with new content. The study of the ethno-cultural dimensions of *ethnic* investigates the development of those ethnic markers that have a distinct cultural denotation. This involves the further evolution and change of existing symbols, as well as the selection of new symbols and their infusion with national content, resulting in enhanced internal cultural cohesion. The first requirement in this process is the creation (based on the prior revitalization) of a shared **belief in a common descent**, fate and history, and the reinterpretation of the past. This process can be observed today in some Western European countries where migrants and refugees consciously identify their common historical symbols from the homeland with the attempt to share and pass them along to the younger members of the group. Research on this process involves a textual and contextual investigation into the question of whether, as a group, the members remember and commemorate the past, in what form and image, and who made the selection and how. Also, did this remembrance change and, if so, what was its reflection on the group’s consciousness, and is the purpose of the process identifiable?

Besides the ethnic labeling, the ethno-linguistic and ethno-religious sensibilities of nationhood form the next vital aspects or macro-strategies of what is called a “discursive construction of narratives” of national identity (Wodak and DeCillia 2007). At home, in the Heimatland, certain myths about language and religion were certainly major elements of the national project for the people who later chose to move. *Language* has often provided the initial criterion in delineating imagined social formations. The function of language in creating new loyalties is fundamental, as is evidenced by the interest which each nation has in the broadest possible acceptance of the worth and survival of its culture. The ethnic language is usually that aspect of *ethnic* that receives an immediate and most thorough rationalization in the ethnic identity of the group; consistently, no matter the culture, all people who speak an unknown language are considered “foreigners.” The relationship between the present-day migration (both skilled and not) and language is complex and nuanced, even if there is no doubt that the employment chances for the migrants

are mediated through the main language. Some migration studies have proven the connection between the language in host communities with levels of the overall success of migrants (Adsera and Pytlikova 2010; Dustmann and Fabbri 2003). The native language has a greater importance in the everyday lives of all social types of migration and definitely preserves positions during at least two to three generations at their homes. The language dominant in the host country is a strong but controversial tool for redefining the identity dynamic of the newcomers (Giampapa and Canagarajah 2017).

**Religion** is a distinct dimension of human organization and one that often lies close to the sources of self-awareness and grounds of personal identification. Historical, literary, and folklore documents displaying ethnic identity show that its manifestations in many of today's sending and host countries for migrants were connected with religion and interrelated with the religious dimension of identity. In most of them, religious consciousness does not possess a separate quality different in content from social consciousness in general. Belief involves other forms of social awareness and affects ideas of ethnic characteristics, both prenational and national. The relationship between ethnic characteristics and religious identities in the construction process of nationality and nation-building is especially evident where those formations had a stable premodern ethnic origin but lacked statehood and their own forms of religious and cultural organization. Together with cultures and identities, religions are also brought together in direct communication by the process of globalization and migration (Beyer and Beaman 2007). Specific for the religious encounters is that, today, religions enter through migration into a circle of controversies and conflicts, and as a result migrants' religious identities are often reinforced.

The phenomenon of *national imagining* is complex and multidimensional and is designed in the context of the *longue durée* civilizational development of the society. Each contemporary study of newly appeared or changed ethnic images follows the cultural discourse as a prominent feature of the ethno-symbolic approach and claims engagement with the idea that the effort to trace the appearance of national images and self-images is actually a study of how the past (brought from the home cultures) cultural and spiritual achievements are "soaked" into the modern nation as a civilizational overlay. This is a contribution to understanding "the *inner world* of ethnicity and nationalism through the analysis of symbolic elements and subjective dimensions" (Smith 2009). It aims to study ethno-images as a constructive canvas for the national stereotypes, and ethnic imaginary as an aggregate of the technique of image-making, social practice of perception, and expression of the "otherness." The role of ethno-symbolism as a tool for image and stereotype formation is viewed in the attendance of "myth, memory, symbol and tradition that modern national identities are reconstituted in each generation, as the nation becomes more inclusive and as its members cope with new challenges" (Ibid). These ethno-political and ethno-cultural dimensions – language, religion, traditions, historical memories, and images – are established in the early stages of ethnogenesis and developed later in accordance with the accelerating integration of the people involved. Here, it seems, the researcher comes to the crucial word of analysis – **communication**. The ancient and medieval world lacked the necessary level of communications among the people

from same ethnic group for them to begin identifying themselves in national categories. One specific example of this idea was provided by Lerner in the 1960s, when he revealed the role of literacy, empathy, and the mass media in the process of the “achievement of mobility” by the ethnic group. This mobility, consisting of different kinds of communication, is necessary for the group to enter the political arena and announce its political demands. Later, K. Deutsch, pointing again to the role of communication, suggested that modernization does not refer primarily to the entrance of a large number of people into the political scene but to the creation, through the communication of a new knowledge of the world, a new set of aspirations, visions, and statuses, together with an intensive network of shared memories and messages among the members of the group. These communications intensified the integration of the society; eventually, they are the link between its economic status and the processes of group formation. The character of the internal ties in a given society marks the level of its social, political, economic, and cultural development; it also signifies the stage of ethnic development in this society, evidencing the readiness of the ethnic group to enter into those relationships that characterize nationhood. What must be studied in this process is the growth of “loyalties transcending those of primary [ethnic] groups.” The general view of K. Deutsch is that *ethnic* – as a network of communication that seeks to ascertain how culture, religion, language, and other “symbolic codes” bind the members of communities together and how this connection lasts for generations – is also a basic thesis for the time of globalization when the internal dynamics of this network come to the fore. The contemporary situation in the era of postmodernism and globalization is viewed by some authors as a process of “accelerating connectivity” (Tomlinson 1999), which again places communication at the center of social change. The engagement with the historical, political, and social dynamics through which culture comes to matter is, however, at the center of identity’s substance. What was once said of national identity as a “multidimensional concept [that includes E.T.] a specific language, sentiments and symbolism” (Smith 1991) is also true for the global situation and processes about the identity of composed civil state-organized nations. Single case studies should be directed towards revealing which among those indexed features are the major elements or “symbolic codes” of the “conscience collective” in the situation of a global population’s mobility and that provide the driving force for changing group identification. When a minority group lives and tries to survive in a multiethnic state (no matter if this is a recent migration in a global world or a historic settlement), the use by the individuals of “our” or “their” cultural symbols creates certain behavioral forms that signify the existence of an often confusing “**dual identity**,” as has been reported (Vertovec and Cohen 1999).

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## Conclusion

Today, many scholars assume that the leading characteristic of the societies in the world is their multiculturalism – precisely the people in them, and the groups and their identities shaped by more than one single culture, usually associated with

territory, home and fatherland, mother tongue, memories, etc. (Sotshangane 2002). The effect of globalization is greater if, using these sets of existing identifications, new group and personal consciousness is built above the old one, which unites people within newly established parties. In this sense globalization appears to be a concept of uniformization. But if approaching cultural processes via the understanding of the effects of globalization “as they are felt within particular localities” (Tomlinson 1999), the much-needed creation of the united (not uniform), multiple, situational, and contextual identities of the ethnic groups living together will be visible.

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## Cross-References

- ▶ [Cultural Socialization and Ethnic Consciousness](#)
- ▶ [Diaspora as Transnational Actors: Globalization and the Role of Ethnic Memory](#)
- ▶ [Ethnicity and Cultural Wounding: Ethnic Conflict, Loss of Home, and the Drive to Return](#)
- ▶ [Historical Memory and Ethnic Myths](#)
- ▶ [Religion and Political Mobilization](#)
- ▶ [The Significance of Ethno-politics in Modern States and Society](#)

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# Cultural Socialization and Ethnic Consciousness

# 3

Sara N. Amin

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## Abstract

In this chapter, I argue that cultural socialization processes of ethnic consciousness need to be understood in the context of the contemporary global political-economic order. To do so, I first discuss the commodification of culture under neoliberal globalization and its role in heightening ethnic consciousness. This discussion points to three spaces in which cultural encounters, cultural knowledge, and identity have been intensified in the Global South: tourism, development, and social media. The chapter explores what are some key characteristics of cultural socialization of ethnic consciousness in these three sites and their implications for heightening or diminishing ethnic consciousness. I suggest that with the commodification and globalization of “ethnicity” and “culture,” researchers looking into cultural socialization practices and what is heightening or diluting ethnic consciousness need to look beyond the social relations in the family, peers, education, and “traditional” media and examine the economy –

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S. N. Amin (✉)

School of Social Sciences, Faculty of Arts, Law and Education, The University of the South Pacific, Suva, Fiji Islands

e-mail: [sara.amin@usp.ac.fj](mailto:sara.amin@usp.ac.fj); [saranuzhat.amin@gmail.com](mailto:saranuzhat.amin@gmail.com)

especially in the areas of tourism, the development industry, and the performance of identity in social media.

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**Keywords**

Ethnic consciousness · Cultural socialization · Neoliberal globalization · Commodification of culture · Tourism · Development · Social media

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**Introduction**

Ethnic consciousness has been conceptualized in different ways, including an awareness of membership in an ethnic group (Gold and Miller 2015), the extent to which one understands human social relations through notions of ethnicity (Banton 2014) and the degree to which awareness and understanding of ethnic identity shapes social and political action (Gibson and Gouws 2000). There have been at least two major concerns in relation to the study of ethnic consciousness: what produces (or diminishes) ethnic consciousness and what are the consequences of heightened/diminished ethnic consciousness (Vermeulen and Govers 1997). In an important way, answers to these questions vary by disciplinary focus.

Psychological theorization of how ethnic consciousness is fostered in the individual has focused on the role of the family (see review by Hughes et al. 2006) or peers (Wang et al. 2015) and has identified four key sets of practices, which taken together can be understood as constituting ethnic socialization: cultural socialization, preparation for bias, promotion of mistrust, and promotion of egalitarianism and/or silence. Cultural socialization has usually been understood as a set of practices of social actors in fostering awareness of (and pride in) one's ancestry, origin, and cultural heritage (Hughes et al. 2006). While preparation of bias includes teaching one how to cope with racialized/ethnic discrimination in society, promotion of mistrust involves practices that warn one to be cautious or suspicious of interracial/interethnic interactions (Hughes and Johnson 2001). The promotion of egalitarianism or silence about ethnic issues involves encouraging one to focus on individual/nonethnic characteristics of one self and others or "simply" not discussing ethnicity (Hughes et al. 2006). Researchers have explored the role of these four types of processes in impacting on aspects of self-esteem, as well as education, employment, and health outcomes. In their review of the research on ethnic socialization in the family, Hughes et al. (2006) state that unlike the evidence for preparation of bias, promotion of mistrust and egalitarianism, which is mixed and limited, there is clear evidence that cultural socialization practices of parents that nurture awareness and pride of cultural heritage and contribute to heightened ethnic consciousness have positive effects on youth's social and well-being outcomes. Most of this line of work, like much of psychological research, has focused on ethnic and racialized minorities in the American context and has been characterized by a focus on the positive role cultural socialization practices by the family can have on integration processes and intergroup relations.

In contrast, sociological and anthropological theorizations of the processes by which ethnic consciousness is fostered in groups in a given society have tended

to examine the sociopolitical and economic processes that impact on people's consciousness of ethnic membership, the meanings attached to that membership, and the type of social and political actions that result from that consciousness. Central to sociological discussions of the formation of ethnic consciousness is the argument that ethnic consciousness is shaped in important ways by the extent to which distribution of resources, opportunities, belonging, and power are (primarily) organized along ethnic lines (Rex 2013; Banton 2014). One important implication of this is that there is a political economy of ancestry, origin, and cultural heritage, shaping the kinds of stories, symbols, and meanings that are mobilized to construct ethnic consciousness (Castells 2010; Tilly 2015). As such, cultural socialization practices and the impact of these practices on ethnic consciousness are contested, multiple, and context-specific. This body of work has been more global and comparative, but there has been a tendency to focus on the conflict-generating consequences of ethnic consciousness in relation to intergroup relations, examining the role of educational, media, social movement, and nation-building institutions of the state.

Keeping in mind the insights in psychological, sociological, and anthropological research noted above, I suggest in this chapter that cultural socialization processes of ethnic consciousness need to be understood in the context of the contemporary global political-economic order. To do so, I first discuss the commodification of culture under neoliberal globalization and its role in heightening ethnic consciousness. This discussion points to three spaces in which cultural encounters, cultural knowledge, and identity have been intensified in the Global South: tourism, development, and social media. I then explore what are some key characteristics of cultural socialization of ethnic consciousness in these three sites and their implications for heightening or diminishing ethnic consciousness.

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## Neoliberal Globalization and the Commodification of Culture

While both neoliberalism and globalization remain contested concepts (Brenner et al. 2010; Bowles 2005; Castells 2010), it is possible to distinguish key features of the process of neoliberal globalization. Neoliberal globalization can be understood as the politically guided process of producing increased interconnection, time-space compression, deterritorialization of social action and processes, and intensified interdependence through the dominant logics of marketization, privatization, and deregulation. Neoliberal globalization involves the reconfiguration of the purpose and structure of state and government to facilitate greater free trade, expand the flow of goods and capital, and allow for the penetration of market logic and privatization processes across societal transactions (Brenner et al. 2010; Castells 2010).

Neoliberal globalization also involves the creation of new forms of political subjects, where attachment to cultural identity has become important in surviving, resisting, succeeding, or transforming the sociopolitical and economic changes brought about by neoliberal globalization (Castells 2010). A major feature of contemporary neoliberal globalization in the late twentieth century and early

twenty-first century is the significant expansion of global trade regimes into areas of knowledge, diversity, and information. This includes extending the enforcement of intellectual property (IP) rights into areas of genetic resources and the recognition of traditional knowledge. It has also included new protections for biological diversity and efforts to understand cultural knowledge as proprietary assets. Coombe (2016) argues that as a result of this expansion of neoliberal globalization into the realm of diversity and culture:

Culture is reified and animated as an asset base that can be competitively leveraged by communities to market distinctive places, goods, and experiences. Appearing to possess cultural distinction also provides collateral for attracting developmental investment and attention, receipt of which provides further demands for making cultural goods legible to new publics and interlocutors . . . Efforts to expand market relations into culturally defined zones of life tend to incite new forms of struggle, knowledge mobilization and identity formation. I am witnessing a proliferation of reterritorialization that are legitimated on grounds of cultural difference and animated by global policy principles in which collective subjects become legible as “communities” holding distinguishing assets. (pp. 251–252)

The commodification of culture produces contested cultural socialization practices, especially between state projects of mobilizing ethnic markers for profit (through tourism, service and performance industries, and export markets) and community-level or group projects of resisting state control/regulation/co-option of cultural identity or asserting autonomy. While contestations may revolve around what markers of identity should be suppressed, celebrated, or represented, the resulting consequence of such contestations is that ethnic consciousness is heightened and intensified overall in society. Moreover, the technologies of neoliberal globalization enable ethnically defined groups to reach out to non-state actors within and beyond state borders to either resist the commodification of cultural goods for profit, to claim ownership of such goods to demand the accrual of such profit to the group, or to leverage their market value for greater political power (Escobar 2010). However, the need for predictable and stable societies to allow for the dominance of market processes (as well as the continuation of state power) often requires the reigning in of such practices by the state of cultural groups while simultaneously profiting or marketing certain aspects of these groups’ ethnic identity.

Writing about the impact of neoliberal economic policies on the Caribbean and cultural identity, Scher (2011, pp. 8–9) argues that:

The structuring force of neoliberalism produces an emphasis on culture (a non-competitive market niche), yet also provides the hegemonic model of what counts as culture; that which is remembered and recalled by consumers as appropriate and legitimate to a region, is shaped by both global factors and local history or tradition. Cultural products then need to be recognizable to the target consumer. . . The result is a greater investment in managing cultural products and practices in order to preserve their economic potential and serve the expectations of consumers.

This “culturalist market” (Scher 2011, p. 8) includes “ethnically marked” agricultural produce, spices, foods, drinks, fabrics, clothes, designs, and artisanal crafts,

as well as various “religious”/“traditional” rituals, practices, and artistic (oral, visual) performances. Bodies also become marked in this market, exoticized and ethnically marked for purposes of consumption in the entertainment, sports, fashion, or sex industries, locally and globally. DeHart (2010) illustrates how cultural knowledge and membership in an ethnic group have become new forms of “human” capital, producing ethnic entrepreneurs as key agents of economic development in Latin America.

Debates about authenticity, appropriation, exploitation, and ownership ensue as contests between state, corporations, and the “marked” group, between groups and within groups, leading to persistent questions about who are we, who are they, and how do we (should we) relate to “others.” Consequently, there is a lot of “ethnicity” these days – “a lot of ethnic awareness, ethnic assertion, ethnic sentiment, ethno talk. . .it is increasingly the stuff of existential passion, of the self-conscious fashioning of meaningful, morally anchored selfhood. It is also more corporate, more commodified, more implicated than ever before in the economics of everyday life (Comaroff and Comaroff 2009, p. 1).”

While these processes are not limited to any particular ethnically defined group, it is worth noting that a distinct feature of ethnic consciousness in the contemporary era is that indigenous communities and indigeneity as a type of ethnic marker have come under the spotlight (Comaroff and Comaroff 2009). Canessa (2014) noted this dynamic in relation to the identity category of indigeneity and indigenous in claims-making in Bolivia, pointing to the conflict between a self-acclaimed indigenous state, its self-identified indigenous supporters, and its self-identified indigenous opposition. The resulting consequences of such contested claims-making around a given ethnic marker include an intensified rhetoric (and practice) around the indigeneity. Canessa (2014) suggests that we can distinguish between two types of claims around indigeneity in the Global South, one that aims to co-opt the state and one that seeks protection from the state. What is worth noting is that claims of indigeneity are increasing globally (Canessa 2014). Some have linked this to the expansion of international treaties and law which has given a means for some groups to make claims against the state (Holder and Cornthassel 2002). Others have also noted that the commodification of culture, and especially of essentialist conceptualizations of indigeneity including ideas about relationship to land and environment have place a premium on indigenous knowledge and identity in development discourse (Chandler 2008). This is in contrast to a history of marginalization of indigenous identity in relation to development: for a long time, indigeneity was seen as equivalent to marginal, backward, left behind, and not productive; yet very recently, they are lauded for their relevance, potential, and importance in terms of economics and solving development issues (Smits 2014; Chandler 2008).

In their important text *Ethnicity, Inc.*, Comaroff and Comaroff (2009) provide a diverse range of examples on how indigenous culture is commodified and mobilized. They use these examples to make the argument that neoliberal globalization has produced *Ethnicity, Inc.* (the incorporation of identity and commodification of culture) and is linked to the current history of capital. In this, they point to the role of the “entrepreneurial (singular) and ethno-preneurial (collective) subject

(p. 141)”; the role of the intellectual property regime (as seen above) in reducing the “cultural being to inalienable rights, immaterial assets, private effects (p. 141)”; and to a global economy of difference and desire. Importantly, they highlight the consequences of this and the complicated nature of these consequences: On the one hand, these identity economies seem to have created important opportunities and possibilities for indigenous and cultural communities that have been historically marginalized and excluded. On the other hand, it is unclear to what extent these have the potential to improve the well-being of these communities and reduce power inequalities between these groups and long-standing relationships of power. With regard to the latter, they caution that culture as commodity usually means that the “big players from both inside and out” dominate and lead, creating new divisions and inequalities; and that it subjects cultural voice, meaning and belonging to “vagaries of commerce, which demands that the alienation of heritage ride a delicate balance between exoticism and banalization (p. 141).” They also point to the violent potential of all of this, through the processes that heighten politics, political organization, and political mobilization on the basis of ethnic identity and ethnic consciousness. At the same time, they underscore that these processes are not deterministic and singular – they have multiple potential trajectories and outcomes and that sometimes the “dissolution” of identity politics into commercial spaces can “turn carnage into commerce, perdition into patrimony” (p. 145). What is possible and what happens, they argue is dependent on historical contingency, including resources, geographic location, economic and political conditions that allow for greater or lesser capacity for transforming “ethnicity”/cultural material into capital (Comaroff and Comaroff 2009).

In short, cultural socialization of ethnic consciousness is currently occurring in a context where cultural markers of ethnic identity are potentially available for commodification and are subject to political contests, economic appropriation, and globalizing processes. The historical contingency in which this is happening for a given ethnic/cultural group and its contemporary socio-political-economic context are crucial in understanding what kind of cultural material is available for producing ethnic consciousness, how it is being utilized and its potential consequences (Tsing 2011; Comaroff and Comaroff 2009; Castells 2010).

Nevertheless, the commodification of culture, neoliberalism, and accelerated globalization have led to three sites in which cultural socialization processes of ethnic consciousness have heightened: tourism, development, and social media. I look next at the specific dynamics of cultural socialization and ethnic consciousness in these three sites. I conclude that the roles of the economy and social media have become major factors in how ethnic consciousness is being produced.

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## Tourism

Cultural socialization, as noted earlier, refers to a set of practices of social actors in fostering awareness of (and pride in) one’s ancestry, origin, and cultural heritage. While tourism can and often is linked to “natural” delights of land- and seascapes, it

is also an industry in which ancestry, origin, and cultural heritage are selectively (re) presented and consumed. Researchers have often focused on the political economy of tourism and its role in essentializing culture, ethnicity, and identity, as well as the objectifying gaze of tourism in which those providing the touristic experience are located in a subordinate position of power, relative to the tourist (Hannam 2002; Urry 1990). Postcolonial critiques also point to how performers, service providers, and even governments providing the touristic experience work to destabilize this apparent hierarchical power and assert their cultural identity on their own terms (Kanemasu 2013; Amoamo 2007; Hollinshead 1999).

The impact of neoliberal globalization on tourism is multifold. Urry (1990) pointed out that new technologies of communication and mobility have facilitated the increase and diversification of tourists, which in turn has increased the revenue making potential in tourism. This potential along with the commodification of culture has expanded the market of tourism providers while increasing and intensifying competition. As a result, tourist providers and workers compete to provide a unique experience while at the same time making their culture accessible to larger numbers of diverse tourists.

What are the consequences of all of this for cultural socialization and ethnic consciousness? On the one hand, there is greater flexibility in what ancestry, origin, and cultural heritage are mobilized, reproduced, and claimed. The search for providing a different experience often requires ethnic-preneurship, in which one is able to take cultural identity material and represent it as unique. This may mean that more narratives about what “makes us us (and them them)” (Comaroff and Comaroff 2009; Urry 1990). As such, the processes that normally produce dominant narratives about identity are in some ways destabilized and decentralized as a result, and the material for cultural socialization is thus shifted.

An example of this is in the context of the indigenous peoples of Bangladesh, who self-identify as jumma, where we can identify the ways that even state-based tourism can unintentionally create empowering spaces for nationally marginalized groups. While any form of political resistance by jumma peoples is violently suppressed in Bangladesh (Chakma 2010), jumma culture (or certain aspects of its culture) have been amplified and mobilized by the state and the military (Ahmed 2017; Alamgir 2017). In particular, the national agenda of expanding the tourism industry, embodied in part in the “Beautiful Bangladesh” campaign launched in the context of the 2011 World Cup of the International Cricket Council, hosted in Bangladesh, centers and privileges the jumma people in billboards, advertisements, and the type of experiences one can have (Ahmed 2017). (The largest group of non-Bangla communities in Bangladesh live in the Chittagong Hill Tracts (CHT), one of the eight administrative divisions of Bangladesh and made up of three divisions: Khagrachhari, Bandarban, and Rangamati. These groups in the CHT self-identify as jumma and are constituted by the 11 different who have lived there for generations: Chakma, Marma, Tripura, Tanchangya, Chak, Pankhoya, Mro, Bawm, Lushai, Khyang, and Khumi.) Similarly, while the lack of assimilation of jumma people into mainstream Bengali culture is seen as cause of suspicion, threat, and even deserving violent regulation by ordinary Bengalis (Chowdhury 2016), aspects of jumma



culture have also become the object of entertainment, pleasure, and desire. Jumma women in “traditional” clothing, jumma people in their “natural settings,” Buddhist temples in hills, “untouched hills and natural beauty” of the customary lands of the jumma peoples, jumma cultural artefacts, and jumma festivals are part of the experience package being sold by the state and the military for profit and consumed by the Bengali and foreign tourist to CHT (Ahmed 2017). Jumma cultural practices around dance, handicraft, fashion, and food are not only commodified for tourism and development in these processes; they become legitimate sites around which jumma pride can be constructed and where jumma identities can be celebrated. As such, cultural socialization processes of the jumma peoples find these practices as sites of building empowerment and confidence in their own community, especially since these can be shared with the dominant majority without threat of violence. Additionally, while unintended, the consumption of these cultural products by the Bengali majority and their use in nation branding tourism campaigns challenge the dominant Bengali-Muslim national narrative (Schendel 2001). It is important to underscore that we cannot minimize the powerful effect the lived everyday violence experienced by jumma peoples in CHT (and more broadly in Bangladesh) has on producing heightened ethnic consciousness around their cultural identities. This is particularly so when we recall the conceptualization of ethnic consciousness as constituting awareness of membership in an ethnic group (Gold and Miller 2015) and the degree to which awareness and understanding of ethnic identity shapes social and political action, including inter-ethnic relations (Gibson and Gouws 2000). However, the neoliberal globalization pressures that lead the state and military controlled tourism to make use of jumma culture creates unintended encounters, spaces, and opportunities to challenge both the narrowly defined Bengali-Muslim national identity and empower jumma identity.

Another related consequence of the search for providing a competitive and unique tourist experience is that more and more aspects of people’s daily lives become identified through the lens of culture and ethnicity, heightening ethnic consciousness in the communities that become part of the touristic experience. As such, local coffee rituals (Lyon 2013), weddings (Toyota 2006), and village life become sites of tourism. Sometimes, these have taken more dramatic forms as noted in the works of Lennon and Foley (2000) on “dark tourism” and O’Rourke (1988) in “holidays from hell,” where jails, abandoned coal mines, and massacre trails become part of the tourist trail. All of these are potentially important in selecting what is “our” culture for the society and communities that enter the global tourism path, either as reactions against or in privileging these narratives, spaces, and practices further (Haldrup and Larsen 2010).

On the other hand, the need to make culture accessible to the tourist has also meant that what is “ethnic” or “cultural” often starts to look similar across distinct spaces. Ancestry, origin, and heritage are remolded to ensure that the tourist can enjoy and digest identity quickly and easily. While this is done with the intention to place the tourist at ease, it has an important impact on the performing community as well: Over time with repeated performances, the performance becomes what is familiar and known to the community itself as its own, changing the material of



cultural socialization in the community itself and in some ways making its own identity more similar to other “ethnic” sites elsewhere. Thus, tourism in the context of neoliberal globalization produces both heightened ethnic consciousness but also makes “ethnicity” and how it is performed, socialized, and understood similar across different spaces (Urry 1990). As such, artisans in the Chittagong Hill Tracts of Bangladesh, in Chiang Mai in Thailand, and in Bali in Indonesia are often in the process of producing weaves that are not specific to their own practices but that match some idea of ethnic handicrafts being circulated in the global tourist market. While some can critique this phenomenon in terms of how “authentic” practices are being lost, others have noted that the search for authentic itself is an elusive one and subject to who is evaluating what is authentic (Shepherd 2002). In addition, irrespective of the “origins” of a particular practice, it is possible that the “new” practice itself becomes thought of as one’s own and that is the knowledge that is passed on as “our culture.” Whether this is a loss to be grieved and resisted or not, what is important in the context of understanding how neoliberal globalization is impacting on cultural socialization is that a global tourism is leading to “culture” being commodified and performed in similar ways.

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## Development

While modernization theory tended to view Global South culture and ethnic identity as problems to be changed for development to occur, in the context of commodification of culture under neoliberal globalization, culture and ethnic identity have come to be seen as ways to support development (see examples in Chandler 2008), provide new solutions to developmental challenges (e.g., Boillat and Berkes 2013), or provide legitimacy to neoliberal strategies of development (e.g., Smits 2014). As such, ethnic identity and associated cultural material to foster that identity gain a premium, not only to create belonging, pride, and community but as a means to see how social problems can be addressed. Cultural knowledge as such has become an important competence in the development industry, and consequently, cultural socialization of such knowledge takes place in trainings, workplaces, and educational centers. In particular, the relevance of traditional and indigenous knowledge has increasingly gained ground in relation to issues of environmental justice, sustainability, and dealing with climate change (Nyong et al. 2007; Schlosberg and Carruthers 2010).

This is not to suggest that such cultural socialization is thus necessarily appropriately contextualized, nuanced, or embedded in the communities in which the knowledge will be applied; power dynamics mediate what is defined, appropriated, and utilized as cultural knowledge (Briggs 2005). However, it does implicate cultural socialization of ethnic identity has become an important element of development work, and like in tourism, ethnicity, culture, and identity matter more, thus heightening ethnic consciousness.

Another way that neoliberal globalization impacts on development with implications for cultural socialization and ethnic consciousness relates to the phenomena of nation branding as a means for economic development. Nation branding, an

engine of neoliberal globalization, directly utilizes a reductive and essentialist logic, in which national identity is articulated through the logic of market relations (Jansen 2008). It is seen as a means to increase a country's economic competitiveness and enhance solidarity in the country and the self-esteem of the nation and its citizens. Development, in a neoliberal globalized world, becomes a problem of "recognition, visibility and self-esteem," ignoring all other socio-economic and political mechanisms that sustain poverty and (under)development (Browning 2016, p. 52). Scholarly literature on nation branding has examined the processes of branding that can increase a country's competitive advantage (Moilanen and Rajnisto 2009), how branding impacts on a country's soft power (van Ham 2008), and the relationship of nation branding to identity politics, citizenship, and social control of communities (Aronczyk 2008). Browning (2016) has also pointed out that nation branding has taken on a special role in development of countries in the Global South, where the reputation and image of developing countries as "problematic" leads to a lack of needed investment and, therefore, rebranding the nation would help to correct the issue. Browning (2016) criticizes this argument, highlighting that while national image may be some part of a developmental challenge, nation (re-)branding as a solution is disingenuous, playing to the needs of international branding consultants, as well as ignoring the fact that both the diagnosis and the prescription reinforce a neoliberal understanding of development. He further notes:

... nation branding also contributes to the subordination of states to market logics, while simultaneously shifting responsibility for development onto the poor states themselves by emphasising their need to take ownership of their national brands. Beyond this, however, nation-branding practices can also be viewed as a neo-colonial governmental technology, which empowers (largely Western) experts in establishing what constitutes relevant knowledge in a globalising world, which subordinates questions of national identity to market preferences, and which extends governance responsibilities beyond the state through the expectation that civil society will become actively engaged in branding processes. (Browning 2016, p. 52)

Despite these important critiques, nation branding is a growing phenomenon, with countries in the world creating branding commissions and hiring consultants. "Amazing Thailand," "Incredible India," and "Malaysia – Truly Asia" are all highly visible examples of this, with other less well-known ones including "Nigeria – Irrepressible Giant" and "Beautiful Bangladesh." Nation branding is more than about just creating a name for (foreign investors). A type of commercial nationalism, nation-branding implicates its populace to live and perform the brand, with citizens being asked to live the brand responsibly (Volcic and Andrejevic 2011). Consider the online ad contest Get Wildly Creative About South Africa that the International Marketing Council of South Africa launched in 2010, as a part of a major nation branding research project. In the creative brief for the contest, they note that the nation brand's should be able to:

imprint on the minds of decision-makers, opinion leaders and trendsetters everywhere – the target audience – an image of South Africa as a desirable and distinctive place to visit,

conduct business, invest, source products, services and ideas, host gatherings and experience a unique, unrestrained blending of cultures and hospitable, friendly people. ([Zooppa.com](http://Zooppa.com) contest center)

The discourse of nation-branding for development implicates both that the nation is constituted of a particular type of individual and that its citizens need to act like that, today and for the future. For the nation-brand to work, it needs to resonate, and it needs to be (re)produced. As such, nation branding becomes a major element of cultural socialization – the campaigns of nation-branding are not only for international relations and public management of the nation’s image but also to instill in its own citizenry a prescriptive identity and behavior. However, as Jansen (2008) has noted, it is both undemocratic and a “risky business,” since the process of nation branding is based on the “cultural knowledge” of select individuals and their “creative” understanding and articulation of that knowledge. What is important in our discussion of cultural socialization and ethnic consciousness is that this phenomenon of nation-branding to promote development in the Global South has become an important element of cultural socialization processes that need to be examined further. Nation branding seems to also be part and parcel of the dynamic of privileging cultural frames to understand problems and opportunities, thus playing to heightening ethnic consciousness. Relatedly, it is important to ask, in the context of ethnically diverse societies, how do marginalized or minority ethnic groups relate to national brands, especially in how cultural, ethnic, and national pride are fostered. Jansen (2008) points to Umberto’s concept of “semiotic guerrilla warfare” as a strategy of how branding can be both disrupted and made more democratic. Examining these kinds of discursive warfare of nation-branding at macro and micro levels would be an important site to understand how cultural socialization practices are being impacted in the context of neoliberal globalization and their consequences for ethnic consciousness in the contemporary era.

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## Social Media

The emergence of social media spaces including Facebook and Instagram are important sites in which cultural socialization processes play out that are both similar to “older” socialization processes by families, peers, schools, religious and community institutions, media, and the state. To the extent that these spaces replicate “real”-life networks and ties, these spaces will be sites in which offline messages about “who one is” and “who we are” will be reinforced. However, social media spaces are also distinct in several ways. Firstly, their reach in terms of the networks and agents at play go beyond the territorially bounded nature of “traditional” social actors involved in cultural socialization processes. It becomes more possible for territorially dispersed communities to create a shared sense of ethnic identity and to maintain such identity. As such diaspora, (im)migrant, and minority identities are able to maintain, reproduce, and even expand themselves (Georgiou 2006). Examining the

utilization of social media among Filipino and Polish migrants to Ireland, Komito (2011) argues that:

If the first wave of Internet applications helped extend personal networks and building bridging capital, this second wave of social media applications is, in addition, enhancing and supporting communities by contributing to bonding capital. Migrants are able to maintain contact with those who live remotely. . .Migrants have the opportunity [through these spaces] have the opportunity to not be so much ‘connected migrants’ as ‘virtual migrants’: their physical locality can be irrelevant for their identity. (pp. 28–29)

In a study on adolescent Russian immigrants to Israel, Elias and Lemish (2009) found that social media spaces were utilized simultaneously to learn about the new society but also to reinforce their ethnic identity and to actively claim their Russian identity, often in response to negative reactions in the host society. Social media spaces become a way to present one’s ethnic identity to others, learn more about it, and create emotional connections to the ethnic community.

Secondly, the degree of control one experiences in the socialization process is expanded both in terms of externalized and internalized control. In particular, externalized control of what constitutes the narrative one is socialized in to is produced through algorithms that repeat and reinforce “more of the same,” while our ability to select what we see and don’t see allows us to exercise greater internalized control of the narrative as well. Relatedly, social media ICTs are unique in their ability to amplify or dilute socialization outcomes more intensively than “traditional” socializing agents because in these spaces one can actively choose to belong more tightly to one community or make it a space to escape one’s ethnic community. Castells (2010) noted how social media has become a major medium of “selective social interaction and symbolic belonging (p. 37).”

Finally, recent discussions on how social media spaces are politicized and how they are potentially being utilized to amplify hate speech and impacting on election and collective violence indicate the degree to which social media spaces are playing a major role in the construction of ethnic consciousness. The most visible form of this has been in discussions on how Facebook was utilized in the most recent violence against the Rohingya population in Myanmar (Mozur 2018). In particular, to what extent do these materials in social media spaces that have been designed and crafted (“fake news,” photoshopped images, edited videos) become cultural material for the socialization of ethnicity in the future? Cultural socialization material and ethnic identity have always relied on myths, where “truth” is of less importance. Social media spaces seem to have intensified how much “truth” can be brushed aside and how new realities can be created with very real consequences. The more tightly bound people’s social networks in social media spaces are, these tendencies can be manipulated with dangerous consequences for how ethnic consciousness works. At the same time, researchers have noted that indigenous and other marginalized cultural groups have found social media as empowering spaces, in which “lost” traditions, stories, and communities can be reclaimed, performed, and built (Carlson 2013; Srinivasan 2006).

To what extent does the neoliberal globalization context impact on these aspects of social media's role in cultural socialization of ethnic consciousness? One way to consider this is in the rise of "influencers": The commodification of culture combined with individualization dynamics implicated by both neoliberal globalization and the functioning of social media spaces means have meant that "producing" and "performing" culture is an important way one can make a lifestyle and opinion profitable. Becoming an "influencer" on Instagram or Facebook can become a career, but it requires creative selection of "cultural materials" that are simultaneously personalized yet accessible. Consider Nas Daily (Nuseir Yassin), an Arab-Israeli vlogger who travels across the world not only "educating" his audience about "cultures" in 1-min clips but has also become an icon of what kind of positive relationships may be possible between Arabs and Israelis. His narratives and his own perspectives are followed by over six million people on Facebook and are potentially becoming part of the cultural material utilized to create a sense of pride and tell heritage stories among both Arab and Jewish Israelis. Cultural socialization material has always included heroes, leaders, other important people and their lives, actions, and ideas as part of what makes a community who they are. What is happening in the contemporary era in social media spaces is that "ordinary" (albeit often still from privileged backgrounds) individuals can become part of that cultural material now through how they can amplify their voices through social media spaces. As such, future research needs to investigate to what extent these influencers in social media spaces are becoming part of both the content of cultural socialization and shaping how "pride," "heritage," and identity conversations are occurring in communities.

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## Conclusion

In the above discussion, I have pointed to how cultural socialization and ethnic consciousness are being impacted in tourism, development, and social media spaces in the context of neoliberal globalization. Several processes seem to be occurring simultaneously, where culture and ethnic identity have greater value to be leveraged for economic and political gains, more and more of social and economic life are viewed through a cultural or ethnic lens, and where the disruptive power of culture/ethnicity seem to be heightened in some contexts and diluted in others. Neoliberal globalization seems to thus produce both reductive, essentialist, and violent tendencies in cultural material and ethnic consciousness and expansive, diversified, and empowering potentials of ethnic belonging. Related to Giddens's argument about how in the post-traditional context, self-identity is reflexive (Giddens 1991), neoliberal globalization seems to have created a context in which one is apparently free to choose, not only one's own self-identity but what cultural material one can utilize and how one interprets it to be who they want to be and who they choose to identify with; in fact, it seems to become almost necessary to be entrepreneurial with one's cultural heritage. How do these entrepreneurial choices of culture impact on both the content and the process of how cultural socialization of ethnicity occurs among our contemporaries and future generations? I would suggest that with the

commodification and globalization of “ethnicity” and “culture,” researchers looking into cultural socialization practices and what is heightening or diluting ethnic consciousness need to look beyond the social relations in the family, peers, education, and “traditional” media and examine the economy – especially in the areas of tourism, the development industry, and the performance of identity in social media.

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## Cross-References

- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [Indigenous Rights and Neoliberalism in Latin America](#)
- ▶ [Media and Stereotypes](#)
- ▶ [The Significance of Ethno-politics in Modern States and Society](#)

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# Historical Memory and Ethnic Myths

# 4

Cindy Zeiher

## Abstract

The tracking of historical events and memory serve as affective pivots for myth to be cultivated and to thrive throughout generations. From a Freudian perspective, this chapter tracks selected traumatic events such as the Holocaust, and discusses how the historicizing process operates in order for us to have a coherent memory of the past, even of our recent past, through invoking repetitious patterns. Also discussed is the notion of recognized authority, who in speaking to the past, is able to pinpoint particular historical agitations and witnesses in order to write a logical history from which myths emanate.

## Keywords

History · Authority · Memory · Myth · Ethnicity · Trauma · Freud

*The mythology of a nation doesn't emerge by the history of a nation; by means of a mythology of a nation, the history of a nation is composed.* (Berk 2016, p. 70)

*We cannot fall out of this world. It is a feeling, then, of being indissolubly bound up with and belonging to the whole of the world outside of oneself.* (Freud 1899, p. 2)

In the ancient Greek myth, Pygmalion falls in love with a statue he has made. At the festival of Aphrodite, he reveals his desire that the statue becomes a real woman and much to his delight it does. Although this myth seems innocuously romantic,

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C. Zeiher (✉)  
University of Canterbury, Christchurch, New Zealand  
e-mail: [cindy.zeiher@canterbury.ac.nz](mailto:cindy.zeiher@canterbury.ac.nz)

nevertheless the reason for Pygmalion's desire is revealing in the context of this being a reaction against his boredom with the company of women surrounding him. His fantasy that this sculpture representing his ideal version of beauty be a real woman overshadows his disgust for the many women including the prostitutes he consorts with. His fantasized ideal of a silent and beautiful woman reflecting the female virtues most important to him is the embodiment of his myth.

Myths play an important even critical role in the constitution of social identities and cultural heritage. This is because we are all, both individually and collectively meaning-seekers. However, the function of myth is much more than this: myth plays a key role not only in the making of history but also in the continuation of legacy through the geography and politics of memory. Myths and mythmaking manifest variously in human culture which itself, according to Girard, emanates from religion (2010, p. 123). Roland Barthes contends that myth is not a concept but rather a system of speech; thus mythology derives from schematic movement between Saussurean signs and signifiers (1957). That we can believe in the possible allows us to reject or at least reconcile with the often-traumatic actualities of life which are ironically, what led to myth being imagined in the first place. For Pygmalion, the statue embodying his fantasy, thanks to the intervention of Aphrodite, triumphs his real life. Although on one level just a myth, this portrayal of desire in terms of fantasy made real resonates even today. In his *Interpretation of Dreams*, Freud considers how we might relate the occurrences of the past to the present and the future, particularly when these events are horrific or traumatic; how might we arrange them so that they become liveable in the present? In order to situate ourselves in history, we cannot privilege its claimed facts over cultivation of the imaginary through myth. Such a historicizing process must take place in order for us to have a coherent memory of the past, even of our recent past, and may span several generations through invoking repetitious patterns. Alongside this there must be in place a recognized authority who in speaking to the past is able to pinpoint particular historical agitations and witnesses in order to write a logical history.

Between each historical event lies a lapsus manifesting as dimly perceived continuity which is necessarily presupposed by the event. We cannot fully know history and everything which constitutes it either as event or continuity, and organizing these as history involves both subjective and collective interpretation. This process renders a history which may also be absorbed into historical memory as particularly societal groups identify with certain events, both actual and imaginary, as a way of transmitting narrative. This identification includes oral histories, storytelling, artifacts, collective memories, and superstitions. These combine in maintaining social, cultural, and political bonds as well as providing laws and prohibitions on the nuances of everyday life. Thus, history provides the basis to an ongoing historical praxis of collective destiny. As history continues to be written by different authorities, it inevitably presents a range of interpretations and perspectives. The problem with this positivist approach to history is that not only events but *everything speaks*, often all at once and changing all the time insofar as history can never be laid to rest. Freud in part addresses this problem by insisting that it is

precisely because *everything speaks* that no single history or historian can have precedence and that all of them are potentially significant.

In his reading of Freud's elements of mythology, Rancière highlights that *everything speaks* in terms of the interdependence of science and myth which structures ethnic identity (2009, p. 35):

[Freud] gives the insignificant details of the prose of the world their power of poetic signification. In the topography of the plaza, the physiognomy of a façade, the pattern or wear of a piece of clothing, the chaos of a pile of merchandise or trash, he recognises the elements of a mythology. He makes the true history of a society, an age, or a people visible in the figures of this mythology, foreshadowing individual or collective destiny. *Everything speaks* is the abolition of the hierarchies of the representative order [emphasis in original].

Certainly, ethnic identities are often associated with myths both past and present in being constructed by us through an imaginative process which allows us to capture moments of belief in matters beyond the purely empirical. There is something atemporal about this process of and investment in mythmaking, as is also the case with cultural and ethnic identities: each gives us clues as to the form and substance of the other. In this way we can situate myth as an often extraordinary or supernatural story which explains a social, cultural, or natural occurrence. Defining a myth requires attention to its various constituents: its linear narrative reveals a protagonist who for the most part has the role of serving the actions or values of the narrative, for example, Narcissus's preoccupation with his reflection is a warning against loneliness, vanity, and self-absorption. Freud's 1914 essay, *On Narcissism*, considers the myth of Narcissus as one which belongs to us all in that ultimately, we are all strangers (or, rather, strange objects) to ourselves; therefore we should be aware of falling in love with ourselves. Both secular and sacred myths have a function additional to that of transmitting folklore or explaining human foibles. Myths created by recent history as a result of particularly traumatic events which confound us allow the interrogation of pervasive and troubling ways of thinking whose outcomes we don't want repeated. Thus, myth has the function of giving free reign to our imagination but within limits so that the rational element of the imaginary can be harnessed. Myth conveys a cultural worldview, both metaphorical and actual, and facilitates the establishment of identities secured in history. The medium of all myth is language which helps order the world and thereby create history.

E.H. Carr's *What is History?* (1961) helps us in establishing what constitutes a historical fact. For Carr the historical fact is also a cult, and although not referencing Freud, he considers the historical fact to be something of a fetish in that it becomes an object infused with the enjoyment of meaning-making. Here he is problematizing traditional empirical historical method through insisting that in studying the facts of the past, we need to study the historian (p. 23):

Study the historian before you begin to study the facts. This is, after all, not very abstruse. It is what is already done by the intelligent undergraduate who, when recommended to read a work by that great scholar Jones of St. Jude's, goes round to a friend at St. Jude's to ask what

sort of chap Jones is, and what bees he has in his bonnet. When you read a work of history, always listen out for the buzzing. If you can detect none, either you are tone deaf or your historian is a dull dog. The facts are really not at all like fish on the fishmonger's slab. They are like fish swimming about in a vast and sometimes inaccessible ocean; and what the historian catches will depend, partly on chance, but mainly on what part of the ocean he chooses to fish in and what tackle he chooses to use – these two factors being, of course, determined by the kind of fish he wants to catch. By and large, the historian will get the kind of facts he wants. History means interpretation.

Thus for Carr there is no such thing as an objective history, let alone an objective fact. Rather, ideas are compiled and collated and, in this way, provide the answer to Carr's question which serves as the title of his book: "a continuous process of interaction between the historian and his facts, an unending dialogue between the past and the present" (p. 30). Although he acknowledges the importance of the social sphere from which the individual is shaped and asserts that we are, as individuals, by-products of history, in this theorization of history, only certain people or groups shine or are privileged as embodying historical facts. For example, he cites Lenin as one who because he shaped social forces exemplifies an historical fact. Žižek agrees, observing however that Lenin's actions on his own authority did not take into account factors which we today would consider essential (2017, p. xiv):

Not only was Lenin understandably blind to many of the problems that are now central to contemporary life (ecology, struggles for emancipated sexualities, etc) but also his brutal political practice is totally out of sync with current democratic sensitivities, his vision of the new society as a centralised industrial system run by the state is simply irreverent, etc. Instead of desperately attempting to salvage the authentic Leninist core from the Stalinist alluvium, would it not be more advisable to forget Lenin and return to Marx?

In attempting to reconcile with the failed Leninist project, Žižek asks of us to do something provocative regarding the telos of history: notwithstanding that history repeats itself, reinterpret the facts at hand in order to gain insight into the present. Here unlike Carr, Žižek is not troubled by bias; indeed he embraces it as a productive method which he claims we unconsciously employ anyway. Contradiction, bias, and cherry-picking are parts of the historical method and always have been. For Žižek the true challenge lies in what we choose to highlight and how we interpret it, a challenge emanating from Aristotle's position that history is no more than something that might have happened and whose cultivation constrains the mind's faculties. For Aristotle, images projected by imagination and memory, even if opaque, hold more resonance.

Here we come to the importance of historical memory. As Bonnet puts it (unpaginated):

The process [of cultivating memory] went something like this: it began with a real or imagined incident or event that was worth repeating, something so intriguing that we were compelled to repeat it. It was passed along by word of mouth, from person to person and from generation to generation until it had been told and retold millions of times and existed in a hundred different versions around the world.

With this framing of historical memory, feminist scholars in particular will be familiar. They point out that history has been written largely by men as social reproduction serving the masculine enterprise of retaining privilege and power in the political, social, intellectual, and public domains. In such history women may be left out, which is certainly in contradiction to historical-sociological perspectives. Even if women do appear, they may be cast as compensatory, for example, the necessity for women's labor during wartime, on top of their ongoing unpaid and sometime unacknowledged domestic labor. The limited consideration to women's history has compromised their placement as historical fact and facilitated subsequent myths about women, their labor and care, to thrive in men's histories. However, this is not necessarily as intentional as Calvi states in her essay on Jewish women factory workers in early twentieth-century New York (1990). Rather, documents from the time were poorly kept and untrustworthy and even include stories from women who, under pressure and still dependent on male family members, recount positive experiences of working in overcrowded factories with poor conditions and pay. The myth that working women at this time and later were emancipated ignores its origin in the necessity of self-preservation. Paid work does not necessarily lead to emancipation, argues Calvi, citing as a testament of history the discordance women of the time suffered, which is overshadowed by the accumulation of other historical events (p. 202):

The condition of the great majority of working women, indeed, as regards skills and efficiency, is probably worse now than that of their grandmothers who were not wage-earners. Before the introduction of machinery women were, probably on the whole, as compared with men workers, more skilful and efficient than they are to-day. . . Gradually however, as girls have been forced on the one hand by machinery. . . and on the other hand by divisions of labour. . . to undertake tasks which have no direct interests to them as prospective wives and mothers, there has grown up a class of women workers in whose lives there is contradiction and internal discord. Their work has become merely a means of furnishing food, shelter and clothing during a waiting period which has, meanwhile, gradually lengthened out as the average age of marriage increased. Their work no longer fits in with their ideals and has lost its charm.

Both paid and unpaid domestic work were far from being privileged, and female paid labor was seen as merely supplementary to a possibly failing domestic circumstance which required women to work because more money was needed. Factory work did not accord with the prevailing essentialized view of women, yet it coexisted with the profile of Calvi's "mythical woman/mother" (p. 206) which retains motherhood as the woman's profession *par excellence*. Thus, factory work, arguably the bedrock of political consciousness and trade unionism, held ambivalent emancipatory power, in that it had the potential both to strip women of their traditional roles and also men of their historical masculine heroic status. The upholding of myth can be said to reside in the politics of labor.

The intersection of ethnicity and myth is explicitly stated in the case of matriarchal societies. In their field studies of the Chinese *Na* tribe, Hua (1997) and Godelier (2004) describe how this provincial minority functions without marriage, husbands,

fathers, or even father figures. Lineage is passed on via the mother whose authority determines each household. Sexual relationships between men and women are based simply on the premise that society needs to reproduce itself; women and men freely engage in various simultaneous sexual relationships. What is most interesting about this tribe is that its operative pragmatics stem from the mythical component of procreation which sustains the community. Sperm is not recognized as essential to conception, its function being merely to water in a pre-existing fetus deposited by the goddess, *Abaogdu*. Thus, the child does not belong solely to the mother. Similarly, a tribe on the Trobriand Islands, off the east coast of New Guinea, practices matrilineal and matriarchal customs which involve symbolically limiting the man's role in child-rearing. Subjective existence for these two tribes lies in the singularity of specific events, bodily located within women's experiences and which in turn structure the ongoing social bond of the community. There is no practical link between sex and pregnancy (Weiner 1988). This is how the human reality of the tribes is symbolized and where their cultural law is legitimized.

Belonging to a particular ethnicity requires that one identifies, even if ambivalently, with one's cultural history, including its mythologies, superstitions, and shared nuances of behavior. To claim a particular ethnic signifier for oneself serves as public recognition of a personal identification. Being in these ways either too constricting or too broad, ethnicity is problematic for the social sciences, notwithstanding that the kernel of ethnic identity is always an agreement between ourselves as individuals and the history we feel compelled to possess. What is most important regarding these two studies is that historical memory is made by women who have the authority to signify ethnicity via the transmission of myth.

Implicit in Carr's theorization of history is the important question, who writes history to which we feel able to belong? Here we are faced with an interesting conundrum. The authority figure in history may or may not inspire us, for example, Žižek's account of Lenin's incapacity and blindness is a cautionary tale for all who aspire to make history. The problem posed by history lies not only in method as Carr and Žižek rightly assert but also in the will to keep particular past memories symbolically alive in the present. If we can't remember, then how do we piece together fragments of history which don't always align? Here psychoanalysis provides the solution that we act out in contradictory ways. We contend with conflicting narratives which together form the foundation for multiple social identities. In his history of the *bourgeoisie*, Moretti (2013) notes that like workers in the factories, the French *bourgeoisie* of the mid-1700s, unsettled by turbulence and social change, bolstered their social identities by championing the fight against inequality while nevertheless retaining their enjoyment of continuing regular privilege. Moretti contends that the *bourgeoisie* held on to this regularity, that is, the myth of sameness, in order to create a narrative of solidarity in the face of the uncertainties posed by capitalist innovation.

How to cultivate an authority of individual and collective identities is an ongoing question for the human sciences. Kojève maintains that authority reveals itself in a typology consisting of consciousness and behavior; we must for the common good remain critical regarding how authority is legitimized and not accept the facts or

structures of history without inquiring who the authority is and why its version of history has been cast in such a way. Kojève describes the nature of authority thus (2014, p. 7):

There is Authority only where there is (real, or at least possible) movement, change, and action. Authority is held only over that which can ‘react’, that is to say, that which can change according to what or who represents (‘embodies’, realises or exercises) Authority. And quite obviously, Authority belongs to the person who can effect change and not to the one subjected to change: Authority is essentially active and not *passive* [emphasis in original] (Kojève insists on writing Authority with a capital – this can be interpreted as a pun on the word, *capital* as being reliant on Authority as an essence necessary to circulate within its own logic).

Here authority is a social relation relying on an agent which acts on behalf of people. This relation manifests in our use of objects, especially technologies, and via our shared, often-traumatic experiences which are inescapably intertwined and mediated through language. Nevertheless Kojève argues, we don’t necessarily need to *do* anything in order to exert authority, but there must be at least an intention to act authoritatively.

How does Kojève’s account of authority relate to myth and history? If we follow Kojève’s main influence, Hegel, then we must conclude that myth too is a theory, a sort of discursive revelation of method. Myth presents a narrative which those of other myths might negate. Myths may speak to each other as adversaries or may engage in dialogue and discussion. Here, in the collision of opinions we can witness how every truth reveals its own error, and is this not the very conundrum of history, that it contends with itself as an inadequacy?

Jankélévitch addresses this inadequacy by refusing to propagate ethnic myths which may accompany history. For Jankélévitch, not only the Nazi’s but the entire German people were culpable for the Holocaust (1996). Influenced by Freud and Bergson and rejecting German philosophy, Jankélévitch contributed influential texts on forgiveness, the apology, politics, and social nuances such as charm and grace. For Jankélévitch an essential part of forgiveness is that memory must be maintained and not erased by it. Through Jankélévitch’s stand on German culpability, we can link memory, myth, and ethnicity as a triad constructing history via subjective trauma, in which it is essential that memory must be maintained over forgiveness: “Nothing could be more evident: in order to forgive, it is necessary to remember” (1967, p. 56). When history is a narrative of hysteria, which in its psychoanalytical sense constantly questions that nature of existence, there is always an “other” with which to contend. For Jankélévitch this other is not only the Nazi’s; all Germans occupy his radical alterity, thereby providing the discursive thread from which he can approach the present via the past. Jankélévitch attempts to make a cut in history and in so doing identifies with the myth that all Germans are culpable. Of course, this is certainly untrue – not *all* German people supported the Nazi’s, and some indeed paid the price for being outspoken against them. However, that *all* Germans are culpable is a myth which has arguably been taken up by the German people and colonized as a national myth in order to exclude the possibility of a future Holocaust.



In this way myth has a rhetorical function which serves to simplify and obfuscate the inconsistencies of actuality. For its part the German government has taken responsibility by enacting the law against genocide.

In *Totem and Taboo* (1913), Freud addresses symbolic laws protecting people which must be universally enforced as the regulation of culture. Levi-Strauss's 1949 studies of cultural regulation in South America and Australia focus on social practices in which women, property, and objects are valued and exchanged; he observes how in the overlap of nature with culture (p. 56), "[a] man or a woman separated from his/her biological family in order to be united with a member of another clan assures perpetuation of the species."

He further observes these people are unconsciously operating within the law, and although they know the regulations of, for example, marriage, exchanging animals, and so on, they may not necessarily understand that their role is to maintain social bonds. For all of us, the laws of cultural regulation make unconscious knowledge conscious and enable us to handle trauma and perhaps also guilt. Psychoanalytically speaking guilt is a symptom through which we address lack and thereby come to terms with life which would otherwise be unliveable. The symptom offers a sort of enjoyment but within limits; it must be confronted in warding off the unbearable. This is arguably the reality of the unconscious: it serves to protect memory.

In the not too distant future, all remaining Holocaust survivors will have died. Nevertheless, we still have these people among us to testify what happened. We have their collective stories, the fragments of their experiences, at least those they are able to articulate. Alongside these stories are preserved artifacts: the concentrations camps, published Nazi propaganda, film footage, historian's commentary, and so on. In all this we are determined to preserve memory of these horrific events so that they never happen again, but insofar as genocide still occurs, particularly in countries that are experiencing civil unrest, we have failed in our efforts to learn from the past. The embarrassingly honest saying about German guilt – that there is no guilt quite like that of Germany – is perhaps explained by its combination of morality, guilt by association, bystander guilt, and, as Jaspers calls it (1965), metaphysical guilt. Arguably within this unique guilt permeating post war, Germany lurks the function of the confessional including the fantasies of forgiveness and even of self-justification. Such guilt preserves historical memory of traumatic events in a specific way, namely, in terms of political as much as social affect. It would be dangerous to relinquish the Holocaust in favor of a history made more palatable by the inclusion of forgiveness because it is precisely the hysteria of history which we rely upon to not only record the historical event but also to instill a discipline of history enabling recognition of one's self in it. This in turn provides evidence that it is particular historical facts, including myths and affect, which allow a constitution of the subject.

Here historical and social memories are inextricably bound within the collective construction and privileging of narratives concerning particular historical events. For example, although the infamous Nazi book burnings were undertaken for reasons of social purification and in order to reconstruct historical memory by eliminating texts ranging from Marx to Jack London, nevertheless the effect of this attempted historical erasure was the complete opposite of its intention. Ironically, in casting



these texts as subversive, political authority helped to preserve their legacy. Here the politics of historical memory, in attempting to construct identities in a particular way, merely serve to reconstruct them in way which is self-defeating.

There is a difference between memory, the capacity to store experiences, and recollection, the process of recalling them (Nikulin 2015). Historical memory, being the uptake of what is already known, accepted and enforced functions as a symbolic law wherein the events of history are transmitted as lived history, as something we can identify with. Such a history manifests an ethnic dimension in that it can be passed from generation to generation among people belonging to a social group having a specific location, language, and culture. Thus through ethnicity the past is adopted involuntarily. Identification with a particular ethnicity is to declare recognition of its unique transmission of history, including myth. History and memory enabling connection to one's past, together with certain rules and expectations, are what constitute ethnicity.

In *Civilisation and its Discontents* (1930), Freud describes the feeling of connection with the past as an "oceanic" feeling akin to "oneness with the universe" (p. 7), where the past, the present, and the future synchronize to produce a sense of belonging, both for oneself and others. His account of Rome as the "Eternal City" eloquently illustrates this (pp. 5–6):

This brings us to the more general problem of preservation in the sphere of the mind. The subject has hardly been studied as yet; but it is so attractive and important that we may be allowed to turn our attention to it for a little, even though our excuse is insufficient. Since we overcame the error of supposing that the forgetting we are familiar with signified a destruction of the memory-trace — that is, its annihilation — we have been inclined to take the opposite view, that in mental life nothing which has once been formed can perish — that everything is somehow preserved and that in suitable circumstances (when, for instance, regression goes back far enough) it can once more be brought to light. Let us try to grasp what this assumption involves by taking an analogy from another field. We will choose as an example the history of the Eternal City. Historians tell us that the oldest Rome was the Roma Quadrata, a fenced settlement on the Palatine. Then followed the phase of the Septimontium) a federation of the settlements on the different hills; after that came the city bounded by the Servian wall; and later still, after all the transformations during the periods of the republic and the early Caesars, the city which the Emperor Aurelian surrounded with his walls. We will not follow the changes which the city went through any further, but we will ask ourselves how much a visitor, whom we will supposed to be equipped with the most complete historical and topographical knowledge, may still find left of these early stages in the Rome of to-day. Except for a few gaps, he will see the wall of Aurelian almost unchanged. In some places he will be able to find sections of the Servian wall where they have been excavated and brought to light. If he knows enough — more than present-day archaeology does — he may perhaps be able to trace out in the plan of the city the whole course of that wall and the outline of the Roma Quadrata. Of the buildings which once occupied this ancient area he will find nothing, or only scanty remains, for they exist no longer. The best information about Rome in the republican era would only enable him at the most to point out the sites where the temples and public buildings of that period stood. Their place is now taken by ruins, but not by ruins of themselves but of later restorations made after fires or destruction. It is hardly necessary to remark that all these remains of ancient Rome are found dovetailed into the jumble of a great metropolis which has grown up in the last few centuries since the Renaissance. There is certainly not a little that is ancient still

buried in the soil of the city or beneath its modern buildings. This is the manner in which the past is preserved in historical sites like Rome.

In connecting the artifacts and the physicality of the great Eternal City with the hustle and bustle of the present, Freud is claiming that history is more than just ruins insofar as wistful contemplation of them invokes an altogether wider dimension, namely, oceanic worldview of life. Such a worldview is sustained through our obligation to language in conveying that what was past is still ever present. What happens during this transmission constitutes and sustains the oceanic feeling as symbolic recognition of what lingers in memory. Yet we cannot be separated from symbolic recognition because our relation to the other is maintained as the promise of a meaning to come.

We are constantly yet unconsciously entwined in the production of myth. Regarding guilt it is usually myth which surfaces to confront trauma and thereby perhaps enable a liveable alternative which does not forget. In this way myth and trauma provide us with a past which is at least usable if not entirely liveable. Arguably this is what Žižek and Jankélévitch are claiming; that we need to constantly stir up the past in order to figure out the present.

Enabling the social bond is a greater continuity and interdependence between historical memory, myth, and ethnicity than might appear. Sociability relies on the recognition, cultivation, and transmission of language, and memory is more than just a cognitive faculty; it is what grounds the structure of subjectivity. Historical memory cultivates the historicity of myth within contemporary manifestations of subjective ethnicity.

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## Cross-References

- ▶ [Cultural Socialization and Ethnic Consciousness](#)
- ▶ [Ethnic Politics and Global Justice](#)
- ▶ [Ethnicity and Class Nexus: A Philosophical Approach](#)

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## Abstract

After the first democratic election took place in 1994, a commitment was made, by the ANC led government, to “nonracialism” based on a Constitution, adopted in 1996, which was inclusive of all who lived in the country. This chapter argues that even though the democratic state acknowledges South Africans of Indian descent as part of the national discourse, it nevertheless still perpetuates the notion of essential “differences” between “peoples” which originated in colonialism was entrenched further after the formation of the Union and legitimized through various policies during apartheid. This continuation of such “race” classification in legislated and bureaucratic form, conflates race and ethnicity, and ensures racialization and “race thinking,” which is evident in self-perceptions and the perceptions of “others.” The argument is demonstrated by examining the role of the South African state historically in the maintenance of racial categories which in turn allow “Indians” to be stereotyped, homogenized, and labeled as a separate and distinct group. This formal process ultimately results in the confirmed perception of them as “a people” or “community” with fixed and essentialized identities and ultimately “belonging” to another country, to which they

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K. Pillay (✉)  
University of KwaZulu-Natal, Durban, South Africa  
e-mail: [pillaykat@ukzn.zc.za](mailto:pillaykat@ukzn.zc.za)

could *easily* “return,” as evidenced by calls to “go home” echoed at various points in time during the post-1994 democratic era. Processes of othering and anti-“Indian” sentiment, reminiscent of the political eras prior to democracy, persist therefore in public and popular discourse in contemporary South African society and are exposed at various junctures.

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**Keywords**

Indian · Race · South Africa · Classification · Xenophobia · Identity

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## Introduction

Indians were initially brought to southern Africa to work as indentured laborers in the colony of Natal in 1860. However a “second stream of migrants” followed after under the colony’s ordinary immigration laws (Mesthrie 1997, 100). Although they were mainly Muslim and Hindu traders predominantly from the Gujarat area, there were some Christian Indians, including teachers, interpreters, catechists, and traders who also migrated to southern Africa (Mesthrie 1997, 100). This second wave of migrants were referred to as “passenger Indians” as they paid for their own journey to South Africa.

Just over half of the Indian laborers that travelled aboard the *Truro* (the first ship to transport indentured laborers from India to Natal in 1860) stayed on in South Africa after they had served out their indenture, while the rest boarded the *Red Riding Hood*, which was the first ship to carry repatriated Indians back to India in 1871 (Motwani et al. 1993). The Indian repatriates aboard this ship carried with them stories of misery, as they complained of beatings and unfair treatment by their “colonial masters.” This resulted in the tightening of immigration control laws by the British Government of India (Ebr.-Vally 2001). The colonial authorities in Natal, and thereafter the South African government (after 1910), frequently used the threat of repatriation as a form of intimidation, and to create insecurity among the indentured laborers, as they were reminded of their constant impermanence in the country. This system of indentured labor, however, continued until 1911 when a resolution was passed in India, preventing the further recruitment of indentured labor for Natal, and the last sailing vessel, the *Umlazi*, arrived in Natal in July 1911 carrying the final group of indentured laborers.

With the arrival of these indentured laborers, a new era of racialization began in southern Africa, as until the beginning of the twentieth century all people who were not considered to be “European” or “black” were regarded as “colored” (Christopher 2002, 2009; Erasmus 2007; Maré 2011). By as late as 1950, the National Party (NP) was still hopeful that the descendants of these Indian immigrants who had been born in South Africa would “return” to India, and so they were still classified as “coloreds” for the purposes of population enumeration. According to Christopher (2002, 405), the classification “colored” was a broad umbrella category which included “Indian, Chinese, Cape Malay and Griqua subgroups in addition to the basic Cape Coloured group.” At that stage the NP together with its supporters attempted actively

to demonstrate why “Indians” could not be integrated into South Africa or become South African citizens (Ebr.-Vally 2001).

According to Klotz (1997), the debates on inclusion in the country focused on “Indians” as consensus on the exclusion of “black” people was already reached, as one of the policies of apartheid, developed in the 1930s and 1940s and implemented in 1948 by the National Party government of South Africa, was to create “homelands” for “black” people and thereby exclude them politically, economically and socially from mainstream South African society. Unlike the Australian government which in 1918 granted full citizenship rights to Indians who had arrived in the country in the nineteenth century (Yarwood 1964), the South African government continued with anti-“Indian” legislation, dating back from 1885. For example, the Union Nationality and Flags Act, No. 40 of 1927 denied “Indians” the right to become citizens by naturalization (Maasdorp and Pillay 1977; Davenport 1991). Other restrictions included the prohibition of “Indians” in the Orange Free State from engaging in agriculture, trading, or ownership of property. They were also not allowed to travel freely between provinces until 1975. In addition the Asiatic Land Tenure and Indian Representation Act No. 28 of 1946, also referred to as the “Ghetto Act,” was devised to restrict “Indian” property ownership in “white” areas in Natal (Maasdorp and Pillay 1977; Davenport 1991).

There were plans designed to persuade “Indians” to willfully return to India and taxes were levied against indentured laborers, and their descendants thereafter, who refused to do so. In addition expensive repatriation strategies were implemented by the Department of the Interior to tempt “Indians” to go back to India. The NP together with those who opposed immigration also argued that “Indians” would not be able to integrate culturally; an example of this was the deliberations around whether or not non-Christian marriages could be considered legal.

“Indians” only became a permanent population, in the eyes of the governing authorities, in 1961 when these many plans to “repatriate” them had failed. This was not due to any kindness on the part of the South African government but was done so that the Indian government would no longer interfere in South African affairs, especially regarding the treatment of “Indians.” India, it should be noted, was the first country to impose sanctions on South Africa. This was initially done to publicly express their disapproval with the discriminatory laws against “Indians” in South Africa. It was later extended to show support for all those suffering under the oppressive regime. In addition to this, in 1946, Indian officials made representation to the United Nations about the racist practices in South Africa generally and the treatment of “Indians” in particular. The political context of South Africa at that point in time seemed to mirror what was happening in India where freedom from oppressive rule was being fought for. Indeed, for a period of almost 100 years after the arrival of the first indentured laborers, the impermanent status of Indians and people of Indian descent continued.

It is against this political backdrop that this chapter aims to trace the construction of an “Indian” identity in South Africa. The word “Indian” is placed within inverted commas to denote the category assigned to people of Indian descent in South Africa, which was legitimized by the former apartheid government. This classification was

based on physical external appearance and the initial unproblematic combination of group arrival and hence bureaucratic labelling (Erasmus 2007). However, this category is still employed in contemporary South Africa as it is regarded as an “official” racial category by the state. The inverted commas signify in the first instance that the category “Indian” is not accepted as a biologically meaningful category but nevertheless as a very real social construct. Secondly it is used in this chapter, without quotation marks, to create a distinction between South Africans of Indian descent and Indian nationals from India.

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## Community and Belonging

An analysis of South African “Indian” identity, by its very nature, demands an engagement with notions of “community” in relation to South Africans of Indian descent. Most of the literature points to discriminatory legislation during and after colonialism, as well as, most notably, apartheid later on as contributing factors to the construction of an “Indian” community. The construction of a separate “Indian” identity was seen to be an essential component of the apartheid state’s strategy of divide and rule and the idea therefore of “Indians” as a homogenous ethnic group was fostered.

Zegeye and Ahluwalia (2002, 394) and MacDonald (2006, 3) point out that an “Indian” identity, as with all other “races,” emerged then in response to “white” racism and ultimately political experiences. The apartheid government, by giving rights of citizenship to one group and denying it to others, created communities of the various “race” groups. “White” people and specifically Afrikaners, through governing the country were able to assert their status as South Africans, whereas “Indians” were largely categorized as “‘others’ or ‘out-groups’” and were thus never viewed as South Africans (Zegeye and Ahluwalia 2002, 395).

So although “Indians” were divided in terms of class, caste, language, and religion, they were nevertheless all “legislatively defined or described themselves as part of the ‘Indian Community’” and as a discrete racial category (Padaychee 1999, 393; see also Vahed 2002, 79). Bhana (1997a, 5) posits that as a result of being consistently indiscriminately grouped together, “Indians” progressively viewed themselves as a uniform unit who were compelled to respond accordingly. Vahed (2001, 125) writes that even though a multitude of identities that were founded on language, class, religion, and customs existed together within the category “Indian,” these fundamentally different individuals were drawn together and as a result a common “Indian” identity surfaced in response to various political and economic exclusions.

Singh and Vawda (1988, 2) too argue that not only was the category “Indian community” a creation of the state but was also a tool used by “Indian” politicians for challenging the status quo. For example, the political strategies of the Natal Indian Congress (NIC), which was established in 1894, included considering the oppressed as fragmented according to “race” and thus appealed to the sentiments of “Indians” as one of the oppressed ethnic groups (Singh and Vawda 1988; Rastogi

2008; Bhana 1997a). The NIC then were responsible for creating an awareness of, preserving, and upholding the notion of “Indianness” (Bhana 1997b). According to Bhana (1997b, 100),

The Natal Indian Congress (NIC) sought to weld together the diverse cultural and religious immigrants from the Indian subcontinent into a single, coherent, and secular organization. In the process of the NIC’s creation, ‘Indianness’ came into being and subsequently became firmly embedded in South Africa’s politics. In the early years of the NIC’s existence, ‘Indianness’, in its restricted sense, was central to the organization’s efforts to win rights for the immigrants. Examples of these include documents, pamphlets, advertorials and the like which appealed to this politically manufactured category.

For instance a document of the NIC indicated that “it had welded all classes of Indians into a coherent whole” (Singh and Vawda 1988, 5). This sentiment portrayed the “community” then as homogenous with a common political agenda. So in spite of the NIC’s arguments that its political goals emanated out of the given historical and socio-political context, it nevertheless appeared to lend credence to apartheid notions of ethnic enculturation (Singh and Vawda 1988).

For instance, the following statement appeared in *Flash*, the newsletter of the NIC, in 1946 (cited in Naidoo 1998), which displays one of the many ways that “Indianness” was aroused during the resistance campaign:

It is for us as true sons and daughters of Mother India to follow in their footsteps and vindicate the honour of our community and our motherland. As a true Indian, you must become a passive resistance volunteer in order to protect the honour and dignity of our people.

It should be noted that by 1946 over 80% of the “Indians” residing in the country at that point in time had been born there and knew no other home (Gell 1951, 432). The discourse of the NIC then perpetuated ethnic categories and divisions by dealing with national agendas through the narrow lens of “community politics and ethnic mobilization” (Singh and Vawda 1988, 12).

The language used in the various publications and advertorials of the NIC also perpetuated the notion that “Indian” struggles could be easily separated from that of the other oppressed groups in society and this then strengthened the belief that “. . . Indians as a ‘community’ have something specific or different to be fearful about, that they are threatened in ways that other people are not” (Singh and Vawda 1988, 13).

In analyzing the political tactics and activities of the NIC Bhana (1997a, 22) refers to this instance of political conduct as “sojourner politics” in that the leaders of the NIC did not regard South Africa as their home, as most had been born in India, and still regarded their birthplace as their “motherland.” Bhana (1997a) suggests that this then may provide a rationale for their inability to identify, at that point in time, with the other oppressed groups in South Africa. Some years earlier, Singh and Vawda (1988, 14) made a similar point that the view of the NIC was that “Indians” were a complete and independent unit in and of itself, and that other such insulated communities existed was evident in their communiqués to the public. They argue



that in addition broad statements made by NIC politicians and activists, such as the ones below, indicated their conception of “Indians” as a homogenous, culturally unified group rather than a politically and socially constructed category:

That there are Indians, Coloureds, Africans and Whites [national groups] in our country is a self evident and undeniable reality. It is a reality precisely because each of those national groups has its own heritage, culture, language, customs and traditions. (Zac Yacoob cited in Singh and Vawda 1988, 14)

We have the potential to become the only authentic political body representing the Indian community . . . We have gauged from our fieldwork that generally the community looks to us as the guardians of the people. We have been around for a long time – 90 years – and intend remaining in the forefront of Indian politics. (Pravin Gordhan cited in Singh and Vawda 1988, 14)

Vahed (2001, 112) maintains that by encouraging “race” and culture to be a part of the sensibilities of people, the chasms between the different racial groupings were further widened. He argues that these instances together with the states measures of separation cemented the idea of “racial” communities and counteracted any attempts for people to organize at the level of class. As Ginwala (1977, 5) notes, during the height of apartheid, the demands for exclusion and isolation were from forces external to the “Indian” group and penalties were issued for noncompliance to the restrictive, discriminatory laws.

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## Isolation and Exclusiveness

The arguments provided by the various writers discussed above explain the formation of the “Indian” community as emanating from external pressures, thus forcing isolation and exclusivity, and resulting ultimately in acceptance of the “community” from “within.” Vahed (2001, 111) states that the purpose of such divisive pieces of legislation, such as the Group Areas Act of 1950, at its very core was an attempt completely to sever or at the very least diminish interaction between “Indians,” “Africans,” and “whites” and “. . . reinforced in children the idea that they belonged to a specific race, by virtue of the absence of others.” The Group Areas Act (GAA) separated people therefore on the basis of “race,” i.e., where a person resided or was allowed to reside was determined by “race.” This therefore introduced the dynamics of proximity, which is crucial as identity construction would have been different if “Indians” resided in smaller locales or culturally mixed locales.

The Group Areas Act resulted ultimately in the forced removals of “Indians,” who were already settled in specific areas, to inferior housing in areas distinctly set aside for “Indians.” Freund (1995) argues that approximately 80% of the “Indian” population in Durban was affected by the systematic execution of the program of forced removals. In commenting on the Group Areas legislation the then Prime Minister of South Africa D.F. Malan stated in a parliamentary debate that, “I do not think there is any other Bill, affecting the relations between different races, the non-

Europeans and the Europeans of this country, which determines the future of South Africa and of all population groups as much as this Bill does.” (Hansard 1950: col.7722 cited in Christopher 2001, 4). Many argued that the purpose of the Group Areas Act was to “ruin” the “Indians” in South Africa and force them to “repatriate.” W.A. Maree, who eventually became the Minister of Indian Affairs, was reported in 1956 to have said, “After the effects of the Group Areas Act had been felt, Indians would be only too pleased to get out of S.A.” (“NT,” *Natal Witness*, June 23, 1956).

What facilitated the implementation of this Act however was the passing of the Population Registration Act (PRA) of 1950. The purpose of this act was to provide a register of everyone in the country according to “race.” The “race group” that each person was assigned then became their “official classification” in the eyes of the state and thus all other resources pertaining to that “race” applied (Christopher 2002, 405). This act then was tied to the GAA as both worked together to govern where individuals could live, as the Group Areas Act allowed for the creation of residential spaces for each “race”/population group. According to Christopher (2002, 405), the classification system reflected the divisions used by the state since 1911 which initially included only three racial classifications, namely, European or “white,” “bantú” or “native,” and “colored” (Christopher 2009, 104). West (1988) argues that the term “population group” was created by the Apartheid government for its use in its programs of governance and was unique to South Africa. What made this racial classification system even more pronounced was the fixing of cultural attributes to each “race” to provide cultural descriptions of each “race,” and along with that, ethnic stereotypes (Posel 2001, 53).

Hockey et al. (2005, 12) maintain that,

Birds can be classified in many ways – by size, shape, colour or even palatability – but biologists strive to classify organisms in a hierarchy that reflects their evolutionary relationships. Such a natural classification has to be inferred from the pattern of shared derived characters . . .

In much of a similar way, these imagined shared characteristics of “Indians” was perpetuated via discourse and entrenched through legislation. As Posel argues (2001, 53) “Race, in their view, was a judgment about ‘social standing’, made on the strength of prevailing social conventions about difference.” “Race” during apartheid, and because of apartheid’s programs, according to Posel (2001, 53) was distinguishable by both biology and culture, which were interchangeable to the apartheid government. “Indians” then were viewed as “Indians” biologically and culturally and thus inferior in a hierarchy of racial superiority. And as Balibar and Wallerstein (1991, 228) point out, although “race” is continually being constructed, it can become solidified and “meaningful” for the people who appropriate the classification. The stereotypes then became essential characteristics in the minds of people. The categories created by the government required people to abide by it and identify as such in order to receive services and resources. Government policies, or the official discourse, then filtered down to the formal and informal settings and became part of the discourse in every sphere of society, from employment and education to

family life. These discourses then offered to people, meanings, and identifications in the construction of their identity (Siebers 2004, 90).

The state, in addition to creating geographic racial silos, also failed to make provision for basic amenities and facilities in the residential areas it created for “Indian” occupation. Jagarnath (2009) argues that a single building would serve a multitude of functions such as serving as a classroom by day and then be converted into a community hall for meetings, or a temple where religious practices were conducted, and thereafter into a movie theatre where films could be shown.

In terms of sporting facilities, these were nonexistent in areas set aside for “Indian” occupation as the following Table 1 (prepared by the City Estates Manager in 1936) reveals:

So even though “Indians” paid the obligatory rates and taxes, there were no sporting amenities in the residential areas in which “Indians” resided (Govender 2010). This lack of provision of facilities meant that “Indians” of all classes had to join together to finance these projects. In addition, the construction of schools to educate “Indian” children was done not only by wealthy traders but also by individuals who worked for very little wages who would assign a portion of their earnings toward educating the children (Vahed 2001, 110). Gwala (2010, 7) adds that one particular individual, Hajee Malukmohammed Lappa Sultan, had a “. . . deep desire to see that all Indian people were educated,” and as a result he formed the ML Sultan Charitable and Educational Fund. Contributions from this fund assisted in building the ML Sultan College in 1949, which was regarded as the first higher education institution for “Indians.” Vahed (2001) argues that this co-operation then across class lines in building much needed facilities and amenities, strengthened notions of a racial community.

Another factor that contributed to racial exclusivity was that of segregated sport. In his foreword to Desai et al’s *Blacks in Whites: A Century of Cricket Struggles in KwaZulu-Natal* (Desai et al. 2002, ix), Naidoo states that, “Cricket, like much of South African society, has a history of racial compartmentalization . . . This division between Black and White cricket reflected the broader divisions in South African society.” Cricket then, as with all other sport, was not a means to advance interaction between race groups, but instead was used as a tool to divide people on “ethnic grounds,” and the playing of nonracial sport therefore was considered a legal offence (Khoapa 2007, 25).

**Table 1** Sporting facilities in “Indian” areas – 1936 (Desai et al. 2002, 98)

Area	Indian population	Facilities
Greenwood Park	8054	None
Sydenham	14,123	None
Mayville	14,821	Reserved 15 acres – not developed
Umhlatuzana	3212	Reserved 7 acres – not developed
South Coast Junction	17,324	None

“Indians,” in order to provide for their own recreation, had to work within the confines of their racial category to achieve their sporting goals. For instance, Govender (2010, 33) points to the fact that,

... for [Indian] footballers to prove themselves, there had to be soccer grounds and organised leagues ... KwaZulu-Natal had people like the articulate, handlebar-moustached SL Singh, Sooboo Rajah, Charles Pillay, Bobby Naidoo and in the Transvaal the Rev. BLE Sigamoney and Bob Pavadai set up district football associations. They laid the ground for the introduction of provincial associations and eventually the South African Indian Football Association.

The idea of “Indianness” then was furthered through common participation of “Indians” in various sporting activities. In addition as a result of the Group Areas Act “black” spectators were forbidden by law from attending sporting matches with people of other races (Khoapa 2007, 25). Desai et al. (2002, 6) note that a newspaper of the day, the *Sporting Star*, proposed in May 1912 that a specific “enclosure should be set aside for respectable and decent Asians” at the Wanderers Stadium in Johannesburg. Segregated sport then made it inevitable that “races” would not cross or mix even during sporting activities, and the fact that sporting associations as well as civic ones were formed along racial lines made it difficult to promote the growth of nonracial affiliations (Vahed 2001). Sport then played into the creation and maintenance of group identities and allowed only for a particular version of society to develop.

In addition to exclusionary sports, “Indian” people also had to provide their own social and cultural activities such as performing their own plays, singing songs, re-enacting religious stories, and the like, which further created a sense of a racial community (Vahed 2001, 109). A significant factor that contributed to the development of a so-called “Indian identity” was that of Indian film (Jagarnath 2009, 200). Initially silent films were imported and would be screened on building walls and “. . . the entire community of people would gather and pay their money to see the moving pictures” (Jagarnath 2009, 201).

In addition, the religious festival of Muhurram was also significant in shaping, what Vahed (2002, 77) refers to as, a “pan-Indian ‘Indianness’ within a white and African colonial society.” He argues that even though the origins of this festival lay in mourning the death of a Muslim martyr both Hindus and Muslims participated, blending both Muslim and Hindu customs thus making it a “pan-Indian festival” and he argues that this then contributed to an important aspect of forging an “Indian community,” beyond the otherwise religious separation. By participating as a collective Vahed (2002, 92) argues that this festival contributed to a “fraternal feeling and ‘Indianness’” stating further,

Muharram provided an opportunity for developing and expressing a self-conscious local community identity, in the first instance, but also signalled the participation of Indians in a broader collective. Muharram strengthened links between the individual and ‘community’, and was important in constituting a diverse collection of people into a collectivity, while also excluding others, whites and Africans . . .

Common experiences under the discriminatory regimes during and after colonialism and of apartheid then fostered a sense of “Indianness” as is reflected in these writings around notions of “Indian” community. There was no external pressure to conform to a single South African identity and so, creating residential pockets of “Indian” groups encouraged “Indians” to construct an insular identity through shared participation in sports, religious activities, and other social and cultural processes.

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## Fixed Identity

This shared oppression reinforced the impression of a fixed “Indian” identity, not only from the “outside” but also by those who define themselves as belonging to this group. As Posel (2001, 51) makes clear “. . . decades of racial reasoning, the idea that South African society comprises four distinct races – Whites, Coloureds, Indian and Africans – has become a habit of thought and experience, a facet of popular common sense still widely in evidence.” There is a propensity therefore to consider racial classifications as essential, as something that cannot be changed and that is stable over time.

Further to this, in South Africa the category “Indian” was both racialized and ethnicized. In other words it was used as a racial category but also denoted people from a different geographic location with different traditions, customs, and religions. The state perpetuated the idea of ethnic groups and used it to further divide people and justify policies such as the Group Areas Act of 1950 and the Bantustan strategy. For example, in South Africa, people were born into a context of racial categorization and separation. In addition to this the state actively encouraged people to regard themselves in even more minuscule ways such as, as Xhosa, Zulu, or Venda for example. The idea was to create and perpetuate difference between “race” groups and the further subdivided ethnic/language groups. According to Edwards (1992, 6), “Central to these models was the belief in the intrinsic relationship between the physical, biological nature of man and his cultural, moral and intellectual nature. Thus culture was seen as being biologically determined.” Although the idea of “race” as determined by biology has been undermined, it has been replaced by an equally debatable idea of “culture,” where “race” is considered to be cultural formations (MacDonald 2006, 1). The claims of culture and “race” and the conflation of the two, as in the case of “Indians” are problematic in that it essentializes and fixes identity, suggesting then that cultural attributes are determined by physical ones, and that racial groups are culturally distinct (Erasmus 2008, 172; Bass et al. 2012).

Hinkle and Brown (1990, 48) contend that, “our sense of who we are stems in large part from our membership of affiliation to various social groups, which are said to form our social identity. This identity is thought to be maintained through evaluative comparisons between in-groups and relevant out-groups.” The political system of apartheid in South Africa fostered group sensibilities which forced people to fight for rights and resources and in turn against the restrictive, discriminatory regime as distinct groups, i.e., to identify as “Indians” or as “black” or in more

minute terms as “Zulu” or “Xhosa.” The official apartheid discourse of an “Indian” “race group” appeared to solidify the notion of “Indianness” both in social discourse and in the minds of the so-called “Indian” people themselves. Through segregated education, housing, amenities, and the like, “Indians” were told in no uncertain terms who they were. This placed limits not only on their identity choices but also on how they were perceived by others. In other words they could not be identified as anything other than “Indian,” and the classification itself carried all the stereotypes of the foreign other perpetuated in the media and political discourse since the arrival of the very first immigrants from India in 1860 (Pillay 2017). Racial difference was so infused into society that “race” thinking was a norm and was evident in almost every sphere. As Omi and Winant (1986) argue, racial categories are made real by processes in society such as the political systems of the day and via the media, and as Jacobs and Manzi (2000, 37) point out, “. . . discourses and rhetoric are effective tools to exert dominance.”

Dominance in South Africa was constructed through a process legitimized by state laws and reified through the media and popular discourse. Lerner (1997, 195) articulates further that this enforces a “group identity” where “Negative characteristics are arbitrarily selected and affixed to the group. Then these negative characteristics are ascribed to each member of the group . . .” an example of which was that all “Indians” were exploitative and inherently dishonest (Pillay 2017, 83). By pitting one group against another, the apartheid government attempted to ensure that the oppressed made up of “black,” “colored,” and “Indian” people would not unite to effectively challenge the regime. It further added to this by creating subdivisions within the “black” “race group” by classifying “black” people according to language and creating homelands based on “ethnicity.” Bantustans, or Homelands, as they were also commonly referred to, were the specific areas that were demarcated by the apartheid state as part of their grand plan to house ethnic groups. It was anticipated that attempts for political participation within these homelands would occur thus creating even further ethnic fractures in the South African landscape and lending credence to the National Party’s false propaganda of South Africa being made up of diverse “ethnic nations” (Maré and Hamilton 1987). “White” people however who also originated from different countries, including most countries in Europe, were lumped under one category of “white” with no distinction created between the various “language” groups. The institutionalized discrimination which included a wide range of laws to enforce the discriminatory ethos of the state including specific acts targeted at “Indians” reinforced the belief of the “group” as foreign prior to 1961 and as different and “other,” after.

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## Conclusion

Even though they were officially given permanent status in 1961, South Africans of Indian descent were still regarded very much in popular discourse as foreign and were viewed in general as a threat, as exploitative, as wealthy (this myth, derived from a legacy of stereotypes against “Indians” as exploitative merchants and traders,

was erroneously perpetuated throughout the years and even into democracy), and ultimately as belonging elsewhere (Pillay 2019). The notions of “Indians” as foreigners and as not belonging that had been perpetuated through the media and more especially political discourse over time became part of the perceptions people had regarding “Indians.” As Mamdani (2001, 7) argues, “. . . identities both become reified and get turned into a basis of legal discrimination – between those who are said to belong and those who are said not to belong, between insiders entitled to rights and outsiders deprived of these rights . . . Prevented from changing, [racial] identities become frozen.”

Third, fourth and fifth generation South Africans of Indian descent, the majority of whom could only speak English and knew no other Indian language, were perpetual foreigners. The xenophobic discourse around “Indians” was so pervasive and extreme that “Indians” could not be viewed in a way other than as belonging elsewhere. The colonial government, the Union, and subsequently the apartheid government prior to 1961 had made every attempt to politicize their status in South Africa as immigrants, laws were created around “Indians” as immigrants, they were recorded in an immigrants register, and there were still plans to repatriate them. Accepting “Indians” as South Africans on paper could not remove the “stigma” of being foreign that had been perpetuated for over a century.

Indeed, 24 years into democracy, notions of “Indians” as other and not belonging, still exist. For example, statements from the public and political sphere have forced crude notions of identity and community to dominate (Pillay 2017). The category “Indian” in South Africa as mentioned earlier was always a racial as well as an ethnic one, and according to Park (2008, 3), “Ethnic identity involves setting boundaries – determining who is a member and who is not – and deciding what ethnic features are to be used to identify those members at a particular time and place.” These classifications, although imposed upon individuals, in terms of the Population Registration Act under apartheid, and with the categories being unquestioningly employed in different ways in postapartheid South Africa, individuals also, as Cornell and Hartmann (1998, 79) argue “accept, resist, choose, specify, invent, redefine, reject, actively defend” identities. In describing the extent and effect of the Population Registration Act, Ebr.-Vally (2001, 52) states that this law, “. . . gave each South African an objective racial/ethnic identity . . . an imposed identity, like the identity given to an object through a name, or through a label stuck onto it depending on its shape and origin. The law determined the membership of a group through the apparent phenotype, and through a wide array of religious, linguistic and cultural criteria, which went as far as including clothing and social habits.”

These divisive acts however have left a lasting legacy on the social fabric of South Africa. For example, even though the Group Areas Act was rescinded in 1991, the damage to communities and families had already been done, and the spatial and racial landscape of South Africa has been irrevocably changed. The different residential locations for each of the “races,” in contemporary South African society,



have been the virulent legacy of apartheid. Most suburbs have retained its “old” racial composition especially formerly “Indian” and “black” townships.

A *South African* community then does not exist, except in rhetoric, but what is apparent however is a country comprising a number of “communities.” The “Indian community” is one such branch whose basis as a community was established and promoted by the state, chiefly through various administrative and census undertakings to count and quantify this “community,” but also accepted by politicians who used it as a vehicle to gain rights and privileges, and thereafter accepted uncritically by those so labelled. In addition to this, inhabiting a shared geographic space, and having common ancestry, the community thus appears logical to “insiders” and “outsiders,” as this spatial legacy of apartheid contributes to notions of the self and others as racial subjects.

In addition, as mentioned earlier, racial categories in South Africa persist in everyday discourse and practices because it has been implemented in state law. Categories, no matter what their intent or purpose, cannot exist without hierarchies and ultimately discrimination. As Maré (2011, 617) explains, “‘Race’, when applied to human beings, can never be a neutral descriptive term but carries the historical baggage of exploitation, domination and dehumanization.” Research has revealed that South Africans of Indian descent from the various generations assert a strong South African identity, but nevertheless uncritically accept the label “Indian” as a “race” classification with some pointing to its ties to “culture” (Pillay 2015). The fact that South Africans are products of “an experiment in human engineering” (Gorra 1997, 67) is largely ignored and this is chiefly because “race thinking,” exacerbated by state emphasis on “race” classification, has become so embedded in the national psyche and continues to be passed down to each generation (Pillay 2015).

South Africans then are deeply ingrained to view society, i.e., people, places, events, and the like, in terms of “race,” as “white,” “black,” “colored,” and “Indian.” “Indians” in South Africa are thus constructed and perceived as a homogenous group with a single, unified identity. This perception of “Indians” as a separate community is entrenched in social and political discourse and raises questions on citizenship and belonging, and what it means to be or “become” a South African. In 1996, the then Deputy President of South Africa Thabo Mbeki delivered a speech titled “I am an African” on behalf of the ANC on the passing of the new Constitution of South Africa. The speech drew on the history of the origin of the inhabitants of the country, with Mbeki claiming his identity as African being “born” out of all the experiences of the ancestors of the land, the speech stated: “I come of those who were transported from India and China, whose being resided in the fact, solely, that they were able to provide physical labour, who taught me that we could both *be at home and be foreign*” (Mbeki 1996). This however is exactly the dilemma faced by South Africans of Indian descent today. In a land that they call home, they are stigmatized as belonging to a place that is not South Africa. It is telling that just over 150 years after the first indentured laborers arrived in South Africa, it is nevertheless *still* necessary for “Indians” to stress their belonging to South Africa as a homeland.



## Cross-References

- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [Racialized Identity Under Apartheid in South Africa](#)
- ▶ [The Legacy of Indentured Labor](#)

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# The State and Minority Nationalities (Ethnic Groups) in China

# 6

Roland Boer

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## Abstract

In the context of racial tensions in the USA, questions over the EU project from those who have not benefitted, the treatment of asylum seekers with increasing harshness in places like Australia, and the response to refugees in Europe, a rather different example of ethnic and cultural diversity is worth attention – that of China. As the country with the largest population in the world and due to a complex history, China now has 56 officially recognized nationalities, including the Han, who number 1.2 billion. Even so, the next nine nationalities number 6–19 million each – larger than the total population of many countries in the world.

How does China deal with this situation? To begin with, the term *minzu* is badly translated as “ethnic group.” It is better translated as “nationality.” With its multiple nationalities, China has developed a “preferential policy” that initially followed the model of the Soviet Union and was revised substantially in the 1990s. The policy entails support for economic development, cultural traditions, language, education, literature, and local political leadership. However, the policy

R. Boer (✉)

School of Liberal Arts, Renmin University of China, Beijing, People’s Republic of China

e-mail: [20147014@ruc.edu.cn](mailto:20147014@ruc.edu.cn)

has also created some problems: the inherent difficulties of government classification and their unintended effects; the tensions over “separatism, extremism, and terrorism,” which has included foreign interference; and differences over the understanding and application of human rights in light of distinct traditions. Ultimately, the policy turns on the contradiction between autonomy for nationalities and the unity of the Chinese state. The question is how one deals with such a contradiction.

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**Keywords**

China · Nationality · Preferential policies · Terrorism · Human rights

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## Introduction

The Chinese approach to ethnic minorities offers a distinct alternative to approaches elsewhere, so it is important to understand this approach properly. To begin with, the terminology prefers “nationality [*minzu*]” rather than “ethnic group.” This preference is the result of a long Marxist tradition and the reality that ethnicity is not necessarily a defining feature of such groups. Further, the Chinese government has since the 1950s developed and revised a “preferential policy [*youhui zhengce*],” in which socio-economic wellbeing is paramount, although it also includes culture, governance, language, and education. This is not to say that the policy and its practice is without problems: government definitions; pressures concerning what some international observers call “separatism” and the Chinese and other international observers call “terrorism”; and different emphases in fostering human rights (with the primary right to economic wellbeing). However, the core feature of the preferential policy is a dialectical connection between two poles of a contradiction. On the one hand, the policies have increasingly (since the 1990s) emphasized greater autonomy; on the other hand, the inviolability of China’s borders is without question. Throughout the following analysis, the concern is to understand the logic behind the Chinese approach and how this is manifested in actions. How one assesses such an approach is another question.

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## Defining Nationality

The Chinese term for “ethnic group” is *minzu*. But there is a catch: “ethnic group” is a bad translation for this term. Instead, “nationality” is more accurate. The better Chinese word for “ethnic group” is *zuqun*, a term that is used in some recent scholarship (Bulag 2010) but is not used commonly and in relation to government policies. For this reason, this study uses “nationality,” although some further explanation is needed.

Let us begin with an example: the Hui nationality. If one visits Xi’an and the famous “snack street,” one will see many men and some of the women wearing small

white caps. Indeed, some – but not all – of the women wear head-scarves. Why? They are Hui people, identified in terms of adherence to Islam. How did they get to Xi'an? Some 1400–1100 years ago the Tang Dynasty ruled China. At that time, Xi'an (then known as Chang'an) in the more western parts of China was the most populous city in the world. Tang power swayed across significant parts of China, culture and learning flourished, Buddhism was fostered, trade boomed, and international connections were made far and wide. In order to encourage further trade, the Tang Emperors invited Muslim peoples from further west to Xi'an, since they had a reputation for hard work and the fostering of trade. Their descendants have been in Xi'an, and now many others parts of China, for more than a millennium.

But were they an identifiable ethnic group at the time? Not at all. As with all such groups, their history is mixed (Dillon 1999; Gladney 1991). The Tang, as well as the later Song and Yuan dynasties, encouraged immigration to China of peoples from more western parts of the world, as far west as Persia. A long history of intermarriage with Han people led to the development of what is now known as the Hui. But the Hui now includes converts to Islam among the Han, as well as other Muslim groups on Hainan island, among the Bai people and Tibetan Muslims. The key to their identification is religion, even if such identification pertains only to certain customs, dietary patterns, and dress, rather than religious practice per se. The vast majority of the Hui speak Mandarin and most of their customs are common to the Han. Obviously, ethnic identity is not a defining feature of the Hui. But there is a twist: the Hui have become strongly conscious of being a distinct nationality. This means that the complex and overlaid history of the Hui, with migration, intermarriage, state decisions, and policies, has led to, if not produced, a strong sense of a distinct identity (Gladney 1991, 323).

The implications of this example for defining *minzu*, or nationality, are as follows. First, since the Hui, as with any such group, is the result of a long history of movement, inter-mingling, and development, it may be suggested that no “ethnic group” is what might be called pure, for what counts as such a group is really a history of intermingling with many other groups, which are themselves the result of further mingling. Second, the Hui are one of 56 officially recognized groups in China. Out of these groups, the Hui are among the largest of the non-Han, with a population of 10 million. They are outnumbered by others, such as the Zhuang with 19 million (larger than the populations of many countries), but the Hui are far more numerous than the smallest groups, which number only a few thousand.

Let us return to question of terminology. Although “ethnic minority” or “ethnic group” is commonly used in English, it assumes ethnicity as the primary defining feature of the group. As the brief account of the Hui indicates, this is hardly the case (if indeed for any group). Further, the Chinese term is *minzu*, made up of two characters: 民族. The first, *min*, has the basic sense of “people.” The second character, *zu*, means a class or group of things with common features. So *minzu* means a group of people with similar or common features. The situation becomes even more complex: *minzu* is a word borrowed from Japanese in order to translate the Russian word, *natsional'nost'*, which designates a particular group within a state that has overlaid common characteristics. The Russian terminology was itself the

result of long debates and deliberations – from the turn to the twentieth century – concerning what was called the “national question” in countries with significant diversity, such as Austria and Russia (Suny 1993; Suny and Martin 2001; Egry 2005; Boer 2017, 142–156). In these debates, a nationality designated a distinct group within a state, a group defined by language, location, cultural history, economic shape, and at times religion. Most importantly, such nationalities lived within a larger state (which was not called a “nation”), and they included majority and minority groups as “nationalities.” This is the tradition to which Chinese terminology and understanding is deeply indebted. So the best translation of *minzu* is “nationality.” The problem with becoming used to this usage rather than “ethnic group” is that – in English at least – it has become overlaid with another sense. This is the relatively recent category of “imagined communities” (Anderson 1991), in which “nation” came to designate the modern European state, which is often called the “nation-state.” While relatively common, this usage can be misleading, for it obscures the older and richer tradition.

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## Chinese Nationalities Policy

With this in mind, we may now deal with the Chinese situation from 1949 (for Qing dynasty approaches, see Crossley et al. 2006). As mentioned, the Chinese government identifies 56 official *minzu*, or nationalities. This includes the majority Han (themselves the result of a long history of intermarriage with other groups) and 55 other groups, ranging in number from almost 20 million to a few thousand (Mackerras 2003, 182–193; Hill and Zhou 2009, 3–8).

The policy dealing with minority nationalities is known as *youhui zhengce* (优惠政策), which may be translated as “preferential policies” or “positive (action) policies” (Zhou 2009, 47). The term appeared in its earliest form in 1949 in what is called the Common Program (from 29 September) and has been consistent in Chinese constitutions to the present. It was initially modeled on the Soviet Union, the world’s first “affirmative action” state (Martin 2001), although China clearly developed its own approach in light of distinct circumstances and history. Debate ranges over whether Moscow pulled the strings, whether China continued imperial and republican practices, or whether it developed its own approach after Liberation in 1949 (Dreyer 1976, 43–60; Connor 1984, 87–88; Sautman 1998b; Zhou 2009). The best answer is that multiple factors influenced the development of the policy, although Marxist approaches provided the overall framework.

Theoretically, the definition first offered by none other than Stalin (1913 [1953], 307) formed the basis of determining different nationalities: “A nation is a historically constituted, stable community of people, formed on the basis of a common language, territory, economic life, and psychological storehouse manifested in a common culture” (translation modified). In the context of the Soviet Union, the key to fostering nationalities was not so much a tension between assimilation and recognition of differences, but a dialectical approach that went through the international category of class to generate a specifically local and national policy focused on

difference (a crucial point entirely missed by Connor 2009; Zhou 2009, 58–59). In other words, this approach entailed a counter-intuitive move: one begins not with diversity in order to find some unity, but with the unifying category of class that in turn produced a whole new level of diversity that recognized and fostered distinct identities. It was nothing less than the application of the Marxist dialectic to a concrete situation (Boer 2017, 151–156).

In China in the 1950s, this definition and its larger text were the subject of much study by Chinese scholars (Mackerras 2003, 2; but see also the criticisms by Tapp 1995), with the resulting identification of 40 nationalities (including the Han) in the census of 1954. Ten years later the number was increased to 54, with two more added later, the last being the Juno, from Yunnan, in 1979 (Mackerras 2003, 19–55; Zhou 2009, 58–63).

However, with signs of problems in the Soviet Union already in the 1980s and especially after the union's breakup in 1991, Chinese scholars and policy makers carefully studied the situation and concluded that a major factor concerned tensions and mistakes in the nationalities policy (Hill and Zhou 2009, 8–10). These mistakes resulted in complex power imbalances and economic inequality. On the one hand, the policy of autonomy and self-determination of nationalities had led to a desire in some parts for secession from the union; on the other hand, the need to develop a common culture and language based around the Russian majority had entrenched the economic and power inequalities in favor of the majority Russian nationality, a situation that exacerbated the desire to break away (Suny 1993, 127–160). As a result of these findings, the Chinese approach was thoroughly revised and enhanced, leading to what some have called a shift from a Soviet model to a Chinese model, based on *duo yuan yi ti*, “one state with diversity” (Hill and Zhou 2009, 10–13).

But what does all this actually entail? It is best to begin with article 4 of the Chinese constitution of 1982, an article that has remained the same even with subsequent amendments elsewhere in the constitution (see [http://www.npc.gov.cn/englishnpc/Constitution/node\\_2825.htm](http://www.npc.gov.cn/englishnpc/Constitution/node_2825.htm)):

All nationalities in the People's Republic of China are equal. The State protects the lawful rights and interests of the minority nationalities and upholds and develops a relationship of equality, unity and mutual assistance among all of China's nationalities. Discrimination against and oppression of any nationality are prohibited; any act which undermines the unity of the nationalities or instigates division is prohibited. The State assists areas inhabited by minority nationalities in accelerating their economic and cultural development according to the characteristics and needs of the various minority nationalities. Regional autonomy is practised in areas where people of minority nationalities live in concentrated communities; in these areas organs of self-government are established to exercise the power of autonomy. All national autonomous areas are integral parts of the People's Republic of China. All nationalities have the freedom to use and develop their own spoken and written languages and to preserve or reform their own folkways and customs.

Four features of this article are worth more attention: cultural autonomy, with a focus on language, folkways, and education; political autonomy; economic development; and the inviolability of China's borders. Let us take each in turn.



Culturally, local languages continue to be fostered (National People's Congress 2001, article 37), which entails media, education, and literature. For larger groups, this is easier to achieve, but for the small groups of only a few thousand the task is much more difficult and the threat remains that such languages may die out. Local customs, rituals, festivals, and especially religions are not merely permitted but actively fostered, with temples, churches, and mosques constructed and maintained with state funds – so much so that minority peoples are far more religious than the Han nationality. In terms of education, school children receive classes in their local language, alongside the obligatory classes in Mandarin. At university level, a quota system applies, as well as extra points given to students from minority nationalities for the all-important entrance examinations, the *gaokao* (Wang 2009). To be added here is the practice of having *minzu* universities in all regions. Although all students may apply, these universities focus on students from minority nationalities (Sautman 1998a). The result: between 1964 and 1982, the percentage of minority nationalities in universities rose marginally from 5.76 to 6.7 percent. However, from 1982 to 1990, the percentage rose to 8.04 percent (Mackerras 2003, 27).

Politically, it means both regional autonomy (such regions now number almost 160 in China) and representation in the Chinese People's Political Consultative Conference. Minority governance in autonomous regions is ensured through proportional representation, while at a national level elections – both direct at a local level and indirect at higher levels – are held annually in order to elect delegates to the CPPCC. The CPPCC is known as a “democratic front” that includes representatives from all political parties and all nationalities. It meets annually and provides informed advice and guidance to the legislative activities of the National People's Congress, the supreme decision-making body in China. Indeed, participation in the NPC by nationalities is also substantial. Further, there has also been a consistent long-term rise in the percentage of national minorities in the CPC. In 1980, only three percent of the total number of members were from minority nationalities. By 2001, the percentage had grown to 6.2 percent, albeit still behind the percentage of minority nationalities among the population as a whole, which is 8.14 percent (Mackerras 2003, 42).

Already with political matters we begin to see a tension, between autonomy and unity. This tension appears even more strongly with the core economic dimension of the nationalities policy. On the one hand, autonomous regional development is crucial, with a perpetual search for entrepreneurial activities that will boost local economies. On the other hand, these local initiatives could not happen without central government involvement. For example, the central government provides significant additional resources for economic development (Hill and Zhou 2009, 13), which appears in terms of subsidies for infrastructure and higher levels of public works funding. Here we find that the expansion of the Chinese rail and road system – which now leads the world in terms of extent and technical prowess – focuses on providing transport infrastructure for areas of concentrated minority nationality presence, especially since they tend to live in remote and relatively inaccessible areas. In businesses, both publicly owned companies (the major economic drivers) and private companies are provided with incentives for preferential treatment in

employing people from smaller nationalities. And businesses run by minority nationalities receive interest-free loans from the government. The clear purpose is to encourage economic development in regions where minority nationalities live, for they tend to reside in parts of China that are only now beginning to experience the full benefit of the economic progress in the east.

This tension – between autonomy and unity – is a constitutive feature of Chinese preferential policies. Indeed, this tension is a major feature of the substantial revisions to this policy in the 1990s (after in-depth study of the causes of the collapse of the Soviet Union). Thus, in the amended *Law on Regional National Autonomy*, which was first promulgated in 1984 and substantially revised in 2001, autonomy at all levels has been enhanced – culturally, linguistically, politically, and economically. On the other hand, the law makes it quite clear that the borders of the country remain unchanged and inviolable. We may see this approach as a balancing act, as Mackerras observes (2003, 39): “the two demands in some ways balance each other, because some people do in fact see advantages in remaining part of a comparatively successful state where their lives have indeed greatly improved.” Or we may see it terms of a Chinese approach to contradictions, concerning which there will be more comment in the conclusion.

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## Problems

At the same time, the nationalities preferential action policy is not without its problems. Some problems may be dealt with briefly, while two – terrorism and human rights – require some more detail. One problem, germane to any government policy, concerns how one defines a distinct nationality. What is the key determining factor? Is it language, culture, history, territory, or religion? In policy terms, it seems to be determined mostly by religion, culture, and territory. For instance, the Hui (see above) have no definable territory, since they are to be found all over China (albeit with a concentration in the north-west). The determining factor in this case is clearly observance, at however a nominal level, of Islam (Mackerras 2003, 114–126). By contrast, the determination of the Zhuang is based on territory. When empirical research was first undertaken for the sake of identifying distinct nationalities, the social scientists in question found that almost every tribal group in the south-western mountains of China saw themselves as distinct even from the group in the next valley. If the policy makers allowed full scope for such sensibilities, it would lead to thousands of distinct nationalities. So self-perception was relegated to a minor level. Instead, territory became crucial. People with largely similar ways of life, customs, and language living in similar territory were grouped together and identified as a nationality (Kaup 2002). Yet, even with these inherent problems in government definitions, Mackerras (2003, 3) points out that the vast majority of people agree with and accept the classifications, not merely because nationality is a rubbery term at best, but because in most cases the designations are reasonably valid.

Further problems with government administration include: a certain paternalism, in which the minority peoples need to be brought up to the cultural and indeed

political level of the majority, and the trap of focusing on exotic items of national identity, in terms of clothing, rituals, customs, and food, a trap found especially with increasing tourism to such areas (Hillman 2003); the sense at times is that the economic development is largely in the hands of Han Chinese, who move into the minority areas as jobs and economic prospects increase. Let us elaborate on the last point, where a paradox emerges: fluency in *putonghua* (Mandarin) enables young people from minority backgrounds to gain employment. In Xinjiang, for example, it appears that Uyghur students who attend regular school with Han students have greater fluency than those who attend minority schools with Uyghur teachers, where Mandarin is taught as a second language. The outcome is that the former students do much better, even than Han young people, in attaining good jobs (Ma 2009).

### **Terrorism or Separatism?**

One problem that requires further comment is that of terrorism, or as some international observers call it, “separatism.” This topic relates specifically to the areas of Tibet and Xinjiang (and Taiwan and Hong Kong), each of which is autonomous in many respects but also part of the Chinese state. These areas tend to receive a significant portion of attention by some international media and human rights agencies, which attempt to paint a picture of systematic and unreasonable “repression” of the minorities in these areas (Human Rights Watch 2018, 143–145). Such a focus also distorts the overall situation concerning minority nationalities in China, so we need to be wary of falling into the same trap. Further, given the close alignment of bodies such as “Human Rights Watch” with the US State Department, and given the tendency of some Western media to selective sensationalism, it is better to rely on careful and balanced scholarly research (Sautman 1998b, 2010; Norbu 2001; Mackerras 2003; Davis 2013, 74–112). We also need to be wary of skewing the picture by relying only on treatments of such regions, for there are many other minority nationalities in China who contribute willingly and peacefully to society.

With this in mind, let us address a number of issues. To begin with, there is the simple historical question. Although accounts differ in relation to Tibet, the reality is that this region has been subject to China in various ways since the eighteenth century under the Qing dynasty. Claims to some form of independence hark back to an image of the Tibetan empire from the seventh to the eleventh centuries. As for Xinjiang, it was incorporated into the Chinese state in the 1750s and eventually became a full province in 1884, marking the western border of the Chinese state under the Qing. Obviously, the history of both areas in relation to Chinese control goes back centuries.

Second, the terminology of “separatism” and “terrorism” is selective, depending on who uses it. From one perspective, the attack on the World Trade Centre in New York in 2001 is “terrorist,” while the efforts by some in Tibet and Xinjiang are peaceful and “separatist,” seeking independence. From another perspective, the deadly 2008 riots in Lhasa, Tibet, in which some Tibetans burned, looted, and killed Han Chinese and Muslims are “terrorist.” Or the attempted suicide attack on a China

Southern flight in 2008, threats to attack the Beijing Olympics in 2008, a car ramming in Tiananmen Square in 2013 and the knife attack in Kunming railway station, perpetrated by Uyghur radical Muslims and in which many were killed and even more injured, are “terrorist” acts. To add a twist, the Chinese government typically uses a three-character phrase, “separatism, extremism and terrorism,” which is not restricted to religion (Davis 2013, 98). Whether we agree or not, the connection between separatism and terrorism informs government policy.

Third, a crucial feature of Chinese sovereignty is the resistance to all forms of foreign interference. This approach to sovereignty arises from the anticolonial struggles of the nineteenth and twentieth centuries, in which Chinese independence from semi-colonialism developed a strong sense of the need to prevent foreign intervention. (It also influences China’s dealings with other countries, in which it avoids any effort to change political, economic and social patterns.) Thus, there had been a profoundly negative effect from the CIA’s intervention in Tibet in the 1950s, funding the Dalai Llama and inciting the ill-fated uprising in 1959, in which tens of thousands of Tibetans died and the Dalai Llama and his entourage fled to India. CIA operations wound up in the 1970s, only to be replaced with western propaganda, funding, and organization – especially by the United States’ National Endowment for Democracy that carries on the work of the CIA – of protests in Tibet, all of which are based on a particular interpretation of “democracy” and “human rights” (Norbu 2001, 263–282; Mackerras 2003, 32–35, 157–165; Davis 2013, 89–92). These activities have also focused on Xinjiang, with the added dimension of a distinct increase in influence from Islamic radicalism from further west in the 1990s. The discovery of Uyghurs training with al-Qaeda in Afghanistan, or links with militant groups in restive parts of Pakistan, as well as various radical fronts focused on Xinjiang and passing weapons, explosives, and militants along drug routes (Davis 2013, 102–103, 108), made it clear that another form of foreign interference had arisen. All of these efforts are seen as profound challenges to Chinese sovereignty.

A fourth issue concerns the tensions between autonomy and unity (a recurring theme). One might argue that it is precisely the preferential nationalities policy and its fostering of local identities and cultures that has generated such movements (as had happened in the Soviet Union). By giving minority nationalities the economic resources and encouragement for cultural, linguistic, educational, and political self-management, the potential is to create a desire for distinct identity separate from the state that fostered such identity. At the same time, we must balance this with the resolute emphasis in the Chinese constitution and nationalities policy that China’s borders will remain unchanged. There is no right to secession for any part of China (unlike the Soviet Union) and any such move is strongly prevented, so much that those entertaining these possibilities are in a relatively weak position.

Finally, there is a distinct variation of emphasis. Some foreign critics of China in relation to Tibet and more recently Xinjiang – especially the United States, Canada, Germany, Great Britain, and India – focus on cultural issues, with religion playing a major role (Tibetan Buddhism and Islam among the Uyghur). A crucial feature here again is that any sign of outside meddling – as with any religious group in China – is seen as a challenge to Chinese sovereignty. However, on the matter of culture it is

worth noting the most thorough treatment of the issue by Mackerras, who observes, “what strikes me most forcefully about the period since 1980 or so is not how much the Chinese have harmed Tibetan culture, but how much they have allowed, even encouraged it to revive; not how weak it is, but how strong” (Mackerras 2003, 46; see also Sautman 2003, 2006). The same could be said of Xinjiang, especially if one keeps in mind that Mackerras’s focus is on citizens living in these regions, rather than those who have not lived there for more than a generation or two.

The Chinese emphasis is consistently on economic issues as the core reason for unrest. This is a distinctly Marxist approach, with massive investment and preferential economic treatment for Tibet and Xinjiang (Davis 2013, 85–87, 96–98). For example, when unrest in Xinjiang rose to a new level in the 1990s, much analysis and policy revision followed. The result was two-pronged: an immediate focus on comprehensive security (which is a core feature of Chinese society at many levels) and a long-term effort to improve economic conditions in a region that still lagged behind the much of eastern China (Mackerras 2003, 53). Not all such incentives have been as successful as might have been hoped, with the various nationalities in Xinjiang – not merely Uyghur, but also including Han, Hui, Kazak, Mongol, and Kirgiz – benefitting at different levels. The most significant project to date is the massive “Belt and Road Initiative,” launched in 2014. Although its geographical scope is much vaster than the western parts of China, the economic effect is already being felt in these parts. Thus, it is reasonable to say that there has been a marked improvement in the economic wellbeing of all those who live in these and other regions, such as Yunnan and Guizhou. The basic position is that if people see that their living conditions have improved, they will more willingly see themselves as part of the greater whole – as we find, for example, with another major Muslim group, the Hui (Davis 2013, 100). However, this variation of emphasis between culture and economy brings us to the next issue: human rights.

## **An Alternative Approach to Human Rights**

For some foreign interventionists, the separatism-terrorism description is a smokescreen for systemic abuses of human rights; for others – not merely the Chinese – the threat is real and the solution focuses on economic wellbeing. How are we to understand these differences?

Rather than resorting to tit-for-tat exchanges (Human Rights Watch 2018; Amnesty International 2018; State Council 2018), we need to ask a deeper question. The key is to identify distinct traditions of human rights and resist the effort to universalize one of those traditions so that it is imposed on others. Context, history, and culture determine the nature of the traditions. Thus, the European tradition focuses on civil and political rights, such as freedom of speech, freedom of assembly, the right to life, equality before the law, the right to a fair trial, freedom of religion, and so on. Such is the hegemonic power of this tradition that many assume it designates “human rights” as such. Yet, the history of this tradition is telling: the

modern meaning of “right,” Latin *ius*, began to arise in the European twelfth century. It meant a natural innate force or power that leads human beings to act rightly. In other words, it was a “natural” force that arose from the innate power of reason. It was closely connected with another word, *dominium*, which designated the mastery exercised by a rational and free-willing individual. The outcome: a right can work only if one has power or mastery to enact it (Tierney 1997). These senses did not arise in a vacuum, for they were the result of the rediscovery and application of ancient Roman law by the “lawyer popes” of the eleventh century (Gianaris 1996, 20; Miéville 2004, 95–97). Central to this rediscovery was the idea of private property, which the Romans called *dominium*. Why this word? It entailed in the first instance mastery – by a master or *dominus* – over a slave, who was seen as a thing and therefore property, but then came to apply to all private property (Wolff 1951, 67; Patterson 1982, 32; Graeber 2011, 201). The upshot is that the European development of the idea of a right and therefore a human right was seen as private property, over which one had mastery. This would later develop into the idea that one would have mastery over one’s individual speech, political expression, religion, ability to assemble, and so on. The history of the term and its exercise is clearly important for understanding its later emphases, a history that was intimately connected with the development of private property and thereby slavery, so much so that the Dutch lawyer Hugo Grotius (1625 [2005], I.1.5) – who was responsible for a major step developing the European tradition of human rights – argued that a human right is the power over ourselves or power over others, such as slaves. This he called liberty.

A Chinese (and Marxist) approach to human rights comes from a different tradition. The following points are drawn from the comprehensive study by Sun Pinghua, *Human Rights Protection System in China* (2014). To begin with, it recognizes not absolute or singular universals, but rooted universals, or contextualized commonalities. This means that there are universals that may apply to all peoples, but they can and do arise in different contexts and cultures. Crucially, we must always remember the specific context, for it reveals the history, promises, and limitations of the tradition in question. In this way, the idea of “rooted universals” moves past the facile distinction between relative and absolute (Sun 2014, 132–135). On the question of human rights, this means that the European tradition may contribute some features to international human rights, but it neglects other features.

Let us consider the Chinese tradition’s approach to human rights. To begin with, in contrast to the Euro-American tradition’s emphasis on individual mastery, a Chinese approach emphasizes not merely the collective but recognizes both individual and collective. A good example is the first statement of the United Nations’ *Universal Declaration of Human Rights* (1948): “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.” Why is this a good example of a Chinese approach to human rights? It comes through P.C. Chang (Zhang Pengchun), who was vice-chair of the Commission on Human Rights. It is well documented that Chang proposed the term “conscience,” which is drawn from

the Confucian term *ren*. Indeed, Chang explained that a better translation of *ren* is “two-person mindedness.” Obviously, this is a collective emphasis that balances the individual dimensions of the first half of the statement.

A further point is that while the Euro-American tradition emphasizes the inalienable right of individuals and downplays the role of sovereign governments, a Chinese approach to human rights stresses the foundational role of sovereignty. This point relates not merely to the fact that individual states need to ratify and enact the international treaties, especially from the United Nations, but to the more important fact that a colonized country cannot exercise any rights whatsoever. In a Chinese situation, the struggle against colonialism – the time of “humiliation” – is usually put in terms of the three mountains: imperialism, feudal relics, and bureaucratic capitalism. Only when these three were overcome, from 1949, could sovereignty begin to be exercised and rights enacted. There are two implications: first, is sovereignty determinative of human rights? The answer is no: sovereignty is an inescapable basis, “but human rights are the most essential and at the highest level” (Sun 2014, 121). In robust Chinese debates, one finds that sovereignty is simply an assumed basis (see, for example, Luo and Song 2012). Second, this approach to sovereignty arises from the anticolonial struggle (see above). In light of this history, one may understand the resolute emphasis on avoiding and resisting foreign interference at all levels.

Third and most importantly, while the Euro-American tradition focuses on civil and political rights, it neglects a whole other dimension. This is the right to economic wellbeing for all, which includes the right to work and to development. These are foundational in a Chinese context. They are not seen as a “second generation” of human rights, with civil and political rights as the “first generation” (Vasak 1977), for the idea of these generations indicates the Euro-American tradition. Instead, the Chinese emphasis goes back in more immediate history to the Jiangxi-Fujian Soviet of the early 1930s, with its capital in Ruijin. Here developed what may be called the “Ruijin ethos”: focus first on the people’s need for food, shelter, clothing, and security; only when these are secured will they become communists. In the longer tradition, the Confucian ethos is strong, particularly with the Confucian influence in terms of the desire for at least a *xiaokang* society, meaning that one is moderately well-off, healthy, and peaceful. Thus, the basic human right in China remains the right to economic wellbeing. We can see this in the consistent focus of minority nationalities policy, on the long-term poverty alleviation program, the Belt and Road Initiative, and also with the long-term emphasis on economic improvement in the trouble spots of Tibet and Xinjiang. This particular emphasis has indeed become a rooted universal, acknowledged, and ratified by others – although not the United States – in terms of the United Nations’ *International Covenant on Economic, Social, and Cultural Rights* (1976). Article 11(1) is relevant here, which mentions that state parties “recognize the rights of everyone to an adequate standard of living for himself and his family, including adequate food, clothing, and housing, and to the continuous improvement of living conditions” (see also ASEAN 2012).

The implications of this distinct tradition of human rights in relation to minority nationalities are as follows: human rights apply as much to the collective or group as the individual – in this case the group in question is the nationality; foreign



interference in such matters is an affront to Chinese sovereignty, which is not to say that the Chinese policy studies do not learn much from other practices (notably the collapse of the Soviet Union); and the right to economic wellbeing and development remains foundational to the preferential policy in relation to minority nationalities. This emphasis appears not merely with long-term programs in relation to trouble spots, but more generally because minority nationalities tend to live in remote areas where the benefits of China's development have been relatively slow to materialize.

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## Conclusion: Between Autonomy and Unity

How we assess the Chinese approach minority nationalities, trouble spots, and the different traditions of human rights is another matter and beyond the remit of this study, but it is important to understand how this approach has been developed and how it works.

In closing, three matters are important. First and as mentioned earlier, the minority nationalities "preferential policy" operates in terms of a tension, particularly after the revisions of the 1990s. This is a tension between autonomy and unity – greater autonomy for the nationalities and the absolute unity of the Chinese state. Obviously, this is a contradiction. But rather than the European tradition's tendency to see contradictions in terms of an opposition between either-or, it is useful to consider a distinctly Chinese approach to contradictions. In other words, what are opposites – such as unity and diversity in this case – can operate as a non-antagonistic contradiction. Or, as the old saying puts it, "*xiangfan xiangcheng*," "Things that oppose each other also complement each other" (Mao 1937 [1965], 343). This point is not pure philosophical speculation, for significant evidence exists that cultural activism among the many nationalities (such as the Dai, Bai, and Muslim Hui in Yunnan province), especially in terms of economics, but also with regard to language, education, and religion, actually enhances and strengthens the sense of belonging to China as a whole (McCarthy 2000; Postiglione et al. 2009). The key, of course, is economic, for the Chinese tradition stresses that economic wellbeing enhances one's desire to remain part of the larger whole.

This economic focus raises a further question: is it enough? The preferential policy may stress economic wellbeing, but it also includes culture, language, literature, education, and governance. These features have at times been secondary to the economic focus, which has provided ground for some international critics. In this context, it is worth noting that at the nineteenth congress of the Communist Party of China (November 2017), Xi Jinping (2017, 14) announced a new primary contradiction: the contradiction between unbalanced and inadequate development and the people's ever-growing needs for a better life. Not only does this need to identify a primary contradiction come from Mao Zedong, and not only is it the first change in 36 years, but it also raises a question: is this yet another recognition that life – including that for minority nationalities – requires more than economic wellbeing?



## Cross-References

- ▶ [Cultural Socialization and Ethnic Consciousness](#)
- ▶ [Ethno-politics in the People's Republic of China](#)

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# Ethnic Blindness in Ethnically Divided Society: Implications for Ethnic Relations in Fiji

# 7

Romitesh Kant

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## Abstract

This chapter critically examines Fiji’s approach to ethnicity by adopting an “ethnically blind” approach to constitutional and political reform since the 2006 military coup. As a multiethnic and culturally diverse society, Fiji has witnessed political conflicts arising from this ethnic and cultural diversity. Since gaining independence from the United Kingdom in 1970, Fiji politics have been marked by an alternating pattern of coups and constitutional reform. The country has instituted various constitutional arrangements with a view to meeting group claims to difference and equality. While the 1970 and 1997 Constitutions sought a form of multicultural compromise with the realities of Fiji’s demographic makeup, demands for continued ethno-political paramouncy by sections of the indigenous Fijian (*iTaukei*) population led to the overthrow of the democratically elected governments in 1987 and 2000. The 1990 Constitution institutionalized

R. Kant (✉)

Institute for Human Security and Social Change (IHSSC), College of Arts and Social Sciences,  
La Trobe University, Melbourne, VIC, Australia  
e-mail: [r.kant@latrobe.edu.au](mailto:r.kant@latrobe.edu.au); [romit.fj@gmail.com](mailto:romit.fj@gmail.com)

the privileged ethno-political status of indigenous Fijians. Following the 2006 military coup, Fiji embarked on a nation-building program designed, inter alia, to create unity by eliminating official categorization based on ethnicity. It is argued that national integration in the Fijian context has been an attempt to forge “unity in diversity,” seeking to wish away sociocultural differences and imposing uniformity in spite of complex cultural, ethnic, and religious diversity. This “ethnically blind” approach has the potential to create more conflict and pose obstacles to unity, peaceful coexistence, progress, and stable development. It recommends that national integration and its benefits can be realized only with the development and entrenchment of a supportive public culture, understanding, respecting, and tolerating differences occasioned by sociocultural diversity.

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**Keywords**

Ethnic diversity · Ethnic conflict · Divided societies · Ethnic-blindness · Constitutional reform · Fiji politics

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## Introduction

Constitutional deliberations in pre- and post-independent Fiji have mostly revolved around the issue of ethnic distribution of power. Constitutional frameworks in Fiji prior to the 2006 coup were organized on the basis of treating ethnic communities as corporate entities with group rights. The first three post-independent constitutions in Fiji (the 1970 Independence Constitution, the 1990 Constitution, and the 1997 Constitution) were based on the assumptions that there are distinct communities divided by their race; that these communities are homogeneous, sharing common interests; and that their group interests are opposed. Despite the tumultuous history of constitutional democracy, Fiji embarked on yet another, constitution-making process in 2012, fifth in its 48 years since independence, the result of which is the 2013 Constitution, touted as an “ethnically blind” constitution. Claims have been made that this constitution would usher in an era of democratic consolidation and provide much needed political stability.

In the four decades since independence in 1970, Fiji has had six coups (four successful, two unsuccessful) and a mutiny (2000). Up till 2017, no fewer than four constitutional approaches have been adopted in Fiji highlighting the obstacles faced by many divided societies in designing appropriate constitutions. Fiji’s post-independence history of constitutional reform has been defined by competition between three very different conceptions of the Fijian nation and (hence) of Fijian nationalism. Constitutional discourse in Fiji has presented ideological security to citizens in the form of three visions, represented as “ethno-cultural,” “civic,” and “multiculturalist.”

The first approach, in the lead up to independence in 1970, was evident in a series of discussions and debates held in Fiji and Britain. It involved a contestation between civic and ethnic nationalism resulting in constitutional recognition of the three most prominent ethnic groups through the electoral provisions in the constitution and entrenchment of indigenous Fijian interests with veto power granted to the Great

Council of Chiefs nominees to the Senate. A second approach, prompted by the coups of 1987, paid even more attention to differences, constitutionalizing indigenous Fijian hegemony and transforming Fiji into a hegemonic ethnic democracy. The instability created by the hegemonic ethnic democracy prompted a new set of constitutional debates producing yet another approach. This third approach, beginning in the mid 1900s, involved a transition from the hegemonic ethnic state to a more multicultural democracy. The strategy involved the adoption of a constitution that recognized ethnic groups as corporate consociations while aiming to transcend ethnic differences in the long run through the centripetal electoral system and provisions for a multi-party executive. This transformation did not provide the desired democratic stability as Fiji suffered more attempted removals of democratically elected governments in 2000 and 2006.

2012 marked the beginning of yet another set of debates and negotiations that have continued to the present. It produced a fourth approach that was version of the civic nationalist strategy proposed, but rejected, in the lead-up to independence. The motive behind this approach is to move Fiji away from accommodating ethnic group interests to an “ethnically blind constitution,” aimed at de-ethnicization of the political sphere and the creation of a unified civic state. However, this latest approach has been compromised by the militarized transition to democracy intended to preserve the pre-2014 status quo, an expanded role of the military in domestic politics, and the persistence of popular belief in the paramouncy of indigenous Fijian interests.

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## Ethnic Blindness

The concept of “ethnic blindness” is closely associated with the “color-blind” ideal. While explicit racism validates beliefs about racial superiority and social inequity, color-blind racial approaches embody a repudiation of racism even in extending to contest the concept of race itself (Bonilla-Silva 1997).

The theory of color-blindness proposes that racial categories do not matter and should not be considered when making decisions. The primary tenet of this approach is that social categories should be dismantled and disregarded and everyone should be treated as equal individuals (Walton et al. 2014: 112; Schofield 1997: 252; Ullucci and Battey 2011: 1196; Vorauer et al. 2009: 838–839; Ryan et al. 2007). Ethnic blindness as an approach to issues of ethnic-racial difference centers on the premise “that racial group membership and race-based differences should not be taken into account when decisions are made, impressions are formed and behaviors are enacted” (Apfelbaum et al. 2012: 205). In other words, everybody should be “judged as individual human beings without regard to race or ethnicity” (Ryan et al. 2006, 2007: 618; Neville et al. 2000). Ethnic blindness is related to the notion of a post-racial society where ethnicity/race does not matter and racism is a thing of the past (Appiah and Gutmann 1996; Cho 2009; Ono 2009). Calls for ethnic blindness are not just normative but prescriptive as well, which is briefly expounded on the following section. Acknowledging the existence of ethnic groups emphasizes differences, which then brings about discrimination and is seen as a system of

perpetuating stereotyping (Markus et al. 2000; Tajfel and Turner 1979; Peery 2011: 473). Ethnic blindness can prevent prejudice and discrimination: “If people or institutions do not even notice race [or ethnicity], then they cannot act in a racially biased manner” (Apfelbaum et al. 2012: 205). Therefore, proponents of ethnic blindness choose to avoid or ignore race in interpersonal interactions under the belief that it would decrease racism.

The concept of ethnic blindness for the purposes of this chapter is closely linked to the idea of color blindness in that an ethnically blind constitution is one which does not recognize ethnic differences but treats all citizens equally giving them equal recognition. This is reflected in the theories of “politics of universalism” integration and civic nationalism.

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### **The Integration (Ethnic Blindness): Accommodation Debates**

The question of how constitutions should respond to the challenges of ethnic nationalism has prompted two main approaches to constitutional design: (i) states which tend to disregard ethnic differences and to treat all persons as citizens with equal rights and obligations (sometimes described as “the liberal” or ethnically blind state) and (ii) states which are based on the political recognition of ethnic groups as rights-bearing entities (“ethnic-based states”). The latter can be subdivided into two groups: one in which a majority dominates other communities (“hegemonic state”) and the other which is more consensual and aims at power sharing and proportionality (“consociational state”).

Academics overwhelmingly assert that ethnically divided societies require accommodative constitutional designs to avert political instability and violent conflict. This stance has variously been characterized as “widely held,” “dominant,” and “a panacea” (Reilly 2001: 20; Binningsbø 2013: 89). By contrast, “the scholarly orthodoxy has long rejected majoritarian approaches” (Reilly 2001: 20). Arend Lijphart declared in 1994 that consociationalism is “the only workable type of democracy in deeply divided societies” (as cited by Reilly 2001: 169). Timothy Sisk and Andrew Reynolds assert “the alternative [to accommodation] is nearly always a catastrophic breakdown of the state and society” (Reynolds and Sisk 1998: 30). Reynolds later elaborated “parliamentarism, proportional representation, and power-sharing structures provide the foundational level of inclusion needed by precariously divided societies to pull themselves out of the maelstrom of ethnic conflict and democratic instability” (Reynolds 1999: 268). By contrast, he insisted, integrationist constitutional frameworks lead to “increased ethnic hostility” and “political instability” (Reynolds 1999: 269).

However, a smaller but slowly growing group of academics is skeptical that accommodative institutions are the only, or even the best, constitutional design to promote political stability in deeply divided societies. These scholars argue that accommodating groups on the basis of their differences serves to manifest and sharpen these divisions, perpetuating and intensifying intergroup conflict. They further contend that guaranteeing government posts or other benefits to particular groups is anti-democratic and undermines the political competition necessary to

promote good governance via accountability. Fixed quotas also can prove particularly divisive over time if there is a significant change in the underlying dynamics on which they were based (Roeder and Rothchild 2005: 37).

The ongoing debate whether states should accommodate or attempt to integrate the ethnic differences of citizens demonstrates a fundamental normative disagreement over the mechanisms of inter-ethnic cooperation. Each approach proceeds from different assumptions and epistemological positions regarding the durability and malleability of politically mobilized ethnic identities. Integrationists focus primarily on the long-term normative vision of the state, while accommodationists are (allegedly) more concerned with the immediate, short-term pressures states face (Pildes 2008: 175). Both approaches translate into a much broader set of policy options with regard to constitutional design in divided societies than the familiar Lijphart–Horowitz debate has generated (Choudhry 2008, p. 27). In the following section, I will briefly summarize the principle differences between the accommodationist and integrationist approaches to managing ethnic difference.

## Accommodation

In general terms, accommodationists promote dual or multiple public identities and advocate equality with institutional respect for difference (Choudhry 2008: 27). They assume ethnic identities in segmented societies are resilient and not susceptible to short-term transformation. However, they do not necessarily believe identities are primordial and fixed (Bertrand 2008: 209; McGarry et al. 2008: 52).

Accommodationists seek to ensure each ethnic group has the public space necessary to express its identity, make its own decisions in areas of critical importance, and protect itself against the majority (McGarry et al. 2008: 42). The result is the design of public policy, which permits the institutional expression of differences in the public sphere, such as minority language rights. Consociational techniques advocated by Arend Lijphart (1975, 1977, 2008) and others (McGarry and O’Leary 2005; McGarry et al. 2008; etc.) are examples of approaches to accommodating cultural pluralism (power-sharing executives; proportionality; segmental autonomy, territorial or corporate, along ethnic lines; mutual veto rights among groups; and arbitration mechanisms). Centripetalism, advocated principally by Donald Horowitz (1991, 2000, 2002, 2007), is another example of how states can accommodate ethnic difference, albeit at the integrationist end of the spectrum. The political incentives this approach advocates to encourage intergroup cooperation assume that the existence of ethnic political parties is inevitable (Choudhry 2008: 27).

## Integration

Integrationists, by contrast, believe political instability and even further conflict are a consequence of group-based partisanship in political institutions, since they empower elites that have a vested interest in maintaining these social divisions.

They reject the idea that ethnic difference should necessarily translate into political differences and instead argue for the possibility of a common (civic) public identity (Choudhry 2008: 27). As McGarry, O'Leary, and Simeon note (2008: 73), integrationists advocate such an approach even when ethnicity is served as the basis of political mobilization, since they believe ethnic identities are seldom as long-standing or as deep as supporters of accommodation suggest. Accordingly, integrationists support constitutional strategies that promote a common public identity, which transcends, crosscuts, and minimizes ethnic cleavages, without (importantly) demanding ethno-cultural uniformity in the private sphere. Examples of such strategies include common state institutions, "ethnically blind" public policies, the promotion of individual rather than communal rights, the design of mixed or nonethnic territorial entities, and electoral systems which encourage the formation of pre-election coalitions across ethnic divides (Sisk 1996: xi).

Integration/ethnically blind constitutional design is concerned with de-ethnicization of politics emphasizing the importance of state neutrality among different sub-national identities. The difference between integration and accommodation models is that the accommodation models acknowledge the importance of recognizing public and private ethnic groups, identities, needs, and aspirations, although to varying degrees. The accommodationist models of constitutional design can be anywhere on a spectrum from mild ethnicization to appropriation of the state by a dominant ethnic group. Centripetalists are closer in their commitment to the long-term de-ethnicization of politics by focusing on the need to design institutions that reward moderates from different groups as opposed to the radicals. Consociationalism is more open to greater recognition of ethnic groups than centripetalists by being inclusive of radicals. On the extreme end of accommodation is hegemonic control, whereby the state and the dominant ethnic group appropriates its institutions for the purposes of promoting the dominant group's demand for political control of the state.

To contextualize the integrationist-accommodationist debate in Fiji's political landscape, throughout the history of nation building in Fiji especially after 1970, there emerged two competing visions of the emerging nation-state: a struggle between claims for indigenous Fijian ethno-nationalism and civic nationalism. Debates around constitutional design have exposed a persistent tension between civic nationalism and ethno-nationalism, that is, between political equality, on the one hand, and the need to maintain distinct identities, on the other.

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## **Colonial Rule and the Politicization of Ethnicity in Fiji**

Political instabilities in post-independent Fiji are a result of colonial policies that were instituted since British colonization in 1874. Policies of indirect rule aimed at placating indigenous Fijians and the divide and rule policies that separated ethnic groups since the introduction of indentured Indian laborers has had a lasting impact on solidifying ethnic identities in Fiji. These policies later created problems for the British government in the lead-up to independence, contributing to political instabilities after independence.



In order to thwart European settler exploitation of indigenous Fijian labor and land, and protect indigenous Fijian culture and tradition, Fiji's first Governor General, Sir Arthur Gordon, reorganized the social modes of control to keep order and stability in Fiji (Robertson and Tamanisau 1988: 7; Srebrnik 2002: 189). This meant that preserving the doctrine of the "paramountcy of [indigenous] Fijian interests," implied in the Deed of Cession, was of the utmost importance. Gordon instituted a policy of "divide and rule," of which indirect rule was a major part of this policy.

Through the divide and rule policies, constitutional policy in colonial Fiji was developed with regard to ethnic differences. Initially, the Legislative Council was composed exclusively of nominees by the Governor. Although indigenous Fijian chiefly hierarchy was integrated into the running of district administrations, the Council of Chiefs played an advisory role at the national level (MacNaught 1982). Subsequent changes, from 1904, to representation in the Legislative Council incorporated nominees of the Council of Chiefs, elected nonofficial Europeans, and, from 1929, Indo-Fijian representatives elected from a communal roll. Despite granting franchise to Europeans and Indo-Fijians, effective power was retained by the Governor and his Executive Council. As moves toward independence gained momentum in the 1960s, adult franchise was extended to indigenous Fijians (much to the opposition of indigenous Fijian chiefs), women, and other groups. Since the end of indenture in 1918, Indo-Fijians had consistently demanded common roll and political equality (Gillion 1977: 130). However, the colonial administration and especially European members of the Legislative Council resisted these demands fearing that open franchise combined with a majoritarian system would end up with Indo-Fijian political dominance. They therefore supported communally based electoral rolls. Nevertheless in 1929, the colonial government agreed to the principle of parity in representation in the Legislative Council between elected representatives from the three major communities despite discrepancies in population between Europeans on the one hand and Indo-Fijians and indigenous Fijians on the other. The main outcome of this was that this policy created and fostered many misperceptions between the two major ethnic groups.

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## **Constitutionalizing Ethnicity in Post-independent Fiji**

Since decolonization began in Fiji in the 1960s, debates around constitutional design have witnessed contentious debates around integrated, nonracial state, based on individual rights and those who favor of a political order based on ethnic communities: civic and ethnic nationalisms. Until the coup of 2006 and the resulting 2013 Constitution, the issue of nation building and citizenship in Fiji has been secondary to ethnicity and ethnic accommodation.

In the lead-up to independence, while Indo-Fijian leaders through the Federation Party advocated common roll electoral design and political integration, indigenous Fijian leaders through the Fijian Association, together with European political leaders, opposed common roll and political integration (Norton 2002: 134). They

were suspicious of the Federation Party proposals, as the demographic changes during that period would mean Indo-Fijian political domination.

Indigenous Fijians viewed the Deed of Cession as a “protective” document that would preserve and protect their “rights and interests with regards to ownership of land and chiefly titles,” arguing that their interests should be paramount. As independence became imminent, this protective understanding turned into a more “assertive” one fueled by uncertainty of how their “interests would receive special recognition in the new constitutional order” (Norton 2013; 426). Indigenous Fijian demands were seen as providing for rules and structures that would ensure and provide for political paramouncy – that “only if Fijians were in control of Fiji’s political leadership, their interests could be protected” (Norton 2002; 134).

The solution, after intense series of closed-door negotiations in 1969 and 1970 between the leaders of the two major ethnic groups, was a consociational arrangement, encapsulated in the 1970 Constitution, whereby the indigenous Fijians and Indo-Fijians were allocated the same number of parliamentary seats (for an in-depth analysis of the provisions of the 1970 Constitution, see Ghai and Cottrell 2008). To appease indigenous Fijian concerns, which feared political domination by Indo-Fijians and loss of land and political rights, there was agreement that the Senate would provide greater indigenous Fijian representation with veto powers over legislation affecting indigenous Fijian interests (Vasil 1972; 28).

The 1970 Constitution provided hopes that democracy could be made to work in Fiji. In the peaceful transition to independence, leaders from both parties worked well together, establishing a good personal rapport proving to people in Fiji and abroad that genuine multicultural cooperation was possible. Despite this, ethnic polarization was still evident during elections, with voters choosing the comfort of the ethnically based parties, a result of the racially based electoral system (Alley 1970, 184–186; Ghai and Cottrell 2008; 291–292).

In the April 1987 elections, the NFP/Fiji Labor Party coalition defeated the incumbent Alliance Party. Three weeks after the elections, Sitiveni Rabuka led a military coup, with the support of the iTaukei movement and the chiefs, to oust the NFP/FLP government. Initially, Rabuka claimed national security, alluding to the threat posed by the Taukei Movement’s agitation and demonstrations, as the reason for carrying out the coup (Ghai 1990: 13; Lawson 1991: 257–259). However, the language that materialized after the coup revealed the reason to be threats of an Indo-Fijian-dominated government to indigenous Fijian political supremacy (Ghai 1990: 13; Lawson 1991: 260–261).

In a subsequent coup in September 1987, Rabuka declared Fiji a Republic, severing all ties with the British monarchy (Lal 1993: 276, 2002). This led to the abrogation of the 1970 Constitution and the promulgation of a new constitution constructed to secure “paramouncy of [indigenous] Fijian interests” (Lal 1993: 274). The 1990 Constitution provided for indigenous Fijian domination in the legislature and executive – 37 out of the 71 seats in the lower house were reserved for them and 24 out of 34 Senate members were to be nominated by the Great Council of Chiefs (GCC). In addition, the President appointed by the GCC would always be a Fijian chief, and the posts of the Prime Minister and other ministries

were reserved for indigenous Fijians seats (for an in-depth analysis of the provisions of the 1990 Constitution, see Ghai and Cottrell 2008).

The constitution also “enhanced the entrenchment of legislation protecting Fijian land and other interests” (Ghai and Cottrell 2007: 297–300). The protection provided to specific acts of parliament now encompassed any bill “affecting land, customs or customary rights.” (These acts included the Fijian Affairs Act, the Native Lands Trust Act, the Natives Land Act, the Fiji Development Fund Act, the Rotuma Act, the Rotuma Lands Act, the Banaban Lands Act, and the Banaban Settlement Act. Relevant sections?) The GCC Senate appointees were accorded the power of veto with rules specifying that no less than 18 of the 24 Senate members appointed by the GCC had to support it for the bill to pass (Section 78, *Constitution of the Sovereign Republic of Fiji 1990*). The parliament and the executive were also given unlimited powers to establish affirmative action programs and policies for “promoting and safeguarding the economic, social, educational, cultural, traditional and other interests of the [indigenous] Fijian and Rotuman people” (Chap. 3, “Fijian and Rotuman Interests,” *Constitution of the Sovereign Republic of Fiji 1990*).

Despite its ethnically biased orientation, there was one bright spot in the Constitution; it provided for a review of the Constitution before the end of 7 years after its promulgation (Section 161, *Constitution of the Sovereign Republic of Fiji 1990*). In 1995 the government set up a three-member Constitutional Review Committee (CRC), tasked with recommending changes to the 1990 Constitution. In doing so, the Commission had to balance the principle of indigenous Fijian interests while also guaranteeing having full regard to the rights, interests, and concerns of all ethnic groups. While the Commission’s recommendations indicated their intention to radically transform Fiji politics through arrangements aimed at de-ethnicization of politics (see Reeves et al. 1996), the Joint Parliamentary Sector Committee’s (JPSC’s) deviation from these recommendations signaled their intention for cosmetic transformation thereby retaining the fundamentally ethnic character of the state while making some efforts toward dismantling the hegemonic ethnic state.

The 1997 Constitutional arrangements included a mixture of consociational and centripetal features. The communal allocation of almost two-thirds of seats in the House of Representatives is a feature of corporate consociationalism, treating major ethnic groups as corporate entities. It also attempted to move away from race-based politics through the introduction of 25 common roll seats. An appointed 32-member Senate was retained; however, there was a reduction in the number of GCC nominees from 24 to 14 who retained their power of veto over all legislation affecting indigenous Fijians thereby retaining the principle of paramountcy of [indigenous] Fijian interests’ but only in a protective sense. The GCC was granted constitutional recognition in the 1990 Constitution; however the 1997 Constitution went further and provided for its roles and functions (Section 116, *Fiji Islands Constitutional Amendment Act 1997*). Chapter 13 of the Constitution (Group Rights) also provided for entrenchment of laws relating to indigenous Fijians, Rotumans, and Banabans and their land and provided for procedures on how to alter the laws. It also provided for the parliament to enact legislation regarding customary laws and for dispute resolution in accordance with traditional processes, for distribution of royalties to

landowners and registered customary fishing rights for mineral and resource extraction (Sections 185–6, *Fiji Islands Constitutional Amendment Act 1997*). Another feature of consociationalism in the Constitution was the mandatory power sharing in the executive whereby the Prime Minister was constitutionally mandated to invite all parties that attain 10% or more seats in parliament to be part of their cabinet in proportion to their composition in Parliament (Section 99, *Fiji Islands Constitutional Amendment Act 1997*).

The electoral provisions of the 1997 Constitution reflect the preferences of the political scientist Donald Horowitz, who preferred a power-sharing model comprising “centripetal, integrative or incentive-based techniques” which he suggests is most likely to foster moderation and conciliation on the part of all concerned. Horowitz recommends the AV system as the best option for divided societies as he believes that political elites must be afforded political and electoral incentives with the aim of “making moderation pay” (Horowitz 1990: 451–475). The notion behind this system is to provide politicians with incentives to seek electoral support from groups beyond their own ethnic community.

While the alternative vote, preferential voting, seemed like an appealing idea, it did not have the desired impact that the CRC foresaw: it did not encourage cooperation between ethnic groups but led to shady deals across ethnic lines, geared mainly to weaken those parties within ethnic groups committed to racial integration (for more see Fraenkel 2001, 2006). The power-sharing executive provisions also it did not work at all well because of the lack of commitment of the leading parties to sharing power. After the 1999 elections, when the Fiji Labour Party (FLP) won and invited Rabuka’s Soqosoqo ni Vakavulewa ni Taukei (SVT) to participate, the latter responded with a number of conditions, which Prime Minister Chaudhry interpreted as a rejection. In 2001, after another coup and return to civilian rule, the Soqosoqo Duavata ni Lewenivanua (SDL) party leader invited the FLP to participate while suggesting that there was “insufficient basis for a workable partnership” and went on to recommend a Cabinet with no FLP members (Supreme Court of Fiji: Qarase v. Chaudhry 2003). Resolution of these disputes has involved repeated resort to the courts. In the first case, the Supreme Court held that Chaudhry was not bound to accept the conditions imposed by the SVT for joining government (Supreme Court of Fiji: President of Fiji Islands v. Kubuabola 1999). In the second case, the Supreme Court held the prime minister in breach of the constitution (Supreme Court of Fiji: Qarase v. Chaudhry 2003). The matter went back to court in 2004 over the precise interpretation of the constitution on allocation of seats (Supreme Court of Fiji: President’s Reference, Qarase v. Chaudhry – Decision of the Court 2004).

After the 2006 elections, a power-sharing Cabinet did come into being; before the “conventions” that the Supreme Court had advised could develop, another coup ensued the country a few months later, led by the head of the military, Commodore Bainimarama. Initially Bainimarama insisted that the coup was carried out to protect the 1997 Constitution claiming Qarase was violating the spirit of the Constitution by pursuing a controversial legislation that would grant amnesties to those convicted in the 2000 coup. He argued that this legislation would “divide the nation and will have very serious consequences to our future generations.” He proclaimed that the

military “not only adheres to the rule of law and the Constitution but more importantly believes in the adherence to the spirit of law and the Constitution” (Ghai and Cottrell 2007: 311).

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## Reorientation to Authoritarian Civic Nationalism

In April 2007, the Bainimarama regime announced its intentions to review the 1997 Constitution with the goal of “ridding the Constitution of provisions that facilitate and exacerbate the politics of race in such areas as the registration of voters and the election of representatives to the House of Representatives through separate electoral rolls” preferring an electoral system that was based on one person-one vote (Fiji Ministry of Information 2007). Speaking at the UN General Assembly in 2007, Bainimarama argued that Fiji’s independence was built on shaky foundations (i.e., race-based constitutions) that separated Fijians. Democratic politics that had been practiced in Fiji was therefore divisive and constrained efforts at nation building. He announced that Fiji had to do away with race-based politics, committing to reforms that would entail greater democratization that would ultimately end coup culture (Bainimarama 2007). The coup and its ideology therefore sought to supplant the politics through a nation-building project.

This was initiated under the guise of a state of emergency. The military government acquired extraordinary powers that permitted the armed and police forces to quell dissent, with force if necessary. In the aftermath of the coup and the eventual abrogation of the 1997 Constitution in April 2009, decrees were put in place that severely restricted freedom of movement, assembly, and expression (including media freedom) (Bhim 2011: 2).

In his quest to de-ethnicize Fijian politics, Bainimarama challenged the Methodist Church and the Great Council of Chiefs, institutions that indigenous Fijians hold dear and with reverence causing much concern among indigenous Fijians (Lal 2009: 31–32, 2009: 77; Norton 2009: 112, 2015: 113–125; Ratuva 2011: 112). Bainimarama stated that the military did not have to please the chiefs nor the Methodist Church and was in the best position to institute political and constitutional reforms that would benefit everyone, regardless of their ethnicity (Norton 2009: 112, 2015). He further argued that indigenous Fijians needed to change their mindset that the nation and democracy belonged or should belong to the chiefs (Bainimarama 2007).

Fiji’s transition to democracy that began with the Bainimarama regime’s constitution-making process was carried out in a restrictive political environment (Kant and Rakuita 2014; Kant 2014a, b). For 6 years, the regime was successful in controlling and silencing most dissenters and the media. In 2012, the regime released two decrees to pave the way for the drafting of a new constitution: the Fiji Constitutional (Constitution Commission) Process Decree 2012 or Decree 57 and the Fiji Constitutional Process (Constituent Assembly and Adoption of Constitution) Decree 2012 or Decree 58. Decree 57 stipulated 11 nonnegotiable principles which had to be reflected in the constitution which aimed at de-ethnicization of Fijian politics: common and equal citizenry; a secular state; removal of systematic corruption; an

independent judiciary; elimination of discrimination; good and transparent governance; social justice; one person, one vote, one value; elimination of ethnic voting; proportional representation; and voting age of 18. A five-member Commission was appointed by the regime, headed by Professor Yash Ghai. The Commissioners started their work in July 2012 and wound up operation in December 2012 with the presentation of a draft Constitution to the President (Kant and Rakuita 2014).

The 2012 Commission's draft constitution marked a departure from previous constitutions, a significant move away from the consociational character that defined previous constitutions to one that was intent on civic nation building and integration. It had a difficult balancing act to manage. While the regime wanted ethnically blind/integrationist provisions in the constitution, the Commission after listening to people's views decided to maintain certain aspects of iTaukei institutions and provide for protection of language, culture, traditions, and practices, although making a distinction between the public and private spheres. In the 1990 and 1997 Constitutions, the GCC had been recognized as a public institution with important powers conferred to it, but in the 2012 draft, the GCC was classified as a civil society organization with only advisory powers. Section 47 provided for rights to join and maintain cultural, linguistic, and religious association and practices. The GCC was given constitutional recognition as a nonpartisan organ of civil society, namely, as a custodian of iTaukei culture and traditions (Section 56, Fiji Constitution Commission Draft Constitution 2012).

In January 2013, the regime dumped the Commission's Draft Constitution. The President informed the people that, the commission's draft while it included some good provisions, "many of the provisions of the Ghai draft position us in the past" (Fiji Times Online 2013). He directed the regime to put together a new draft. The regime released its draft in March and held its own "consultations" on it.

In August 2013, the regime released the final version of the Constitution that would take Fiji to elections, which was promulgated by the President in September. The 2013 Constitution in the Preamble makes references to the indigenous Fijians and Rotumans as the first inhabitants of Fiji, recognizing their lands, unique culture, customs and traditions, and language. It also recognizes the same for all the other later immigrants. For the first time, it makes mention of a common national identity, which remains to this day a thorny issue within the indigenous Fijian community.

The recognition of indigenous Fijian customary land ownership in the Constitution is intended to appease suspicions stirred up by ethno-nationalists over most of Fiji's independent history. It is strengthened by Article 28, which confirms that indigenous Fijian, Rotuman, and Banaban land rights are inalienable, while Section 30 provides for fair distribution of royalties from minerals extracted from traditional lands and/or customary fishing grounds.

In terms of institutions, the Senate and the Great Council of Chiefs, both already defunct in practice, are no longer constitutionally recognized. A single-chamber Parliament is introduced, to be elected via a system of proportional representation of party lists (Section 53, Constitution of the Republic of Fiji 2013). With some symbolic importance, Article 53 provides very explicitly: "each voter has one vote, with each vote being of equal value, in a single national electoral roll

comprising all the registered voters.” Ethnic electoral rolls, and ethnic representation in Parliament, are thus abolished. With indigenous people now constituting a majority of the population, this measure was not as controversial as it would once have been. In all other regards, Fiji’s institutions under the terms of this Constitution are Westminster-inspired. The relationship between Parliament and the Cabinet is a reaffirmed codification of British custom; the President, appointed by Parliament, is a purely ceremonial head of state, bound to act solely on his ministers’ advice (Section 82, Constitution of the Republic of Fiji 2013).

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## The Indigenous Fijian Challenges to “Ethnic Blindness”

With minimal recognition to ethnic and cultural identities, the 2013 Constitution aims to develop a culture of civic nationhood. However, the transition to the “ethnically blind” ideology is fraught with challenges (Kant 2017). Indigenous Fijian political and traditional elites have opposed the provisions of the 2013 Constitution condemning the “interim military government” for “failure to protect the group rights of indigenous Fijians” and for appropriating control over “native Fijians semiautonomous government (Matanitu Taukei)” (Lalabalavu and Kepa 2013). Local NGOs (including the newly formed Fiji Native Tribal Congress (FNTC)) protested to the United Nations Committee on Elimination of Racial Discrimination (UN CERD) about the regime abolishing the GCC without consulting the indigenous Fijians. Similarly, the NGO Coalition on Human Rights (NGOCHR) objected to the regime’s actions registering concern around the “dismantling and restructuring of what have hitherto been identified as indigenous institutions without appropriate consultation with stakeholders,” calling on the regime to “conduct an open dialogue process with the iTaukei people on the change to their name, the removal of the Great Council of Chiefs (GCC) and revision of land laws in recognition of the 2007 United Nations Declaration on the Rights of Indigenous Peoples” (NGO Coalition for Human Rights 2012: 10–11). The NCOHR further called on the regime to publicly declare its position on “the status of the iTaukei people so as to provide certainty to them of their position in the future society of Fiji” (NGO Coalition for Human Rights 2012: 10–11).

The FNTC, in its submission to the UN CERD Committee, objected to the regime’s move via decree that all citizens would be known as “Fijians,” a term that previously was used to refer only to the indigenous Fijians. “The Decree changed all references of “Fijian “indigenous” or “native” that appeared in the law, government publications and communications, replacing it with the term “iTaukei”” (Fiji Government 2010).

The FNTC submission claimed that the regime violated rights of indigenous Fijians and that the actions and rhetoric of the regime were to “wipe out entirely the group rights of indigenous Fijians and to thereby make Fiji a plural society of individuals where individual rights only is paramount” (Fiji Native Tribal Congress (FNTC) 2012: 42).



The UN CERD Committee, while noting the regime's moves to provide development on the basis of need rather than ethnicity, was concerned about the lack of consultation with indigenous Fijians on reforms relating to indigenous Fijian institutions. The Committee recommended that the government initiate appropriate processes for consultation with indigenous Fijians on policies which affect "their identity, ways of living and resources, in line with the Convention, the United Nations Declaration on the Rights of Indigenous Peoples and the ILO Convention on 169 on Indigenous and Tribal Peoples" (UN Committee on the Elimination of Racial Discrimination (CERD) 2012: 4).

The calls by indigenous Fijian political and traditional elites, the CSOs, and the UN CERD Committee have gone unheeded by the regime. The promulgation of the 2013 Constitution paved the way for parliamentary elections in September 2014. The constitution had brought an end to communal voting, a feature of previous constitutional arrangements. Seven political parties contested the election; however, the main competition was between FijiFirst and SODELPA.

FijiFirst promised a new, modern, secular Fiji free of the crippling legacies of a racially divided past and was more toward the reformist, secularist, modernist, and multiethnic end of the political spectrum, while the SODELPA promised the restoration recognition and power for the iTaukei greater protection for indigenous Fijian land ownership, the restoration of the Great Council of Chiefs, reservation of "Fijian" as the identity for indigenous Fijians, and the establishment of a Christian state placing it at the "protectionist, ethno-nationalistic and conservative end of the continuum" (Ratuva 2015: 143–145). The NFP, FLP, and PDP advocated multiculturalism while also promising to review the Constitution and provide recognition and a role for the GCC.

Describing the 2013 Constitution as "Godless," SODELPA manifesto spoke of how the Constitution "ignored the role of Christianity in the development of Fiji." Secularism became cast as an attempt "to encourage worship of an unknown deity." SODELPA insisted that when it formed government, a new constitution would "ensure God's rightful place in our supreme law" and "uphold Christian values and principles" (Social Democratic Liberal Party (SODELPA) 2014). SODELPA's leadership constantly attacked the Bainimarama Government and the 2013 Constitution for undermining indigenous rights, claiming that by abrogating the 1997 Constitution, the entrenched protection of native land rights had been removed. One specific objection was that without a Senate, and the representation afforded to the GCC through this body, all that was required to change Taukei land ownership in the new unicameral legislature was a simple majority vote in parliament (Fiji Times, 11 September 2014: 29).

Beginning with the usual reference to the 1874 Deed of Cession as the basis for iTaukei monopoly of land ownership, SODELPA's manifesto proceeded to list all the actions of the Bainimarama Government that had purportedly undermined these. The list included appointing government sympathizers to staff the Native Land Trust Board (NTLB, now iTaukei Land Trust Board) and opposition to the Qarase government's Qoliqoli Bill dealing with the ownership of coastal areas, including those used for surfing. The manifesto also made clear that its principal objection was



to the transfer of control over native lands away from the chiefs, manifested in the GCC, to the Minister responsible for indigenous Fijian affairs.

The main opposition party SODELPA, managed to secure almost 28% of total votes cast (more than 98% from indigenous Fijians) during the 2014 elections. SODELPA increased its popularity in the 2018 elections as they received almost 40% of total votes. These votes were overwhelmingly from indigenous Fijians due to SODELPAs appeal to the Christian religion, and indigenous Fijian tradition and culture. It thus seems that there remains strong support for constitutional recognition of indigenous Fijian culture and tradition and indigenous Fijian hegemony. The image of indigenous Fijians as iTaukei (owners of the land) remains a potent symbol. What distinguishes Fiji from most divided societies is the presence of an ethnic group with claims of indigeneity, which has created a higher and more abstract level of belonging than just citizenship. The idea of prior occupation has afforded indigenous Fijians grounds for insisting on being given priority in the political and cultural spheres.

Since elections in 2014, SODELPA in parliament has consistently raised issues with regard to Bainimarama's regime and FijiFirst's blatant disregard for issues important to indigenous Fijians and the suppression of indigenous rights since the 2006 coup. MP Niko Nawaikula claimed that Bainimarama – and later his 2013 Constitution – contravened UN-mandated indigenous rights by abolishing the GCC and the exclusive Fijian name and by denying indigenous Fijian self-determination (FBC News 2017).

In response to SODELPA, Bainimarama claimed that “SODELPA keeps summoning up the past and preying on the fears of the iTaukei people about the security of their land and their way of life,” ... “it is divisive. It is offensive. And it simply isn't true ... There is no threat to iTaukei – to our land, culture, institutions or religion” (Fiji Sun 2015).

Other signs of indigenous Fijian disquiet emerged. Fear of losing privileged constitutional status, small groups of indigenous Fijians in Nadroga/Navosa and Ra provinces, under the influence of an indigenous Fijian expatriate, residing in Australia, who urged them to rise up against the Bainimarama government, declared their provinces sovereign Christian states. Those involved in this blamed the secular, ethnically blind 2013 Constitution. A statement from the group echoed familiar ethno-nationalist themes about alleged British failure at independence in 1970 to return Fiji to descendants of the original signatories of the 1874 Deed of Cession. The Ra group denounced the “oppressive, dictatorial and tyrannical nature of the Bainimarama/Khaiyum regime,” with its “nirvana concept of a polity of equality,” and “dream” of a “modern progressive Fiji.” The Uluda Declaration purported to express the aspirations of “ethnic peoples, first nation peoples of Fiji and therefore sovereign people of this land.” It criticized the government's “perverse form of social engineering which employs constitutionally enshrined laws of ‘mainstreaming’ with which it enforces intensive assimilation that selects only the native Fijian race as its target group” (Field 2015).

As a consequence, by September 2015, 63 persons had been arrested and charged with sedition (Armbruster 2015). Fifteen people charged with sedition in Ra were all

found guilty in September 2017, while court proceedings are underway for those changed in Nadroga/Navosa case (Deo 2015).

While for the time being Bainimarama has been successful in restraining and suppressing indigenous Fijian nationalism, SODELPA has demonstrated that appeals to ethno-nationalism remain a potent force with a large enough section of the indigenous Fijian population. Demographic changes in Fiji's population especially the continuing decline in the Indo-Fijian population since the 1980s do not guarantee that demands for indigenous Fijian political dominance are likely to disappear in the near future.

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## Conclusion

In recent decades, liberal constitutionalism, integration, and ethnic-blindness have come under criticism for enforcing homogeneity thereby ignoring diversity that exists within many nation-states by political theorists (Tully 1995: 58; Taylor 1992: 38; Kymlicka 1996; Parekh 2000). Charles Taylor (1992: 38) locates his reflections on the politics of recognition in multicultural countries against the historical setting of the development of the modern idea of identity, since in his view this idea also explains the growth of the politics of difference. Recognition, Taylor states, indicates mutual relations between individuals, who regard each other as both equal yet separate (Taylor 1992: 25). James Tully (1995) states that different groups (based on immigrant status, gender, indigeneity, linguistic and religious differences) seek constitutional recognition of their cultural diversity. In criticizing liberal constitutionalism, he argues that constitutions are based on the assumption that societies are of a homogenous culture; however in practice it is structured in a way whereby diversity is either excluded or attempts are made to assimilate people (Tully 1995: 58). He further points out that a constitutional order that attempts to provide a structure for the resolution of issues that deal with the interests of the state and its diverse communities cannot be seen to be just if it prevents different cultural objectives for self-determination and government (Tully 1995: 6). His recommendation is that a constitution should be a "form of accommodation" of cultural diversity, of inter-ethnic conversation in which people from culturally diverse backgrounds negotiate settlements on their forms of association over time.

Numerous attempts at constitutional design in Fiji have endeavored to reconcile demands for democracy with demands by some indigenous Fijians that the state should promote their indigenous Fijian nationalist aspirations. Colonial rule shaped a state structure symbolized not only by the political divisions of indigenous Fijians from other groups but in a system that kept them tied to an increasingly "traditional way of life" under the authority of chiefs. The entrenchment of a doctrine of paramountcy of indigenous interests, while well-meaning in its initial design, has been a catalyst for a highly narrow-minded form of ethno-nationalism. Political instabilities in Fiji while detrimental to social and economic relations have also presented an opportunity for dialogue. Coup-makers and their supporters have relied on designing and implementing constitutions to support their objectives, whether

they be in the form of indigenous Fijian nationalism in the case of 1987 and 2000 or of promoting civic nationalism and ridding Fiji of communal and ethnic divisions (in the case of 2006 coup). However, the problem with the opportunities offered has been political manipulation by the victors of coups to design constitutions to ensure their short-term political survival rather than attempting to truly find solutions to Fiji's problems.

In a divided society, people will be reluctant to work together unless ethnic groups to which they belong are afforded recognition. However, civic integration (ethnic-blindness) is also important because it urges people to work together politically thus making it easier to allocate goods and services within the state; for democracy to take root, recognition of ethnic groups might be warranted, while for democracy to consolidate, people must be willing to transcend their ethnic group interests and take a broader view (common good).

This constant negotiation and redefinition of inter-ethnic relations is a price divided societies has to pay if consolidation of democracy is to be achieved. Constitutional (re)design is not a final solution as norms, processes, and institutions have to be modified in an ever-changing process and should be viewed as chains of recurring intercultural dialogues and negotiations. As Hanna Lerner and James Tully suggest, constitution-making and reforms in divided societies should not be seen as revolutionary moments but as an evolutionary process (Tully 1995: 183–184; Lerner 2011: 39;194). While a constitution can address the institutional aspects of democracy relatively straightforwardly, addressing the foundational features is more complex as in a divided society there are contending perspectives on the character of the state. Similarly, Adeno Addis (2009: 75) contends that constitutional design in divided societies should not be seen as an attempt to be a final solution to the persistent problems the society faces. Tully, Lerner and Addis argue that controversial issues such as national identity, nation-building, and official language, and state religion should be deferred for future deliberation, arguing in favor of constitutional ambiguity on these issues as an initially. Conflict is highly probable if the constitution attempts resolve the foundational problems of a divided society.

In Fiji, as in many divided societies coming out of conflict, it is clear that the short-term pressure to democratize has not been sufficient to foster democratic stability. What is required is ensuring sustainable long-term systems and processes of reconciliation that aims to bring about profound change in attitude, in conduct, and in the quality of governance systems, socioeconomic environment, structures, and institutions. Transitions to democracy usually involved political elites without much regard to necessary societal changes to ensure future stability. These elite negotiated agreements most times assume that these political resolutions will allow conflicting groups to reconcile and live in harmony. This view overlooks the deep cleavages that still exist. Post-conflict reconciliation in divided societies requires a process that goes beyond inclusion of elites; therefore it should be designed in such a way that is long-term and involves civil society organizations and the community at large. Overlooking a process of deeper reconciliation at the grassroots has the potential to create more problems for the transition and compromises long-term stability.

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# Post-Arab Spring: The Arab World Between the Dilemma of the Nation-State and the Rise of Identity Conflicts

8

Hassanein Ali

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## Abstract

The Arab world is one of the most volatile regions in the world suffering from identity conflicts. These conflicts, which revolve around religious, sectarian, ethnic, and tribal issues, represent the other side of the crisis of nation-state building in the Arab world in the postindependence era. Although identity conflicts are not new to the region, they have intensified after the US invasion of Iraq in 2003 and the revolutions of the so-called Arab Spring. These two events revealed the deep crisis of the nation-state, thereby highlighting the failure of the postindependence ruling elites to establish nation states that can maintain a position of legitimacy and effectiveness. Being both legitimate and effective enables a state to include religious, sectarian, ethnic, and tribal pluralism within

H. Ali (✉)

Department of International Studies, College of Humanities and Social Sciences, Zayed University, Dubai, United Arab Emirates

e-mail: [Hassanin79@hotmail.com](mailto:Hassanin79@hotmail.com)



the framework of its national identity, based on the foundations and principles of citizenship, rule of law, respect for human rights, minority rights, and social justice.

Additionally, identity conflicts are linked to two other factors that escalated after the US invasion of Iraq and the events of the “Arab spring.” First, was the increased politicization of religious, sectarian, and tribal affiliations, which was used to serve political ends, either by ruling regimes, political parties, or non-state actors. Second, is the current expansion of the political polarization between the forces of political Islam which rose rapidly after the “Arab spring” on one hand and the liberal, leftist, and national civil forces on the other hand. This polarization reflects the deep gap between the advocates of the “religious state” and the advocates of the “civil state.” The purpose of this chapter is to analyze and interpret the dimensions of the relationship between the deep crisis of the nation–state and identity conflicts in the post-Arab spring era.

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**Keywords**

Nation-State · Identity conflicts · Arab Spring · Sectarianism · Failed states · Civil Wars

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## Introduction

The concept of identity conflicts refers to intrastate divisions and conflicts that are related to one or more religious, sectarian, ethnic, or tribal dimensions. Identity conflicts also have its political, economic, and social dimensions, and are often influenced by external interference. The Arab world experienced many identity conflicts in the pre-Arab Spring period, and they increased after the Arab Spring. Due to the collapse of the state institutions, internal conflicts and civil wars broke out in Libya, Syria and Yemen, threatening their existence as political entities. They face the risk of failure and disintegration like Somalia. Many other Arab countries like Lebanon, Iraq, Sudan, etc. suffer from state weakness and internal conflicts related to the issue of identity in varying degrees and different forms (Lynch 2016; Kamrava 2016; Hashemi and Postel 2017; Guzansky and Berti 2013; Eshel 2012).

This chapter argues that the identity conflicts in the Arab world are the other side of the crisis of the nation-state building which has its roots in the western colonial stage and has been continued in the postindependence period. The ruling elites failed in many cases to build a legitimate and effective state that can include the societal pluralism (religious, ethnic, sectarian, and tribal) within the framework of a national identity. Therefore, these subidentities have become a big challenge to the state from below (religious, sectarian, ethnic, and tribal communities) and above (Islamic movements that reject the nation-state and rise the slogans of the Islamic state).

When the state collapses or weakens, it becomes unable to monopolize the use of force (which is one of the most important characteristics of the modern state) and loses the ability to impose its control over its territory and to provide security, protection, and basic needs to its citizens. In this case, citizens will revive their

subidentities as an alternative to the national identity embodied by the nation-state. Tribal, religious, ethnic, and sectarian groups provide them with what the state failed to provide in terms of security, protection, and basic needs. Thus, loyalty to these sub entities becomes more important than loyalty to a weak or failed state.

This chapter aims to analyze the dimensions of the relationship between the crisis of nation-state building in the Arab world on one hand, and the escalation of identity conflicts, especially in the post-Arab spring period, on the other hand. In this context, it will highlight the features and causes of the structural crisis of the nation-state in the Arab world. It will also analyze the patterns of identity conflicts that represent the other side of the state crisis and discuss the negative impacts of these conflicts on both the state and society. In addition, the chapter seeks to explore the future of the Arab state in the light of post Arab Spring transformations and to develop some of the conditions and requirements necessary to overcome the worst scenario, the collapse of some Arab states. This worst scenario will create serious negative impacts on the security, stability, and development in the region.

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## **Origins and Causes of the Structural Crisis of the Nation-State Building in the Arab World**

The Arab states are currently experiencing a real structural crisis. There are states that are threatened in their presence as political entities such as Libya, Syria, Yemen, and Iraq. There are other states such as Lebanon, Sudan, Egypt, Jordan, Morocco, Tunisia, Algeria, Mauritania, and others that do not face the risk of failure and disintegration but suffer from a state of weakness that makes them unable to carry out their main functions effectively and efficiently. This deepens the internal political, economic, social, security crises, and negatively affects the relationship of the state with its society as well as with the abroad. In addition, some Arab states, especially in the Gulf region, suffer from a gap between their political frameworks on one hand and their demographic, economic, social, and technological changes on the other hand. While they have achieved big achievements in economic, technological, and social fields, their political structures still reflect traditional features. In the light of all these and other considerations, the legitimacy of the nation-state in the Arab world has become a major challenge (Corm 2016; Benhabib 2014; Ahram and Lust 2016; Salamey 2017).

It is well-known that the origins of the modern nation-state crisis in the Arab world relates to the period of Western colonialism and settlements of the First World War. Many Arab states are artificial entities because the policies of the colonial powers are based on the division of some regions and the unification of multiple areas into a larger entity. The colonial powers also drew boundaries between many countries according to their own goals and interests, not according to the realities of geography, history, and social entities. The colonial powers also used the minority card and “divide and rule” strategies to achieve their goals. The Sykes-Picot agreements are the best evidence of the role of the colonial powers in creating the roots of the modern nation-state crisis in the Arab world (Mansfield 2013).

While the roots of the structural crisis of the nation-state in the Arab world were associated with circumstances of its establishment, it continued and even worsened after the independence. The fundamental reason for this phenomenon is the failure of ruling elites to establish legitimate and effective states that include religious, sectarian, ethnic, and tribal subidentities within a national identity that is based on the principles of citizenship, the rule of law, and tolerance. Because of the desire to monopolize power and wealth, the main interest of most postcolonial political regimes was to build repression institutions and establish an authoritarian rule rather than building a strong and legitimate nation-state.

In many cases, postindependence ruling elites have practiced various types of discrimination against some groups of society based on ethnic, sectarian, and tribal lines and used this as a mechanism to ensure survival of their regimes. The Assad regime (father and son) in Syria is based on the Alawite community and marginalized the Sunni majority. In Iraq, Saddam Hussein's regime relied on its tribal Sunni base and marginalized most of the Kurds and Shia population. In Libya, Qaddafi's regime used tribal card as one of the main mechanisms to continue in power, by favoring certain tribes and excluding others. All these policies have created a suitable environment for the emergence of identity conflicts in the mentioned states (Jazayeri 2016; Al-Sayid 2009; Selvik and Stensile 2011).

In this context, some of the key features of the Arab state crisis include the absence of state independence from the ruler authority and employing its institutions to serve the interests of certain communities which are known for their loyalty to the regime. The Arab state also suffered from the inflation of its administrative structures, the institutionalization of corruption, and the increasing dependence on the outside world (Ayubi 1995). In addition, there is a gap between the state and society, in terms that the state does not have real legitimacy. In this case, subidentities have become a big challenge to the state both from below and above.

The comparative experiences at a global level emphasize that societal pluralism (religious, sectarian, ethnic, linguistic, tribal, etc.) is neither good nor bad. In some societies, societal pluralism has become a source of strength and enrichment to both the state and society. In other societies, it represented a source of division, civil wars, protracted social conflicts, and disintegration of the state itself. The main factor that distinguishes the two cases is the nature of the political system that manages the affairs of the state and society.

The democratic regime with its values, institutions, and procedures allows the management of societal pluralism in peaceful and institutionalized ways, thus consolidating the values of civil peace, stability, a culture of tolerance, and adherence to peaceful methods of conflict resolution. By contrast, the authoritarian regime – which is based on monopolization of power, political exclusion, repression, and violation of human rights – produces a type of authoritarian stability, which soon declines once the security grip of the regime weakens. This explains the rapid disintegration of state institutions and the frequent emergence of civil wars once the regime is overthrown, as happened in Somalia, Iraq, Libya, Yemen, and others.

## Identity Conflicts in the Arab World Before and After the Arab Spring

The Arab world experienced many intrastate conflicts in the pre-Arab Spring period because of the failure to build a legitimate and strong state capable of including societal pluralism within the framework of a national identity. In addition, the ruling regimes in many countries were largely involved in distributing the wealth and power according to tribal, ethnic, and sectarian lines. We can refer to the civil war in Sudan, which lasted for decades and ended with the separation of the south; the civil war in Lebanon from 1975 to 1990; and the civil war in Somalia, which began since the early nineties of the last century and ended with the failure and collapse of the Somali state. Iraq also experienced internal wars before and after the American invasion and occupation in 2003 (O'Ballance 1998; Ali and Matthews 1999).

In the light of the Arab Spring transformations, identity conflicts have escalated in many Arab countries. In **Libya**, following the overthrow of the Qaddafi regime in 2011, the central authority disappeared, and the state apparatus and institutions disintegrated. Large areas of the country were falling under the control of armed militias, tribes, and religious organizations. This led to many internal wars influenced by various tribal, religious, political, military, and economic factors. In this context, moderate and radical Islamist parties and organizations emerged, some of which introduced the Islamic identity of the state in exchange for national identity. Also, tribal and ethnic conflicts broke out in some areas for various reasons. For example, the frequent armed confrontations among Arab, Tabu, and Tuareg tribes across the southern regions of Libya (Wehrey 2017).

In the light of the above, the political and security situation in Libya became more complicated and fragmented. There are three governments at the same time, the interim government headed by Abdullah al-Thani, the National Salvation government headed by Khalifa al-Ghawil, and the Presidency Council of the Government of National Accord headed by Fayez Alsarraj. Also, there are two armies, the first is under the leadership of Khalifa Haftar in eastern Libya, and the second is affiliated to the Presidency Council of the Government of National Accord. It controls parts of the city of Tripoli, not to mention the presence of dozens of armed battalions, militias, and tribes, which controls many of the Libyan cities and villages as mentioned above. In addition, there are divisions among the regional and international actors concerned with the Libyan crisis (Sadiki 2012; Vandewalle 2014; Wehrey 2018; Aghayev 2013).

Despite the many attempts to reach a settlement in Libya, the last one is the action plan proposed by the UN envoy to Libya, Dr. Ghassan Salama, in last September 2017 – which centered on the achievement of national reconciliation, issuing a new constitution for Libya, and holding legislative and presidential elections in 2018. Despite the importance of this plan, there are many obstacles which make its implementation difficult, including the continued division at the military and political levels, where there are three governments and two armies. In addition, there are many internal conflicts and confrontations between the tribes, armed groups, and terrorist jihadist organizations.

In **Yemen**, the state suffered from weakness and fragility in the pre-Arab Spring. The state lost control over its territory consequent to the increased tribal influence and interference, the expansion of al-Qaeda in the Yemen, the repetition of Huthi's rebellion, and the persistent tendency toward separatism in the south. In the context of this complex reality, the former Yemeni President Ali Abdullah Saleh used the tribal card as means for the survival of his regime (Boucek and Ottaway 2010; Alley 2010; Juneau 2010). After his departure from power, the Shia Huthi group supported by Iran took control of Yemen in 2014. On 26 March 2015, the Arab coalition led by Saudi Arabia launched a military campaign against the Huthis that continues till now. The protracted conflict in Yemen has its own tribal, sectarian, political, and strategic factors (International Crisis Group 2012, 2013; Schmitz 2012).

Although majority of the parties involved and concerned with Yemeni conflict – including the Arab Alliance, led by Saudi Arabia's call for political solution of the conflict – there are no immediate signs of a settlement. This means that the war in Yemen will continue for at least the foreseeable future, especially in light of the failure of all previous attempts to settle it. There are several factors which have led to the continuation of the conflict, including the intransigence of the Houthis and their rejection of all solution references (International Crisis Group 2017). In addition to this is the weakness of the Yemeni government and its inability to impose control and security in the areas liberated from Houthi's control. Also, some political forces in south Yemen began to call again for the separation of the south. In this context, non-Houthi armed actors have been able to strengthen their influence in Yemen, including Islamic State organization (DAESH) and al-Qaeda. DAESH has strengthened its presence, especially in the governorates of Hadramawt, Aden, Lahj, and Abyan. Al-Qaeda had a prominent presence in Yemen in the pre- Arab Spring and strengthened in the light of the conflict in Yemen. Therefore, some of the military operations of the Arab alliance target al-Qaeda strongholds in Yemen.

In **Syria**, the revolution was initially peaceful, but the regime's sharp repression response against it led to the rise of armed actions. This paved the way for many local, regional, and international actors to intervene in the conflict with their own goals and agendas. This dramatic change has made Syria the arena for several wars at the same time, which overlap the ethnic, sectarian, religious, political, and strategic dimensions, especially since the al-Assad regime used the sectarian card as one of its mechanisms of survival. It created a state of fear for Shia Alawites and other minorities in case the regime is overthrown (Diehl 2012; Tasopoulos 2014).

Also, some regional actors got involved in the conflict along political and sectarian considerations. Al-Assad regime is still receiving significant military support from both Iran and its ally Hezbollah. At the same time, Saudi Arabia, Turkey, and some other Arab countries have been supporting armed groups opposing the regime (Kassab and Al-Shami 2018).

On the political front, Syrian political opposition forces have been fragmented to the point that they are unable to form a unified front against the regime. In light of this complex reality, the tracks of the Syrian crisis and its conflicts of identity have become dominated primarily by balances and interactions between the external powers (regional and international) that have their presence on the Syrian arena.

Due to the divergence of agendas and conflict of interests, attempts to resolve the crisis peacefully through the Geneva and Astana tracks were stalled until now (Rath 2017).

During the years 2017 and 2018, significant developments took place in the Syrian arena. The most prominent of these were the military defeat of Islamic State organization (DAESH) and its expulsion from most of the territories it controlled. In this context, the Syrian regime began to impose its control over more territories supported by the large military role played by Russia on the Syrian arena. This supported Assad regime's position in any arrangements related to the future of Syria; especially there is a clear shift in the positions of many regional and international parties toward the Syrian regime. The countries that were making Assad's departure a condition for any real political settlement in Syria such as Turkey, France, Saudi Arabia, the United States of America, and others have changed their positions on this issue.

Despite the importance of the military and political developments that have taken place in Syria in recent times, there is no sign that a political settlement of the crisis and the related identity conflicts are imminent. There are still many complex issues that impede the settlement, including the constitution and arrangements for the transitional period, the nature of the political system, the reconstruction challenge, and the tragedy of refugees and displaced persons. In addition to this, there are other challenges that are the demands of the Kurds of Syria to apply federalism in the country to ensure the establishment of a federal entity, which is rejected by both the regime and the Syrian opposition and strongly rejected by Turkey (Radpey 2016). Under these complex conditions, Syria is likely to remain a model case for state disintegration and identity conflicts, at least in the short and medium term.

**Iraq** under Saddam Hussein witnessed many ethnic and sectarian conflicts. The regime has used excessive force in dealing with Shiites, Kurds, and Sunni Arab opponents. But identity conflicts have risen sharply in Iraq following the USA invasion and occupation in 2003, especially after Washington dismantled the Iraqi state and its institutions and favored Shiites and Kurds on the one hand and excluded Sunnis on the other hand. In this context, some have spoken of "the awakening of the Shiites," "the Shiite crescent," and "the empowerment of the Shiites," especially after Iraq became "the first state in the Arab world ruled by a Shiite majority." Accordingly, many religious Shiite and Sunni parties have emerged, thus deepening the process of politicizing sectarianism (International Crisis Group 2014; Walker 2006; Nasr 2006).

As the sectarianism has become strong at the level of politics, it has presented the same force in the fields of media, economy, and finance, where the media has become governed by sectarian tendencies and agendas. The corruption has been institutionalized in the wake of successive governments – especially the Maliki government, which is based on sectarian lines in the distribution of economic and social benefits. All this has contributed to the weakening of the national identity and deepening of the tribal, sectarian, and religious identities. In this context the identity conflicts escalated sharply through ethnic and sectarian violence, forced displacement, and even to the extent of mutual targeting of mosques by Shiite and Sunni

elements. All these and others contributed to the creation of suitable environment for the expansion of terrorist jihadist organizations and armed militias such as al-Qaeda, DAESH, and the Shia's Popular Mobilization Forces ("Al-Hashad al-Shaabi") (Haddad 2014; Nasr 2006; Fei 2016; Selim 2012; Cole 2003).

The overthrow of Saddam Hussein in 2003 marked the beginning of a new phase in the history of the Kurdish problem. Post-Saddam policies and developments contributed to the strengthening of the influence of both Kurds and Shiites at the expense of the Sunnis, especially after the adoption of federalism as a new formula for the Iraqi state. However, the political clashes between the Kurds and the central government in Baghdad continued due to many issues, particularly the disputed areas between the two parties. But the biggest challenge in terms of relationship between the two was the referendum which was organized on September 2017 by Kurdistan Regional Authorities to determine the independence of the territory from Iraq.

Kurdistan Regional Authorities ignored the rejection of the referendum by the central government in Baghdad, the Iraqi parliament (the House of Representatives), and the Federal Supreme Court in Iraq. Also, it ignored the regional and international opposition to the referendum results by Turkey, Iran, the Security Council, and others. More than 90% of the total voters who participated in referendum supported the separation of the territory from the Iraqi state. Against this backdrop, the central governments in Baghdad, Turkey, and Iran have taken aggressive punitive steps against the Kurdistan region. After a series of political skirmishes and some military clashes between the government and Kurdish forces, the government of the Kurdistan region was subjected to rule by Baghdad, and the referendum was nullified, especially as it created more tensions between the political forces within the region (Sowell 2017; Toorn 2017).

The recent Parliamentary elections held on May 12, 2018 in Iraq confirmed that the sectarian dimension continues to have a strong impact on the political process. The two electoral alliances that have won the largest number of seats are the Saeroon Alliance led by the Shia Muslim cleric Muqtada al-Sadr's, which came first with 54 out of 329 seats, and the Fatah alliance, which mainly represents Iranian-backed militias named Popular Mobilization Forces, came second with 47 seats. Both are polarized political forces at the Iraqi Political arena.

Although the identity tensions and conflicts have eased a bit as the government of Haider Al-Abadi combats and attains victory in the fight against the Islamic State organization "DAESH," there is nothing to prevent the renewal of sectarian conflicts at any time. To avoid further escalation of sectarianism, a few conditions are necessary. These include a historic reconciliation between the major components of the Iraqi people (Shia, Sunnis, and Kurds), establishment of a national Iraqi state that breaks with the system and policies of sectarian quotas, ensuring a political system based on the principles of citizenship, providing for the rule of law and respect for human rights, including rights of minorities, as well as reducing external interference in the internal affairs of the Iraqi state.

Since 2003, **Sudan** has been suffering from internal wars between the governmental forces and many armed movements in Darfur, South Kordofan, and Blue



Nile. All these wars are having tribal, economic, and political dimensions. Many serious attempts have been made to resolve these conflicts, but different internal and external forces are sabotaging these efforts (Bassil 2013). Therefore, these conflicts represent a real challenge to the unity of the Sudanese state, especially after the independence of South Sudan in July 2011. These conflicts also deplete state resources, disrupt development plans, and deepen the economic and social crises in Sudan.

Because of the weakness of the **Lebanese** state and the complexity of its sectarian structure, it remained subject to sectarian tensions, especially under Hezbollah's involvement in the Syrian conflict, contrary to the state's official policy (Salloukh et al. 2015). It's known that there are 18 religious communities officially recognized by the state in Lebanon. The largest of these communities are Shia, Sunni, Druze, Catholic, Orthodox, and Maronite (Al Ariss and Sidani 2016).

Sectarian tensions and political divisions have often disrupted political life in Lebanon. No consensus was reached on the election of Michel Aoun as president of the country until 888 days after Lebanon remained without a president. The processes of forming new governments often face many difficulties because of internal politicization of sectarianism and external interventions.

Since the 1970s, **Egypt** has been experiencing sectarian tensions between Muslims and Copts. These tensions were related to the rise of Islamic movements (Muslim Brotherhood, Salafists, and jihadists) before and after the Arab Spring. During these tensions, many Coptic churches and properties were targeted. In general, the tensions and sectarian events that happened in Egypt since the 1970s have been in the context of intellectual and political debate about the nature of the relationship between the Egyptian state and the church. In this context, several scholars discussed and evaluated the response of successive regimes to Copts' demands (Stephanous 2010; Guirguis 2017; Naiem 2018; Ibrahim 2011).

Over the past two decades, tensions and sectarian confrontations have been a prominent feature of the political and security developments in **Bahrain**. Shiite groups have engaged in demonstrations and riots, and there have been terrorist attacks and confrontations between security forces and Shiite organizations. The Bahraini government has often accused Iran of interfering in its internal affairs by providing military and financial support to groups that practice violence and terrorism against state and society (Byman 2014; Al-Sayyid 2009; Gengler 2015).

After the Arab spring, many Arab countries such as Egypt, Tunisia, and others have witnessed a sharp polarization between the forces of political Islam on one hand, and civil forces of nationalists, liberals, and leftists on the other hand. This polarization reflects the big gap between the advocates of the "religious state" and the advocates of the "civic state." This polarization is also related to "politicization of religion," which means using it to achieve political goals. The tensions between islamists and secularists revolved around many issues such as the application of Sharia, the rights of women and minorities, and the exercise of some public freedoms (Cross and Sorens 2016; Lust et al. 2012; Ciftci 2013).



## Political and Socioeconomic Dimensions of Identity Conflicts in the Arab World

While identity conflicts in the Arab region are related primarily to religious, sectarian, ethnic, and tribal dimensions, they also have political, economic, and social dimensions. This is linked to the policies adopted before and after Arab spring by ruling regimes in countries like Syria, Libya, Iraq, Yemen, Lebanon, and others, where political powers and social and economic benefits are distributed according to ethnic, sectarian, and tribal lines (Selvik and Stensile 2011). In addition, in many Arab states, subidentities have been politicized and employed to achieve political objectives for regimes, opposition forces, and armed non-state actors.

As for the economic dimensions of identity conflicts, some examples can be mentioned. In Iraq, ethnic and sectarian tensions and conflicts are partly linked to the issue of oil wealth which is concentrated in the north (Kurds) and the south (Shia), while middle areas (Sunni) are poor. Also, post Saddam era, the Sunni community has been excluded and marginalized politically and economically (International Crisis Group 2013; Haddad 2014).

In Sudan, the long civil war that led to the separatism of the south was linked to economic dimensions, where the south remained the most underdeveloped area despite most of oil wealth within its land. Also, the conflict in Darfur has its own political and economic dimensions, as well as its tribal and ethnic dimensions.

In general, in countries such as Iraq and Lebanon, the system of power-sharing based on sectarian quotas has:

... led to a divvying up the national pie along sectarian or ethnic lines, nepotism, cronyism, and corruption proliferated. Electoral laws in both countries were designed to guarantee the continued election of the sectarian elite, enabling politicians to hijack representation in their individual communities. This also allow them to maintain control over state institutions. (Yahya 2017: 7)

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## External Dimensions of the Identity Conflicts in the Arab World

The identity conflicts in the Arab world also have their external (regional and international) geo-strategic dimensions. Both before and after Arab Spring era, the competition between some regional and international powers for gaining influence and control over the region has posed direct and indirect effects on the intensity and frequency of the intrastate conflicts. In this context, some regional and international powers were involved in many Arab crises and conflicts by creating and supporting local allies and using this as means to achieve their strategic objectives. Also, the local parties involved in these conflicts are associated with regional and international actors that provide them with financial and military support.

Based on the previous analysis, it is possible to refer to what Gause called “The New Middle East Cold War” in which Iran and Saudi Arabia are the main actors. The Cold War between the two states has its influence on many crises and conflicts in

the region such as in Yemen, Iraq, Syria, Lebanon, Bahrain, and elsewhere (Gause III 2014; Alsultan and Saeid 2017).

Alongside, the United States and Russia have been involved in a cold war over the Syrian arena. In Iraq, following the overthrow of Saddam Hussein's regime in 2003, the United States played a prominent role in reviving and feeding identity conflicts in Iraq. It dismantled the Iraqi's state apparatus and institutions, especially the army, security services, and some other vital institutions. It has also adopted a "sectarian quota" approach to the formation of political institutions as well as post-Saddam governments. Moreover, the US-backed sectarian orientation extended to the electoral law and the new Iraqi constitution. The United States has also favored Shiites and Kurds in exchange for the exclusion and marginalization of the Sunnis (Ismael and Fuller 2009). In addition to all these examples, the Turkish role in both Syria and Iraq cannot be ignored as it is linked to the protracted Kurdish question (Abdel Hameed and Mostafa 2018).

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## **The Islamic State Organization (DAESH) and the Decline Nation-State System in the Arab World**

Between 2013 and 2017, "DAESH" expanded its presence in both Syria and Iraq. According to some estimates, it occupied about half of Syria and one third of Iraq. It also removed the internationally recognized borders between the two countries and announced the establishment of the "Islamic Caliphate State" in June 2014. This dramatic change, especially after the defeat of the Iraqi army by DAESH fighters in Mosul, represented the top threat to the nation-state system in the Arab world. It confirmed the weakness and fragility of the nation-state. DAESH's aggressive practices against Shia and religious minorities contributed to deepen identity conflicts in Iraq. The Islamic state has used the sectarian card and presented:

... itself as a tool of vindication for Sunnis. In its media and face-to-face outreach, the group uses the narratives of Sunni humiliation and discrimination, as well as the goal of bringing the world back to the "correct" path of Islam by fighting apostates (those who pledged allegiance to the Islamic State and later defected), infidels (including Christians and other minorities), traitors (Sunnis who do not support the group), and rafidha (a discriminatory Sunni reference to Shia. (Khatib 2015: 8)

In addition, DAESH tried to create internal sectarian strife in both Saudi Arabia and Kuwait by targeting Shia mosques in both countries in 2015. The liberation of the Iraqi and Syrian territories from DAESH control was carried out through a big war in the two fronts. Many local, regional, and international actors participated in this war including the US-led international coalition to fight DAESH in both Iraq and Syria. The military defeat of DAESH does not mean the end of the organization and its Takfiri ideology. Also, it does not mean the end of the structural crisis of the nation-state and identity conflicts in both Syria and Iraq.

## The High Cost of Identity Conflicts in the Arab World

The expansion of internal conflicts and civil wars related to the identity question in many Arab countries such as Libya, Syria, Iraq, Yemen, and others has had major consequences. Most importantly, millions of people were killed and wounded by wars and armed confrontations, many infrastructure, facilities, and services have been destroyed in the concerned countries. This means that large sectors of the population are denied access to the minimum of basic goods and services such as food, clean water, electricity, education, health care, transportation, and housing. This represented a major paradox in countries rich in oil resources such as Libya and Iraq.

In this disastrous situation, post-conflict reconstruction (in the case of ending the conflicts and building peace) has become a major issue in the concerned states, requiring enormous financial resources, new laws and rules, as well as efficient institutions to achieve this goal. All these requirements are not easy to provide. Perhaps the experience of reconstruction in Iraq in the post-Saddam Hussein era is an ideal case of failure to achieve this goal despite all the resources that Iraq has, compared to countries such as Syria, Lebanon, Sudan, and Yemen.

Accordingly, the human and social capital of many Arab countries that are experiencing internal conflicts and civil wars was destroyed. The standard of living of large sectors of the population deteriorated, they relied mainly on foreign aid. The problems of education, health care, transportation, housing, and security have worsened. The result is that the current generation in those countries is headed toward an unknown future in the dark shadows of chaos, insecurity, destroyed infrastructure, and widespread use of weaponry.

Identity conflicts also produced millions of refugees and internally displaced people. For example, according to some estimates, about half the population of Syria is currently refugees abroad or displaced within Syria. The problem of the Syrian refugees has become burdensome for neighboring Arab countries, which suffer mainly from the weakness of their resources and capabilities, such as Lebanon and Jordan. The return of the refugees and displaced people to their homes has become one of the major challenges of post-conflict era in countries such as Syria, Iraq, Yemen, and Libya (Garriaud-Maylam 2017). All these consequences of identity conflicts will complicate the post-conflict rehabilitation and reconstruction process. Large amounts of funding, new rules, regulations, and an effective and efficient institutional system will be required to accomplish this task.

The phenomenon of identity conflicts has contributed to the fragmentation of societies, especially considering the spread of violent non-state actors. In addition, these conflicts deepened psychological barriers; revenge desires among the people of one nation; and the spread of a culture of violence, extremism, and terrorism instead of the values and culture of tolerance and moderation. Such profound moral, social, and psychological effects need time to be satisfactorily addressed to reestablish and consolidate the values of civil peace; coexistence; and religious, intellectual, and political tolerance among different groups of society.

In addition, Identity conflicts may lead to state failure and disintegration. Countries such as Syria, Iraq, Libya, and Yemen are threatened by their existence as political entities. As this scenario occurs, these countries will become safe havens for armed non-state actors, whether they are terrorist jihadist organizations such as DAESH & al-Qaeda or organized crime gangs.

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## **Conclusion: The Future of the Arab World Between the Protracted Identity Conflicts and the Nation-State Failure**

Currently, the Arab world is standing at the crossroads, facing serious challenges and problems at once. After the evaporation of the Arab spring promises in terms of freedom, democracy, human dignity, and social justice, internal conflicts and civil wars have swept through many countries in the region, threatening their existence as political entities. There are also many other Arab states that are vulnerable and fragile, unable to carry out their main functions efficiently and effectively. As a result, the economic and social problems increased, political authoritarianism has been consolidated, opportunities for development and democratic transformation were reduced, and non-state armed actors expanded.

The major issues of the Arab world are being influenced by external powers such as the United States of America, Russia, Israel, Iran, and Turkey. Therefore, we can't explore the future of the Arab world without taking into consideration their political, military, and economic roles.

There are two main possible scenarios for the future of the Arab world:

**First**, the continuation of internal conflicts, civil wars, and the state of disintegration suffered by some big Arab countries such as Syria, Libya, Iraq, and Yemen. In this case, these states will become safe havens for armed non-state actors such as terrorist organizations and organized criminal gangs as mentioned above. This scenario will have catastrophic effects on security and stability not only at the regional level but also at the international level.

**Second**, achieving historic settlements of the wars in Syria, Libya, Yemen, and Iraq. However, the reality suggests that the conditions and terms of the settlement in any of these wars do not appear to have matured in the near future. In light of this, the biggest challenge facing the Arab league and the regional and international actors involved in the affairs of the region and its conflicts is how to mature the requirements and conditions of achieving historic settlements of these conflicts, taking into account that some external actors such as Iran, Israel, and others are working to fuel these conflicts not solve them as this serves its objectives and interests.

In this complex situation, a major part of the responsibility lies on the key local actors involved in the conflicts, some of whom view the conflict as a zero-sum game, with a predominant and ambiguous logic, complicating the chances of a political settlement. For example, some Libyan actors are blocking the chances of a political solution in Libya. The Huthis' persistence has contributed to prolonging the conflict in Yemen, and the divisions within Syria's political opposition have made it

ineffective in the equation of the conflict. In addition, there are deep and persistent divisions between internal political actors in Iraq, Lebanon, and Sudan.

The divisions among the regional and international actors involved in the internal strife and wars in many Arab countries are no less dangerous than the divisions and disagreements among the actors at home. The internal divisions are often an extension of the external divisions. Considering the continuing internal and external divisions, it is unlikely that there will be historic settlements to the internal conflicts and civil wars that are afflicting Libya, Syria, Yemen, and to a certain extent Iraq and Sudan, in the foreseeable future.

In the light of the current protracted crises, the Arab world will still suffer at least during the short and medium terms from authoritarianism or semiauthoritarianism, the absence of governance, poor human development record, continuation of identity conflicts, and the expansion of violent non-state actors. Also, it is expected that many Arab states will witness collective protests for economic and social reasons as happened in Tunisia and Jordan during 2018.

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## Part II

# The State, Society, and Ethnopolitics

## Part Introduction

The study of ethnicity is necessarily a multi- and interdisciplinary one, and it does not lose that character when its focus is ethnonationalism and other forms of ethnopolitics. It is also of global concern, as the dozen essays assembled in this part suggest, drawing as they do on the contributions of scholars in various institutions stretched across six different countries and addressing instances of ethnic and/or ethnonational politics on five different continents.

Following the editor's introductory essay on the goals and difficulties of accommodating ethnoterritorial and ethnoclass conflict, Johanna Birnir and Henry Overos remind us that, in addition to often being a characteristic differentiating ethnic groups, religion can be an important agent for political mobilization in its own right. Radomir Compel's following essay on military occupation and ethnicity moves the conversation across the dial to a consideration of coercive relationships and ethnic rights, including the right to self-determination. Finally, concluding this introductory segment, Geoff Pfeifer places the world of ethnopolitics into the broader search for justice of oppressed groups around the world.

The group of chapters which follows takes us into the specific world of ethnoterritorial politics and case studies of the search for control over their own affairs of territorially concentrated peoples. In some instances, as Zbigniew Dumieniński's essay on the Cook Islands and Nine notes, these can involve peoples who have already achieved self-determination, but in the form of small polities that still need the assistance of a larger state to remain economically and politically viable. Sanjay Ramesh's study of Fiji offers another study of a mini state, but with an attention to legacy politics and the effect that a former colonial system can still have on politics in a multination state half a century after independence – a theme that is central as well in Jacob Mwathi Mati's study of politics in Kenya.

There follow a trio of essays devoted to the tribulations of groups struggling for meaningful autonomy in states disinclined to grant it, beginning with Matthew Hoddie's general chapter on ethnopolitics in China itself, followed by Jiaxia's Lin's study of the search for cultural rights of Tibetans in particular living under China's control. Renat Shaykhutdinov rounds out this segment with a chapter on the



oft-overlooked efforts of the Volga Tatars to maintain their identity in a Russia now engaging in intense Russianization efforts and having effectively ended Tatar autonomy in 2017.

Drawing this thematic focus to a close, Cathal McManus' study of politics in Northern Ireland underscores how complex ethnoterritorial politics can be when ethnic differences are reinforced by class considerations, and each community is seeking a territorial settlement in which it will be or remain the numerical majority.

The final segment shifts the focus yet again; this time to a study of ethnoclass politics involving territorially intermingled majority and minority populations separated by both ethnic identity and socioeconomic status. The continent is Europe, where politics often involves a supranational (European Union) as well as national and sometimes subnational (regional and state) authorities. And the time is now, with Trevor Allen and Misty Knight-Finley focusing on the politics of immigration in Western Europe and Neil Cruickshank exploring outsider politics in his essay on the Roma's search for political legitimacy.

Joseph Rudolph



# The Significance of Ethno-politics in Modern States and Society

# 9

Joseph R. Rudolph

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## Abstract

Ethnic identity, the oldest basis for social association and the building block of most national identities, remains a potent force in societies as well as in domestic and international politics throughout the world. Significant as a uniting and dividing line in its own right, ethnic identity has often proven to be most salient when reinforced by social class differences and/or territorial identity in the minds of those consciously distinguishing themselves from others. Although even authoritarian governments often find that accommodating ethno-political demands is less costly than efforts to repress them, the greatest bargaining between governments and ethno-political groups – and especially those motivated by ethno-class considerations (e.g., anti-immigrant parties) and those pursuing ethno-regional and ethnonational agendas (including separatist movements) – occurs in the democratic and democratizing worlds.

## Keywords

Nation · Ethnonationalism · Ethno-class conflict · Exclusionary nationalism · Constitutional engineering

J. R. Rudolph (✉)

Department of Political Science, Towson University, Baltimore, MA, USA

e-mail: [jrudolph@towson.edu](mailto:jrudolph@towson.edu)

## Introduction

In explaining a complicated topic, the grave advice of the King (okay, the King in *Alice in Wonderland*) is usually reliable. “Begin at the beginning...and go on until you come to the end: then stop.” Here, however, there seems little end to the influence of ethno-politics in the daily events and shaping histories of modern states and societies. Ethnic identity formed the basis for the nineteenth-century development of national identities and demands for self-determination throughout much of Europe. Contrary to the respective predictions of Marxists, who put their faith in social class, and of the postindustrialists who foresaw modern politics revolving around quality of life issues, it endured as a most potent factor in the destabilization of the multinational states given their independence by their colonial powers after World War II. More recently, ethnonationalism lay at the heart of the implosion of the Soviet Union and explosion of Yugoslavia into, combined, more than a score of states, and the durability of “old,” ethnicity based national identity has blocked the pathway of those who would build new democracies on a civic identity rather than an ethnic one in numerous post-civil war states. Likewise, today exclusionary nationalism and ethnic identity are shaping the politics of the world’s oldest democracies as they react negatively to the growing presence of “others” in their increasingly multicultural societies.

No, the end of this centuries’ long run of ethno-political considerations and movements shaping politics around the globe is not in sight, but it is possible to begin, as the King would suggest, at a beginning with some basic definitions and by identifying many of the characteristics of contemporary ethno-politics.

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## The Ethnie, Nations, and the Faces of Ethno-politics in the Contemporary World

*Ethnic and National Identity.* A well-respected dictionary on the terminology of ethnicity and nationalism defines the ethnie, or ethnic group broadly – as opposed to narrowly in terms of genetic traits – as a people “who identify themselves or are identified by others in cultural terms, such as language, religion, tribe, nationality, and possibly race” (Spiro 1999: 207). Members of the group are thus able to identify one another by the more outwardly visible manifestations of their groupness, such as language and perhaps attire. The same characteristics, however, also allow outsiders to identify the group’s “otherness.”

In contrast, a nation largely exists only in the realm of an individual’s sense of identity. To use Rupert Emerson’s still serviceable definition, a nation is “the largest community which, when the chips are down, effectively commands men’s loyalty, overriding the claims both of the lesser communities within it and those which cut across it or potentially enfold it within a still greater society” (Emerson 1960: 95–96). Nonetheless, as in the past, in much of the contemporary world there remains an extremely close link between national identity and ethnic identity. There *are* multiethnic/multicultural nation-states, in which the people identify with

one another as a nation despite their ethnic diversity, and with the government as *their* legitimate government. The United States still is often cited as a successful example of one; that is, a civic nation-state based on the shared political culture and civic identity of its various ethnic communities. Such states are, however, extremely rare, especially compared to multinational states incorporating two or more different national communities, which account for the vast and still growing majority of states in the contemporary world.

The more common thread is for nations to be rooted in an ethnically distinct community. It is almost axiomatic that people are most prone to develop a common sense of identity with others with whom they already share much in common in terms of such outwardly apparent variables as language, religious, and other cultural practices, and perhaps appearance. Collective histories and daily contact also play a role in fostering the development of a common sense of national identity. Hence, with relatively rare exceptions nations emerge only within ethnic groups concentrated in a common territorial homeland, whereas ethnic groups often retain their identity even when geographically dispersed among a wider population. In both instances, however, significant political conflict is most likely to result when ethnic or ethnonational identity is reinforced by other factors.

*From Identify to Conflict.* As Aristide Zolberg noted, culture, class, and territory tend to define the principal arenas in which political activity currently occurs (Zolberg 1976). Samuel Huntington's description of the last days of the twentieth century as a *Clash of Civilizations* involving differing cultures and religions rather than state interests offers an example of the first (Huntington 1996). The historic bloodletting resulting from the schisms within Christianity and within Islam provides other examples here. So does the persecution of Jewish and Catholic immigrants from Europe by the Ku Klux Klan and other white Christian (i.e., Protestant) supremacists in the post-Civil War United States' south, which by the 1880s had become so notorious that the Italian government threatened to halt the further immigration of its citizens if Washington did not intervene.

Rivaling the influence of religion on politics within the states of the Western World, in the nineteenth century social class differences intensified by the Industrial Revolution began to shape societies and begat political upheavals before evolving into the basis of party systems inside most developed industrial democracies in the twentieth century. The divisions between the rich and the poor, the middle class and the working class, the ultra-wealthy and the average citizen still shape and shake their politics, from the annual decisions involving the movement of monies in national and subnational budgets to law and order issues involving crime and controlling the violence in protests against economically "unjust" systems.

Thirdly, there is the territorial segmentation of societies across state boundaries and within state systems. Former United States House of Representatives Speaker Thomas Phillip "Tip" O'Neill, and one of the principal facilitators of the Anglo-Irish (Good Friday) Agreement of 1985 that began the process of bringing peace to the troubled region of Northern Ireland, remains best known in many circles for his aphorism that "all politics is local." His actual meaning was more appropriate to democracies insofar as he was primarily referencing the skills needed to win local

elections, especially those involving representation in municipal and state governments. In a much wider sense, though, all politics *is* territorial in the sense that it plays out on a territorial game board. There, for democratic and nondemocratic forms of government alike, struggles for influence pit locales against locales, regions against regions, regions against central authorities, and states against states in the world of international politics.

*Ethno-Class Conflict.* Zolbert's principal point for the comparative study of ethno-politics was, nevertheless, not the existence of these three distinguishable arenas for political action, but rather that they often intersect with a profound impact on the nature and tractability of ethnic and national politics. The overlay of reinforcing ethnic and social class lines of segmentation, for example, can result in ethno-class conflict more intense than would be the product of rivalry between two members of the same ethnic group or social class. Civil rights laws produced extremely tense politics where the only advantage of, say, unskilled French workers or white southerners over immigrant laborers or unskilled African-Americans lay in the fact that they were, respectively, native French rather than of foreign origin, and white rather than black, and hence occupied a higher step near the bottom of the socio-economic ladder. Indeed, such ethno-class politics have not only been divisive on both sides of the Atlantic Ocean, but have spawned a series of anti-immigrant parties throughout Europe and have long sustained racist sentiments in the United States. The 1978 slogan of Jean-Marie Le Pen's National Front party in France – "Two Million Unemployed is Two Million Immigrants Too Many!" – has not lost its evocative nature with the passage of time. Indeed, ethno-class segmentation and politics have seemingly intensified with the arrival in Europe and elsewhere of the hundreds of thousands of twenty-first-century refugees displaced by the violent, often ethnic civil wars in the Middle East and Africa.

Immigrants, war refugees, and transitory migrants like the Romany customarily take more lowly jobs and possess lower social status than their host populations, and to the extent that they come from culturally as well as geographically remote areas, they are apt to stand out in the populations of economically advanced democracies. As such, they constitute ripe targets for local partisan profiteering, especially because they rarely have the right to vote. The same, ironically, can also be true where the immigrants are more educated, skilled, and/or affluent than host populations as a whole. Such tends to be true even in economically developing areas, where Ibos may face discrimination as the "Jews of Africa" outside Nigeria. It remains an epithet also attached to the Chinese throughout Asia and those of Indian origin in Africa. And sometimes conflict between two tribes within the same country can feed on overlapping ethno-class divisions and end in tragic consequences, as occurred in Rwanda in early April of 1994, when tens of thousands of the historically privileged Tutsis were massacred by members of the majority Hutu tribe.

Finally, lest we overlook the more distant past in this short and hardly exhaustive inventory of instances of ethno-class differentiation and conflict, ethno-class divisions also shaped history in the settler societies of the New World in North and South America, Australia, and New Zealand. Almost immediately upon their arrival, Europeans quickly appropriated the best land and established commerce-based

societies that they deemed innately superior to what they perceived to be the primitive ways of the native tribes and aborigines (Headrick 1981).

*Ethno-Territorial Conflict.* At least equally significant in its impact on domestic and international politics has been the intersection of territorial identity and ethnic identity, which has often led to map-redrawing ethnonational demands for and accomplishment of national self-determination (Connor 1972). Yet even where territorialized majorities do not develop a nationalistic desire for independence in states where, overall, they constitute minorities, their ethno-regional demands involving regional languages, regional economic conditions, and ethno-political representation in a country's capital can redefine the constitutional order. Belgium, for example, during the last three decades of the twentieth century went from being Western Europe's most centralized unitary system to becoming almost a confederate association of its Flemish, Brussels and Walloon regions in its efforts to accommodate the escalating demands of the ethno-regional and ethnonational parties springing up in those areas.

Nor are such ethno-regional and ethnonational demands limited to regions where the territorial majority is a system-wide minority. In a truly terrible pun referring to the politics of ethno-nationalism, Walker Connor once quipped that "nothing *secedes* like success." Rich minority regions can tire of subsidizing what they see as ungrateful majority areas and think in terms of going their separate ways, as events involving Catalonia's recent efforts to secede from Spain underscore. Likewise, nationalists speaking for ethnically distinct communities both occupying the richest region and constituting the numerical majority in a multinational state may push separatist agendas, as Flemish nationalists in Belgium have been doing for nearly two generations.

That noted, by far the most common form of ethno-territorial conflict shaping domestic and international politics over the last several decades has been the demand for self-determination by territorialized minorities constituting a majority in their region and striving, violently if necessary, for independence. The Soviet Union imploded during the winter of 1991–1992 into 15 sovereign (but still mostly multinational) states when its non-Russian union republics seceded peacefully. The same period, however, marked the beginning of a decade of violent warfare that split the former Yugoslavia into seven states when Kosovo, recognized by approximately half of the countries in the world, is included.

The Soviet and Yugoslavia examples of state multiplication by secession fit into the long post-World War II period in which warfare has shifted from battles fought across international frontiers to domestic civil wars. A Heidelberg's Institution for International Conflict Research report filed more than a decade after the 1995 Dayton Accord officially ended the war involving, Serbia, Bosnia-Herzegovina, and Croatia is telling. Of the 254 conflicts tabulated that year, only 91 were interstate, all 30 of the instances of violence characterized as "severe crises" occurred within a single state, and eight of the nine conflicts identified as constituting warfare were intrastate. (Heidelberg Institute 2008) Not surprisingly given the stakes involved by regional minorities seeking to secede on the one hand and state leaders trying to avoid the dismemberment of their state on the one hand – the most violent civil wars continue to trend towards ethnic civil wars.

Moreover, although the most violent of these wars gain at least initial news coverage, minority struggles for regional autonomy and/or independence are far more widespread, both geographically and in number, than a reliance on headlines would suggest. Including such groups as the Chiapas in Mexico, China's Xinjiang separatists, English language separatists in Cameroon, and the Karens and Rohingyas in Myanmar (*nee* Burma, and often described as the scene of the world's longest running civil war), at any given moment there are at least 40 ethnic civil wars occurring around the globe. In some instances, the central government prevails – as when the government of Sri Lanka, after more than a quarter century of warfare, finally defeated the efforts of its Tamil minority to carve an independent Tamil state out of the north of that island. Sometimes the separatists prevail, as in the case of Slovenia, Croatia, and Bosnia achieving their independence from Serbia's leaders in Belgrade, albeit with outside support.

Outside support can also result in a state of diplomatic limbo and “frozen” conflict when a third party intervenes on behalf a breakaway minority, resulting in a *de facto* state with only one country in the world diplomatically recognizing it. Perhaps the best known of these entities is the Northern Cyprus Turkish Republic, which emerged in 1974 following Turkey's invasion of Cyprus to prevent its Greek Cypriot leaders from collaborating in a Greece takeover of the island. It is still independent of Nicosia's rule, although Nicosia has remained the pretend ruler of the entire island, a status last sanctioned by the European Union when it admitted Cyprus in 2004.

Other frozen conflicts exist, many dating from the breakup of the Soviet Union in the early 1990s. It was then that Moldova's Russian population in the east successfully seceded after a brief skirmish with Moldovan authorities to found – with Russian support in the form of both financial aid and troops on the ground – the unrecognized state of Transnistria (officially the Pridnestrovian Moldavian Republic). Neither subsequent warfare nor diplomatic recognition has ensued, unlike in Georgia, where the government's 2008 efforts to retake the two northern regions – South Ossetia and Abkhazia – that broke free nearly two decades previously led to Russian military intervention on their behalf. For the greater part, though, these ethnonational conflicts just continue as low-grade warfare because the separatists are not strong enough to break free and the central government is not strong enough to end their rebellion.

*Ethno-Territorial-Class Conflict.* Finally, Zoberg's model entailed a small sector where all three arenas overlap and territorial, cultural, and class differences reinforce one another in separating communities even in complex industrial and postindustrial democracies where the lines of segmentation – region, age, gender, religion, profession, social class, etc. – normally cross-cut one another, thereby reducing the salience of any single source of cleavage. Such instances of ethnic-class-territorial politics often produce the most complex scenarios and protracted conflicts. Consider the case of politics in Northern Ireland, where the terms “Protestant” and “Catholic” remain short hand for referencing multiple, reinforcing sources of division separating the one from the other.

The Protestants are the descendants of the settler communities who were imported from Great Britain to colonize Ireland and who brought with them a different ethnic

heritage, language, and religion from that of the indigenous Gaelic-speaking, religiously Catholic population. Territorially, the Protestants concentrated in Ulster, the northeast quarter of the Island, where most debarked. There, they came to number two-thirds to three-fourths of the population, though rarely exceeding 3% of the population in the rest of Ireland. Throughout the island, however, they became the dominant economic as well as ruling class. The same was true in Ulster, although there they also came to constitute the majority in all socio-economic tiers. All of which produced a dichotomy of territorialized political associations. A minority in Ulster but solid majority in Ireland as a whole, the Catholics became the Nationalists, initially pressing for a full independence from British rule, and continuing to pursue a reunification agenda following the 1921 partition of Ireland and subsequent Irish civil war. The latter set three-fourths of the island on the path to full independence but London retained the northern six counties of Ulster as parts of the rechristened United Kingdom of Great Britain and Northern Ireland. Meanwhile, a small minority in Ireland as a whole but part of an overwhelming ethno-religious majority in the United Kingdom, Ulster's Protestants adopted a staunch Unionist position with respect to their province's continued integration with Great Britain.

The Protestant-Catholic division in Ireland flared again in the 1960s when a civil rights movement by Ulster Catholics inspired by the success of the Civil Rights movement in the United States resulted in a violent counter-reaction in the Protestant community. By 1972, the conflict had reached such a level that the Government in London found it necessary to dismiss Ulster's self-governing assembly in Belfast, place Northern Ireland under direct London rule, and deploy a sizeable peacekeeping force throughout Ulster. Although meant to last for only 12 months, the resistance of the province's Protestant majority to the power-sharing features of London's plan for restoring direct rule turned a temporary, exceptional measure into a political necessity that lasted more than 30 years. Only then, following 20 years of diplomatic negotiations involving United States Senators as well as government and party leaders from the Republic of Ireland, London, and Ulster was a sustained system of provincial self-government restored in Northern Ireland (Mitchell 2001).

Meanwhile, the other most commonly cited example of ethno-class-territorial conflict continues to simmer and the body count on all sides continues to creep up in spite of more than 40 years of international efforts to settle the Palestinian-Israeli conflict. The parallels with the Protestant-Catholic conflict in Ireland are not perfect, but neither are they hard to find. Poorer as a whole than the Israelis, the Palestinians living in the areas occupied by Israel since 1967 are Arab in their ethnic roots and Muslim in religion. Many of the leaders of Israel can trace their roots to the Zionist European immigrants that settled Israel when it was a League of Nations Mandate between World War I and World War II, or who came to Israel from Europe (including Russia) following World War II. In the Fertile Crescent area in which they live, the population is overwhelmingly Arab and Muslim, but their desire for statehood remains opposed by the Israel government with authority over them, and much of their territory on the West Bank continues to be the subject of Israeli settlements reducing it in size.



All of which leads us to a consideration of the means employed by and goals of ethno-political groups, and of the oft difficulty of accommodating them, all of which are significantly affected by whether the group is a territorialized majority or a minority broadly distributed within the country in which it resides.

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## Means, Goals, Dreams, and Ethno-politics

*Means.* As the examples above indicate, those pursuing ethno-political agendas exist in open and closed systems alike; however, the same options for pressing their demands do not. Where the political process permits it, they may form interest groups to protest government actions or lobby for policies as varied as those championed by White Supremacists in the United States and the Welsh Language Society in Britain. They may also form parties and openly contest for political power to advance their agendas from within; for example, the National Front party in France and its anti-immigrant, antirefugees kin campaigning on essentially ethno-class issues throughout Europe, Australia (the Australia First Party), Japan (the Japan First Party), Latin America (the Free Brazil Movement), and elsewhere around the world. Almost equally ubiquitous in our world of multinational states are the various Nationalist parties with a capital “N” focused on achieving federal status if not independence for their ethno-territorial communities. Of course, articulating demands does not guarantee that they will be addressed. Especially when the demands emanate from a regionalized community seeking greater autonomy, they are apt to be initially ignored. Alternately, the state may challenge the legitimacy of those raising the issues, as Belgium’s ruling parties once chose to do with the slogan: “Federalism = Separatism.”

Contrastingly, in less open systems, where dissent is repressed regardless of the grievances or nature of the demands, the vehicles of ethno-political assertiveness are more likely to be clandestine and engage in various levels of political violence. There were, for example, the essentially nuisance attacks on French television transmitting stations by *Breton* nationalists in France during the de Gaulle era when the official policy was to deny that France contained ethno-linguist minorities. At the other end of the spectrum lie the dark days of cross-burning and lynching by the Ku Klux Klan during the late nineteenth- and early twentieth-century United States. To this can be added the fighting in Ulster between the Irish Republic Army and the Order of the Orange’s defenders of Protestant rule, and the civil warfare in Franco’s Spain between the Government in Madrid and the Basque ETA (*Euskadi Ta Askatasuna*, Basque Homeland and Liberty). Such para-military expressions of ethno-political objectives and communities are even more likely to be the carrier movements in repressive regimes where opposition opinions are unwanted and potentially fatal.

The focus here, then, is much more on ethno-politics in more open societies inclined towards accommodative policies, noting that even here both government receptivity towards the demands of ethno-political communities and the demands themselves can be affected by a wide set of variables, two of which stand out. First,

there is the hitherto noted issue of pluralism. In complex social and economic systems, individuals tend to be members of a variety of different associations and carry multiple identities. Ethnic origin is one. Territorial concerns can be another and separate. Age and gender can affect outlooks, as can the importance of specific issues to different groups depending on their class, employment, social status, religion, and philosophies of life. The more these identities and associations crosscut one another, the more they can dilute – at least on a day-to-day basis – the salience of any single identity, including ethnicity.

The other element involves the community's ability to engage in cost-benefit analysis in pursuing courses of action rooted in ethnic or national identity. In part, this may be a function of outlook. Hypothetically, the more cosmopolitan and less provincial, the more likely options will be viewed dispassionately. Likewise, outlook may reflect different levels of education – the more educated the individual or group, the more likely a greater set of consequences will be taken into account in evaluating courses of action. Popular referendums on independence provide some support for these conjectures. At a time of a global economic recession, the French-speaking majority in Quebec voted against pursuing independence from Canada. Their province's economy depended on the continued presence of English-owned businesses in Quebec, and its budget relied extensively on economic transfers from Canada's government in Ottawa.

The calculus changes, of course, depending on the subjective weight assigned to the benefits of self-determination – almost always a powerful Siren's call to a minority national community feeling itself under the shadow of a more famous and majoritarian one. No referendum was held to test its weight, but no one in Slovakia at the time doubts that those steering it towards independence knew well that their poorer region would be economically worse off disconnected from the Czech lands yet still went forward with their demands to separate in the early 1990s.

At least as frequently, however, unfavorable conditions can significantly limit ethno-political options. The resurfacing of ethnonational movements in the regions of many European states only in the last third of the twentieth century is largely explicable in terms of the circumstances of twentieth-century Europe until that time. Surviving and recovering from a World War, an interwar depression, another World War, an even more challenging round of postwar reconstruction, and warding off an expansionistic Soviet Union were all challenges that called for larger, rather than smaller scale political undertakings. They offered little political space in which ethno-regionalists and nationalists could operate in lobbying for greater autonomy, much less independence. Only after a generation or more of peace and economic growth, during which the system-wide governments lost a bit of their luster by having to relinquish their empires, did the luxury of pushing the nationalist agenda emerge.

The same applies to a degree, but only to a degree, to the ethno-class based agendas of the anti-immigrant parties of Europe. The need for foreign laborers to rebuild the countries of Western Europe following World War II was beyond dispute and it was therefore not until the recession of the 1970s, with domestic unemployment rising, that parties like the French National Front could find the political space to argue against their presence as a threat to French workers.

*Goals.* As for their goals, nearly four decades ago John Wildgen helpfully noted that the demands of ethnic and nationalist organizations and movements can be grouped under one or more of four headings. Some are output-oriented demands, some are authority-focused in nature, still others challenge the nature of the constitutional regime and – the most difficult to accommodate – there are those that challenge the definition of the political community (Rudolph 2006: 230). In the intervening period, ethno-political, and especially ethnonational, conflicts have grown in number, spawned greater divisiveness in even established democracies, and produced horrific body counts, but the distinction remains a useful one.

*Output Goals.* At a minimum, those articulating the interests of ethnic groups and national aspirations are interested, like interest groups in general, in government outputs; that is, *what* government does in terms of the policies adopted and the actions to which governments commit themselves. Racial minorities and immigrant groups, for example, might be particularly interested in the passage of anti-discrimination housing and employment laws – interests they might share with other memories of their societies with whom they might collectively try to influence government. Likewise regional minorities with national self-determination on their minds might join the ethno-regionalists of similarly poorer regions in lobbying for regional development funds and better regional infrastructure – demands, again, in which the support of less ethnically mobilized others might be coopted. Alternately, linguistic minorities like the Welsh Language Society in Britain may by themselves successfully push objectives of a more narrow interest – for example, having their languages taught in local schools, public documents translated into their tongue, and public television programming in their language – given a government interested in accommodation.

Accommodating this set of demands is easier than dealing with authority-, regime-, or community-focused ones insofar as they do not require those in authority to relinquish any of their decision-making authority; however, in practice they have not usually found readily receptive audiences. Quite apart from the fact that the system may not have the resources to fund the desired courses of action, the demands themselves have often lacked legitimacy in the eyes of decision-makers in the capitals. Regionalists in France long failed to gain the right to teach their languages in the public schools in Alsace and Corsica because the French government classified their tongues as bastardized mixtures, respectively, of French and German and of Italian and French. Likewise, those seeking to advance the rights of foreign workers in Germany found little support until forced by the European Union to adopt naturalization procedures because the official policy of the Federal Republic of Germany was that it was not an immigrant country but a *returnee* states. Translated, that policy meant that those of German blood who were cut off from Germany by Cold War borders could return to Germany as citizens, but that the Turkish workers and their descendants born in Germany remained foreigners under the country's *jus sanguinis* citizenship laws, subject to a termination of their residency should they lose their jobs.

*Authority-Focused Objectives.* Even less likely to fall immediately on receptive ears among the decision-makers or to draw support from others in society have been

the authority-focused demands of ethnic organizations centering on *who* makes the decisions. Unlike output-oriented demands, these are of a zero-sum nature in the sense that they necessarily dilute the authority of the decision-making Establishment, even if they do not displace it. The most common of these demands involves some variant on proportionality if not parity for minority groups in decision-making processes (in the Cabinets in parliamentary systems, for example), and perhaps as well within the higher ranks of the military and policy level bureaucrats. The preference is normally for a policy codified in the constitutional order; however, informal adherence has frequently become the rule. Even judiciaries may succumb to the practice, as has been true in both the United States and Canada for more than half a century. The US Supreme Court has had a “black seat” ever since Thurgood Marshall joined its other eight Justices in 1967 – a time when African-Americans constituted approximately one-ninth of the country’s population. In a like manner, with approximately a third of Canada’s population, Quebec continues to be the home province of a third of the Canadian Supreme Court justices despite the fact that the effort to write that figure into the Canadian Constitution (the Lake Meech Accord) failed more than 30 years ago.

Closely related to the desires of ethno-class and ethno-territorial groups to have a presence in executive and/or judicial decision-making arenas have been their efforts to secure a presence in the legislative assemblies. Such has been constitutionally achieved in a few states. Kosovo’s constitution thus not only mandates that 30% of the seats be held by women, but also mandates that seats be allocated to the country’s smallest minorities, which individually constitute less than 1% of the population. More commonly, however, the debate has focused on electoral arrangements. Because single-member-district/winner-by-plurality systems favor the stronger parties overall, majorities are loathe to consider other arrangements. Minorities, and not just ethnic minorities, on the other hand, often press for the adoption of Proportional Representation (PR) systems in general and especially regional PR systems with low threshold requirements.

At first blush, such systems seem tailor made to enhance the influence of both ethno-territorial parties and those with an (ethno-class) anti-immigrant focus. The differences in outcomes resulting from the two systems are obvious in the parliaments of Europe. The Freedom Party in Austria has long profited from the country’s PR system to the point where it has frequently been part of the country’s coalition governments. With a similar share of the popular vote, France’s National Front party has seldom been able to advance beyond the first round of voting in France’s single-member district system to win even a single seat in the country’s Chamber of Deputies.

Less anecdotally, broader studies generally confirm the correlation between the use of PR voting systems and an enhanced representation of small cadre parties, single issue parties, and especially starter-up political competitors in democratic systems (Richie et al. 2000). At the same time, scholarly examinations of the value of PR systems in empowering ethno-political associations in particular have been less decisive in concluding that, on a long term basis, they benefit the electoral fortunes of such parties. To the contrary, John Huber, a political scientist at Columbia

University in New York, has noted that PR systems may actually lead to less politicization and promotion of ethno-political causes in pluralist systems than single member district systems because PR arrangements encourage multiple other interests to organize and carry their appeals directly to the voters, thus further fragmenting the vote over a wider number of parties (Huber 2010).

Finally, in terms of authority-focused demands and possible concessions, there are the power sharing arrangements that have become increasingly popular international recommendations for areas restoring democratic governments in the aftermath of ethnic civil wars and/or multinational countries transitioning from nondemocratic to democratic regimes. As noted with respect to Northern Ireland, solid ethnic and national majorities tend to resist such schemes, so to date they have most often been imposed on communities by “outsiders” as the price of achieving self-government; for example, London vis a vis Ulster, and the negotiators at Dayton and UN administrators vis a vis Bosnia-Herzegovina’s ethnonational communities. Yet even where successfully imposed, power-sharing arrangements do not necessarily result in collective decision-making. Rather, as in the case of Bosnia, constitutions whose future evolution depends on decisions collectively agreed upon by all ethnic communities may remain locked in the time of their origin. On the other hand, policy paralysis does not necessarily mark these peace-making schemes as failures. Political limbo is preferable to the resumption of civil war.

*Regime Change Demands and Constitutional Engineering.* Constitutional engineering – the practice of designing institutional arrangements in order to address problems previously besetting a political process and/or to minimize anticipated future problems – has a long history, to some scholars reaching as far back as Socrates’ search for the perfect polity in Plato’s *Republic*. Its modern birth is usually accredited to James Madison, and the intended horizontal (federalism) and vertical (separation of powers) fragmentation of authority in the United States’ Constitution he designed in order to assure the fearful that the resultant government would not be too powerful. The twentieth century saw Charles de Gaulle adopt the opposite approach – a powerful, directly elected president to offset the fragmentary tendencies in French society often resulting in a multiparty system and paralysis in the French assembly. A similar system was adopted in Russia in the early 1990s when endowing the Russian legislature with most political authority led to policy paralysis and sometimes fisticuffs. Most recently, it has been in the international efforts to reconstruct states in a democratic fashion in postcommunist and post-civil war countries that the practice has most enjoyed a renaissance, with the Juan Linz school (Linz 1996, 1996) stressing the value of federal formulae and others embracing Arendt Lijphart’s power-sharing approach in postconflict institution-building (Lijphart 1977, 2008). But its use has not been limited to those situations.

Whereas both spatially dispersed ethno-class groups and territorialized ethno-regional and ethnonational interests can profit from output and authority concessions as well as make demands in these areas, demands for some variant of regime change – including power-sharing designs – are most likely to emanate from ethno-territorialized communities seeking greater control over their own affairs. Moreover, even authoritarian systems have found it useful to respond to such demands at least in

part. It can be far less expensive to accommodate and try to co-opt the support of ethno-regional groups than to garrison an unruly area, and bitterly divisive politics sometimes may be lessened by decentralizing decision-making responsibility to localized communities not necessarily sharing the system's dominant political culture. Thus, within the fold of the unitary and controlling Communist Party of the Soviet Union (CPSU) and in accordance with the process that the Soviet Union labeled national delimitation, the Soviet state was federally divided into 15 national republics (the Soviet Socialist republics, or SSRs). Then, within many of these, decision-making authority was further distributed downwardly to semi-autonomous provinces, districts, and locales in order to accommodate the Soviet Union's numerous ethnic subregions.

For democratic states lacking an integrative machine like the CPSU, the costs of regime change involving territorial concessions to regionalized minorities can be higher in terms their control of the overall political process. The existing options are nonetheless much the same. A unitary state can decentralize administratively by allowing more local governments adjust centrally made laws to local conditions or – more far reaching – by giving local councils the ability to make law in specific areas (for example, educational curriculum). In each instance, the primacy of the central government remains clear. Constitutional engineering schemes that devolve legislative and administrative authority to *regionally* elected governments, however, stretch the nature of unitary governance in a decidedly federal direction. It is one thing politically to recall a prior grant of authority to a local government; it is quite another to tell an elected regional assembly that it no longer has the authority previously devolved to it because the center that giveth can constitutionally taketh it away.

Making concessions beyond regionalization requires formally crossing the gap separating a unitary system in which the center legally retains the totality of political authority, to a federal system in which multiple levels of government exist, each with the ability to make, adjudicate, and execute laws in the areas assigned to it. Furthermore, crossing that line may itself trigger a new set of demands, with the federal entity's leaders demanding the transfer of an expanding list of decision-making powers from the center to the state.

One other note here. Although the debate involving regime change most commonly focuses on the territorial management of power, it need not exclusively do so in democracies and democratizing states. Beyond power-sharing arrangements involving geographically dispersed ethnic communities, the drafting and revising of constitutions can also entail the adoption of a Bill of Rights backed by a system of judicial review to protect the interests of spatial and nonspatial minorities alike.

Finally, with respect to the organization of government at the center, although the United States' separation of branches/checks and balances model has generally been shunned, the issue of whether to adopt a conventional parliamentary system or a hybrid system in which a directly elected President is vested with wide domestic as well as foreign policy decision-making authority has received considerable attention. The latter offers the promise of more decisive government in states with a highly fragmented political culture, resultant extreme multiparty systems, reliance on weak coalition cabinets, and potentially legislative paralysis. Ukraine's recent experience

with a presidential system, however, suggests it can aggravate ethno-political tensions in a bi-national state if the presidency is perceived to be clearly favoring the interest of one nation over the strongly held preferences of the other, thus propelling the “losing” side towards decidedly undemocratic courses of action, including violently challenging the terms of the union itself.

*Differing Definitions of the Political Community.* To summarize briefly before venturing into the world of extra-constitutional politics, to a high degree ethno-politics and conflicts reflect both where they take place (weak multinational states, racially divided societies, societies feeling besieged by the unwanted but clearly rising tide of multiculturalism within) and what they are about. In the older, established democracies, most political quarrels – including those involving spatial and nonspatially distributed ethnic communities – occur over *what* government does; that is, the conventional, who gets what, when, and in what form dimension of politics. Where groups feel left out, the debate may escalate to focus on *who* makes the decision. Demands for affirmative action programs to push into leadership positions groups previously left out, for parity or proportionality as a basis for staffing government positions, and power-sharing are frequently chosen examples of internal conflict management devices here. And, as just noted, sometimes the debate will escalate to *where* the decision is to be made, as in federal system where sensitive issues can be down-loaded for treatment in provinces corresponding to the boundaries of minority nationalities.

Nevertheless, sometimes the issue that cannot be side-stepped boils down to the definition of the political community itself and the legitimacy of the state’s existing borders in countries with territorialized ethnic communities. Or, simply stated, what is the nation’s homeland? Is it Scotland or Great Britain, Alsace or France, Catalonia or Spain? These are the most difficult conflicts to manage. Where they are particularly ugly – and as noted, ethnic civil wars are often the ugliest of all forms of warfare because each side believes that it is in the right – they can become the subject of international intervention because of a flagrant disregard for human rights and/or because they result in a regionally destabilizing, massive flow of refugees into neighboring areas. It is at this point that the politics of accommodation and compromise are most likely to break down.

To be sure, dichotomous definitions of the political community need not end in violence. In a variation of Arend Lijphart’s conceptualization of consociational democracy, leaders of the national communities may choose to work together to hold the state together lest its pieces individually suffer. The menace posed by Soviet expansionism inclined the leaders of Yugoslavia’s Macedonia, Croatian, and Slovene union republics to accept Belgrade’s rule even after the death of Tito until the Soviet Union imploded. There is also a precedent for the separation of ethnonational communities by a peacefully negotiated division of territory and shared property in the “velvet divorce” dissolution of Czechoslovakia into two sovereign states. In the same manner, at this writing, to enhance their chances of admission to the European Union, Serbia and Kosovo are trying to work out a land swap: the northern, heavily Serbian part of Kosovo to go to Serbia in exchange for Serbia transferring a strip of predominantly Albania-Muslim populated areas in eastern Serbia abutting Kosovo.

And Quebec remains in Canada, the beneficiary of a greater transfer of decision-making power from Ottawa than enjoyed by the English-speaking states in the Canadian federation.

Today's "management" devices for resolving community-based conflicts nonetheless do often involve those of an extra-constitutional nature; that is, means that lie outside the normal processes for conflict resolution inside a political system. Secession, whether successful or otherwise, can provide a definitive answer to the question of what constitutes the state's official political community. The prevalence of the North over the South in the United States Civil War determined the future development of national identity there. There would be no separate country carved out of the rebellious states around which one could continue to develop a sense of national identity. The Ibos may continue to hold a separate national identity in multinational Nigeria, but the failure of Biafra's effort to secede ended the question of whether they would enjoy national self-determination. The same applies to the Tamils' failed effort in multinational Sri Lanka to win a state of their own. Alternately, Croatia, Slovenia, Macedonia, and Bosnia-Herzegovina prevailed in their series of wars with Serbia, as did Bangla Dash (nee East Pakistan) a quarter century earlier in its efforts to liberate itself from the rule of (West) Pakistan. Civil Wars are a costly way of deciding issues of self-determination, and those mentioned above took a horrific toll in lives lost and an even greater number in lives disrupted, often irrevocably. Nevertheless, in their outcome civil wars effectively function as extra-constitutional means of determining the nature of the state's political community, even if it is to remain a multinational one.

Other, for the most part less drastic approaches to ethno-political conflict also fall under the extra-constitutional/extra-systemic umbrella. To the extent that ethnonational conflict is resulting in unrestrained separatist violence and/or border conflicts threatening regional stability, especially in strategically important areas, there is the possibility of third parties – states, international organizations, even mediation-offering non-government actors – offering pathways to conflict resolution in the form of good office diplomacy and third-party peacekeeping operations. In the event of a total breakdown of the system, the third party may become a direct part of the conflict resolution process, assuming a form of international tutelage over the area in question and overseeing democracy-building activities, as the UN did in both Bosnia-Herzegovina and Kosovo in intervening in the wars in Yugoslavia affecting those regions.

Third party involvement in ethno-class conflict *inside* a country must usually be indirect. Absent the aforementioned violent breakdown of the legal and political systems, what happens inside a state is still sheltered from the outside world by the principle of state sovereignty. But it is not immune from influence. Outside states have an interest in the treatment of their ethnic kin settled in other countries and on occasion may be able to affect their treatment short of direct intervention. Hungary thus held up Slovakia's application for membership in the Council of Europe until the government in Bratislava retreated from the more discriminating practices it aimed at its Hungarian minority shortly after Slovakia gained independence. Likewise, the Baltic Republics with substantial Russian populations operate with a full awareness that Moscow is monitoring their treatment in Latvia and Estonia, where ethnic Russians constitute approximately a quarter of the population.



The watchfulness of outside countries over the treatment of their immigrants abroad is paralleled by the role that international organizations like the United Nations and nongovernmental actors like Amnesty International play in reporting on the treatment of minorities more generally. Beyond publicizing the mistreatment, however, their options are few and they normally lack any means of forcing changes in policy, but not always. The European Union's efforts to end much of the more egregious anti-Romany policies in its member states under threat of economic sanctions, for example, have produced some positive results. Still, for the most part outside advice is unwanted and normally ineffective in terms of improving the conditions of ethno-class minorities in states throughout the world. Likewise, most ethno-territorial conflicts either continue or reach some form of resolution without the direct involvement of outside parties if for no other reason than if it is at all possible to do so, states prefer to treat their social and political conflicts themselves.

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## Negotiating Ethno-political Demands

Negotiating ethno-political issues is not always possible. Apart from the fact that a demand for independence by an ethno-territorial community may be nonnegotiable, those raising them may be doing so for private reason, and more interested in the personal benefits of exploiting them than resolving them. The championing of Greater Serbian Nationalism by Milosevic, for example, had more to do with his desire to hold power in postcommunist Yugoslavia than the treatment of Serbs in those union republics where they were in a minority, and no country holds a monopoly on demagoguery.

Meanwhile, the prospects for both more ethno-politically sensitive politics (the relatively recent re-examination of the rights of native groups in the settler states of the North America, Australia, and New Zealand, for example) *and* ethnic and national conflict continue to grow. Migration from the poorer south to the richer states of the developed democratic world, as noted previously, continues to turn formerly homogeneous, or nearly homogeneous societies with little experience with diversity into multicultural, multiracial, and to a large extent de facto multilingual countries. One result of this migration has been the revival of a negative species of nationalism, most conspicuously in the EU zone and Trump's America. Nor has this sharpening of differences between majorities and minorities within the developed democratic world been limited to conflict between the host and immigrant populations. The growth in anti-Semitism, racially motivated violence, anti-Muslim sentiment, and overt discrimination against Roma minorities in North America and Europe all reflect a rise in ethno-class conflict and decline of tolerance in established democracies of the Northern Hemisphere. Meanwhile, to the south conflicts seem to just continue to grow in the multinational and multiethnic states of the developing world, with the most recent entrant literally during the creation of this Handbook – the secession movement by Anglophones in Cameroon sparked the government's crackdown on the English-speaking minority territorialized in its southwest (Searcey 2018; O'Grady 2019).

Still elsewhere in the world of ethno-territorial conflict, with each newly created state carved out of separatist, civil war torn states as an approach to ending the conflict – Kosovo, East Timor, South Sudan – there is an additional incentive for others to plow the same field in the hope that if the conflict is awful enough third parties may step in and grant their wishes. The same state-creating process likewise encourages areas with far greater prospects of being economically viable independent states to press their own cases in Spain (Catalonia), Belgium (Flanders), the United Kingdom (Scotland), and elsewhere. Nearly 40 years before the European Communities morphed into the European Union, a French politician, Guy Heraud, predicted that by the time Europe grew to be as politically united a federation as the United States of American, it would contain nearly as many member states (Heraud 1973).

Even where there is a sincere interest in peacefully managing divisive issues, the complexity of the negotiating process can itself become a problem. Different voices weigh in with different intensity in different settings. An ethno-territorial or anti-immigrant party that commands a third of the regional vote speaks more forcefully than one with – perhaps only initially – a smaller following. Spatial minorities with close ties to a major party – for example, African Americans and the United States Democratic Party – may have considerable influence compared to other spatially distributed minorities, but only when that party is in power. And sometimes an important participant in an ethno-political conflict may scarcely have a voice in the domestic political process, as in the case of foreign workers and/or refugees who more often than otherwise are the target of political debate rather than effective advocates for their interests.

For those actively involved in a negotiating process, other obstacles loom. Because it *is* or is likely to become a negotiating process, merging the minimum gains that ethno-political groups will accept with the maximum points on which governments will compromise can be a long, tense process constantly on the edge of breaking down. Those making demands are apt to ask for more than they candidly want in order to give themselves room for compromise. Similarly, governments are hesitant to offer too much, lest they encourage an escalation in the demands confronting them. On the other hand, governments need to be mindful of the dangers of stonewalling moderate bargainers who are pressing ethno-political agendas. Ultimately the ability to accommodate spatial and non-spatially distributed groups depends on them accepting that the offers they receive are being made in good faith by majorities whose previous adherence to the rule of law, equality of rights, and civil liberties may not always have been above suspicion. Finding a middle ground with ethno-regionalists and nationalists has proven to be even more difficult. As Walker Connor posited more than 40 years ago,

ethnonationalism appears to feed on adversity and denial (the Jewish and Kurdish movement). It also appears to feed on concession: permissive perpetuation of the cultural manifestation or of political structures that reflect the nation's distribution become constant reminders of separate identity and rallying points for further demands (Franco-Canadians, Ibos, and the nations of the Soviet Union). (Connor 1973: 21)

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## Conclusion

Finally, and with specific reference to the matter of accommodating ethno-political demands, a distinction must be drawn between the demands of ethno-political movements and their leadership on the one hand and the durability of ethno-political *sentiment* on the other. Inevitably the accommodation process addresses the former, and studies for decades have shown that it has often been successful, at least in the short term, in abating if not deflating the momentum of ethno-political movements. Affirmative action programs and wars on poverty for minorities, symbolic concessions, the right to teach regional languages in regional schools, parity arrangements, and the cooptation of ethnonational parties into governing coalitions have all paid dividends in reducing the salience of ethno-politics at various juncture of time and place.

Muting ethnic identity and sentiment is another matter. This most primal basis for social association and political organization has continued to exert its influence in multicultural and multinational states in spite of the efforts of the nation-builders who would create new, post-civil war societies based on a civic identity superseding the ethnic and national identities of their diverse peoples. Seventy years of Moscow's intense efforts to displace national identities in its non-Russian Soviet Socialist republics in favor of the "New Soviet Man" did not even slow the unraveling of the Soviet Union in the winter of 1991–1992, the legacy of slavery continues to haunt racial relations in the United States, Muslim and African refugees remain unwanted in large parts of the European Union, and tribal warfare continues to infect the countries of Africa six decades since independence. Sometimes managed and sometimes accommodated, ethnic identities, sentiment, and goals continue to shape state and society alike around our early twenty-first-century globe.

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## Cross-References

- ▶ [Ethnic Conflicts and Peace-Building](#)
- ▶ [Negotiating Ethnic Conflict in Deeply Divided Societies: Political Bargaining and Power Sharing as Institutional Strategies](#)

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## Abstract

What is the role of religion in political mobilization? In this chapter, we examine developments in the literature as it considers the role of religion in political mobilization. Broadly speaking we outline two predominant lines of thinking about religion as a driver of political mobilization, the marketplace and theology. The former strand of thinking, we show, traces its roots as far back as the behavioral revolution and even further still. The second strand, popularized by global conflict events framed in religious terms, focuses on theology and differences between religions as motivating factors in mobilization. This line of thinking has largely been supplanted, while at the same time, it has forced the acknowledgment that while religion is an intervening instrument in mobilization

J. K. Birnir (✉) · H. D. Overos

Government and Politics, University of Maryland, College Park, MD, USA

e-mail: [jkbirnir@umd.edu](mailto:jkbirnir@umd.edu); [hoveros@terpmail.umd.edu](mailto:hoveros@terpmail.umd.edu)

across theology, religious experience likely plays a role in motivating elites and lay believers alike to mobilize. Finally, we outline some emerging areas for further research, including inquiry into the causes of religious preferences, mapping of the mechanisms of mobilization of the devout, clarification of the nexus of democracy and religion, and the increasing availability of data for continued exploration of the role of religion in mobilization.

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**Keywords**

Religion · Political mobilization · Ethnic conflict · Marketplace of religion · Secularization · Religious institutions · Theology

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## Introduction

What is the role of religion in political mobilization? Mobilization has received a great deal of attention in Comparative Politics (Gurr 2015; Habyarimana et al. 2009; Lipset 1960; Mecham 2017; Norris 2002). However, the role of religion in the mobilization process is not fully understood – in part – because in international politics, the topic of religion in politics remained understudied for decades (Gill 2001; Gryzmala-Busse 2016; Wald and Wilcox 2006). This lack of attention is in stark contrast to foundational works across the social sciences, many of which considered religion a cornerstone of preferences and political activity (see Smith 2007; Weber 1958).

One likely reason for the more recent dearth of interest in religion in politics is secularization theory or the long-standing prediction that modernizing societies would grow more secular over time. In the long run, secularization theory essentially renders religion irrelevant as either an explanatory variable or an outcome (Berger 1967; Bruce 2002; Dobbelaere 1981; Durkheim 2001; Marx and Engels 2012). However, contrary to this prediction, accumulation of empirical evidence shows that religiosity and/or practice are not only present within industrialized democracies (Dalton 2013) but are, in some societies, expanding (Broughton and ten Napel 2000; Finke and Iannaccone 1993; Finke and Stark 1992; Iannaccone 1991). The continued importance of religion worldwide (see Gill 2001; Inglehart et al. 1998), along with global events involving political actors using religious symbolism and framing, in the twenty-first century, has brought religion again to the forefront in the study of international politics.

In this chapter we trace developments in the thinking about the role of religion in literature discussing political mobilization. Broadly speaking, we outline two predominant arguments, developing somewhat sequentially, in journals and books published primarily in the United States and Britain. We conclude that the current line of thinking portrays religion as an instrument for mobilization of and by a population, while the root causes for the mobilization generally are not thought to be theological. This strand of thinking, we show, traces its roots as far back as the behavioral revolution in political science and even further still. The second strand, set in motion by global conflict events framed in religious terms, focused on

theology and differences between religions as motivating factors in mobilization. This line of thinking has largely been supplanted. Even so, it did force the acknowledgment that while religion is an intervening instrument in mobilization, belief may at the same time sincerely motivate the leader of mobilization and the individual followers mobilizing. However, this does not mean theology is considered a driving factor of religious movements in a static and differential sense. In contrast, the literature considers theologies as fluid doctrinal teachings, endogenous to historical and social contexts, all of which may at different times motivate individuals to mobilize.

We define political mobilization as a process of activating a social movement for political ends (Tilly 1978). In turn, a social movement can be defined as “a network of informal interactions between a plurality of individuals, groups and/or organizations, engaged in a political or cultural conflict, on the basis of a shared collective identity” (Diani 1992, p. 13). Notably this outcome-centered definition, focusing on activation, encompasses both peaceful and violent political conflict that may remain informal or become formally organized and for a wide range of political outcomes. In explaining activation, we touch upon a variety of theories that highlight, among other things, incentives, structure, grievance, opportunity, framing, and theology. We do not specifically separate works by the great variety of terms that are used to describe mobilization of religion and range in content from mobilization of religious parties for explicitly secular goals as opposed to more informal organization of actors, sometimes seeking more explicitly religious goals, as long as those goals have political ramifications.

The subsequent discussion is roughly organized temporally to illustrate some major developments of the two main themes, the instrumental use of religion and theological drivers of mobilization. Within these two themes, we recognize at least two parallel and often overlapping sets of inquiries – one pertaining to electoral politics and the other to the politics of violence. Next we discuss the current state of our understanding of the role of religion in mobilization. Finally, we suggest some considerations for future research on the role of religion in political mobilization.

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## Implications of Secularization Theory

Early writings about the role of religion in mobilization tended to focus principally on the peaceful albeit contentious variety that over time was channeled through formal political structures. Foundational theories of the role of religion in political mobilization include Adam Smith’s *An Inquiry into the Wealth of Nations* that devotes a chapter to a theory of the relationship between church, state, and members of congregations. Starting with the assumption that the clergy are rational, self-interested, political actors, Smith argues that the relationship between elite leaders of religious groups and their followers, and the state, depends on the marketplace of religion. To summarize, the driver in Smith’s argument is the source of the clergy’s income (Anderson 1988). Specifically, focusing on Catholic and Protestant churches in Europe, Smith suggests that if church income draws on state resources (taxes or

mandatory tithes), the clergy will seek to align with the government to protect the clergy's monopoly in the marketplace of religions, against competing churches. In contrast, if the clergy's income is supplied directly by congregations, leaders of religious groups will be more zealous in courting the congregation. Thus, the economic relationship between the state and leaders of religions alters the incentives of the clergy to mobilize congregations. In turn, governments and political groups may align themselves with religious organizations to win more support, especially in times of conflict. In this way, Smith suggests that elite representatives of religious groups can become key political operatives within a state.

Behavioralist perspectives, in the middle of the twentieth century, shifted the view of religion in mobilization to an expression of a cleavage conflict that emerged in the course of consolidating nation states. However, similarly to Smith, the driver of mobilization was also located in the relationship between the church and state, which conditioned the relationship between the church and the constituency. Arguing that the role of the church and religions in society was one of the three main political issues confronting Western Nations, Lipset observed a general pattern across Western nations. Catholic churches, which had a closer alignment with the aristocracy, tended to mobilize through the parties on the right that were associated with the establishment. In contrast, Protestants and Jewish constituencies tended to align with the left against the landed aristocracy (Lipset 1960). Lipset and Rokkan (1967) further elaborated the process by which they argued national revolutions in Europe pitted against each other members of various prominent cleavages, among these secular against religious cleavages, leading to the political mobilization and static (frozen) alignment of citizens into the West European party systems of the time.

In the 1970s, religion in mobilization featured in the debate about the role of grievance versus resources in mobilization. In Gurr's view, the key to mobilization was relative deprivation or the current or predicted future inequality in a desired but unattained good (either political, territorial, or economic). Specifically, with respect to religion and mobilization, he argued that new religious movements often mobilized as a result of such grievances, against the establishment associated with the religious status quo (Gurr 1994). Some of Gurr's examples included proletariat protests in nineteenth-century Britain that took on religious frames and nationalist movements in Africa that capitalized on religious membership in mobilization against colonial powers (Regan and Norton 2005).

Objecting that grievances exist for many groups that have not mobilized politically, Tilly, in contrast, thought of religion as an organizational resource solution to Olson's (1965) collective action problem. According to Tilly, common identity and strong social networks result in better group organization, which in turn gives the group higher mobilization potential. While attempting to explain workers' mobilization rather than mobilization of the religious, Tilly used the religion of the Catholic Church as one example of an identity that by way of organizational network structure contributes to greater mobilizing capacity of a group engaged in political contestation over state power (Tilly 1978).

In turn, Tarrow explained mobilization in contentious politics arising out of changes in political opportunities for groups. While individuals may desire political



change for a variety of reasons (from the material to the imaginative), mobilization requires individuals in a social network have opportunities to express discontent without excessive repression from the government (Tarrow 2011). However, sustained political mobilization requires more than opportunity and grievance, according to Tarrow. Sustained mobilization also requires “solidarity,” or the recognition by participants that common interests exist in their groups. Among several strategies, solidarity can be created when leaders of religious movements tap into individual devotion and convince believers that their group-level grievances are connected to their religious identity (Tarrow 2011, p. 6).

Simultaneously, culturalists worked to better understand the individual-level mechanisms driving the “high political mobilization potential of religious identities” (Young 1976, p. 52). Young suggested that religious rituals provide the individual with continuous reaffirmation of membership while at the same time demarcating the group. He also argued that religious symbols provide the bases for shared emotional reactions to real and imagined external threats and for calls for defense of the faith as sanctioned by the divine. Similarly, Geertz’ 1966 thick anthropological description pinpoints religious symbols as synthesizing an “ethos” and people’s “ideas of order” (p. 3), thus helping to justify a particular social order (Geertz 1973).

At the same time, in an attempt to explain the perceived decrease in religiosity, in part conceptualized as falling church memberships in higher-income countries, secularization theory gained steam. The theory proposed that the increasing complexity of society due to modernization (primarily the separation of public and private life as well as the increasing rise of income and introduction of national or global market economies) would cause secular activities to become more important over time, while at the same time people had less resources to devote to religion (Bellah 1986; Berger and Luckmann 1967; Bruce 2002; Dobbelaere 1981).

Pushing back against secularization theory, one of the more prominent contributions to the thinking about religion and mobilization was the fundamentalist project (Marty and Appleby 1994). In contrast to secularization, the authors argued modernization magnifies the role of religious mobilization rather than suppressing it. Following up on the fundamentalist project, Almond et al. (2003) defined “fundamentalism” as a “discernible pattern of religious militancy by which self-styled ‘true believers’ attempt to arrest the erosion of religious identity, fortify the borders of the religious community, and create viable alternatives to secular institutions and behaviors” (p. 17).

Others highlighted the fact that the evidence showed increasing religiosity in less developed nations and in largely secular nations a high number of people that professed a belief in some form of a higher power (Gill 2001). Consequent refinements of the theory included Norris and Inglehart (2004) who proposed that with modernization, individual existential insecurity diminished and thus decreased individual need in more developed countries for faith in religious salvation.

The substantial empirical variance in religious activities in the group of higher-income nations, for instance, highlighting large religious populations in United States ignited further inquiry. Building on Smith’s ideas about the marketplace of religion to explain this variance, scholars suggested state-funded church leaders – for example, in several countries in Europe – lacked an incentive to recruit and/or keep rank and file

involved and excited about the church, since that would increase the funded church leaders' work load. Consequently, they proposed that, where religion is funded by the state, religious state institutions survive without the necessity to maintain and/or recruit adherents and adherents turn away from organized religion. In contrast, under conditions of pluralist religious competition where church leaders rely on their constituency for income, as in the United States, religious leaders must work to keep adherents involved and mobilized. Larger or more robust religious organizations continually adapt their teachings or practices to meet demands and gain new members (see Anderson 1988; Iannaccone 1998; Stark and Finke 2000, 2002; Stark and Iannaccone 1994; Stark et al. 1996 for examples). Furthermore, if religious leaders think that addressing political topics helps mobilizing the devout, religious rhetoric takes on increasingly overt political overtones (Jelen and Wilcox 2002).

Others developed arguments to emphasize individual incentives for joining and participating in religious organizations. These suggest, for example, that in addition to spiritual payoffs, there are significant individual benefits to engagement with religion including networks and shared symbols that develop human capital, resources, and organization. Furthermore, religious mobilization is influenced by associated opportunity costs. If wages or employment decreases, opportunity costs associated with religious activities diminish, and religious involvement of the rank and file increases (Carr and Landa 1983; Durkin and Greeley 1991; Iannaccone 1991).

Auxiliary, theorized mechanisms of the role of religion in mobilization highlighted the importance of religious framing by leaders of social movements in pursuit of a political goal (McAdam et al. 1996). Scholars also showed elites using their public status to shape the political discourse relating to mobilization (Djupe and Gilbert 2002) and relying on common religious group language to frame what correct political behavior looks like for their followers (Wald et al. 2005). Others illustrated the role of historical legacies in influencing party formation in new democracies, including suppression of political mobilization of religion (Grzymala-Busse 2013). The research also illustrated how organizational capacity of the religious institution matters for political mobilization (Kalyvas 1996, 2000). For example, organizations that are hierarchical, like the Catholic Church, can more easily mobilize loose religious networks than can horizontally oriented institutions of various Islamic sects and schools (Pfaff and Gill 2006). Even so, Muslims have successfully mobilized at local and regional levels, although the evidence shows this is not uniform across Muslim communities (Fox 2006; Koopmans 2004; Koopmans and Statham 1999; Pfaff and Gill 2006), suggesting that hierarchical organizational structures facilitate mobilization but vertical structures likely do not prevent it.

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## **Surging Interest in Violent Religious Mobilization**

Huntington's (1996) clash of civilizations thesis was another prominent contribution at this time. His argument contended that the end of the Cold War marked a new era in which liberal democracy would have to contend with Islamic and Asian civilizations defined by differing cultural systems and world views. The theory itself is noted for

being somewhat vague, contradictory, and anecdotal, especially with respect to the mechanisms by which members of these clashing cultures supposedly mobilize for conflict (Gurr 1994; Hassner and Huntington 1997; Hassner 2011). Still, the general cultural distinctions discussed in Huntington's thesis correspond with prominent religious differences, and Huntington himself argued religion was a central motivator of mobilization (Fox 2001; Huntington 1996, p. 66). Subsequent empirical research examining the role of religion in conflict mobilization as intimated by Huntingtonian ideas, for the most part, did not find a direct empirical relationship (Chiozza 2002; Fox 2004; Henderson and Tucker 2001), especially not for conflict between Islam and other religions (Gartzke and Gleditsch 2006; Gleditsch and Rudolfsen 2016).

Nonetheless, global events – especially 9/11 and the war on terror – coupled with Huntington's theory eclipsed other types of inquiries into the role of religion in violent mobilization for the next decade. To date the google scholar citation count for Huntington's 1993 Foreign Affairs article is well over 13 thousand, and the citation count for his book (Huntington 1996) with a similar title exceeds 22 thousand, revealing the enormous influence of this work for both scholars seeking to support and/or refute it. This line of research produced a large body of literature that delved into theology – especially Islamic doctrine – in search of mechanisms to explain the contribution of religion to violent mobilization.

## Theology as a Mechanism for Mobilization

Borum summarizes the fruits of the first decade of the literature on radical mobilization – especially radical Islamic mobilization – as conceptual, rather than empirical, and mostly offering a “descriptive narrative of a typical transformative process” (Borum 2011, p. 38). Even so taken together, this body of work makes clear that while Islam is often used as a tool for radical mobilization, there is little evidence that there is anything inherent to Islam that distinguishes this theology in that it necessarily drives adherents to violence. Rather similarly to mobilization in other religious traditions, Islamic theological concepts are often developed and used to appeal to susceptible individuals.

The cross-national literature supports this view showing that while Muslims are overrepresented in conflict, this is for reasons that a Huntingtonian theory of civilizations cannot fully explain. For example, the predominant type of conflict Muslims are involved in is intra-religious (Fox 2004; Gartzke and Gleditsch 2006; Gleditsch and Rudolfsen 2016; Toft 2007). Fox (2001) suggests that waves of Islamist violence after the 1970s and again in the 1990s likely reflect an important change in geopolitics. De Soysa and Nordås (2007) find that regional effects unique to the Middle East have a great impact on receptiveness to democracy, repression of civil and human rights, and the probability of acts of violence. Some of these regional effects include having largely oil-based export economies, low income per capita, and historical repression of civil liberties or civil wars. As Gunning and Jackson (2011) point out, even if it were true that Islamist groups committed more deadly acts of terrorism, that alone does not imply causality between theology and violence.

Individual-level evidence similarly suggests that Islamic doctrine is not the cause of terrorist mobilization. Toft (2013) suggests terrorist organizations adopt religious ideology for material and strategic benefits. Toft and Zhukov (2015) provide evidence that with the exception of how they respond to counter-terrorism measures, Islamists mostly behave similarly to secular nationalists. Furthermore, they posit that Islamist's unusual resilience in the face of indiscriminate violence against their population by a national government is related to the transnational funding and support that Islamist organizations receive from coreligionists abroad rather than any sort of theological uniqueness.

Indeed, radical Islamist militants do not necessarily appear to have a particularly good understanding of theology. For example, although Hegghammer (2017) and Juergensmeyer (2018) argue that Daesh's mobilization draws on a global diaspora of supporters that share the organization's values, their research shows that many members of the group demonstrated little knowledge of their group's theology.

In addition to explaining why the origin of conflict mobilization is not to be found in Islamic theology, the increasing attention to religion in conflict mobilization delivered several important insights. One example is the evidence that religious conflicts are more difficult to end than are other types of conflicts (Fox 2004; Svensson 2007). A possible explanation is that religious claims made during conflict are more intractable because religious belief systems do not easily allow compromise or bargaining over the state (Fox 2004; Toft 2007; Wentz 1987).

Other scholars elucidate why and how entrepreneurs use religious symbols and doctrines for purposes of religious mobilization across religious traditions (Haynes 2006; Jelen and Wilcox 2002). For example, even though their goals are ostensibly secular, religion is the front and center in religious nationalist movements of the twentieth century, according to Juergensmeyer, because these are often driven by a fundamentalist reactions to modernization and earlier secular nationalist movements (Juergensmeyer 2010).

With respect to the international dimension of religious mobilization, Toft (2007) explains that the transnational nature of religion allows for increased elite outreach and augmentation of network ties. Indeed, as globalization progresses, the importance of transnational religious movements is intensified (Haynes 2016b). In a globalizing environment, religious leaders with large mobilized constituencies have the ability to challenge international norms via global networks that can attract compliance. At two ends of the spectrum, these networks include terrorist groups with fundamentalist ideology, such as Al Qaeda, and humanitarian and democratic organizations connected to institutions like the Vatican (Haynes 2016b, p. 5).

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## **An Endogenous View of Religious Mobilization**

Current research shows that while not the root cause of political conflict, religion is one identity type that individuals may choose to activate in their "identity repertoire" (Chandra 2012, p. 22) and one dimension of identity that political entrepreneurs seek to mobilize among their constituency (Birnir and Satana

forthcoming; McCauley 2014; Posner 2017). Religion provides the structures and tools, including organization but also the symbolic rituals and language, for salient group coordination, fund-raising, and resource allocation (Haynes 2016a; Jelen and Wilcox 2002; Juergensmeyer 2000, 2013; Toft 2007). Thus, religion can be used as an instrument for mobilization, sometimes with objectives that possibly differ from other types of political mobilization.

For instance, Brubaker (2015) suggests that mobilization of religiously based, substantive regulation of public life is distinct. Similarly, McCauley suggests that political entrepreneurs evoke religion for support of policy issues that differ from issues for which they seek ethnic support (McCauley 2012, 2014). Furthermore, it is understood that religious experience can have a strong psychological influence on the individual beyond political identification (Mitchell 2007).

However, religious experience may serve as the foundation for individual mobilization in ways that are simultaneously devout and instrumental. For example, religion and religious experience provide a framework that helps people understand the world around them (Seul 1999). When challenged, the devout may then mobilize to defend this framework (Fox 2002) for reasons that are simultaneously sincere and instrumental.

Conceptualizing religion as an instrument in mobilization underscores that the structural tools for mobilization are common, albeit varied, across religions. Furthermore, it highlights that the root causes for mobilization are exogenous to doctrine. At the same time, this understanding of the role of religion in mobilization accommodates religious experience and sincere belief as a driver of individual preferences and behavior. Therefore, the current framework for researching the role of religion in mobilizations is consistent with theories of the marketplace of religion while at the same time encouraging inquiry into the features of religious experience that across doctrine distinguish, from other types, mobilization centering on religion.

This endogenous point of view makes room for inquiries into a plethora of processes, peaceful and violent, where religion plays a role in mobilization. In the domain of electoral politics, for instance, studies explore the instrumental mobilizing role of Islamic parties across seemingly devout constituencies in the Middle East and South Asia (Contreras-Vejar 2015; Euchner and Preidel 2018) and religious parties more generally across a global sample (Fox 2006). The evidence suggests, for example, that countering secularist politics is in some cases articulated by religious leaders as the mobilizing *raison d'être* of religious parties (Euchner and Preidel 2018; Gill 2017), sometimes for instrumental reasons.

Others focus on transition where religion features prominently including the democratic transitions during the Arab Spring (Ferrero 2018), suggesting that democracy is harder to achieve when a hegemonic religion is tied to the state (Cesari and Fox 2016). In this vein, Mecham (2017) examines Islamist political mobilization across peaceful and violent settings. Briefly, Mecham argues that internal state crisis or rapid political liberalization serves as a catalyst for Islamist mobilization. This mobilization is led by political entrepreneurs that are poorly incorporated into the state and/or not under the hierarchical or social control of the religious leadership, for example, by way of state patronage. At the individual level, religion plays a role in the mobilization process in that common religious institutions shape preferences

for religious policies, create common knowledge about these preferences among worshippers, and lower the cost of collective action by taking advantage of extant religious structures.

Others investigate the role of religion in violent mobilization. Here, the explanations for the high mobilization and conflict potential between divergent ethnoreligious groups are especially well developed. Chiefly, threatened political elites attempt to enhance their religious credentials with their key domestic audiences to take over and/or cement their hold on power. To this end, majority/plurality elite factions instrumentally outbid each other, targeting ethnoreligious minorities (Toft 2013), making ethnoreligious segmentation especially conflict prone (Basedau et al. 2011b, 2016; Stewart 2012). Elaborating the mechanisms of mobilization, overlaying segmented ethnicity and religion increases group loyalties and strengthens social networks, which decreases the cost of recruiting rebels (Ellingsen 2005; Selway 2011; Seul 1999). This allows for the use of religion as a mobilizing vehicle for conflict (Basedau et al. 2011a, 2016; Juan and Hasenclever 2015). Other recent complimentary explanations of how religion becomes mobilized in conflict between religious groups point to minority religious grievances (Akbaba and Taydas 2011), including grievances that are exogenous to religion (Satana et al. 2013), governments' regulatory involvement in religion (Fox 2008, 2015, 2016b), religious repression (Nordås 2015), and salience of religion (Isaacs 2017).

Taken together this literature acknowledges that individuals have religious preferences that create opportunities for mobilization by religious leaders. At the same time, it is understood that mobilization by of the religious further shapes individual preferences with respect to religion.

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## Future Directions

The wealth of scholarship on religious mobilization has clarified scholarly thinking about identity formation and collective action. Recently revised conceptions of religion, secularism, and modernization have opened new paths for social inquiry. Moving forward we highlight four areas of the literature where we think substantial contributions can be made with respect to the topic of religious mobilization. These are religion and peacemaking, the role of formal and informal religious institutions (within and across religions), the direction and content of the causal arrow between religious identity and mobilization, and the intersectionality of religion and gender. Each of these areas relate not only to questions of mobilization in general but to pertinent global issues such as growing transnational nature of religious organizations, the increasingly prominent role of religion in civil conflicts across diverse states, as well as issues of human rights and political polarization along religious lines.

## Peacemaking

Some scholars of conflict have suggested that clergy and other types of religious leaders have a unique position for promoting peace. For example, Sandal (2017)

argues that religious leaders can interpret religious texts in a way that bears on conflict. Illustrating this idea, Sandal suggests that religious leaders in Ireland between 1960 and 2000 used their standing in communities to formulate a theology of reconciliation between conflict parties in the Irish conflict. Others suggest that religious institutions may be particularly helpful for peacemaking. For instance, religious institutions can be designed to facilitate reconciliation between enemies, forgiveness, cross-class solidarity, and social justice (Abu-Nimer 2001; Appleby 1999; Gopin 2000, 2002; Sandal and Fox 2013). This literature suggests that the micro-foundations for national peace could be related to how local leaders diffuse theological framing throughout the community, as well as offering social benefits and welfare. Questions building on the literature include whether religious actors are more helpful in certain types of conflicts or at certain times in a conflict.

### **Formal and Informal Institutions**

On a similar, comparative note, we suggest that more research could be done to understand the role that formal and informal religious institutions play in shaping outcomes. Extant research suggests study of institutional organization within and across religions might yield interesting observations. For instance, Mecham (2017) argues that a chief cause of variation in Islamic political mobilization results from differences in informal religious institutions across Islamic contexts. Specifically, he suggests mobilization by Islamic entrepreneurs is easier when they cannot be easily controlled by religious leadership. Thus, Islamic sects that maintain tighter control over social structures and doctrine will, on average, see less Islamic politicization. Livney (forthcoming) adds that informally shared Islamic identity enhances interpersonal trust that helps overcome coordination failures.

In turn, examining political mobilization among Christian Church constituencies, Kalyvas (2000) suggests religious mobilization may partially be a product of the formal organizational structures of the institution. Comparing across religions, hierarchical religions such as Catholicism seemingly are more centralized than is Islam. However, given the variation identified by Mecham (2017) looking across the cases within doctrine, it would be interesting to better understand, for example, the variation in hierarchical control within and across each religion. Furthermore, it would be fascinating to examine whether Livney's argument about religiously based interpersonal trust generalizes across doctrine.

### **Direction of the Causal Arrow?**

Another fascinating line of research explores empirically the endogeneity of religious mobilization. Recent work suggests that under certain circumstances, religious preferences are not just activated but created by political operatives defining a constituency. For instance, Margolis (2018a) argues that in the United States, individual choice in religion is driven by a marketplace of religious



entrepreneurs who signal their political identity in religious practice and to which the politically like-minded respond. In other words, individual religious preferences follow political preferences (Campbell et al. 2018; Margolis 2017, 2018a, b). Others suggest more of an endogenous sorting mechanism at work in US politics. Political parties pick up religious platforms, which, in turn, induce constituency sorting into blocks that are increasingly polarized on multiple identity dimensions including religion (Mason 2018). Further exploration of the origin of politically mobilized religious preferences across contexts is sure to elucidate and uncover additional nuances in the direction and content of the causal arrow between religion and mobilization.

### **Gender, Religion, and Issues of Private Versus Public Life**

Another area where additional rigorous work can be done by political scientists is on the intersection of gender studies and religious mobilization. As scholars of the sociology of religion note, faith provides gendered languages and customs that define roles for women in society (Stark and Finke 2000). Furthermore, some argue that there are gender differences in religiosity, with women on average being more religious with possible consequences for political preferences (Miller and Stark 2002; Pew Research Center 2016; Stark 2002). Teele (2018), for example, notes that women's enfranchisement in France was hindered, partially, by the perception of leftist politicians that women's votes were conservative and religious. The role of women in conflict has also been understudied, particularly in religious or ethnically divided conflict (Sales 1997, p. 4).

A growing policy concern about women's rights and public forms of religious expression (Reilly and Scrivner 2014) highlights the importance of research on the intersection of religion and gender. Recent examples include public display of religious symbols such as the hijab (Rosenberger and Sauer 2012) but extend to a broader debate about issues such as individual autonomy, abortion, use of contraceptives, education, and political participation.

### **The Empirical Analysis of Religion and Mobilization**

A final trend, more than direction, that we see as particularly fruitful is the increase in available data for analysis of the various aspects of religion and mobilization. For example, nearly a decade ago, Fox (2012, 2016a) began to compile information on religious freedoms and restrictions across the world. Basedau et al. (2016, 2011b) code ethnic groups for religion in Africa to analyze the effect of ethnoreligious segmentation on conflict outcomes. Other scholars have constructed and examined national-level indicators of shared cultural characteristics including religion (Selway 2011) code, the religion of conflict participants (Lindberg 2008), and their motivation (Svensson 2007; Svensson and Nilsson 2018). A forthcoming dataset A-Religion codes the religion of all socially relevant ethnic groups in the AMAR data



(Birmir et al. forthcoming). Furthermore, a brief survey of datasets held by the Association of the Religion Data Archives, at (<http://www.thearda.com/>), shows that multiple datasets depict religious populations and their attributes such as population size (Brown and James 2018; Hackett and Stonawski 2017) and religious practices within countries across the globe. In sum, in recent years, we have experienced an explosion in the availability of public data touching on the various aspects of religion, and we hope this trend continues.

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## Conclusion

In this chapter we sought to synthesize theories of religion as they pertain to mobilization. We traced two divergent paths of literature: the first suggesting that religious identity is used strategically as an instrument for mobilization and, the second, arguing that theology is a mobilizing mechanism. We suggest that the literature currently converges on the idea that while religious belief can be sincere and theology can drive individual preferences, true belief does not exclude the use of religion as a tool for mobilization.

Work on religious belief in politics has pertinent implications for current issues in politics across the globe, including renewed nationalism in countries with higher than average incomes, augmented democratization in countries with lower than average incomes, and the rise of conflicts fought in the name of defending one's faith. In addition to the wealth of knowledge that has been accumulated already, we highlighted four areas where researchers can dive deeper into questions of faith and mobilization with a final note about the promising accumulation of data for the analysis of religion in politics. Further inquiry into this topic will continue to be of great importance.

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## Cross-References

- ▶ [Ethnic Conflicts and Peace-Building](#)
- ▶ [Evolution of Palestinian Civil Society and the Role of Nationalism, Occupation, and Religion](#)
- ▶ [Identity and Conflict in Northern Ireland](#)

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# Foreign Military Occupations and Ethnicity 11

Radomir Compel

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## Abstract

Military occupations are one form of dispute settlement. International security studies and military sciences investigate why military occupations occur and why they have been considered necessary. International law reviews the grounds for their justification and provides normative guidelines for military conduct in the field. What the two disciplines lack is an introspection into what tends to happen in occupations and why most military occupations tend to end in failure, dislocation, and social turmoil. By reviewing a number of exemplary cases of occupation, including Japan and Palestine, this chapter focuses on the need to search for the underlying causes, which destabilize occupations and contribute to their deterioration. It argues that we need to draw upon research in ethnic relations, nationalism, and postcolonial studies, which focus on identity construction, reveal the nature of the knowledge/power nexus, and offer strategies for getting over the occupational and postoccupational setting.

R. Compel (✉)

School of Global Humanities and Social Sciences, Nagasaki University, Nagasaki, Japan  
e-mail: [cmplrad@nagasaki-u.ac.jp](mailto:cmplrad@nagasaki-u.ac.jp); [cmplrad@gmail.com](mailto:cmplrad@gmail.com)

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**Introduction**

Military occupations have rarely been treated systematically in social sciences, but they provide opportunities for refinement of empirical and theoretical knowledge across various disciplines. First, they serve as real-world evidence about how entrenched the principle of Westphalian territorial sovereignty has been and how complicated management of conflict can become. Second, they reveal strategies of war termination, which include social transformation on one hand, and the daily conditions such transformation tends to deliver, often ending in despair, humiliation, and resistance. Third, they raise epistemological questions about West-centric biases embodied in occupational policies of democracy and freedom promotion. This chapter argues that while international security studies can explain the reasons for existence of military occupations, comparative political science drawing on identity- and ethnicity-based theories can tell us more about the results of such occupations.

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**Foreign Military Occupations in Review**

Military occupations are a firm part of public international law. As wars are often fought on foreign soil, military occupations of foreign lands have become an integral part of any such wars, and thus, of the customs and laws of war, especially throughout the nineteenth century. Eyal Benvenisti conceives of the “concept of occupation as the mirror-image of the concept of sovereignty,” having emerged and evolved together through time (Benvenisti 2012, 21). Hugo Grotius, one of the founders of international law, traces the laws on the treatment of noncombatant civilians in war and occupation to the ancient customs of Greeks, Hebrews, Assyrians, and indeed, he points to the divine origins of the rule (Grotius 1625, 1441).

The rules on belligerent occupation received their first wide-ranging treatment in the Hague Conventions of 1899 and 1907. The convenors of the first Hague conference codified the rules of military occupations into the Convention with respect to the Laws and Customs of War on Land with annexed Regulations respecting the Laws and Customs of War on Land (Section III). Relevant provisions define the status of occupation, duties of the occupant, and rights of the population under occupation. These rules, especially humanitarian provisions emphasizing the rights of the population under occupation, were further promoted by Geneva Convention (IV) on the Protection of Civilian Persons in Time of War in 1949 (Benvenisti 1993; Dinstein 2009; Roberts 1985).

Of particular significance is article 43 of the Hague Convention of 1907, which stipulates that: “The authority of the legitimate power having actually passed into the hands of the occupant, the latter shall take all steps in his power to re-establish and



insure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country” (Oppenheim 1921, 238). The Convention implies valuable rights for the occupant, such as extraction of resources and obedience of the occupied population, but at the same time, through the duty to safeguard and govern, it implies that occupant has to protect the population and is prohibited from altering the sovereignty of the territory in question.

There are two issues associated with the provisions of the Hague and Geneva Conventions, which have substantially influenced thinking and practice of military occupations. The first one is how to strike the balance between extraction of compliance and resources (benefiting the occupant) and protection of the population (benefitting the occupied), which, together with the changing rules of war, has shifted towards the latter (Nabulsi 1999, 240). The second issue is about whether the role of the occupant should be conservationist (conserving the prewar order) or transformative (reforming the society in question), which also has tended to move away from the original conservationist interpretations of the Hague Conventions (Fox 2008, 295; Roberts 2006, 580; Benvenisti 1993, 30). Both of these shifts have strengthened the original purpose of the Conventions, which was safeguarding of the principle of state sovereignty and de-legitimization of territorial conquest, but they extended those objectives further, especially concerning protection of civilians and in humanitarian issues.

How were the two dimensions of occupation (governance of the population and conservation of laws and order) put into practice? Let us briefly examine two classical cases that have received substantial scholarly attention, post-WWII Japan, and Israeli occupation of Palestine.

Occupation of Japan started after Japan’s surrender on 14 August 1945 by virtue of accepting the Allied terms put forward in the Potsdam declaration. Paragraph 7 of the declaration set out that the Allies will occupy several points in Japan, paragraph 8 specified the territorial extent of defeated Japan, which would exclude its prewar advances, and paragraph 10 implied that the Allies might retain Japanese governmental authority instead of a direct occupational rule. At the same time, paragraphs 6, 9, 10, and 11 specified that the Allies would eliminate the militaristic regime, instigate war crime trials, and seek disarmament, economic demilitarization, and “strengthening of democratic tendencies among the Japanese people.” Paragraph 10 of the declaration states that “(F)reedom of speech, of religion, and of thought as well as respect for the fundamental human rights shall be established,” and paragraph 12 requires that the occupation will end when a peacefully inclined and responsible government will be established “in accordance with the freely expressed will of the Japanese people” (MOFA 1966).

The wartime discussions between the Allies laid down some principles of the organizational structure of the occupation. As the United Nations were not in place yet, the top controlling (and later decision-making) body was Far East Advisory Commission (later Far East Commission) with General Douglas MacArthur as the Supreme Commander for Allied Powers and executive agent of the occupation. However, the terms of the Potsdam Declaration, additionally interpreted by US State Secretary Byrnes’ reply to the Japanese Government, and also initial policy

directives to General MacArthur, military occupation of Japan would not be direct (as in the case of Germany), but indirect, mediated through the Japanese Government (Takemae 2002, 62). MacArthur's powers were not unlimited, but so far as the Far East Commission was pervaded with conflicts and rarely came forward with authoritative decisions, MacArthur achieved to manage the occupation with little intervention from outside, and with cooperation from the Japanese government. Existence of indirect rule and continuity of Japanese government put the first dimension of article 43 of Hague Regulations in some doubt, but it was not the condition of full governmental authority, which raised concerns.

Based on the Allied interpretation of the Potsdam Declaration, MacArthur introduced vigorous reforms of the Japanese social and legal system. First, militarists were purged out of public office, second, political prisoners were released, and fundamental rights of expression, thought, worship, assembly, including labor movement, were promulgated, third, political freedoms were expanded, parties allowed, women enfranchised, and fourth, land reforms were instituted, land was redistributed to impoverished farmers, and industrial conglomerates were dissolved. These sweeping reforms reached the climax with MacArthur's imposition of the new constitution upon the Japanese (Ward and Sakamoto 1987, 125; Dower 1999, 360). Some of the liberal reforms were later softened or "reversed" through amelioration of the democratizing drive and support of economic reconstruction of the former enemy, due to the rise of Cold War tensions (Schaller 1985, 132; Edelstein 2008, 126). Even if the new "reverse course" is combined with MacArthur's overriding concern about symbolically retaining Japanese Emperor on the throne, this does not change the fact that USA-led occupation went far beyond what could possibly be anticipated as acceptable by the article 43 of Hague Regulations.

Many accounts treat MacArthur's Japan as a "success story" of military occupation. From the legal viewpoint, it extended far beyond what had originally been conceived by international law, but as Benvenisti argues, the law of occupation has been changing in correspondence with the expanding role of the state in economic and social life of the society, and what Roberts described as the increasing influence of the Human Rights Law (Benvenisti 1993, 29; Roberts 2006, 591; Arai-Takahashi 2009, 112). However, these legal and technical accounts of military occupation generally leave out the fact that Japanese society has been deeply divided along the lines of constitutional revision for more than 70 years, ever since its introduction in 1946 (Green 2001, 46). Secondly, many historical accounts fail to mention that occupational authority relied on a rather fragile footing and with substantiated fears that their reforms might instigate an insurgency against the foreign occupant (Compel 2017, 39). Such issues do not necessarily deny the gravity of the trend towards transformative occupations, but rather, they call for caution, and for contemplation, especially about the dynamics of nationalism or ethnicity in an occupational context.

The second case is that of Israeli occupation of West Bank and Gaza. In early June of 1967, Israel fought a short 6-day war against Egypt, Jordan, and Syria, it prevailed, and it occupied the Sinai Peninsula and Gaza Strip (from Egypt), West Bank (from Jordan), and Golan Heights (from Syria) (Bergman 2014). Prior to that,

the Sinai Peninsula was under Egyptian control, Golan Heights were the border region belonging to the Syrian Republic, and Gaza Strip and West Bank (of Jordan River) were territories of the British Mandate for Palestine. When Israel declared independence in 1948, war ensued, and by the end of the war, Egypt occupied Gaza Strip, and Jordan West Bank. The 1967 war changed the geopolitical map again. West Bank and Gaza Strip were particularly risky areas, because many countries considered them integral parts of the previous British Mandate of Palestine, and Israel aimed at regaining them after the loss in 1948. Since the 1967 war, Israel has occupied both areas, as well as Golan Heights, while returning the control over the Sinai Peninsula back to Egypt in 1982 as a part of the peace treaty concluded in 1979 (Bunton 2013).

Fearing complications in regard to the sovereignty over some Syrian and Egyptian area, Israel evaded from referring to the Geneva Convention (IV), but it promptly occupied and established military government in the Occupied Territories in accordance with the principles of the Hague Regulations and Geneva Convention (IV) provisions. The Proclamation No. 2, Concerning Law and Administration, issued during the 6-day war at the West Bank on 7 June 1967 declared that the law in existence in the Occupied Territories “shall remain in force, insofar as it does not in any way conflict with the provisions of the Proclamation, or any other proclamation or order . . .” Israel refrained from mentioning the Geneva Convention (IV) and it refused to recognize Jordan’s claims to the territories of the West Bank and East Jerusalem, but it still accepted the validity of the (Arabic) laws existing in each individual occupied territory. Article 43 of the Hague Convention had been observed throughout all the period of the occupation, with the exception of Golan Heights (Dinstein 2009; Benvenisti 1993, 115). The occupation established a two-tiered system of rule through military proclamations and orders, and secondly, through local laws. The administrative system, also in compliance with the Hague Regulations and Geneva provisions, established a system of military administration based on the orders of the military commander, who delegated some authorities to the civilian administration after 1981, which, however, also remained largely under Israeli control and military supervision. Municipalities were allowed to conduct local elections in 1972 and 1976, but as opposition to the Israeli rule accumulated, the elections were further terminated. Judiciary system also came under the direct military rule, with the military setting up military courts, which adjudicated security related infringements, and offenses against the occupation forces (Dinstein 2009, 138). These examples show that throughout more than half a century old occupation, Israeli military authorities followed customary international law of occupation, including the provisions under article 43 of the Hague Regulations, about establishment of an orderly military government.

Has Israel given proper care to the occupied Palestinian community? Not in cases where military administration invoked security concerns and took harsh security measures, which in itself was not inconsistent with the laws of war. But there has been a major political issue, where Israel has been accused of violating the laws of occupation, the issue of Israeli settlers in Palestinian lands, which was contravening the letter of article 49 of the Geneva Convention (IV) prohibiting colonization of the

occupied territory (Gorenberg 2006, Chap. 4). Despite the effort to stick to the customs and laws of occupation, in matters of security and policy, the rights of Palestinians were gravely disfavored.

How did Israel figure in the second dimension of article 43 of the Hague Regulations, the conservationist nature of occupation? Israel's policy of expropriation of Palestinian lands and construction of Israeli settlements contravenes the provisions of the Geneva Convention (IV), and implicitly also of the Hague Regulations. This is because Israeli government has to rely on local infrastructure, legislate new territorial plans, and thus change local laws and administrative measures in the interest of Israelis, harming the interest of the occupied Palestinian population. Furthermore, establishment of the settler communities in their new settlements brought with itself the problem of extraterritorial application of Israeli laws in the occupied territory. Also in economic policy, Israel chose to intervene extensively in the Palestinian matters. As Benvenisti argues, occupant state has an option to contain the occupied areas and assist their local development, but the provision which maintains that occupant should provide "public order and civil life" does not preclude the opposite, economic integration of Occupied Territories into one single market of the occupant. Economic integration is not in the provisions of the two Conventions, but can be implied from them, if it provides for the betterment of the lives of the occupied population. The problem is that economic integration brings with itself reliance on laws and decisions taken outside of the occupied territory. Furthermore, as in the case of introduction of the value added tax or other taxation in Occupied Territories, such decisions are transformative and not conservationist, residents do not have the right to vote on them, and new taxation tends not to protect the interests of residents. Policies of economic union in fact amount to nothing less than economic annexation (Benvenisti 1993, 142).

David Edelstein concludes that the outcome of the Israeli occupation of West Bank and Gaza was a failure, and thus it ended with negative results to Israel. He does not base his criteria for comparison of occupations on international law, but rather, on a cost-benefit analysis of maximization of the value to the occupant. To Edelstein, the occupation of Japan yielded acceptable outcomes for the USA, and it has been too lengthy and too costly in terms of human and material costs to Israel (Edelstein 2008, 188). The problem with such evaluation rests in the fact that it fails to account for deeper roots of antagonisms, which laid behind the problem of insurgencies in the Occupied Territories and which negatively influenced wider security environment in the general Middle Eastern region (Edelstein 2008; Dobbins 2003). Edelstein's suggestions about the best strategy for eliminating internal tensions in occupations are to direct attention of the occupied population away from the realities of the occupation against an external enemy, common to the occupant and the occupied. This is a diversionary strategy which does not address the problems of occupation per se, but may succeed when the environment is favorable, as was the emergence of Cold War in the case of the occupation of Japan. Whatever the suggested strategies might be, for Edelstein as well as for many ordinary Americans, Israel failed in Palestine, and the USA succeeded in Japan.

Both international law (Benvenisti) and international security (Edelstein) perspectives make knowledge claims and evaluations of military occupations on epistemological grounds within their area of inquiry. The first bases its argument on normative grounds and the second on policy grounds. However, none of the two does well in explaining the core problem in military occupations, the causes of insurgency. That is because neither is at ease with grasping the social dynamics of identity, such as nationalism, ethnicity, gender, or religion. Military occupation is a system of arbitrary and domination-subordination framework of social life which influences identity. To understand the dynamics of insurgencies, one needs to step beyond international law and international security framework and incorporate perspectives on identity and epistemology, which may tell us more about the importance of nationalism, ethnicity, and postcolonial mind (de Matos and Gerster 2009; de Matos and Ward 2012; Nabulsi 1999, 240; Azoulay and Ophir 2012; Gordon 2008; Roy 2007).

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## Dynamics of Ethnicity and Nationalism

Military occupations are pervaded with problems related to ethnicity. Occupations comprise vertical relations between the occupant and the occupied, which are often ethnically and culturally very distinct from each other, with the occupant claiming moral and cultural superiority over the occupied society. However, theories on ethnic relations rarely refer to military occupations per se. Thus, we will first turn into theories of ethnic relations within a wider scope of occupation in colonial and postindependence settings. Such theories can be divided into two groups: those, which explain nationalism as ideology of national self-determination, and those, which deal with ethnic conflict within the state. They are treated separately in the following two sections.

What do the theories of nationalism, as ideologies of national self-determination tell? Major approaches to the study of nationalism can be divided into two: modernism and perennialism. The first stream is that of modernists, who associate the project of nation-building with modernization of society, especially in the nineteenth and twentieth century. For them, the primary reason for the rise of nationalism was that the tendencies of a modernizing society tend to dissolve previous parochial allegiances and converge them into collective imaginations about a nation state. They argue that ethnic and regional diversities would fade away in the process of nation-building, and through the realization of national self-determination, they would be transformed into a uniform nation-wide allegiance to the modern nation state. Many political scientists concerned with studying the dynamics of political modernization, most significantly Karl Deutsch, addressed the phenomenon of formation of nation-wide allegiances through the process of nation building. Deutsch was convinced about the importance of modernization, in the form of urbanization, industrialization, education, communication, and transportation, which promoted the capacity of the state to reach to larger segments of population, and would lead to assimilation of cultural minorities (Deutsch 1953, 188). This perspective of Deutsch

was widely shared among others in the modernization literature, but Deutsch himself has been more ambivalent in later writings, recognizing that ethnic groups could mobilize not only in support of majority, but also against the state (Deutsch 1969, 27).

Although with a different agenda, Benedict Anderson also embraced the modernization paradigm and especially Deutsch's focus on social communication as the prime mover towards national consolidation. The arrival of modern communication (such as national newspapers) and transportation paved the way towards consolidation of the nation as an imagined community, extending beyond parochial communities and traditional villages (Anderson 1991, 6). What he emphasized was the stickiness of the regimes of colonial occupation after the gaining of independence. The colonial boundaries often disregarded ethnic or tribal affinities, and the same boundaries were retained by the new political regimes. Also, new societies retained institutions and practices of the old regimes, including pilgrimage of Creole functionaries within the state and concentration of provincial newspaper printing houses at happenings beyond the Creole and relevant to the state. In Anderson's eyes, in Southeast Asia and Latin America, these modern tools of administration and print-capitalism were inherited from the colonial period and they contributed to the construction of a nation (Anderson 1991, 65, 140). Many other writers readily accepted the modernist perspective, including the two other who made up the "holy trinity" of the studies on nationalism, Ernest Gellner and Eric Hobsbawm (Breuilly 2016, 627; Gellner 1983, 36).

The arguments of modernists drew many critics. Anthony Smith accused modernists of spreading a fallacy (Smith 1995, 30; 2000, 28). Walter Connor criticized Deutsch for inadequate consideration of the linkage between mobilization and assimilation and for unquestioned acceptance of the notion that modernization disperses ethnic affiliations (Connor 1994, 54). Connor argues that creation of the national identity necessitated nation destroying, and not nation-building, and that only after secession, the new nation-states achieve a sense of common purpose (Connor 1994, 42). Criticisms are directed to Anderson's "imagined communities" too. For example, his treatment of Latin American nationalisms instigated by the elites of the Creoles does not write about the mobilization of the ordinary populations living there. Andreas Wimmer notes that influence of Mexican elites did not reach to remote native tribes (which rarely read newspapers), but still they actively participated in the Mexican rebellion (Wimmer 2002, 115).

The second stream of students of nationalism is primordialists (or in their weaker form, perennialists). They claim that nations have origins prior to the modern era, stemming from the primordial cultural traits of ethnic groups (Grosby 1995, 2005, 59; Hutchinson 2005, 14). Smith takes a position, which questions the value claims that globalization will override the strength of national and ethnic symbolism, such as mythologies, memorials, and value systems through which nationalism can appeal to autonomy, unity, identity, authenticity, homeland, dignity, continuity, and destiny of the nation or ethnic group (Smith 2009, 63). In his eyes, both globalization and modernization are undeniable trends in the world, but they cannot match the power of ethnic historical bonds. He claims that nations are more than modern civic and

rational entities, because they incorporate the bonds to the premodern ethnic groups (Smith 2000).

Among criticisms raised against Smith are those, which argue that he makes a presupposition about the unitary nature of states (Guibernau 1996, Chap. 6). Many Third World states and federations do not fit well into such a scenario. This is also true in the case of occupied societies, which are generally rare and relatively short-lived. Particularistic movements for ethnic self-determination may lead to fragmentation along ethnic or religious lines, and reappearance of violence in such societies.

Both Smith (speaking for perennialists) and Anderson (for modernists) agree that nationalism is based on political imagination of communities and thus construction of national identities. However, they differ in the extent that they allow for identity construction and cultural and historical limitations of such construction. This provides a transmission link between nationalism and ethnicity. Nationalist imaginations produced by elites are rarely enough to penetrate the masses, if they are not based on some common references to ethnicity or race (Balibar and Wallerstein 1991, 49, 99).

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## Ethnicity and Conflict

Topics of ethnicity and race, closely linked to colonial studies, attracted much attention in the late nineteenth and early twentieth century. After the World War II, they were discredited for their contribution to Nazi and fascist ideologies of mass mobilization. Ethnicity studies gained attraction as a new field of inquiry again in the 1970s and 1990s, in response to the rise of nation-building efforts in the Third World, and decline of the Cold War rhetoric. Some scholars called it a new “ethnic turn” (Brubaker and Laitin 1998, 426). Inability of the newly established modernizing bureaucratic systems to deliver the fruits of modernization alienated themselves from the masses and often ended in political confusion and ethnic conflict. As Brubaker persuasively argues, failures of Westernizing elites in the Third World led into the decline of politics of distribution and ended in identity struggles over religious belief and ethnic recognition. Similar explanations were offered in relation to ethnic wars of the 1990s, such as wars in Yugoslavia or breakup of the Soviet Union (Hall 1998, 286).

Ethnic groups are defined by Max Weber as “those human groups that entertain a subjective belief in their common descent because of similarities of physical type or of customs or of both, or because of memories of colonisation or migration” (Weber 1922, 389). In his view, ethnicity or language give us a basis for communality. These then direct us towards the establishment of a political community, which corresponds to the emergence of the state. Many external forces, such as market or warfare, give us strong impetuses to interpret and reinterpret our beliefs about how the community should look like. Group maintenance based on language, culture, or ethnicity gives us a tool, as Anderson pointed out, to create a sense of a community, which transcends individual face-to-face interactions. Ethnic identities are, therefore, socially constructed, but at the same time, they provide precise



standards for human organization, that is, for identifying and excluding others. Some ethnic groups identify themselves based on a commonly recognized territory, others on birth, still others on language or cultural affinities.

Three main groups of ethnicity-based theories can be identified in explanation of ethnic conflicts (Kaufmann 2005; Birdal and Squires 2010). The first is instrumental rationalist approach, which emphasizes individual economic reasoning, teleological behavior, individual utilities, and cost-benefit analysis to explain ethnic conflict in a way as any other forms of political struggle. Authors in this tradition emphasize strategic behavior, transaction costs, accumulated grievances, rent seeking, or greed (Fearon and Laitin 1996, 715; Collier et al. 2003). The focus on the instrumental use of ethnicity, however, is vulnerable to the counter arguments that violent conflicts have deeper roots, such as group identities, which cannot be comprehended by observing only economic interests.

Second approach is essentialist, and it was the first to emerge at the time of post-WWII decolonization and independence movements. Essentialist scholars such as Donald Horowitz, Roger Petersen, or Joshua Fishman focus on ethnicity as essential human needs, and they explain that conflicts rise from long-lasting historical hatreds within societies (Horowitz 1985; Petersen 2002). Their claims build on the presumption that all humans have needs for collective self-identification, and ethnic identity is the most elementary and the most powerful to satisfy such needs. Essentialists, while providing powerful explanations for underlying reasons of violence, however, have had difficulties in explaining the timing and actual causes of particular conflicts, and also why some conflicts mattered more than others, and why some societies could rest in peace at one time, and fight violent wars at another time.

Third approach is constructivist, and it is the most recent of the three approaches. Similar to the arguments about nationalism, Crawford Young, Benedict Anderson, Charles Taylor, or Eric Hobsbawm argue that the rise of modernity transformed previously locally based identities and awakened the masses into a new framework of ethnic consciousness and meaning (Young 1994; Taylor et al. 1994). Constructivists propose several mechanisms of identity formation, such as mass communications, transportation, education, bureaucracy, colonial rule, or as Taylor argue, the call for dignity and recognition among previously subordinated masses (Taylor et al. 1994, 64). Constructivism, with its detailed focus on historical and anthropological explanation, has become the dominant approach in the studies of ethnicity. It focuses on nation building and ethnic narratives, but it encounters problems when explaining local variations in such enthusiasm. It has many affinities with instrumentalism, with which it shares the focus on interest, entrepreneurialism, and animosity against essentialism, but at the same time, it shares with essentialism the focus on identity and hostility towards short-term individualistic interest-based explanations.

Finally, other theories, such as structuralism or institutionalism, also have their say in accounts of the complexity of ethnic violence (Posen 1993; Horowitz 1985; Posner 2005). At the same time, as all the theories can provide only partial accounts of the large variety of different cases of ethnic conflict, many call for eclecticism and



combination of different explanations (Wimmer 2004; Kaufmann 2005; Brubaker and Laitin 1998; Brubaker 2004).

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## **Military Occupation, Colonialism, and Ethnicity**

The above debates highlight possible perspectives, which studies of ethnicity can offer in providing explanations for problems that occur in military occupations. Post-WWII military occupations have tended to reform and democratize the society of the former enemy, and with such reforms, they have implanted new political institutions and new platforms for identity refinement and contestation. They serve as a fertile ground for combining constructivist, instrumental, and institutional approaches, to provide an introspection into identity-based mechanisms of collaboration and contestation during and after the periods of military intervention and occupation.

Military occupations are conducted under special conditions, where the occupied society has been denied sovereignty, and the ultimate decision-making is in the occupying authority. Postoccupational governments, if faced with a power vacuum, may easily slide into chaos and fragmentation (as in the case of post-2004 Iraq), or on the other hand, they may fall into authoritarianism, with the backing of the previous occupational authority (post-1968 Czechoslovakia).

Similar features have been observed in the studies of postcolonial societies. Crawford Young discusses the process of establishment and extension of colonial control in postcolonial states. At the beginning, elites were members of the military, which would dominate to provide for the safety of the state, and later they were followed by imposition of order into regions through the establishment of effective regional administration (Young 1994, 286). Such administrations sought security stabilization and economic modernization, and they rested on the support for the leader or for the military through public rituals of allegiance, such as marches and gatherings, with the objective of creating passive and noncritical citizens. Patrimonial and militaristic leadership often relies on ethnicity-based legitimation strategies.

Many colonial administrations have introduced ethnicity-based mechanisms of control. Horowitz advances some mechanisms of group ethnogenesis, which colonizers skilfully exploited. Focusing on the British colonial policy of indirect rule, he illustrated the way the British constructed and manipulated ethnic groups for their administrative purposes. Utilizing a variety of techniques and environments, colonial control led to consolidation of ethnic groups and ethnic categorizations, which would provide new identifications for local populations. Methods of colonial control varied from region to region, they created dichotomies between advanced and backward groups, which deepened with administrative control, and over time, they led to tensions between such groups, leaving a colonial legacy to postcolonial societies (Horowitz 1985, 147; Young 1994, 283). Liberation from the colonial rule has rarely led to the dissolution of ethnic allegiances, as suggested by modernists, and to the contrary, it has exacerbated cleavages along ethnic lines, deepened distrust between ethnic groups, and provided opportunities for secession (Krishna 1999, 26).

Domination of bureaucratic structures in postcolonial states by one ethnic group can also exacerbate ethnic tensions, as argued by Andreas Wimmer. This is especially the case, where colonial administrations left few institutions of civil society, and no procedures to transform societal conflicts into negotiable disagreements. Once legitimacy on ethnic lines is established and ethnic cleavages are politicized, postcolonial bureaucracies have difficulty in reaching inside such groups and regions, and ethnic tension can escalate into conflict (Wimmer 2004, 107). Absence of mutually accepted procedures for mitigation and resolution of conflict leads to aggravation of animosities, militarization of conflicts, and erosion of democratic institutions.

Both instrumental and constructivist approaches, as well as essentialists with their emphasis on primordial ethnies, have some stake in explaining the vicious circle, which leads to the legitimacy deficit and ethnic violence in postcolonial societies. Not all colonial powers and territories entertained same conditions, and thus, different colonial ruling strategies, and different composition of societies, lead to differing political cleavages, and different long-term consequences.

Insights from studies on ethnicity and nationalism provide valuable tools for explanation of occupational environments. Constructivist and instrumental approaches explain the dynamics of formation, change, and manipulation of ethnic identities in newly independent states. Such features are especially salient at the time of foreign military intervention. Essentialist theories can explain why social identities do not switch easily to correspond to the new ideology of the occupying power, but rather may choose resistance over collaboration. Institutionalist theories give us insight into what governments emerge after the termination of occupation or achievement of independence and also what options for manipulation and choice of identity may be possible, and rationally achievable.

Finally, explanations that combine attributes of identity construction, strategic behavior, and institutional environment can give us better tools, which fit real-world scenarios, including military occupations. They provide an analytical framework for understanding the tense relations between the Israeli settlers and Palestinians in Occupied Territories, or ethno-sectarian clashes in postoccupation Iraq. In this way, they can inform us about the reasons why the Hague or Geneva Conventions, or other human rights laws and humanitarian laws are being circumvented at times, or why occupations tend to fail in the achievement of their goals. In the next section, we look to postcolonial theories, which, through posing epistemological and normative questions about colonialism, may provide us with further analytical tools to explain the societal dynamics during and after military occupations.

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## Postcolonial Insights into Occupations

A view at ethnic relations within an occupied society can give us a clue about why military occupations have problems in coping with nationalism or ethnic conflict. However, to know about the underlying causes of destabilization under occupation, we need to look beyond ethnicity. Postcolonial theories, questioning the power

nexus of Western knowledge, may provide additional clues. The focus of post-colonial theories is in undermining the presumably neutral and scientific accounts or Western knowledge, and in revelation of their true and ideological nature of colonialism. They provide analyses of Western scientific discourses and critiques of Western knowledge systems as legitimating colonial domination over the non-Western worldviews.

Taking the position of women in the Third World, Chandra Mohanty argues that any discourse is repressive and ethnocentric despite its call for objective and universal knowledge, because it sets up an implicit referent, a yardstick, by which to encode and represent the cultural other. Power is exercised through such discourse (Mohanty 1984, 336). What the Western discourse accomplishes is marginalization of the cultural others, denial of justice and equality to them, and dispossession of their historical experiences. Two kinds of postcolonial accounts can be identified in such claims (Paolini 1999, 52; Wilkens 2017; Birdal and Squires 2010). The first one is the expression of struggle and anticolonial nationalism, interested in a progressive constitution of self-identity in direct opposition to the Western imperialist ideology. Such claims are represented by Albert Memmi and Frantz Fanon. The second approach, associated with Partha Chatterjee, Homi Bhabha, Gayatri Spivak, or Arjun Appadurai, is the one of differentiation from the Western modularity of modernization, and of disillusionment with the postindependence authoritarian state of affairs in the postcolonial world. They do not militate against the West, their practices of resistance are subtler and indirect, but also more convincing. Many build on the writings of Jacques Derrida, Michel Foucault, or Jacques Lacan and focus on difference, ambivalence, and hybridity.

From among the first stream of authors, Frantz Fanon set the objectives for the postcolonial project as rejection of the colonialist racial representations of the "Other," and he called for the struggle for liberation from such imperialist designs. He wrote: "The violence which has ruled over the ordering of the colonial world, which as ceaselessly drummed the rhythm for the destruction of native social forms . . . will be taken over by the native when . . . he surges into the forbidden quarters. To wreck the colonial world is henceforward a mental picture of action which is very clear, very easy to understand and which may be assumed by each one of the individuals which constitute the colonized people" (Fanon 1963, 40). However, with decolonization after the WWII, the emancipation of the colonized had not arrived. Rather, most of the newly independent states fell under new authoritarian and militaristic regimes, which inherited the institutions and practices of their former colonial tyrants. Fanon's dreams went awry, and frustration paved the way for the rise of a new intellectual current.

The point of departure for the authors in the second wave was the disillusion with the postindependence state-of-affairs. Partha Chatterjee studied the problem of Indian postindependence nationalism and arrived at the conclusion that postcolonial nations, as long as they remained within the framework of the East-West divide, represented by Orientalist, Andersonian, Gellnerian, or other, especially Marxist approaches, could not achieve true independence and liberation. It is only in the spiritual domain of the inside of the local social world, where culture, religion,

family, education, and language provide major moving factors for liberation, revival, and subjectivity, independent of the rhetoric of the West (Chatterjee 1999, 17).

Homi Bhabha viewed the East-West divide in yet deeper form. He has bitterly refused to accept the core liberal representations of modernity by Richard Rorty, Alasdair MacIntyre, or Jürgen Habermas as authentic enough, accusing them of avoiding addressing the problem of the cultural difference and dissonance at the margins of society. In Bhabha's words, they engage in "synchronous constancy of reconstruction and reinvention of the subject" which is unable of escaping the essential gesture of Western modernity (Bhabha 1994, 334). He stands firmly on the side of the colonial subject, being kept in the state of "sly civility," the state of colonial despotism and subjection without rights, and yet rendered ambiguous by uncertain narrative of progress. Bhabha cries out about a perpetration of the colonial condition within the Western metropolis (the Northern Hemisphere of diaspora and migration), as well as within the colony and postcolony (the Southern Hemisphere of slavery). For Bhabha, however, the means of resistance is not Fanonian revolt, but rather Foucauldian "mimicry," a sign of a double articulation. This is on the one hand "a complex strategy of reform, regulation and discipline" in response to the colonial Other, and on the other hand, "the sign of the inappropriate, . . . a difference or recalcitrance, which . . . intensifies surveillance and poses an immanent threat to both 'normalized' knowledges and disciplinary powers" (122–123). Bhabha views the power of the subordinated in the cultural contextuality of the postcolonial, in the process of differentiation, in finding the "in-between" of the transnational as the translational, a liminal signifying space, and a location of hybridity, which escapes the binary differentiation established by the Western colonizing discourse (248).

What is at the center of the postcolonial critique of the West is the nexus between power and knowledge as the legacy of Enlightenment thought, which embedded scientific knowledge deeply into the web of European cultural and political practices, and thus normalized such knowledge into a universal modernist rationalism. As Dipesh Chakrabarty asserts, this knowledge has been widely and uncritically appropriated by the Third World into particular localities, which were lacking the same kind of cultural background (Chakrabarty 2000, 4). Such appropriations were either accompanied by authoritarian state-led repressive regimes, often little different from the colonial master beforehand, or to the contrary, they met with violent conservative and religious backlash. One feature of such appropriation of knowledge was the entrapment in the webs of power, where knowledge of Euro-America and the West is of utmost importance, and knowledge of the Third World is atavistic, superfluous, and redundant. This asymmetrical interference is what Arjun Appadurai called "legal drama" in his history and anthropology of colonialism. According to Appadurai, introduction of the British legal system led inadvertently to an increase in litigations, and through the process of such legal struggles, the society would adjust to the new institutions and appropriate new norms, often resulting in fragmentation of authority and loss of the social fabric (Appadurai 1981, 226).

From the perspective of military occupations, Roxanne Doty provides an apt analogy with the US postindependence policies in the Philippines and British

policies in Kenya where the knowledge asymmetry and power domination was used to establish social relations of dominance and dependency within the framework of the Cold War and their previous colonial experiences. Drawing upon US and British colonial entanglements, the concept of sovereignty in decolonized societies was constructed in a way that it allowed foreign intervention when it was in the interest of the hegemonic power, through de-legitimization of local struggle as terrorism and insurgency. Expert and political discourses over foreign aid, the spread of democracy and of human rights also built on naturalized categories of knowledge and science which were embedded in the context of humanitarian promotion of Western values alongside with practices of hegemony and domination implicitly going against the realization of such values (Doty 1996, 170).

The problem of epistemology, the entanglement of knowledge and power in the modern security, and development discourse was accompanied by the politics of representation. Representations of the West and the “Other” as powerful and powerless, united and fragmented, integral and corrupt, developed and underdeveloped, skillful and unskilled, all these constructed categories through which people would understand and realize their historical agency, and provided the logic to justify defense of the homeland and of the free world, as well as intervention and annexation. At the same time, however, as argued by Homi Bhabha or Judith Butler, no such representations are based on finite concepts, preexisting essences, or foundational categories. Identities are performative, they are contingent on everyday enunciations and continuous repetition of performances, through which they are constructed into the forms that appear natural and foundational (Bhabha 1994, 187). Because they are a part of everyday processes, they offer a potential for enunciation of cultural difference, exhibition of hybridity, delivery of representational uncertainty, and signifiatory undecidability, which undermine hegemonic practice of domination and provide space for cultural resistance and liberation.

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## Strategies for Termination of Occupation

Postcolonial and ethnicity approaches outlined in the discussion above reveal the centrality of politics in any discourse on identity in a colonial or postcolonial setting, thus including also military occupations. They offer critiques of Western justifications of occupations, including demilitarization, democratization, and development of the occupied “Other.” They provide tools for deconstruction of prevailing theories, and methods for relativization of established discourses on democratization, peacebuilding, humanitarian intervention, or “brotherly assistance.” There are three ways in which studies of foreign occupations can benefit from such approaches: exposition of Western bias, focus on cultural and performative features of identity, and account of the dynamics of resistance.

First, postcolonial and ethnicity approaches reveal the Western bias of military and managerial sciences, and of political theories mobilized for occupational purposes. As Dipesh Chakrabarty argued, the phenomenon of political modernity (symbolized by nation-state, bureaucracy, and capitalism) is firmly associated

in the world with political concepts, which originated in the European intellectual and theological traditions. The concepts of democracy, civil society, the individual, distinction between public and private, scientific reality, even morality or social justice, they all bear the imprint of the European Enlightenment and post-Enlightenment scientific and political developments (Chakrabarty 2000, 4). Enlightenment humanism has had profound effects in the developing world. Educated middle classes in Africa, Asia, Latin America, and Oceania embraced ideas of rationalism, science, technology, as well as civil liberties, social justice, liberalism, and human rights. They criticized their domestic institutions, authoritarian regimes, corrupt politics, and they engaged in critiques of Western colonialism and imperialism, appropriating the very same European and American theories and methodologies of such criticism. What the new postcolonial thought gave the rise to was an attention to the relations between Western ideas, the outcomes those ideas failed to deliver, and an insight into the European or American provincial background of those ideas (Chakrabarty 2000, 254). This, however, did not happen only in the realm of theories and ideas. To the contrary, Western values about what is modern and what is primitive established a set of values, which were internalized by elites, and by ordinary people in colonies. Thus, colonial societies were always expected to reach modernity, and any diversion from the Western model was considered backward, premodern, prepolitical, inadequate, incomplete, and lacking authenticity (32).

Second, the new approaches address the problem of identity, which political sciences, jurisprudence, or military sciences are often uneasy about. This trinity of sciences is most relevant to military occupations, and yet, none has dealt sufficiently with the problem of extreme power differential and its societal impact, and dynamics of inter-ethnic exchanges between the new foreign authority and the local “Other.” This involves both institutional issues of governance and cultural recognition, including the process of permanent indeterminacy of the “translation” between the occupant and the occupied. Homi Bhabha identifies a way to avoid such Western universalizing bias. He calls it vernacular cosmopolitanism, which is an assertion of rights of “global progress from the minoritarian perspective.” He deals with vernacular cosmopolitanism in two dimensions, the rights of migrants for recognition, and the rights of minorities for autonomy. A “right to difference in equality,” which Bhabha relates to Etienne Balibar, does not necessarily refer to essentialist forms of group identity. Their claim to equality in citizenship has a symbolic aspect in it, which “raises affective and ethical issues connected with cultural differences and social discrimination.” Thus, Bhabha claims that vernacular cosmopolitanism is more about a process of constituting emergent groups and affiliations than about affirmation and authentication of ethnic origins, a process of political reconciliation “that works *towards* the shared goals of democratic rule, rather than simply acknowledging already constituted ‘marginal’ political entities or identities” (Bhabha 1994 [2004], preface xvii–xviii). Bhabha’s statement should be read against the context of liberal America and democratic India, where the question of “belonging” has incorporated the notion of basic human rights, and not authoritarian regimes, where claims for any rights may result in grave existential insecurities.

Foreign occupations reverse the migrant-minority logic of Bhabha's vernacular cosmopolitanism. In occupations, the "foreign Other" is not the subaltern, but to the contrary, it is the new celestial elite. In demographic terms, however, it is a tiny minority encircled by masses of the occupied subalterns, "alien" to the occupants. The disempowered (occupied) is the overwhelming majority of the population. Nevertheless, Bhabha's argument on process and performativity of identity applies in a similar manner. Identities are formed and performed in the new environment of occupation, and thus occupational politics reaches beyond the politics of strife for recognition of already constituted primordial ethnic relationships and exploitation of preexisting lines of polarization. Social attitudes and cultural interactions between the occupant and the occupied help overcoming mutual antagonism and open up a new space of negotiation, a place of hybridity.

Third is the way ethnicity and postcolonial theories reason about resistance. Prior to the rise of Subaltern Studies, theories of conflict built heavily upon the rationalist and Marxian versions of modernization. Marxism, which was profoundly influential in the Third World, emphasizes concepts of commodification of labor, uneven rate of development, and dialectics of class struggle as the causes of conflict. It argues about the difficulty of radically changing relations of production in capitalism, and thus for a revolution of laboring classes, overthrow of capitalism, and establishment of a postcapitalist society. Modernization theories also emphasize the focus on the modern industrial democratic society, but more than Marx, they look upon Max Weber, building on rationalism, bureaucratic state, and individual entrepreneurship. Modernist approaches view conflict in terms of differential modernization, social mobilization, social grievances, political power deprivation, fear of domination, individual entrepreneurship, or security dilemma. The common trait to most modernist theories is their focus on rationality and rational decision-making involved in conflict dynamics.

While modernization and Marxist schools exchange heated criticisms of each other, they share many intellectual commonalities, especially the understanding that the rational Western modernity (capitalist or socialist) serves as the developmental model for others. Indian historian Ranajit Guha raises voice against such appropriation of scientific knowledge and historical reality. Guha focuses on the way the British rule in colonial India mobilized knowledge, and building on such knowledge it controlled regional and local elites, and externalized the peasant, denying him the "recognition as a subject of history in his own right" (Guha 1983a, 4, 334). He distinguishes between three types of historical discourses: primary, secondary and tertiary. These discourses differed from one another in terms of the time sequence in which they occurred, and the degree of their identification with the official British administration. Primary discourses appeared in immediate police and military reports produced by officials to describe peasant insurgencies. Secondary discourses were memoirs and narratives of officials sometime after the event. Tertiary discourses were narratives produced by historians who had neither direct experience nor official affiliation with the events in question.

Guha writes about the colonial "code of counter-insurgency" (or code of pacification), which was omnipresent in writings of that time. Colonial bureaucracy and



intellectual circles produced and redistributed the code. He deliberates about the process of such ideological transmission from official reports to historical narratives and about how discourses on peasant insurgences excluded the agency of the peasant by stigmatizing him as a primitive, rebel, insurgent, and criminal (Guha 1983b, 2). Official accounts used scientific terminologies and causal explanations to blame wicked landlords and ill-willed local moneylenders to localize conflict, purify colonial administration, and avoid destabilization of British rule. The “code of pacification” was omnipresent in the official accounts. “Objectivity” and scientific knowledge were mobilized in defense of power.

Guha argues that there was nothing primitive or “prepolitical” in Indian insurgencies, which took an indigenous form of collective action. They were modern political movements for self-government. Yet, they did not follow the logic of secular-rational calculations inherent in the Western conception of the political. The peasant in colonies did not have a “backward” consciousness, he was not an anachronism in the modern world, he was part of the colonial modernity of the time, and insurgency was his way to get himself heard, it was his way of a social and political movement for liberation. However, such movements were not practiced in the way in which Western protests would be organized, in a rational-secular manner. Indian peasants were building on their everyday networks and practices, including kinship, traditions, myths, rumors, gods, and spirits. Guha emphasizes that “(r)eligiosity was, by all accounts, central to the *hool*. The notion of power which inspired it, was made up of such ideas and expressed in such words and acts as were explicitly religious in character” (italics as in the original, Guha 1983b, 34). In British eyes, they were seen as spontaneous bursts of religious fanaticism, infused with nativist rhetoric, traditionalism, and superstition. But for Guha, peasant insurgencies were a political struggle turned against the British and their local epigones who symbolized colonial rule and signified furtherance of oppression. Peasants used strategies, which were closest to their everyday lives, but the goals, mobilization, action, and achievements were no “less modern” or “prepolitical” than those, which took place elsewhere in the colonial world.

Guha’s descriptions were more than utterances on anticolonial movement in India. They have a commonly acceptable message, which reverberates in the non-Western world. They also provide one of the most significant reasons for the rise of resistance to foreign occupations. And they deliver a warning to over-optimistic ideas for reform. Western ideas, like democracy or free market economy, do not easily fit into non-Western societies. Not because the recipient society would be in a “different stage of development,” but because they are made and delivered with a foreign context, which is not easily translatable and deliverable to that society. Foreign occupations are essentially a cultural and ethnic phenomenon, and whatever they deliver is going to be received with doubt. As with Guha’s peasants, there is a high probability that occupation will give an impetus to previously marginalized communities to surpass their local fragmentations, and rise in a common goal, the most significant of which is resistance to the newly rising elite, and opposition to the foreign threat. There are examples of



“successful” occupations, like Japan and Germany after the WWII, but a closer examination of even such cases reveals precarious nature of the environment of reforms, and casts doubt at the possibility for generalization of such cases. Those reforms may have been “successful” only because they were able to keep potentially dissatisfied communities fragmented, not because they transformed the minds of the occupied society to the Western image. Western bias, cultural insensitivity, language incompetence, identity blindness, and apprehension of resistance are powerful reasons, which call for caution when it comes to occupation of a foreign soil, however just the cause may be.

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## Conclusion

As mentioned at the beginning of this chapter, Eyal Benvenisti argues that the concept of military occupation has many things in common with the concept of state sovereignty. In history, the practice of occupation has taken two distinct paths. The first one is occupation of territories outside Europe, which does not distinguish occupation from conquest and colonization, and does not recognize full sovereignty to the “uncivilized” people (Benvenisti 2012, 31). The second, “European” one, has separated permanent sovereign rights from the temporary rights of occupation and has paved the way towards today’s technical understanding of the term. To find out more about the dynamics of the concept of occupation, however, we need to go beyond international security, or international legal perspectives. To accomplish that, we have to trace the concept of occupation back to the origins of the European/non-European intellectual bifurcation and ask fundamental questions about the nature of the modern state, society, and knowledge, which are facilitated by the studies of nationalism, ethnicity, and postcolonialism treated in this chapter (Anghie 2004, 14, 317).

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## Cross-References

- ▶ [Cultural Socialization and Ethnic Consciousness](#)
- ▶ [Ethnic Riots in United Kingdom in 2001](#)
- ▶ [Ethnicity and Politics in Kenya](#)
- ▶ [Ethnicity and Violence in Sri Lanka: An Ethnohistorical Narrative](#)
- ▶ [Exploring Global Ethnicity: A Broad Sociological Synopsis](#)
- ▶ [Migrant Illegalization and Minoritized Populations](#)
- ▶ [National Imaginary, Ethnic Plurality, and State Formation in Indonesia](#)
- ▶ [Perpetual Exclusion and Second-Order Minorities in Theaters of Civil Wars](#)
- ▶ [Rewriting the World: Pacific People, Media, and Cultural Resistance](#)
- ▶ [The Threat of Genocide: Understanding and Preventing the “Crime of Crimes”](#)

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## Abstract

This chapter outlines the major theories of global justice from those that emerge early in the history of the concept to more contemporary conceptions. It also discusses the connection between global justice theory and practice and the larger process of globalization. The chapter explains some of the many concrete problems global justice theory and global justice activism seek to address such as global poverty, environmental justice, migration justice, and other forms of social and political oppression and exclusion in both national and international contexts. Finally, this chapter discusses the role global justice theory and activism can and does play in ethnic politics and ethnic political struggles against oppression of the forms just mentioned along with many others.

## Keywords

Global justice · Globalization · Distributive justice · Representation · Ethnic politics · Philosophy

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G. Pfeifer (✉)  
Worcester Polytechnic Institute, Worcester, MA, USA  
e-mail: [gpfeifer@wpi.edu](mailto:gpfeifer@wpi.edu)

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## Justice and Global Justice

While there are many theoretical and practical definitions of justice, for the purposes of this chapter, I will identify the main goal of justice to be the conditions under which individuals and groups are accorded material and moral consideration in such a way that each is, to the extent possible, given the opportunity to lead a life that allows for flourishing and is free from various forms of oppression. Thinking through this conception of justice and its proper application then involves making sense of what kinds of considerations we owe each other, what our obligations are to one another, and what structures (social, legal, economic, environmental, etc.) and forms of rights and responsibilities we might put in place, protect, or get rid of in order to achieve justice both between individuals and groups and at the level of wider social relations.

Broadly, global justice is the study of, and recommendations for justice on a worldwide scale and with regard to international institutional arrangements and relations between individuals and groups within and as a part of those institutions. The emergence of global justice as a named subdiscipline in fields such as philosophy, political science, sociology, and global studies as well as in activist circles is a relatively recent phenomenon. It is in the 1970s that we begin to see this term used in relation to questions of justice and the international sphere (Steger and Wilson 2012). The emergence of this subdiscipline tracks also the emergence of the concepts of the “global” and “globalization” at a time in which the processes that these latter terms name were also beginning to be recognized and discussed in a variety of academic, political, economic, and activist circles (James and Steger 2014). For this reason, we cannot understand the global justice movement apart from theoretical and practical developments in relation to the processes named by the term globalization.

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## Globalization

Globalization is commonly understood (also broadly) as the recent acceleration and deepening of global interconnectedness of peoples and nations in regard to economic processes, human migration, climate conditions, communication, and culture along with the weakening of the power of the nation-state as sole political actor on the international stage (Sassen 1998; Ohmae 1996; Steger 2017). This latter development, namely, the weakening of the power of the nation-state, is evidenced by the rise of extra and non-state regimes of governance, regulation, human rights, finance and trade, also the emergence of international corporate businesses with no single territorial home, and mass communication technologies that put power in the hands of some individuals in ways that did not exist in the past, but are also not distributed in such a way as to allow equal access to all in the world community (Sassen 2006; Castells 2015).

It is the recognition of this repositioning of the nation-state vis-à-vis such international institutions, issues of climate, economy, and technological

connection that gives rise to the question of global justice. How, in a globalizing world, can there be justice for all peoples in relation to the questions raised at the outset? For many who thought about questions of justice in the past, it was assumed that such questions were solely, or mostly, national in character – that the seeking of social justice required things like gaining juridical and other forms of recognition for folks as citizens of particular nations that were not receiving them in various ways and also the thinking through of the right ways of equitably distributing social goods such as education, healthcare, housing, access to wealth, and so forth. Prior to the emerging recognition of the global interconnectedness described above, these questions and discussions took place in the context of what Nancy Fraser calls the “Keynesian-Westphalian framing” of social justice as applying within the confines of the nation-state system and Keynesian redistributive economic programs (Fraser 2009). When discussions of justice across international borders were had, they were usually framed in ways that made it the responsibility of nations as the sole international actors to enforce and regulate justice between national communities mostly via strategies such as international law, economic sanctions, and the like (Sen 1999).

While it is the case that issues of social justice within the confines of given national communities still exist and are still being worked on in a variety of ways, with the rise of globalization, this framing of the question of justice is disrupted, and such theoretical and practical discussions of globalization contribute to this disruption. Scholars and activists, recognizing the changes brought about by the age of globalization, begin asking questions about the linkages between individuals, groups, and communities across geographic and national borders, not only as members of national communities, but apart from and beyond them, and also the effects on those groups of various practices and policies that span these regions in ways that do not necessarily bottom out solely in the confines of the nation-state. I will detail a few of these cross-borders of “global” issues below and then turn to responses to them offered by global justice frameworks. We will see, in the context of this, the ways in which global justice conceptions and activist struggles are relevant to ethnic politics.

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## **Global Justice Issues: A Snapshot**

As many have pointed out, it is because of capitalist economic globalization that we see a massive increase in economic inequality on a worldwide scale. Not that there did not exist such inequality prior to the rise of globalization, certainly there did. The colonial and neocolonial world of the fifteenth through the early nineteenth centuries saw their resources and peoples exploited in a variety of ways in order to enrich the colonial powers. In this period, the flow of capital, goods, and services was primarily from the colonized world toward the colonial powers. It is in the age of decolonization beginning in the nineteenth century that the global era emerges as newly decolonized communities began competing with the colonial powers for economic prosperity and social goods. As this process proceeds and the

advanced capitalist economies become ever more globalized in the middle to late twentieth century, manufacturing moves from its center in the global north to the global south, and those latter economies become the production zones for not only raw materials and cheap labor but also commodities to be used primarily in the more affluent global north (Sachs 1998; Harvey 2007; Fraser 2016). In this process, the global south also becomes the dumping zone for the waste generated in mass production and consumption on a global scale. This process has led some scholars to talk of globalization as a kind recolonization (Harvey 1995). To be sure, there are still many communities in the global north that also find themselves located in such dumping zones, and I will discuss this more below, but the majority are found in the global south and so demands for various forms of global justice also track environmental justice demands on a worldwide scale (Davis 2003; Schlosberg 2004).

The United Nations reports that as of 2016, 783 million people live below the international poverty line of \$1.90 US dollars a day. This amounts to almost 10% of the world's population. This affects more women than men globally, and one in four children worldwide is affected by some form of poverty-related issue. The most affected regions of the world are in the global south: the African continent, Central and South America, and so forth (United Nations). There are also, however, pockets of extreme poverty in countries in the global north as well, and such economic inequality has only grown over the last few decades as a result of the same globalized economic processes (Sassen 2014; Temin 2018).

Fossil fuel production and consumption in the global north has also led to further environmental degradation worldwide and negative effects of the accompanying problems associated with anthropogenic climate change such as increased frequency and severity of storms such as hurricanes and typhoons, drought conditions, and sea-level rise are primarily (though not solely) also visited on those same communities that are the most impoverished under globalization. This is, as with poverty, true not only of communities in the global south but also those impoverished communities in the global north as many of the most poor living in countries like the United States live in zones that are also the most affected by these negative effects (Klein 2014; Ciplet et al. 2015).

These are just some of the many examples of interconnection between communities in the global era across geographies and national borders. Global justice theorists ask questions relating to these issues and institutions including (but certainly not limited too): How and in what ways are certain nations and individuals responsible for global economic inequalities and what can be done to alleviate them? What are the duties of the global north to the global south in terms of the effects of fossil fuel production and consumption and the effects of anthropogenic climate change as a result? What are the rights of migrants – many of whom are forced into migration in the global era as a result of climate change and economic inequality on a global scale – and what are the duties of states in relation to them? Given that as note above, around the world, women and people of color tend to be more affected by unjust conditions caused by the above issues and questions, what does global gender, ethnic, and racial justice look like? And so forth.



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## Theories of Global Justice: Rawls and Distributive Justice

In many of the mainstream contemporary philosophical debates about global justice, the general concerns are around the proper mode of distributive justice. That is, debates tend to be about what constitutes the most equitable distribution of social goods such as those mentioned above (i.e., education, healthcare, wealth, mobility, and so forth), given the responsibilities of governments and individuals across national and international lines. Various theories come down differently on questions of responsibility in this way. John Rawls' work, in both his development of a distributive model of justice more broadly and his famous "Law of Peoples," tends to be the starting point for these mainstream views in philosophical discussions (Rawls 1971, 2001).

Rawls argues that any notion of distributive justice outside of the confines of the nation-state or across national boundaries is unnecessary. This is because, on his view, as long as there is justice inside the confines of national communities, and as long as that justice affords people the opportunity to lead good lives, then that is all that is needed (Rawls 2001). In other words, differential economic inequalities between peoples within different communities within different states and different institutions are unproblematic on Rawls' view – even if it can be demonstrated that such inequality is enforced and reinforced by practices in one community that affect another. This is because the pursuit of justice is, for Rawls, always found within the institutional frameworks within communities and as a result of a contractual institutional framework there that offers citizens the opportunity to lead decent lives (Rawls 2001). For Rawls then, just relations between states require respect for state sovereignty, with the caveat that states should also respect the rights of their peoples and allow them access to the goods provided by liberal democratic institutions and structures. There are a number of responses to Rawls' view and theoretical developments that emerge in dialogue with its ideas and arguments. One broad category of response is the cosmopolitan human rights-based approach to global justice, and a second is a more internationalist approach. I will say a few words about each of these two broad types of responses and developments in turn before turning to a third position which I take to be much more robust and which tends to dovetail more with approaches to global justice outside of the theoretical realm and in the practical activist one.

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## Theories of Global Justice: Cosmopolitanism

The cosmopolitan response to Rawls has its foundations in a Kantian claim to the equality of humanity across social, economic, geographic, and political domains (Kant 1983, 2002). Cosmopolitans argue that individuals are primary bearers of rights (and are so equally) regardless of where they are positioned in social hierarchies and regardless of which part of the world they are found. So, in this view, global justice entails respecting those rights and when thinking about how to properly distribute social goods, services, and possibilities for human flourishing,

the cosmopolitan position requires of us that we respect the claims of all individuals equally and act accordingly. This requires then in turn not just working to ensure equal access and distribution of social goods within national boundaries but also across them if we are to achieve global justice. Of particular importance for some cosmopolitans is ensuring that certain human “capabilities” are achievable for all human beings (Sen 1999; Nussbaum 2011). These capabilities include things like being healthy which includes access to healthcare but also adequate housing, clean water and healthy food, not dying prematurely from preventable causes, freedom of movement, reproductive choice, living in a world in which the environment is conducive to this, access to economic well-being, and so forth (Nussbaum 2011). On the cosmopolitan view of global justice, state borders are not a factor in determining whose capabilities are respected and advanced; the argument is that all individuals should have access to these and so global governance structures should promote the advancement of capabilities for all humans in this way.

Further, as Thomas Pogge argues (2001), we need to ensure that the global institutional order that exists does not benefit one group to the detriment of others, and given that the current situation is such that the institutional order as it exists now does in fact do this – it emerged out of the brutal history of colonialism which transferred wealth and resources from the colonies to the colonial powers, and the global financial order is a continuation of this process – we have not only a positive duty to global redistributive justice as a corrective to this but also a negative responsibility in the continuation of an unjust global order. That is, insofar as the history of the current global order positions some as winners and some as losers economically and socially, the winners bear responsibility for both this history and its perpetuation. For this reason, as some cosmopolitans argue, correcting this may require the strengthening of global institutions and the weakening of state sovereignty if it is such sovereignty that perpetuates global inequalities (Pogge 1992).

For example, from the cosmopolitan perspective, that there is anthropogenic climate change and that there are some nations and peoples more affected by this than others, requires a global response that makes all nations responsible for the well-being of everyone in ways that weaken national sovereignty around decisions such as levels of carbon emissions and such (see, for instance, Caney 2005). Though there are differences in the ways that various cosmopolitan theories of global justice make sense of how equality among peoples should be determined, the basic view is that because of the fundamental equality among individuals at the most basic level, and because this equality means all have equal claim to human rights, the goal of achieving equality of capabilities at a practical level is the guiding principle regardless of state or national boundaries.

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## Theories of Global Justice: Internationalism

A second position taken up in relation to Rawls’ view, what we can, to use Nancy Fraser’s helpful framing, call the more internationalist one, responds to the Rawlsian privileging of the role of distributive justice inside the bounds of the state by arguing

that Rawls is correct to an extent – the demands of justice in the social are specially governed and adjudicated within the realm of national communities, but internationalism argues that there should also be weaker duties of justice between national communities (Fraser 2009). One prime example of this approach is given by David Miller in his 2007 *National Responsibility and Global Justice* (for other similar approaches, see Onora O’Neal 2000 and Kok-Chor Tan 2004). Here, Miller argues that global justice is important, but it cannot be a matter of applying the demands of social justice – like those articulated above in the cosmopolitan capabilities approach – as they exist within national boundaries to communities and individuals across such boundaries. Miller seeks to show, in this way, that there is a difference between social and global justice. This is because as Miller argues, national communities have histories in which they have long-running cultural traditions that ultimately construct particular and localized notions of the good and of justice. Miller’s further point here is that these traditions and norms are different from one another precisely because they are culturally and historically bound (Miller 2007). He claims that this is a problem for any conception of global justice that simply seeks to apply the principles of social justice writ large (like the cosmopolitan view) because there is no common, cross-cultural/cross-national notion of social justice that can be used as a foundation for such application (Miller 2007). Nations and cultures construct and rank their notions of what counts as social justice and fairness differently (Miller 2007). Furthermore, as Miller argues, even if we could find such a common conception, national preferences for how to achieve such equality will differ as will the paths different nations choose in working toward those goals and will differ in such a way that they cannot be held to account (because they are preferences) in any universal global egalitarian theory we could construct (Miller 2007).

Ultimately, Miller’s view is that, given these problems, we should not see global and social justice as making the same demands or offering the same conditions as they are two separate realms. The former demands a weaker set of conditions than the latter. The demands of global justice are such that we can (and should) claim that individuals and communities should have access to basic sets of resources and also that we should work toward ending global forms of poverty. Such a theory does also include the recognition that some nations can be held responsible for violating these two core values (both in their actions in the present and also in their actions in the past), but any more robust conception of justice and equality remains the provenance of the nation and the state (Miller 2007).

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## Theories of Global Justice: Young and Fraser, More Than Just Distribution

As we have seen, the three broad philosophical versions of global justice discussed so far – the strictly Rawlsian, the cosmopolitan, and the internationalist – spend their time thinking primarily through the lens of distributive justice and argue in various ways for a just redistribution of wealth, capabilities, and opportunity, as well as redistribution of responsibility for various past and present actions that contribute to

the preponderance of various forms of global inequality. In connection with this responsibility redistribution, these theories argue that we also need a redistribution of benefit and burden on a global scale. There is another set of theoretical and practical global justice arguments that claim that simply focusing on redistributive justice is not enough.

Iris Marion Young is an early critic of the distributive model-only style discussions of justice described above and offers one version of a reimagined model that takes seriously not only issues of just distribution but also questions of power and oppression that underlie and produce unjust distribution so as to offer a more robust notion of justice (Young 1990). Young's main concern with the distributive model as the sole foundation of thinking about justice is that when we only think of justice in these terms (as redistribution of material goods such as wealth, resources, access to healthcare, etc.), it obscures larger, and perhaps more important, questioning of the power structures – both historical and presently persistent – that create and perpetuate unequal distribution of the various goods described above. Further, Young argues that even when distributive models do consider this and other nonmaterial social goods such as access to certain nonmaterial capabilities as in the cosmopolitan model, or the protection of cultural goods for minoritized populations, or access to power structures for those historically locked out, these things tend to be conceived of as “static things, instead of a function of social relations and processes” (Young 1990, 16).

In relation to the first charge, that distributive-only models of justice fail to understand power structures, Young argues that solely focusing on redistributive justice leaves oppressive social institutions and structures in place. For instance, if we look to a commonly argued for redistributive model of spreading the burden and responsibility for global inequalities in relation to climate impacts like those argued for in distributive “carbon tax” models, we find a means of spreading the “responsibility” for the effect of carbon use but no way of shifting carbon use in ways that change long-standing institutional and power structures (see, for instance, Miller 2008). That is, as long as carbon users and polluters can continue to pay the tax, they remain in control of the structures, and so, in relation to the second problem identified by Young, in this example those who lack such means and power are left out in ways that they have always been insofar as they are given little ability to make polluters stop and hold them accountable in ways outside of the economic.

For instance, enforcing accountability for the negative and marginalizing effects of climate change on culture and tradition on various indigenous communities around the world is impossible and potentially ignored under such models (Adger et al. 2013; Rush 2018). Native Americans and their descendants in the Southern United States who live in coastal communities are, for instance, especially threatened by rising sea levels and have seen their way of life in these communities slowly eroded and disappeared – ways of life that have been subjected to historical repression by the US government such that they were pushed into coastal living in the first place (Rush 2018). Carbon tax-based, distributive justice style climate mitigation strategies do nothing to address these injustices. In this way, Young argues that an expanded model of justice must take account of not only distributional

issues but also issues of oppression, marginalization, powerlessness, and cultural imperialism (Young 1990, 2006). Ultimately, for Young, justice requires social and political (and not just material) equity. This means that we must take account of differences between groups and individuals, and their histories and experiences as well as the ways institutions both in the present and in the past have privileged some at the expense of others.

In a similar vein to Young, Nancy Fraser also argues for a more complete theory of justice and hence of global justice. Building on Young's criticism of distributive models of justice, Fraser argues that what is needed is not only just distribution of social and economic goods but also just political representation for all who are affected by various issues and unjust social relations on a global scale, as well as a form of democratic cultural recognition. For Fraser, this constitutes what she describes as a "three-dimensional" notion of global justice (Fraser 2005, 2009). As Fraser argues in this three-dimensional model, there are a variety of ways that individuals and groups suffer injustice – at the economic distributive level, individuals and groups are marginalized, oppressed, or otherwise excluded by economic structures that disallow them the resources for full participation; at the cultural level, individuals and groups may lack social standing via what Fraser describes as "institutional hierarchies of cultural value" which confers a kind of "status inequality" such that those on the lower end of the cultural hierarchy are excluded and marginalized (Fraser 2005).

We have already seen much about the first set of issues of exclusion/marginalization around the economic. For the second set, we can think here of the various ways around the globe that the status of women suffers under patriarchal social relations or how racial and ethnic hierarchies also enforce exclusion and marginalization across geographic and political contexts. For concrete examples of racial and ethnic hierarchies, we can think about the ways in which the Palestinian community faces repression and marginalization at the hand of the state of Israel and the ways in which communities of color in the United States face similar structures of repression – a fact which both Palestinian activists and Black Lives Matter activists have recognized and so begun to work together to understand each other's struggles (Bailey 2016; Malloy 2014). We can also, in this context, think about the ways in which indigenous activists around the world have come to understand their struggles for justice as bound up together in particular ways and so have begun to act together in seeking justice on a global scale around issues of representation (Choudry 2007).

These latter examples are of the ways in which various local movements – for racial and ethnic rights, for movements for indigenous peoples' rights, and for women's rights – connect with one another in order to form larger movements to combat this exclusion and gain power (Fraser 2005; Choudry 2007). Fighting cultural hierarchies in this way is also a form of gaining just representation – the third of the three dimensions in Fraser's account of a proper global justice for the present. It is not only this though, as justice in representation also includes on her accounting of it, the establishing of criteria for membership in the larger community as well as procedures for resolving conflict and injustice among community members (Fraser 2005). As Fraser points out here, the political dimension is that through

which questions of distribution and recognition are articulated and so it cannot be neglected in our construction of theories of justice. To be sure, as just noted Fraser does not privilege the representative and the political over-against the economic as the economic is one of the main ways the other forms of injustice are enforced and extended – minoritized and oppressed populations worldwide are also often economically excluded as well and any global justice program must think all three forms of exclusion and injustice at once if it is to succeed in its goals.

As can be seen by the above, conceptions of justice and injustice are integral to various forms of ethnic politics that are concerned with seeking redress for a variety of forms of injustice at the political, social, and economic levels of social structure. And given that much of these struggles take place not just within a bounded national context but in the context of globalized social, economic, and environmental conditions, conceptions of global justice can and do also play a central role.

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# Shared Citizenship and Sovereignty: The Case of the Cook Islands' and Niue's Relationship with New Zealand

# 13

Zbigniew Dumieński

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## Abstract

The world in the twenty-first century contains many distinct small polities of varying degree of self-governance, ranging from fully sovereign states to mere autonomies or special administrative regions. Their existence raises the question of the meaning of sovereignty, statehood, and politico-economic viability in the face of extreme geographic and demographic challenges. This question is of particular relevance in the context of one group of diminutive states that have delegated some of the key attributes of their sovereignty to larger states in order to overcome some of the limitations imposed upon them by geography or demographics. This chapter examines two such political units: the Cook Islands and Niue. While formally independent, they have functioned in free association with New Zealand. In addition to receiving significant amounts of financial assistance, as well as delegating authority in such areas as monetary policy or defense to their former metropolitan power, the Cook Islanders and Niueans have remained New

Z. Dumieński (✉)

Auckland University of Technology, Auckland, New Zealand

e-mail: [dumienski@gmail.com](mailto:dumienski@gmail.com); [zdum510@aucklanduni.ac.nz](mailto:zdum510@aucklanduni.ac.nz)



Zealand citizens, and their territories have remained treated as part of New Zealand for the purpose of obtaining its citizenship. The existence of such arrangements has been a source of confusion. In particular, it has raised the question of the compatibility of free association and shared citizenship with sovereign statehood. This chapter addresses this question and argues that despite their miniscule size and close association with New Zealand, both the Cook Islands and Niue can and should be seen as sovereign states.

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### Keywords

Microstates · Small states · Sovereignty · Shared citizenship · Free association · Modern protected states

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## Introduction

The world in the twenty-first century contains many distinct small polities of varying degree of self-governance, ranging from fully sovereign states to mere autonomies or special administrative regions. Their continued survival, and indeed, often economic and political success, provokes scholarly debates on both the effects of smallness on domestic institutions and the role of diminutive units in the international system dominated by large powers.

While tiny polities are hardly a novelty in international relations (Dommen 1985, 17; Sundhaussen 2003), their current multitude and position in international relations and global economy have both fascinated and perplexed modern historians, sociologists, political scientists, and economists (e.g., Benedict 1967; Harden 1985; Hintjens and Newitt 1992; Hobsbawm 1992; Parrish 1990; Reid 1975; Plischke 1977; Catudal 1975). As noted by Simpson (2007, 29), “there is an extensive and expanding literature concerning small states.” Many scholars have been interested not only in the role that small states play in the world dominated by great powers (e.g., Amstrup 1976; East 1973; Goetschel 1998; Harden 1985; Hey 2003; Keohane 1969; Mohamed 2002; Neumann and Gstöhl 2004) but also in the possible effects of diminutive geographic or demographic size on various states’ economic performance (e.g., Armstrong and Read 1995, 1998; Baldacchino 2006; Grydehøj 2011; Katzenstein 1985; Mehmet and Tahiroglu 2002; Milne 2000; Srinivasan 1986; Sutton 2011; Tönurist 2010) and political institutions (e.g., AJPA 1994; Alesina 2003; Bray and Fergus 1986; Schumacher 1973; Veenendaal 2015). This extensive research fits into “a long tradition in the history of political thinking in Europe” (Amstrup 1976, 163) concerned with the effects of size on states’ behavior and institutions.

One group of tiny polities appears as especially intriguing. Due to the constraints imposed by their smallness, these states function in close relationships with at least one larger state acting as a benign protector of their political and economic viability. While sovereign, they delegate some of the key attributes of their sovereignty (such as the conduct of foreign policy, defense, key administrative functions, monetary policy) to larger states in order to overcome some of the limitations imposed upon them by geography or demographics. Perhaps unsurprisingly, the existence of such

peculiar arrangements, together with these polities' minuscule size and relative obscurity, has led to some confusion regarding their political status and place within the international system. Furthermore, the establishment of close associations between the tiny polities and larger states has raised the questions of the meaning of sovereignty and statehood in the face of extreme geo-demographic challenges and minuscule size.

This chapter looks at two such polities: the Cook Islands and Niue. Both of them are not just minuscule but also located in the middle of the Pacific Ocean, which amplifies the geo-demographic challenges to political and economic viability presented by their size. The key way in which the two entities overcome their limitations is via free, albeit far-reaching and comprehensive, association arrangements with New Zealand, who used to exercise sovereignty over these island territories. The Cook Islands and Niue do not just receive generous financial aid from their former colonial power but also have delegated certain key attributes of sovereignty to New Zealand. In part, this takes place in the form of New Zealand's direct assistance in such fields as the conduct of foreign affairs, military defense, and public administration. However, arguably more importantly and curiously, it is also manifested in the fact that, despite their respective countries' formal independence from New Zealand, both the Cook Islanders and Niueans have remained New Zealand citizens, and their territories have remained treated as part of New Zealand for the purpose of obtaining New Zealand's citizenship. This means that the people of both polities have an unobstructed access to New Zealand's infrastructure, including healthcare, education, and welfare system. By virtue of New Zealand's agreements with Australia, this also provides them with a right to reside and work in Australia and travel visa-free to most countries in the world.

Perhaps not surprisingly, the existence of such close ties between New Zealand and the two island polities, coupled with their remoteness, tiny size, and lack of any strategic resources, has resulted in their political status being often subject to confusion, misunderstanding, or ignorance, both outside the region and even in New Zealand itself. To many people, superficially, the two entities appear to "to occupy the ill-defined no-mans-land between colony and independent statehood" (Smith 2010, 170). In particular, the issue of the two polities' sovereignty and statehood, in light of their association with New Zealand, has been clouded by a high degree of confusion. Can these entities be described as sovereign states? Are there geo-demographic constraints, coupled with close links to New Zealand and lack of separate citizenships compatible with the concept of sovereign statehood?

The aim of this chapter is to clarify and address these questions. Its central argument is that despite their minuscule size and peculiar geopolitical arrangements, both the Cook Islands and Niue can and should be seen as sovereign states. While rare and complex, the type of arrangements between the Cook Islands, Niue, and New Zealand is not without precedent. Indeed, it aligns with the experience of several other diminutive states that have managed to mitigate geo-demographic constraints and maintain sovereignty thanks to establishing and managing close relations with larger states acting as benign protectors of their political and economic viability.

The chapter begins by presenting the concept of micro-statehood understood as modern protected statehood. It then discusses the case of the Cook Islands and Niue, with a particular emphasis on the issue of free association, shared citizenship and their implications for the countries' sovereignty and politico-economic viability. The analysis is strongly focused on the Cook Islands, primarily because of the fact throughout the late nineteenth and the twentieth century Niue followed (or was forced to follow) the arrangements worked out for or with the Cook Islands, both when it came to colonial administration and the formation of free association with New Zealand.

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## Microstates as Modern Protected States

There are a number of diminutive polities that claim to be sovereign and that yet delegate the key attributes of sovereignty to larger states. The existence of such arrangements, together with these polities' minuscule size and relative obscurity, has led to some confusion regarding their political status and place within the international system. Much of the puzzlement surrounding the political status of owes to the fact that such polities have rarely, if ever, been studied together as a separate analytical category within the broader scholarship of small states and territories. One of the key characteristics of this rich scholarship is the problem it has with precisely defining "its own subject, 'the small state'" (Amstrup 1976, 165). As noted by Maass (2009, 66): "despite the existence of a substantial specialised literature on small states and the existence of small states in large numbers, the phenomenon of the small state remains vaguely defined, by scholars as well as practitioners." Notwithstanding the long-standing problem of finding meaningful ways to differentiate between small and large states, scholars have recognized that some polities are so diminutive and institutionally peculiar they need to be studied separately from both large and small states. This realization has led to the creation and popular usage of an assumingly distinct, albeit not very precise (Warrington 1994), category of very small political entities: the microstates.

Presumably, microstates are polities distinctive enough to merit being treated separately from both "normal" and "small" states (Warrington 1994). After all, if they were only quantitatively different from other political units, then looking at them in isolation from larger states would make little sense from the scholarly point of view. For political scientists and economists, it is not merely geographic or demographic smallness in itself that should matter but whether or not smallness produces any significant qualitative consequences. In other words, the microstates "as a category of analysis would only be useful in terms of the characteristics of these states and, the relevance of such characteristics to the role they play in the international system" (Mohamed 2002, 3). As such, any viable definition or concept of microstates must facilitate a clear identification of *qualitatively* distinct political units whose peculiarity derives from certain geographic and demographic constraints.

Unfortunately, such a definition is absent from most of the existing scholarship (Orlow 1995). While scholars appear to agree that a microstate is simply a "very

small state,” there is little consensus (Warrington 1994), or even reasoned argument, over what constitutes both “very small” and “state.” Consequently, most of the current definitions of microstates (and most cases of the usage of the term) are hampered by serious problems of inconsistency, arbitrariness, vagueness, and inability to meaningfully isolate *qualitatively* distinct political units.

As an alternative to this problematic approach to defining and identifying microstates, it has been proposed to regard microstates as modern protected states, i.e., sovereign states that have been able unilaterally to depute certain attributes of sovereignty to larger powers in exchange for benign protection of their political and economic viability against their geographic or demographic constraints (Dumienski 2014).

This definition permits identification and isolation of states on the basis of their qualitative political uniqueness resulting from both their own and external perception of resourcelessness, physical constraints, and geographic insignificance. The real or perceived geographic weakness and resourcelessness make microstates’ leaders determined to seek or accept external protection and institutional assistance even at the cost of losing some of their sovereign attributes. At the same time, the real or perceived geographic insignificance of microstates, coupled with certain historical, personal, or strategic considerations, induces larger countries’ leaders to provide microstates with nonreciprocal, benign protection. Micro-statehood thus entails not only observable geographic or demographic smallness but also the voluntary and *nonreciprocal* delegation by microstate leaders of some “authority normally exclusively retained by [sovereign] self-governing state, often in the field of defence and foreign affairs” in exchange for protection and/or “favourable economic terms such as market access” (Turner 2007, 19).

Importantly, these unique institutional relationships with larger states are both necessitated and permitted by microstates’ real or perceived smallness and geopolitical insignificance. From this perspective, microstates are more than merely very small states, but rather are unique political entities worthy of a focused academic enquiry. This approach to the study of microstates permits not only to address the lack of “terminological clarity and theoretical coherence” (Sieber 1983) that characterizes the current small and microstates scholarships but also to study both the political phenomenon of protected statehood and the peculiar politico-economic situation of some of the world’s smallest political communities.

While this way of looking at microstates may be seen as novel, it is nonetheless historically justified. Nearly a century ago the League of Nations was faced with the problem of the then called “Lilliputian States” (Crawford 2007, 183). In 1919 and 1920, the Republic of San Marino, the Principality of Monaco, and the Principality of Liechtenstein submitted their applications for membership in the organization. While the first two soon abandoned the idea, Liechtenstein remained persistent in its efforts and “pursued the matter to the full” (Gunter 1974). In response to its request, the League ordered a detailed examination of the applicant’s qualifications. In 1920, following an inquiry into Liechtenstein’s situation, the Fifth (Admissions) Committee rejected its application arguing that:

There can be no doubt that juridically the Principality of Liechtenstein is a sovereign State, but by reason of her limited area, small population, and her geographical position, she has chosen to depute to others some of the attributes of sovereignty. (...) For the above reasons, we are of the opinion that the Principality of Liechtenstein could not discharge all the international obligations, which would be imposed on her by the Covenant. (quoted in: Schwebel 1973, p. 108)

While the League did not accept Liechtenstein's application for membership, it did nonetheless manage to provide a qualitative threshold for microstates. It was recognized that such states were entities so geographically and demographically constrained that they independently chose to depute some of their external sovereignty to their larger neighbors.

The existence of such entities may have been seen as peculiar in the early twentieth century. However, a long time before the times of the League of Nations, the theoreticians and practitioners of diplomacy recognized a category of political units called "protected states" (Berridge and Lloyd 2012; Crawford 2007, 286–294). According to such authors as Hugo Grotius (1583–1645), an "unequal alliance," with one state offering benign or amicable protection or patronage over another, was "quite consistent with the sovereignty of the latter" (Crawford 2007, 286). It was in fact widely accepted that "states which were unable to maintain their sovereignty unaided could have their internal autonomy underwritten if a willing major power came forward to protect them" (Herr 1988). Unlike protectorates (especially in their colonial context), the protected states came into existence through genuine, consensual agreements between two or more sovereign parties (Herr 1988, 289) and assumed respect for independence, protection, and assistance offered either unconditionally or in exchange for a rather benign and limited "accommodation to the wishes of the protector in matters of policy" (Baty 1921, 109).

The protected states delegated some of their authority but retained independent control over their domestic affairs and at least some degree of influence over their foreign affairs (Crawford 2007, 288). What was peculiar was the fact that the relative benefits of such arrangements were far greater for the protected than for the protector. At the price of voluntarily choosing to "restrict the exercise of its sovereign rights in a certain area, allowing another [state] to act on its behalf" (James 1986, 100–101) (with an at least theoretical option for terminating the agreement at will), a protected state gained political support or protection and very "favourable economic terms such as market access" (Turner 2007, 19).

While this form of statehood was somewhat common in medieval and early modern Europe, by the nineteenth century, it seemed that the "conception of a really independent, but protected, State had disappeared" (Baty 1921, 111). According to historians, by the second half of the nineteenth century, the protectors gradually dismantled any real independence of their protected states and either annexed them or turned them into nonindependent façade states (Alexandrowicz 1973; Baty 1921; Johnston 1973). Although the term "protected state" was still in use in the twentieth century (and presented in contrast to the term "protectorate"), it referred to political units such as the Malay and Persian Gulf states that were obviously non-sovereign (Crawford 2007, 287; Parry 1960).

Seen from this perspective, the European microstates were indeed “medieval relics” (Hass 2004), but not due to their size but because of being the only surviving protected states. Somewhat paradoxically their survival as protected sovereignties was arguably large due to their extreme smallness, political insignificance, and lack of any natural resources (Duursma 1996; Eccardt 2005; Sundhaussen 2003). The term microstate can thus refer to both quantitative geographic insignificance and a peculiar political status, the two being inherently linked, the small size making sustainable unequal alliance likely and protection making survival despite the odds possible.

If the European microstates had not entered into unequal alliances with larger neighbors, they would have most probably simply disappeared from the political map of the continent. In fact, their continual presence was widely perceived as a “historical accident” (Bartmann 2012; Hass 2004). This may explain the fact that following the League of Nation’s decision regarding Liechtenstein very little, if any, attention was dedicated to the issue of micro/protected statehood. It was perhaps assumed that the model of political arrangement adopted by the European Lilliputian state was simply an outdated anachronism of little relevance to any other present or future cases. It was probably expected that such oddities would in any case soon disappear, as they were seen as doomed to economic failure notwithstanding their protection. Indeed, all of the microstates were characterized by poverty (Hobsbawm 1996, 281). Liechtenstein of the 1920s was among the poorest countries in Europe (Hass 2004; Stringer 2006); Monaco had a revolution in 1910 triggered by high unemployment and poverty (Is Monaco Doomed? Other Nations Want It 1910); and San Marino remained a poor, remote, peasant economy (Sundhaussen 2003). Hence, even though the European microstates were truly quantitatively and qualitatively unique entities, they never attracted any significant attention and gradually became little more than cartographic oddities.

In consequence, by the time new political communities quantitatively similar to the European Lilliputian states emerged as a result of decolonization (Herr 1988), the concept of qualitative microstates, i.e., sovereign states that only small but also protected states, had largely been forgotten. Instead, the term microstate has largely become a vague and vast category defined purely in terms of arbitrary (and rather inconsistent) geographic or demographic cutoff points. In practical terms, the only difference between it and the broader “small states” grouping is the, rather unjustified, inclusion of various sub-national jurisdictions within its scope. This conceptual lack of clarity is arguably one of the reasons behind the considerable amount of misunderstanding that surrounds the question of the Cook Islands’ and Niue’s political status.

As the next sections of the chapter will demonstrate, a more careful analysis of the Cook Islands and Niue’s situation and relations with New Zealand can reveal that both entities fit into the proposed qualitative definition of microstates understood as modern protected states. Instead of being seen as inconsistent with sovereignty of the two diminutive polities, the institution of shared citizenship can be viewed as a convenient and durable mechanism for delegating the provision of public goods to the protecting and securing political and economic viability against severe geographic and demographic constraints.

## Cook Islands and Niue: Geography, Population, Politics, and History

A detailed examination of the geography, history, and politico-economic situation in both microstates is beyond the scope of this chapter. However, a brief overview is necessary to understand the dynamics of their statehood and relationship with New Zealand.

### Geography

The Cook Islands' territory comprises 15 small islands spread across over 2 million km<sup>2</sup> of the Pacific Ocean. The Cook Islands is located south of Kiribati, west of French Polynesia, and east of Niue, Tonga, and Samoa. The country's capital of Avarua lies about 3,000 km northeast of Auckland and approximately 7,500 km southwest of Los Angeles.

The islands belong to two geographically distinct groups: The northern group consisting of sparsely populated coral atolls and the much larger and more densely populated southern group of eight islands. The distance between the two groups is truly enormous. For instance, Avarua is located over 1,350 km away from the northernmost island of Penrhyn. This is the roughly the same distance as between Italy and Norway. The dispersal of this microstate's tiny islands across the ocean gives it a certain macro dimension. While the total land area of the Cook Islands is approximately 240 km<sup>2</sup>, thanks to the principles prescribed by the United Nations Convention on the Law of the Sea according to which states have special rights regarding the use and exploitation of marine resources within 200 nautical miles of their coastline, the country claims a vast maritime exclusive economic zone (EEZ) of approximately 2 million km<sup>2</sup>, i.e., comparable in size to Mexico or Greenland (Clark et al. 1995; Hein et al. 2015).

The Cook Islands' massive maritime area is a source of both challenges and opportunities. The ocean can be seen as a potential source of valuable living and nonliving resources. In particular, over the last decades, it has been discovered that the Cook Islands' EEZ possesses significant amounts of mineral deposits "with nodules containing concentrations of cobalt, nickel, manganese, and other valuable non-living marine resources" (Clark et al. 1995). A potential successful exploitation of these resources could earn the country "billions of dollars" (Neate 2013), and as such it might one day lead to a significant politico-economic transformation of the Cook Islands, including changes to its form of statehood and association with New Zealand. However, despite encouraging reports and studies (Cardno 2016; Clark et al. 1995; Hein et al. 2015), as of 2016 the Cook Islands is yet to derive any substantial benefits from seabed mining, and the plans to exploit these resources are thwarted by high costs, potential risks, relatively small interest among potential investors (Cooks to take more direct approach to seabed mining 2016), and various environmental concerns (Samoglou 2014; Smylie 2014).



At the same time, the tremendous distance between the sparsely populated islands and the sheer size of the marine area under the Cook Islands' jurisdictions pose such challenges as significant cost of policing and surveillance of the EEZ, high transportation costs, economic isolation (particularly affecting the northern group islands), and logistical and financial difficulties associated with providing public services across the country (Asian Development Bank 2008; Duval and Winchester 2011; Fairbairn and Pearson 1987; Hoffmann-Dumieński 2016). The large size of the maritime area, especially in the context of small population size, can, perhaps paradoxically, therefore be seen as a geographic constraint and source of geopolitical vulnerabilities. As such it also demonstrates the complex nature "smallness" in international politics and reinforces the arguments regarding the need for a departure from relying solely on arbitrary quantitative thresholds for the purpose of identifying and analyzing polities affected by geographic and demographic limitations.

The Cook Islands' location also makes the country vulnerable to a number of natural hazards, most notably devastating tropical cyclones (Asian Development Bank 2008; Cook Islands Government 2015; Ingram 2004). The scarcely populated northern group islands are more exposed to this threat, but the southern group islands are also at risk. During the particularly bad 2005 cyclone season, the southern group experienced five cyclones that caused considerable damage (Asian Development Bank 2008, 31). Other potential hazards include rising sea levels (most notably in the case of flat and low-lying northern group islands), climate change, and environmental degradation of the key tourist spots (Reti 2008; Syme-Buchanan 2015).

Apart from the seabed mineral deposits, the Cook Islands' key natural resources are limited to marine resources (fish and pearls), small areas with fertile land, as well as attractive beaches and lagoons, which, together with warm climate, create favorable conditions for developing a viable tourism industry, especially on the southern group islands of Rarotonga and Aitutaki (Cook Islands Government 2015).

Unlike the Cook Islands, Niue consists of one single, largely flat island, a large uplifted coral atoll with an area of 260 km<sup>2</sup>. While Niue's landmass is larger than that of the Cook Islands, the concentration of its landmass means that the country enjoys a much smaller (albeit still quite significant – 390,000 km<sup>2</sup>) exclusive economic zone than the Cook Islands. The island consists mainly of limestone and has no river or lakes (as rainwater can easily soak through the porous rock), and the entire coastline is dominated by 30 m cliffs broken by chasms and caves. Marine access is difficult due to the lack of natural harbors or beaches (Connell 2007, 2). The lack of large sandy beaches makes it a challenge to develop the island as a "traditional" Pacific destination (Milne 1992, 566).

Soil, while fertile, is sparse, thinly distributed and "nestled in shallow pockets between coral rocks, a terrain that makes cultivation difficult" (Barker 2000, 195). Thirty to forty percent of the island can be considered as "unsuitable for agriculture" (McNicoll 1989, 15).

Due to its location just on the edge of the so-called hurricane belt, the island has frequently suffered from extreme weather systems capable of devastating the islands' agriculture and key infrastructure and posing a challenge to the island's economic viability (Barker 2000, 196). The island lacks any important mineral



resources, and its location is not considered to be of any strategic importance “for either military or commercial purposes” (Barker 2000, 195).

## Population

According to the 2011 census, the Cook Islands has a total population of 17,794, of which 2,282 were short-term visitors (mainly tourists) (Ministry of Finance and Economic Management 2013). The total population inside the country peaked at 21,322 in 1971 and has generally been in decline, especially when it comes to the number of residents (Cook Islands Government 2015; Ministry of Finance and Economic Management 2013), largely due to emigration (Bertram and Watters 1984, 131; Crocombe et al. 2008), with a notable acceleration of the rate of emigration since 1996 following the economic reforms leading to reduced public sector employment. Over the same period, the total population of Rarotonga increased by 14%, mainly due to internal immigration from the outer islands, as well as increasing numbers of tourists. The outer islands (except touristy Aitutaki) have experienced a significant decline in population size. The situation might appear to be particularly dramatic in the northern group. According to the 2011 census, the entire northern group of islands had just over 1,100 people (Cook Islands Government 2015).

Niue’s population of approximately 1,600 people makes it the smallest sovereign country in the world. The number of ethnic Niueans living on the island used to be much higher (5,000 in the mid-1960s), but due to emigration, the vast majority of ethnic Niueans live today in New Zealand, Australia, and elsewhere.

## Politics

Despite the significant cultural and geographic differences between the two countries, as well as over half of century of independence, “the systems of government in the Cook Islands still closely resemble the executive, legislative and judicial systems of New Zealand” (Webb 2016). As per 1965 Constitution, the Cook Islands share a monarch with New Zealand with the Queen of New Zealand being also the Cook Islands’ head of state. Similar to New Zealand, the Cook Islands “appoints a queen’s representative, by recommendation of the prime minister of the Cook Islands” (Webb 2016).

The country can be best described as a constitutional monarchy with a parliamentary democracy largely modeled after New Zealand but also containing some traditional institutions and elements. In particular, the Cook Islands Constitution establishes the *House of Ariki* “comprising up to 14 Ariki (chiefs) appointed by the Queen’s representative (on advice from the prime minister)” (Webb 2016) as an institution tasked with providing occasional advice and consultation to the Parliament (T. Ingram and Uhrle 2004, 22). The 24 members of the Parliament are elected for 4-year terms by the “first-past-the-post” single-vote electoral system (Clarke 1979; Jonassen 2011). The Prime Minister heads the country’s government. The

electoral system contains certain traditional elements with constituencies' boundaries drafted along the traditional land divisions and in result "made up of people who are related by blood and land resources" (Ingram and Uhrle 2004, 15).

In general, it has been noted that "tribalism, religion, political party affiliation and, more recently, gender have become underlying sources of divergence in Cook Islands politics" (Jonassen 2011). While the country has had a number of political parties since its independence (with the two main parties being the Cook Islands Party founded in 1965 by Albert Henry and the Democratic Party established in 1978 by Sir Thomas Davis), just like in the case of Liechtenstein (Veenendaal 2014), there are no substantial ideological differences between the main parties, and party support appears to be based primarily on family, religious, and personal connections of specific candidates and leaders.

Partially due to the above features but also due to other factors (such as the country's small size, legacy of colonialism, and the impact of foreign aid), patronage and nepotism are seen as some of the biggest problems affecting the Cook Islands' political system (Asian Development Bank 2008; Crocombe 1978, 1979; Ingram 2004). Furthermore, the political system of the Cook Islands is affected by a high degree of voters' apathy toward both the politicians and the political system (Jonassen 2011, 2013). Many voters appear to be disillusioned by frequent scandals and political reshuffles and a general perception of corruption (Jonassen 2011). The "thick crust of apathy" (Strickland 1979) is likely the result of broader, more systemic factors rooted in the colonial history of the country (Crocombe 1979).

The Niueans have traditionally had much more egalitarian social structures than most of the other Polynesian societies, including that of the Cook Islands (Connell 2007, 2; Talagi 2013, 16). Niuean society is also characterized as rather "republican" with "weak nationalism" and strong family loyalties (Talagi 2013, 16). Niue's political system is based on the Westminster system of government. Niue's Assembly consists of 20 members, 6 of whom are elected from the common roll and 14 of whom are elected by the constituents in each of the 14 villages (Government of Niue 2017). With approximately 1 member of Parliament per 80 citizens, Niue has arguably one of the most representative parliaments in the world.

## History

The early history of the Cook Islands is not well known, largely due to the absence of written records from the pre-colonial period (Gilson 1980, 1). Nonetheless, it is widely recognized that prior to the colonial period, the 15 islands did not exist as a unified political unit (Jonassen 2011, 35) and that despite the fact that all Cook Islanders "belong to the Polynesian branch of the Oceanic peoples," with the exception of the islands of Manihiki and Rakahanga, "no two islands shared the same cultural origins" (Gilson 1980, 3). The largest island of Rarotonga itself had no centralized political authority and instead was divided into three distinct tribal districts with their own hierarchies of chiefs (with *ariki* being the most senior chiefly title in each district) (Gilson 1955, 268, 1980, 6; Whimp 2008, 30).

The history of the post-European contact period is better documented. While the islands were likely sighted by the European explorers as early as 1595, the Cook Islands' remote location lack of any valuable natural resources, and tiny size meant that unlike other parts of Oceania, the islands "escaped the colonizing attentions" of the major political powers (Scott 1991, 30). Christian missionaries of the London Missionary Society (LMS) were the first group of outsiders to establish with a continuous presence on the islands in the early 1800s. They maintained a significant influence over the Cook Islands' society and politico-economic development for much of the century.

Toward the end of the nineteenth century, the island leaders grew increasingly concerned about potential threats to their power due to an increase in the numbers of foreign traders and influences from the growing French presence around Tahiti. In response to these threats, they approached New Zealand's colonial authorities with a request for British protection. Despite New Zealand's support for the move, London initially rejected their request as the British saw no economic or strategic benefits of becoming more involved in this part of the world, in particular as such involvement would require considerable expenses and would potentially be met with opposition from other colonial powers (Gilson 1980, 57; Scott 1991, 30–36).

However, the situation changed in 1888 due to concerns over the strategic implication of the proposed construction of the Panama Canal. The British realized that they lacked any coaling stations between their colonies in Australasia and Panama and that without having control over Rarotonga, the French would hold the dominant position on this potentially important route (Scott 1991, 42–43). In other words, the Cook Islands suddenly acquired a certain strategic significance to the Crown. In consequence, London changed its stance and moved to establish a protectorate over the islands.

It is important to emphasize that British decision did not establish the Cook Islands as a genuine protected state. Unlike in the case of relations between protected states and their benign protectors, the British protectorate over the Cook Islands (particularly with respect to the outer islands) did not assume full respect for the latter's sovereignty. While Britain ostensibly acted in response to the local appeals for assistance, the process of establishing their political presence on the islands was more akin to annexation than a creation of mutually consensual agreement between two sovereign states (Gilson 1980, 60; Scott 1991, 43). While the British demonstrated a degree of respect for the chiefs' authority and ostensibly came to the islands in response to their appeals, it is clear that the Cook Islands (or even just Rarotonga) was not effectively perceived by the British (not to mention any other powers) as a sovereign state. Likewise, while Britain assured the *ariki* that it would respect their laws, customs, and administration over their respective districts, the fact that it "reserved full liberty of action in respect of the type of government to be formed in the islands" (Gilson 1980, 62) and the fact that it unilaterally determined the political status of specific islands imply that Britain became the sovereign power in control of the Cook Islands.

The British move was welcomed and supported by New Zealand that at the time expressed a keen desire to assert itself as an important political entity not just within the British Empire but also on the world stage. New Zealand's colonial adventures,

however small and insignificant from the point of view of global affairs, offered hope to make the world's leading powers perceive New Zealand as a "small power" in the South Pacific even when it was still merely a "self-governing colony" (Ross 1964, 294–295). In this context, it is perhaps unsurprising that New Zealand's politicians were convinced that New Zealand should be "the agent and adviser of the Crown in matters of imperial interest in the Pacific" (Gilson 1980, 58).

It is also understandable that New Zealand expressed an interest in further increasing its formal power of the islands. After a short period of ruling on behalf of Britain, New Zealand managed to persuade London to consent to a formal annexation of the islands into New Zealand in 1901 (Gilson 1980).

In many ways, the Cook Islands occupied a peculiar position within New Zealand. While officially the islands were an integral part of the country, they were "outside the ambit of the New Zealand taxation and social security systems and New Zealand wage rates did not apply" (Quentin-Baxter 2000, 430). Indeed, "no New Zealand Act (...) ever operated in the Cooks unless it included a statement to that effect; and the term 'New Zealand' in any Act did not include the Cooks unless a contrary intention appeared" (Stone 1965, 371). Furthermore, the islands had no representative in the New Zealand Parliament (Stone 1971, 4), and New Zealand citizens "not belonging to [the Cook Islands]" had no automatic right to live on the islands (Quentin-Baxter 2000, 430).

Following the decline of New Zealand's imperial aspirations (likely related to the country's departure from a status of a mere colony in need of asserting its place in global politics), the country's politicians no longer paid much attention to the islands perceived as remote and of no political or economic significance. In consequence, "neglect and vague benevolence have been the hallmarks of [New Zealand's] rule" over the islands (Scott 1991, 7). New Zealand lacked the will or even the opportunities (due to the islands' negligible economic potential) to play the role of an "exploitative colonial power" in the Cook Islands, and instead, it has treated the islands with "benign neglect" (Quentin-Baxter 2000, 430).

In the aftermath of World War II, New Zealand's attitude toward the islands started changing. Wellington began to gradually and unilaterally treat the Cook Islands "as if they were not after all part of New Zealand, but had the status of non-self-governing territories over which New Zealand held a form of trusteeship" (Bertram 1987, 26). This remarkable change in attitude likely resulted to a degree out of the perceived conflict between the islands' seemingly anomalous status and the centralist direction took by New Zealand's government. The strongly centralized New Zealand state saw no room for accommodating politically autonomous communities within the framework of the New Zealand state (Bertram 1987, 21–22). More importantly, by the end of the World War II the global sentiment turned against colonial powers. New Zealand, which itself was a former colony, was naturally inclined to support the right to self-determination and was eager to present itself as the champion for small states (Quentin-Baxter 2000, 429). Like the annexation of the Cook Islands in the late nineteenth century, in the post-world war, "decolonizing" the islands was seen by New Zealand's politicians as a way of gaining international prestige (Bertram and Watters 1984, 5; McKinnon 2013).

Despite the fact that the islands were officially an integral part of New Zealand, and as such were not described as a colony, in 1946, the government decided to present them to the United Nations as a non-self-governing territory and consequently commit itself to facilitating their “self-determination” (Quentin-Baxter 2000, 429). However, the problem was that the Cook Islanders themselves, while perhaps opposed to losing their *de facto* autonomy, expressed little desire for full independence from New Zealand. Independence without any special arrangement with New Zealand seemed unacceptable primarily because of the concerns of the islanders’ about the politico-economic viability of their polities in the absence of support from New Zealand (Bertram and Watters 1984, 48–58).

It is in this context that the option of independence with a form of special arrangement, the institution of “free association,” was proposed as a compromise solution. The free association was understood as a voluntary arrangement sought by the weaker party, to which the stronger party merely agreed to while respecting the weaker party’s sovereignty. As such it was “designed to provide positive discrimination in favour of the small and the weak, enabling them to benefit if they wished from the benevolence of their former colonial power, without incurring any binding reciprocal obligation” (Bertram and Watters 1984, 35). For many Cook Islanders, it represented an acceptable and safe option. For New Zealand’s political elites, it offered an acceptable opportunity “to emerge [out of the decolonisation process] with a good reputation both internationally and at home” (Bertram 1987, 22).

On the one hand, the Cook Islanders were aware of the limitations imposed upon them by their tiny size, lack of substantial natural resources, and geographic isolation. As such they were anxious to retain not just the assistance of a larger state for the purpose of preserving their polity’s viability but also the socioeconomic opportunities offered by having access to the larger state’s market and institutions (including freedom to migrate) (Bertram and Watters 1984, 56). The free association offered the real possibility of overcoming the limitations of geography and demographics while at the same time entering the exclusive club of sovereign states and not only retaining control over domestic policy or the shape of the country’s political system and future but also gaining voice and identity in the international arena. Not surprisingly, with time the free association solution, initially seen mainly as the safe, “conservative” option (Bertram and Watters 1984, 47), eventually became more often perceived as “the best of both worlds” (Jonassen 1996, 55; Quentin-Baxter 2009, 629).

On the other hand, a similar perception of the islands’ geo-demographic constraints was present among the New Zealand’s (and foreign) policymakers who, in light of these challenges, saw the idea of the Cook Islands’ independence without any special arrangement with a larger state as “nonsense” (Wilson 1969, 104). This was particularly true in the context of the apparent problems experienced by Western Samoa, a “nonassociated” state that faced “formidable problems in constructing an independent nation” (Bertram 1987, 25) despite being many times larger, more populous, and richer in natural resources than the Cook Islands. At the same time, the miniscule size of the Cook Islands made it more acceptable for New Zealand to show generosity and benevolence toward them.

Just like the Cook Islands, Niue came under the influence of the missionaries from the London Missionary Society who established a quasi-theocratic society (along the local political structures) on the island around the 1850s and the 1860s (Pointer 2015, 50–72). Following the encouragement from the missionaries, the Niueans sought British protection from the perceived threat posed to the island by the Peruvian slave ships and foreign traders (Pointer 2015, 131–146). After initial reluctance (due to similar considerations as in the case of the Cook Islands), Britain agreed to form a colonial protectorate over the islands in 1900, in part in order to pass them under New Zealand's administration in response to the latter's aspirations described in the above sections. In the following year, the islands were formally annexed to New Zealand as part of its annexation of the Cook Islands. In response to the Niueans' pleas, New Zealand agreed to establish a separate administration and a separate Resident Commissioner for Niue (Tafatu and Tukuitoga 1982, 126).

Soon, it became clear that the islands did not represent any significant strategic or economic benefits to New Zealand. Consequently, once the New Zealand administration became more or less constituted, the islands became "all but forgotten for forty years" (Parsons 1968, 243–244).

Niue proved even more reluctant to pursue independence than the Cook Islands (McNicoll 1989, 44–45). This reluctance was dictated primarily by the widespread perception that the island faces even more serious geographic and demographic constraints than the Cook Islands. In light of these constraints, the Niueans "could not feel that, unaided, they were viable as a country" (Quentin-Baxter 1999, 594). New Zealand government recognized Niue's conditions and agreed to add an additional phrase (not present in the Cook Islands Constitution Act 1965) to the Niue Constitution act: "It shall be a continuing responsibility of the Government of New Zealand to provide necessary economic and administrative assistance to Niue" (New Zealand Parliament 1974).

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## Protected Statehood and the Question of Shared Citizenship

The Cook Islands' Constitution and arrangements with New Zealand have retained certain legal and symbolic ties between the two countries. First of all, the Cook Islands has chosen to recognize "Her Majesty the Queen in right of New Zealand" as its Head of State. Second, the two countries have frequently emphasized their "commitment to shared values" (Quentin-Baxter 2009, 613–617). Third, the Cook Islands' legal system and administration of justice remain to a degree linked to that of New Zealand's. Furthermore, the New Zealand Government has also expressed official commitment to giving (vaguely specified) continual financial and other supports to the Cook Islands (Quentin-Baxter 2009, 613–617). While the above features of the relationship between the two countries might be contributing to the confusion of the Cook Islands' status, they are not significantly different to those present in many other commonwealth countries and relations between them.

What matters from the point of view of sovereign statehood is the fact that the Cook Islands is free to unilaterally end its relationship with New Zealand (Neemia

1995, 127; Quentin-Baxter 1999, 590; Smith 2010, 204–205) and that New Zealand recognizes the Cook Islands' Parliament's (which replaced the Legislative Assembly) exclusive and full powers to unilaterally make and execute its own laws. Significantly, the Constitution Act of 1965 explicitly states that no laws or decisions made by the New Zealand Parliament are applicable to the Cook Islands, without the latter's consent (Bertram and Watters 1984, 56; Cook Islands Parliament 2004; Quentin-Baxter 2009, 611; Smith 2010, 181).

However, the degree of external ambiguity surrounding the Cook Islands' status is primarily related to two other elements of its association with New Zealand: the exercise of sovereign rights in the area of foreign affairs and defense and the question of shared citizenship. Regarding the first one, much of the controversy was largely generated by the 1964 New Zealand statute containing Section 5 that stated the following:

External affairs and defence – Nothing in this Act or in the Constitution shall affect the responsibilities of Her Majesty the Queen in Right of New Zealand for the external affairs and defence of the Cook Islands, those responsibilities to be discharged after consultation by the Prime Minister of New Zealand with the Prime Minister of the Cook Islands. (New Zealand Parliament 1964)

This section, which became known as “the Riddiford clause” after the chairman of the Island Territories Committee, for some time added significantly to the confusion surrounding the Cook Islands' status in the international affairs, as it was initially understood to mean that the Government of New Zealand retained exclusive power of the Cook Islands' external affairs and defense (Smith 2010, 184). However, this understanding was at odds with the official statement provided by the New Zealand's government to the United Nations in 1965 according to which:

[In] the matter of external affairs and defence (...) note also these two more fundamental conditions; first, New Zealand has no unilateral power within the Cook Islands to pass laws or make regulations on external affairs or defence or anything else; therefore nothing New Zealand does on behalf of the Cook Islands in these fields can have practical effect there unless the Cook Islands Government takes whatever legislative, executive or administrative action is required. Secondly, New Zealand can discharge these responsibilities only so long as the Cook Islanders so desire; the Cook Islanders have the power, under Article 41 of their Constitution, to change the free association arrangement and discharge these responsibilities for themselves. (Frame 1987, 144)

Indeed, over time “the dominant interpretation” and understanding of the clause have shifted considerably (Smith 2010, 184), and by the 1980s (especially after the Cook Islands' decision to transform its informal External Affairs Division into a formal Ministry of Foreign Affairs), the constitutional convention recognizing the Cook Islands' ultimate decision-making power in these areas had clearly been established (Frame 1987; Smith 2010, 191). This was further and confirmed by the two countries' governments in their 2001 Joint Centenary Declaration, which stated the following:

In the conduct of its foreign affairs, the Cook Islands interacts with the international community **as a sovereign and independent state** [emphasis added]. The responsibility of international law rests with the Cook Islands in terms of its actions and the exercise of its



international rights and fulfilment of its international obligations (. . .) Any action taken by New Zealand in respect of its constitutional responsibilities for the foreign affairs of the Cook Islands will be taken on the delegated authority, and as an agent or facilitator at the specific request of the Cook Islands. Section 5 of the Cook Islands Constitution Act 1964 thus records a responsibility to assist the Cook Islands and not a qualification of Cook Islands' statehood. (Joint Centenary Declaration of the Principles of the Relationship between the Cook Islands and New Zealand 2001)

New Zealand's recognition of the Cook Islands' sovereignty is naturally of great significance to any debate on the country's status. However, what matters even more from the point of view of the Cook Islands' position in the international system is the fact that other states have also recognized it as a state in international law (Quentin-Baxter 2009, 618). Since 1965 the Cook Islands has established diplomatic relations with 40 states (including Australia, People's Republic of China, France, and a number of Pacific island states), has become a signatory of over 100 multilateral conventions (including the UN Convention on the Law of the Sea, the Framework Convention on Climate Change and the Geneva Convention), and has become a member of some of the key international organizations (including the World Health Organization; the Educational, Scientific and Cultural Organization; the International Maritime Organization), many of which are explicitly only open to "states" (Smith 2010, 194–196).

Of particular importance was the signing of the bilateral friendship and maritime border treaty between the USA and the Cook Islands. Initially, the US officials were unsure whether or not the Cook Islands was a sovereign state capable of signing such a treaty. Upon receiving confirmation from the New Zealand government that the Cook Islands were indeed capable of entering into treaty relationships with other states, the treaty between the Cook Islands and the United States was signed (Smith 2010, 193; Treaty between the United States of America and the Cook Islands on friendship and delimitation of the maritime boundary between the United States of America and the Cook Islands 1980). The treaty itself does not mention New Zealand and clearly recognizes both the treaty-making ability of the Cook Islands and its sovereignty over the islands covered by the treaty.

It is possible that much of the confusion surrounding the Cook Islands' status in the international arena has historically been likely linked to the existence of many island-polities the size of the Cook Islands that have remained non-sovereign and indeed quite opposed to the idea of becoming sovereign states. Due to the Cook Islands' isolation and relatively low-profile participation in the international affairs, some countries might have assumed that they were akin to one of the equally small but non-sovereign sub-national jurisdictions. Nonetheless, over the last decades, the Cook Islands has gained a wide recognition across the globe, and it is clear that it has the capacity to enter into relations with other states.

However, the issue of shared citizenship may appear as potentially more controversial. In accordance with the Constitution Act, the Cook Islanders have retained New Zealand citizenship:

Nothing in this Act or in the Constitution shall affect the status of any person as a British subject or New Zealand citizen by virtue of the British Nationality and New Zealand Citizenship Act 1948. (New Zealand Parliament 1964)



Likewise, the New Zealand Citizenship Act of 1977 and the Citizenship Amendment Act of 2005 recognize the Cook Islands as part of New Zealand for the purpose of obtaining New Zealand citizenship by birth. Retaining New Zealand citizenship has always been seen by the Cook Islanders as one of the key benefits of their country's special relationship with New Zealand, and its guarantee in the Constitution Act was one of the main reasons why the option of associated statehood was considered to be attractive (Bertram 1987, 26; Bertram and Watters 1984, 49).

In practical terms, the New Zealand citizenship has been seen as important "mainly because it carries with it the right to live, work and study in New Zealand" (Quentin-Baxter 2009, 614). In other words, the New Zealand citizenship is a guarantee of the access to the New Zealand's market and infrastructure (including education and healthcare services). From this practical point of view, it is arguably akin to the rights enjoyed by the citizens of the European microstates (such as Liechtenstein or Monaco) in their respective protecting states by virtue of their bilateral arrangements. However, in the absence of any flexible and liberal arrangements between New Zealand and other Pacific nations (or any credible proposals to create such arrangements for the Cook Islands should the Cook Islanders lose their New Zealand citizenship), it is not surprising that the New Zealand citizenship appears as the only guarantee of continual access to New Zealand. It can also be seen as the simple "window" through which the Cook Islands can "outsource" the provision of some of the key public goods (e.g., sophisticated medical care, high-level education, some elements of welfare and consular assistance) to New Zealand. Furthermore, the fact that Cook Islanders are New Zealand citizens is seen as a factor that strengthens New Zealand's commitment to maintaining the special relationship with the islands.

Why did New Zealand's government agree to allow the Cook Islanders to retain its citizenship, and why has it never seriously considered removing it in all the years that have passed since the Cook Islands attained independence?. Allowing a tiny population of Cook Islanders to remain New Zealand citizens after independence was never seen as particularly problematic or controversial. At the same time, it was clear that without the offer of citizenship, the transition to independence would have encountered much more resistance among the islanders concerned about their future in the new, potentially economically nonviable state (Bertram and Watters 1984, 49). In theory, the New Zealand Parliament could remove the right to obtaining New Zealand citizenship by birth on the Cook Islands or even deprive the Cook Islanders of their New Zealand citizenship (Stone 1971, 193–194). However, such a move would certainly be legally difficult, and it would require a tremendous amount of political support to pass, particularly in light of the fact that approximately 90% of the ethnic Cook Islanders (many of whom are of mixed ancestry and have lived outside the islands for two or three generations) currently reside in New Zealand or Australia (Crocombe et al. 2008, 156). Should New Zealand want to effectively deprive all "Cook Islanders" of their New Zealand citizenship, it would need to not only come up with a sensible way of determining whom it considers to be a "Cook Islander" but also face the fact that such a move could potentially make tens of thousands of residents of New Zealand stateless, which would be problematic from the point of view of the international law (Blocker and Gulati 2017; Sawyer 2013). It is perhaps more plausible that New Zealand

might one day decide to stop treating the Cook Islands as part of New Zealand for the purpose of obtaining citizenship by birth, but this move alone would not make much of a difference, other than to encourage more Cook Islanders to move to New Zealand.

Perhaps most importantly, the Cook Islands' population is so small that the Cook Islanders' right to New Zealand citizenship is largely seen as non-problematic, regardless of the other arrangements under the framework of free association. It could, therefore, be argued that shared citizenship is just one of the most interesting but also durable features of the peculiar relations between the Cook Islands and New Zealand. It is the "most tightly protected dimension of free association," as put by one Cook Islander writer (Marsters 2017).

At the same time, the issue of shared citizenship is sometimes presented as inconsistent with the idea that the Cook Islands' is a sovereign state. In particular, it has been (rather casually) argued that due to the fact that the Cook Islanders lack their own citizenship, their country might be ineligible to become a member of the United Nations or that its membership in the organization would result in a loss of New Zealand citizenship (Andrews 2001; Small and Day 2015). This concern has been the key reason why the Cook Islands' government has been reluctant to apply for membership in the organization. However, it is not clear why the lack of separate citizenship or the fact that the Cook Islanders are entitled to New Zealand citizenship should be at odds with the country's eligibility for the United Nations membership. As argued by the Cook Islands' government officials: "there's nothing about having your own and separate citizenship in the criteria for joining the UN" and that they do not believe that the question of the Cook Islands' shared citizenship, should "form part of the discussion" (Cook Islands citizenship shouldn't be part of UN membership discussion 2015).

The membership is open to "all other peace-loving States which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations" (United Nations 1945). As persuasively argued by Smith (2010), the Cook Islands meets all of the above requirements. While there is no official United Nations definition of "states," the Cook Islands not only meets the criteria described in the 1933 Montevideo Convention on the Rights and Duties of States, but its statehood has also "been implicitly acknowledged by most other UN members through their permitting the Cook Islands to become a member of international organisations that are open only to States" (Smith 2010, 201).

In this context it is unclear why New Zealand politicians seem to consider it necessary to potentially discuss amending the citizenship rules should the Cook Islands choose to become a UN member state. One explanation could perhaps be that New Zealand is willing to offer unique privileges to the Cook Islands only for as long as it perceives it as small and vulnerable, but not necessarily if the Cook Islands were to become a more prominent state in the international arena. As noted by Smith, some Cook Islanders believe that for New Zealand, their country's UN membership could be seen as a sign that Zealand "is no longer needed by its former 'colony', and that New Zealand therefore would use the event as a justification for unilaterally terminating the relationship of free association with the Cook Islands" (Smith 2010, 214).

As noted above, the very beginning of Niue's micro-statehood was marked by the recognition of its precarious geo-demographic circumstances both in Niue and in

New Zealand. This not only paved the way for the successful formation of protected statehood, but also intensified the active character of benign protection offered by New Zealand. The analysis of the case of the Cook Islands demonstrated that New Zealand was generally open to providing direct assistance and funding of the relatively large administrative structure it had designed, in order to assist its protected states to overcome the perceived limitations imposed upon them by the smallness and other geo-demographic factors. It is therefore not surprising that when a decade after the Cook Islands' move to independence, the same process took place on an island perceived to be even more geographically constrained and vulnerable, Niue's leaders were anxious to secure and the New Zealand's government is willing to provide an even stronger commitment to active protection of the island's politico-economic viability.

Just like the Cook Islanders, Niueans have remained New Zealand citizens, and their territory is considered as part of New Zealand for the purpose of obtaining New Zealand citizenship by birth. The institution of shared citizenship has been the key mechanism through which Niue has been able to outsource the provision of some of the key public goods to its protecting power. At the same time, just like the Cook Islands, shared citizenship should not be interpreted as non-compatible with sovereign statehood.

Politically, Niue meets all the common criteria for statehood. Just like the Cook Islands, it is free to unilaterally break (via a referendum) its relationship with New Zealand at any time, and since its independence, it has gradually established its presence in the international arena (Gillard 2012, 126). It maintains diplomatic relations with a number of larger states including China, India, France, Italy, Brazil, Japan, Turkey, and Australia. It is also a member of some of the key international organizations, such as the World Health Organization, Food and Agriculture Organization, and United Nations Educational, Scientific and Cultural Organization.

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## Conclusion

There has been a considerable amount of confusion regarding the political status and place in the international system of the Cook Islands and Niue. Much of the puzzlement is due to not just their small size or remoteness, but due to the existence of strong institutional links between the two polities and their former metropolitan power, New Zealand. In particular, a lot of controversy has been generated by the fact that, despite their countries' formal independence, both the Cook Islanders and Niueans have retained New Zealand citizenships, and their states have remained considered as part of New Zealand for the purpose of obtaining New Zealand citizenship. On the surface, the institution of shared citizenship, as well as the fact that New Zealand has been acting as the guarantor of the two entities' political survival and economic well-being, might seem to suggest that the Cook Islands and Niue are not sovereign states but rather dependencies or autonomous sub-national jurisdictions of New Zealand.

However, as this chapter has demonstrated, a more careful analysis of these arrangements reveals that such arrangements are not inconsistent with the concept of sovereign statehood. Both the Cook Islands and Niue can be viewed as valid examples of microstates understood as a modern protected states. A combination of their small size, geostrategic insignificance, and specific historical circumstances has led to their formation as New Zealand's protected states. In order to overcome the constraints imposed on them by their geography and demographics, they have voluntarily delegated the exercise of certain basic authority to New Zealand in exchange for benign protection of their political and economic viability, via both direct assistance and the institution of shared citizenship. While this kind of arrangement might seem unorthodox, it is not unlike the arrangements formed between a number of European microstates and their respective larger neighbors. Just like them, the Cook Islands and Niue demonstrate that small size and lack of geopolitical importance are not necessarily handicaps but can be positive factors permitting, given favorable historical circumstances, certain political units to secure and sustain unusually advantageous arrangements with larger powers.

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## Cross-References

- ▶ [Faamatai: A Globalized Pacific Identity](#)
- ▶ [The Significance of Ethno-politics in Modern States and Society](#)

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# State Hegemony and Ethnicity: Fiji's Problematic Colonial Past

# 14

Sanjay Ramesh

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## Abstract

Indigenous Fijian polity before European contact was characterized by political contests and inter-tribal rivalry among indigenous Fijians. However, with the arrival of Europeans and their technology, indigenous warfare changed, enabling the chiefdom of Bau to become a hegemonic power in eastern Fiji via tactical political positioning and strategic maneuvers. The alliance between the chiefs and the Europeans was strengthened by the formation of the Cakobau government in 1871, but internal conflict between indigenous Fijians and Europeans over governance and security forced the Europeans and the chiefs to cede Fiji to Britain, which modeled indigenous administration as humanitarian colonialism. Disparate groups of indigenous Fijians subscribed to a singular cultural identity and the authority on indigenous land lay with the Council of Chiefs. In addition, the British introduced a new ethnic category to the colony of Fiji in the form of Indian indentured laborers, and this new ethnic group led to a three-tier ethnic structure where indigenous Fijians were owners of the land, Europeans controlled commerce and the economy, and Indians and Indo-Fijians provided cheap labor. The ethnic terrain chartered by the colonial administration in Fiji created a problematic historical landscape with constant Indian agitations for political equality and common roll before independence and indigenous Fijian and European resistance to Indian demands.

S. Ramesh (✉)

Department of Peace and Conflict Studies, University of Sydney, Camperdown, NSW, Australia  
e-mail: [sanjay.ramesh@sydney.edu.au](mailto:sanjay.ramesh@sydney.edu.au)

This chapter explores the ethnic history before cession and the historical and political dynamics of conflicting ethnic social forces.

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**Keywords**

Bau · Chiefs · Europeans · Land · Gordon · Indians · Humanitarian colonialism

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## Introduction

Indigenous Fijian cultural history before European contact is little known, but the social order that existed provided for rich diverse cultural experience, even though violence and incessant warfare were common. Before the acceptance of the Wesley Mission by the Bauan chief, Ratu Seru Cakobau, indigenous Fijian tribes fought bloody battles and engaged in cannibal feasts as documented by colonial historian R. A. Derrick (1950). However, following contact with Europeans and the introduction of firearms, the chiefdom of Bau, in eastern Fiji, emerged as a hegemonic political power in eastern Fiji.

Europeans exploited indigenous resources for profit and formed alliances with various indigenous chiefs who mobilized commoners to harvest sandalwood and beche-de-mer, which were priced commodities overseas. With increased trade came demands for a stable government. However, divergent interests of chiefs and Europeans led to conflict and the eventual demise of the Cakobau government, established in 1871 by settlers to increase trade and investment in the Fiji islands. Fearing political instability and further conflict between Europeans and indigenous Fijians, the chiefs of Fiji ceded Fiji to Britain, which implemented a paternalistic indigenous policy based on the cultural experience of Bau. Not long after cession to Britain, conflict between the chiefs and the Europeans re-surfaced. Indigenous chiefs expressed concern over alienation of indigenous land, and as a result, the Native Land Ordinance was passed. Under the leadership of Governor Arthur Gordon, indigenous Fijian land rights were strengthened, and a new cultural group in the form of Indian indentured laborers was introduced. While Governor Gordon wanted to shield indigenous Fijians from the devastating effects of plantation labor, he had introduced to Fiji Indians who were politically active and after indenture in 1920 demanded political equality. Indigenous Fijian chiefs were concerned with the introduction of Indian laborers as successive governors, after Gordon, heightened fear among chiefs with calls for changing land legislations and introducing indigenous Fijians to plantation labor and commerce. In the end, the indigenous chiefs prevailed following the affirmation of Gordon's policies by the colonial authorities in the form of humanitarian governance (Lester and Dussart 2014). This chapter aims to trace the history of indigenous Fijians from pre-cession Fiji and in particular addresses the issue of colonial constitution on ethnicity which was established by largely the European conceptualization and understanding of indigenous Fijian culture and tradition. More importantly, there were competing ethnic social forces and political alliances in pre-cession and post-cession Fiji that influenced transition to self-rule.

## Pre-cession Fiji: Establishing Bipolar Ethnicity

Indigenous Fijian chiefs are an important component in the indigenous social structure of Fiji. The chiefly system is not well understood by non-indigenous Fijians because the complexity of indigenous custom is based on the inter-relatedness of land (*vanua*), *kalou* (god), *ratu* (chief), and *matanitu* (body politic). Before and after European contact, the chiefs remained at the top of the indigenous Fijian social hierarchy. In most part of Fiji, chiefly clans were able to establish strategic alliances with their compatriots and form kingdoms and assert political hegemony. Out of these kingdoms emerged a group of powerful indigenous chiefs from eastern Fiji who competed for political power through incessant warfare and political control. According to Aubrey Parke (2014: 85):

The most complex form of socio-organisational confederation is found in the eastern parts of Fiji, especially in areas which have come into close contact with influences and ideologies originating from outside Fiji, particularly those of monarchical or near-monarchical Tonga and perhaps also the highly stratified and status-differentiating Samoa.

In fact, in eastern Fiji, the war chiefs of Kubuna became paramount authority on *matanitu* as the eastern chiefs of Fiji became political power brokers in the first half of the nineteenth century and used their customary influences to position themselves strategically with collaborative partnership with Europeans. There were special rules regarding chiefs, and these were enforced with extreme prejudice, and as colonial historian R. A. Derrick (1950: 16) observed: “no person might reach for an object above the chief’s head without first asking for and obtaining permission.” Failure to adhere to customary laws meant punitive punishment including death, and the chiefs usually imposed their law with the assistance of the priests and warriors. In pre-cession Fiji warfare, rivalry among indigenous tribes was also widespread. Indigenous women from outside the tribe were aggressively sought by indigenous chiefs, and as a result abduction of women was commonplace. Besides competition for women, indigenous chiefs actively extended their tributary through violent invasions and subjugation of conquered territories.

Historian R. A. Derrick critically looked at the indigenous Fijian warfare strategy. According to him:

A party would steal upon the sleeping village, surround it, and at the faint light of day, fire the houses. Then the stage was set for one of those scenes of horror that made Fijian’s name infamous. Men, women, and children were butchered as they ran from the burning houses. (Derrick 1950: 25–26)

While endless feuding was a permanent character of pre-cession Fiji, there nevertheless existed an interdependent relationship among indigenous chiefs, village priests, warriors, and commoners. However, contact with the Polynesian Tonga modified the pre-cession Fijian social order and influenced the rise of the indigenous polity of Bau.

The Tongans had a long relationship with eastern Fijians. There were established movements of people, ideas, and objects between Tonga and Fiji.

By 1700, if not earlier, this traffic had become regularised in the form of Tongan and Samoan bark clothes, mats and whale teeth for Fijians canoes, red feathers, pottery, and sandalwood. Most of the transportation was done by Tongans but in Fijian type canoes (bartered directly from Fijians) or built by Tongans in Fiji. (Oliver 1989: 1151)

As a result of trade and movement of a large number of people, by 1840 a number of Tongans reside in Fiji. Some of them were living as craftsmen or traders or mercenaries in Fijian villages and some in colonies of their own (Oliver 1989: 1151). The long and extensive contact with Tonga produced a hierarchical political organization in the eastern parts of the Fiji Islands, including Bau, Lau, Bua, Macuata, Cakaudrove, Lakeba, and Moala.

In eastern Fiji, a Polynesian form of hierarchical social structure existed long before European contact. Shelley Ann Sayes explains the political hierarchy in Cakaudrove.

The political organisation of Cakaudrove approximated the Polynesian model- an extensive pyramid of groups capped by the lineage and following a high chief. The head of vanua Cakaudrove, the Tui Cakau who was the member of the *i Sokula* lineage was the paramount chief of the *matanitu*. Subordinates of the Tui Cakau thought of them (members of the *i Sokula* lineage) as sacred, the descendants and representatives of the ancestral gods and as such, gods themselves. (Sayes 1984: 3)

Even though eastern Fiji had hierarchical social structures, the interdependence of the chiefs and his people remained intact, but with the European contact, the indigenous Fijian social system was restructured. Most significant European import was the introduction of firearms. According to J.D. Legge (1958: 11), “the introduction of firearms was perhaps the most momentous effect of the coming of Europeans, for it added a new feature to native wars and radically altered the balance of power between native kingdoms.” In addition, European commercial ships started trading with the indigenous chiefs following a shipwreck in Lakeba which led to the discovery of sandalwood. The Europeans brought into Fiji muskets, steel implements, flint, navigational equipment, and foreign goods. According to R. A. Derrick (1950: 38), “from the islands in eastern Fiji, where the first white men landed, evidence of a strange new world emerged beyond the horizons of Fiji and Tonga spread westward throughout the group.”

R. A. Derrick notes that every stick of sandalwood had blood upon it. He argued that “chief fought with chief in laying claim to patches of trees that had suddenly become valuable. They drove their people to cut logs, quarrelling over the spoils” (Derrick 1950: 43). However, David Routledge (1985: 44) claimed that the sandalwood trade involved limited contact between indigenous Fijians and Europeans. His position was supported by Peter France, who argued that “the effect of this trade on the lives of indigenous Fijians was limited to the provision of iron tools and glass beads for the common people and to military assistance for the chiefs of a small area on the west coast of Vanua Levu” (France 1969: 25).

The introduction of guns and iron tools radically altered the indigenous Fijian social structure. Traditional weapons such as spears, arrows, and clubs became

ineffective in warfare, and after the 1830s, with increased trade, possession of a musket became an essential requisite of a properly equipped indigenous Fijian warrior. Firearms also played a significant role in the emergence of Bau as a hegemonic polity in eastern Fiji since it was first to obtain muskets with the assistance of a European sharpshooter, Charles Savage.

The structural power of Bau soon superseded that of its rivals, and its hegemonic position was established through militarization. Moreover, the leadership of the kingdom was taken up by young chief, Ratu Seru Cakobau, who played an important role in forming strategic alliances with rival chiefs and Europeans. According to R. A. Derrick (1950: 117) "Cakobau lived the best years of his life through a violent period of bloodshed and cannibalism and he took a leading part in all its horrors." After accepting Christianity in 1854, Cakobau formed alliances with European traders, missionaries, rival chiefs, and mercenaries and became the upholder of privilege and the exploiter of ancient indigenous custom. However, there were commercial forces operating in Fiji that were beyond the control of Ratu Cakobau.

European contact made Fiji part of the global political economy of the nineteenth century. In less than 10 years, all sandalwood stands were logged from Fiji. Afterward, European traders found a new marketable commodity called beche-de-mer. Beche-de-mer or dried flesh of the sea cucumbers was highly valued in China. According to R. Gerard Ward (1972), "the rise in beche-de-mer trade in Polynesia and Melanesia was closely linked with that of sandalwood, often providing an alternative income to traders faced with the depletion of the sandalwood resource." The beche-de-mer trade demanded that the islanders learn new tasks and sometimes undertake labor under European direction. The beche-de-mer lasted a little longer than the sandalwood trade (1822–1850), and during this period, traders and beachcombers started to settle on the islands. With growing European interest in Fiji's natural resources, information soon reached imperial centers of the world on potentials for economic investment and Christian missions. The introduction of Christianity transformed old Fiji by outlawing ancient practices such as cannibalism and widow strangulation which were widespread.

On 12 October 1835, the first members of the Wesleyan Methodist Missionary Society arrived in Fiji in the persons of Reverend William Cross and Reverend David Cargill (Clammer 1976: 9). Cross and Cargill realized that the conversion of chiefs to Christianity was a prerequisite for mass conversions of indigenous Fijians. The momentum to convert the indigenous population expanded in 1838 after John Hunt, James Calvert, and Thomas Jagger brought to the island a printing press and published the Bible. The missionaries and their agents utilized existing knowledge of the Tongan language to publish the Bible in the native text, and through the religious teachings of Jesus Christ, indigenous Fijians were encouraged to abandon past heathen and pagan customary practices.

The missionaries were agents of various imperial interests, and their presence on the island of Fiji was aimed at changing the customs of land (France 1969: 29). However, not only customary practices were being overhauled, but ethnic identity of indigenous Fijians was also getting transformed. By attacking the gods of indigenous Fijians, the Christian missionaries restructured the power of the

indigenous chiefs. An indigenous Fijian chief derived spiritual power from the ancestral gods, and by discrediting their belief, Christian teachings reduced the old custom and ushered in a more rigid form of ethnic hierarchy (France 1969: 30). However, Christianity was not accepted with open arms by some indigenous Fijians, and for a while, there was fierce warfare between converts and holdouts. The issue of religion, nevertheless, was settled in 1854 when chief Cakobau acceded to a request of the King of Tonga and accepted the Wesleyan Mission (Oliver 1989: 197). By the mid-nineteenth century, the indigenous Fijian traditional social order was successfully transformed by European contact and more importantly by Australian migration (Young 1984). In particular, an influx of Europeans created new inter-ethnic tensions as Europeans established settlements on indigenous land provided for by the chiefs (Tippett 1955: 212–219). However, the new European-inspired social arrangement rested on a fragile socioeconomic arrangement.

There were sporadic attacks on European property, and in one such incident, outrages were committed against an American citizen, who filed a legal suit against the indigenous chiefs of Fiji. European settlers wanted to establish a functioning government to ensure security of European property and investment in the islands. The Europeans manipulated the hegemonic position of Bau and installed Ratu Seru Cakobau as “Tui Viti” or the King of Fiji (Lawson 1991: 48). The move by the Europeans established defacto rule of Bau over all the islands of Fiji, even though there were growing resentment to eastern Fiji from various tribes of western Viti Levu. Moreover, the Europeans were positioning themselves for a more labor-intensive investment in cotton, copra, and potentially sugar.

By the 1860s, the beche-de-mer trade had dropped off significantly, and other export commodities, like coffee and cocoa, were introduced by European settlers. A short-lived cotton boom occurred when world cotton shortage, caused by the American Civil War (1861–1865), prompted many would-be planters to the island, thereby increasing the stake in land and local politics (Oliver 1989: 198). The cotton boom was short, but within this period, there was a surge in migration, and in 1871, Europeans settlers convinced Cakobau to establish a functioning government. Not least among Europeans motivation was the need for political stability, security, and possession of indigenous land. However, factions and divisions emerged between the European community and the chiefs, resulting in the demise of the Cakobau government (France 1969: 92).

The initiative to establish a government enabled European settlers to form political and economic alliances with indigenous chiefs of eastern Fiji. Most significant ally of the Europeans was Cakobau, who was keen on consolidating his authority on all parts of Fiji. In 1873, using the killing of a settler community as an excuse, the Cakobau government launched an invasion against the defiant Hill Tribes of interior Viti Levu (Howard 1991: 23). After defeating the rebels, Cakobau expropriated their land and sold it to the Europeans. The subjugation of the Hill Tribes had a profound impact on the western part of the main island of Viti Levu, where indigenous Fijians carried out attacks against Christian missions and Europeans generally.



Despite the initial subjugation of the rebellious tribes of interior Viti Levu, the Cakobau government failed to provide order and good governance required by the growing European community. As a result, with the assistance of indigenous chiefs, representations were made to a number of imperial powers for the cession of the islands. After initially rejecting the offer, Britain reconsidered its position following reports that British nationals were involved in labor traffic in the Pacific Islands.

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## The Colony of Fiji: Toward Tri-Ethnic Discourse

Concern about the abuse of Pacific Islanders by commercially minded Europeans was one of the reasons for Fiji's cession. Britain understood Fiji primarily from the interpretations provided by the chiefs of eastern Fiji, where Bauan influence had led to cultural and social synchronization across the tribes in the region. More importantly, the cession of Fiji to Britain strengthened the cultural hegemony of Bau.

On 10 October 1874, the chiefs of eastern Fiji Vunivalu Cakobau, Maafu, Ratu Epeli, Tui Bua, Savenaca, Esekeli, Tui Dreketi, Ritova, Katonivere, Ratu Kini, Matanitobua, and Nacagilevu ceded Fiji to Britain. The cession was inevitable, because the Cakobau government (1871–1874) was virtually bankrupt and the European population wanted a stable political authority to protect their economic interests.

The provisional governor of Fiji, Sir Hercules Robinson, inherited the task of administering Fijians. Borrowing from the political and social organizations of the Bauan chiefdom, he grouped the islands of the colony into provinces, based on boundaries of the old state, and within the province, a number of divisions were created, each comprising a group of villages related by kinship. Each of these administrative units – the village, the district, and the province – was placed in charge of a Fijian, and there was a chain of responsibility from the lowest level to the highest (Roth 1953: 135).

The British colonial government brought to the island the concept of “humanitarian colonialism which was crystallised out of the complex assemblages and networks of the newly expended empire” (Lester and Dussart 2014: 23). The concept of humanitarian colonialism emerged from colonial governance, which continued to consider itself humane. Hence the protectionist project in Fiji initiated a new era in colonial history where ethnicity was established using three forms of categorization: white settlers, indigenous Fijian, and later Indian indentured workers. White settler community and the British colonial administration were the white elite, indigenous Fijians were labeled “exogenous others” who resided within the boundaries of the colonial entity, conveniently excluded from exercising any political authority (Veracini 2011: 26–27) and the “abject others,” notably Indian indentured laborers who were permanently excluded via rigid ethnic boundaries and political control.

It is within this humanitarian colonialism and ethnic boundaries the British colonial authorities restructured the indigenous administrative system by giving exclusive jurisdiction on indigenous affairs to the Council of Chiefs, *Boselevu*



*Vakaturaga*, which was a new institution, based on the collective political experience of the chiefs in the pre-Cession Cakobau Government. Despite dominated by the chiefs from the eastern Fiji, the Council became the official custodian of indigenous land, culture, tradition, customary rights, and social relations. Besides, the Council helped entrench British indirect rule by ensuring acceptance of the imperial rule by indigenous Fijians. The colonial and the indigenous Fijian customary administrations were “networked associations” that “decentered both white and indigenous agency” (Lester and Dussart 2014: 32). The decentered element was the distance between the political hegemony of the colonial administration and the indigenous Fijian administration (Norton 2013: 409–428).

The Council of Chiefs played an important role in steering the colonial policy on indigenous land where the governor consulted indigenous chiefs on the status of indigenous land while reserving the right to make decision on all land alienation. The Deed of Cession of 1874 was interpreted in a way that created the popular myth of a protective or humanitarian colonial policy toward the natives. According to Macnaught, “in the Fijian popular mind the lands had been given by the chiefs to the Queen *Vakaturaga*, that is, by way of a chiefly presentation which entitled them to expect that the Queen in her reciprocal generosity would return the lands to be shared and used by the people” (Macnaught 1982: 30).

The first governor to Fiji, Sir Arthur Hamilton Gordon, cemented a protective and humanitarian colonial policy by establishing and strengthening the Council of Chiefs and the associated Fijian administration, modeled around the customary experience of eastern Fiji and the logic of colonial constitution where the Europeans established political hegemony and indigenous population established their own zones of social transcourse within the colonial socioeconomic system. Gordon was a conservative at heart and campaigned against self-government in the North American Colony of New Brunswick. However, his apparent lack of success in North America left him bitter and disillusioned with London. Nevertheless, he was very well read and had intimate knowledge of the cultural destruction of the indigenous peoples of North America, West Indies, and Australia (Lemarchana 2011). As a convert to preserving indigenous way of life, Gordon was determined to safeguard indigenous Fijian culture. But according to historian Peter France, Gordon’s understanding of indigenous Fijian affairs was fundamentally flawed. According to him: “to begin with, Gordon did not speak or write indigenous Fijian and was further estranged by his adoption of the position of a high chief” (France 1969: 104–105). A lack of indigenous languages greatly affected Gordon’s ability to comprehend the nuances of indigenous Fijian culture and customary practices. As a result, he relied excessively on interpretations from more nuanced white settlers and their political agents in the colonial administration.

Gordon claimed that the provincial, district, and village indigenous social systems were firmly established in indigenous Fijian tradition. However, this was not the case for all of Fiji. In western Viti Levu, a different form of social organization and hierarchies existed (Brewster 1922). Nevertheless, Gordon saw *Roko Tui* (the Provincial chief), *Buli* (District Chief), and *Turanga-ni-koro* (the village head) working well with the colonial administration, and as a result, a Fijian administration

was informally established. Indigenous Fijian labor was regulated through a paternalistic tax policy, where male indigenous Fijian between the ages of 16 and 60 contributed 20 days labor on public works in the province, including road works, improving provincial offices, hospitals, and gardens. Gordon believed that in such a policy, Fijians would have minimum impact in the indigenous way of life and would preserve the communal mode of production of indigenous Fijians.

Besides a paternalistic tax policy, the Deed of Cession allowed the chiefs, together with the colonial government, to oversee the utilization and the alienation of indigenous land. European settlers in Fiji wanted to acquire indigenous land for commercial agriculture and even before cession taken indigenous land through deception. As a result, the Council of Chiefs was reluctant to alienate any indigenous land. However, by the virtue of the Deed, the colonial government had exclusive legal jurisdiction on the economic development of the Colony, and as such, Sir Arthur Gordon decided to develop the sugar industry in the colony by importing Indian indentured laborers from 1879 to 1916 (Lal 1980: 52–70).

It is important to note at this point that Gordon saw coercing indigenous Fijians and bringing them into the colonial plantation economy as an abomination that would ultimately lead to the demise of the native and as Bruce Knaplund observed, Gladstone at the Colonial Secretary Office noted the following: “I think your spirit and feeling towards the natives (in Fiji) is an honour for the empire” (Knaplund 1958: 296), and keeping with the spirit of humanitarian influences in colonial policy, “Gordon sought a stabilising factor between the welfare and prosperity of the Fijians and the commercial success of the white settlers and found it in the introduction of Indian labourers” (Cumpston 1956: 371).

In introducing Indians to the Colony of Fiji, Gordon had introduced a third ethnic group, which had different customary practices to indigenous Fijians and Europeans. The colonial administration controlled the political affairs of the state in collaboration with the white settlers, and indigenous Fijian chiefs provided advice to the governor through the Council of Chiefs and ensured that the Fijian administration in place functioned without much disruption. Indian indentured laborers, however, were permanently excluded from any form of political representation. According to Loretta de Plevitz (2010: 181), Indian laborers “were treated worse than African slaves,” but more importantly Gordon was more concerned with “settling tribal disputes” which was a hangover from the problems that emanated from the initial European contact. Nevertheless, the colonial administration had formed an opinion on the pathway for the sugar industry in the Colony of Fiji which required abundant supply of Indian labor. However, this labor was not cheap, and Gordon’s insistence on preserving indigenous way of life caused frictions.

Gordon’s plan caused outrage in the humanitarian societies in England. In Fiji the Europeans vociferously rejected it on the grounds that Islanders could be ‘got’ for £3, half Gordon’s proposed annual wage for Indians. Further, Indians would prefer to return home with their wages in hard cash whereas Islanders stimulated the flagging economy by buying, and being paid in, trade goods. The locals proposed an alternative scheme – all Fijian men between the ages of 15 and 50 should be ‘apprenticed to the planters for 5 years and in consideration of being taught a valuable industry receive no pay during that time. (de Plevitz 2010: 189)

In the end, Gordon got what he wanted as coolie ships continued to come to Fiji with able bodied men and women, considered ready for sugar plantation. The establishment of the sugar industry led to further alienation and pressure on indigenous land, resulting in intervention from indigenous chiefs and the colonial administration and the enactment of the Native Land Ordinances. While Indian labour proved quite successful in developing and extending a viable sugar economy, indentured labours started agitating for better wages and working conditions. For the colonial government, Indian labor provided indigenous Fijians the time needed to absorb the impact of colonial rule, arrested the steady decline in their numbers, and enabled the indigenous community to enjoy the unusual institutions that had given them a powerful voice in colonial policy (Macnaught 1982: 2). However, after the end of indenture, Indians in Fiji demanded political equality and embarked on a series of anti-colonial campaigns, which caused concern among indigenous Fijian chiefs and the colonial administration.

Realizing that there was a militant ethnic group in the colony, successive governors, after Gordon, attempted without success to introduce indigenous Fijians to commerce and open up indigenous land. The failures it seems emanated from the colonial structure and in particular from the policy of humanitarian colonialism that laid the foundation for protection of indigenous culture and tradition. Demands for air tight protection of native land from the Council of Chiefs in particular led to frictions as new constitution on ethnic governance in the Colony was put into operation. This form of unwritten constitution on ethnicity evolved after the arrival of Indian indentured workers in 1879 and shaped considerably during post-World War II and further matured just before independence.

Following the end of tenure of Governor Gordon in 1880, successive governors largely continued with Gordon's policy. However at the beginning of the twentieth century, governors in Fiji Everard im Thurn and George O' Brien defined indigenous Fijian political autonomy as the governing of the natives through the chiefs and for the chiefs. Governor im Thurn argued that Gordon's interpretation of the Deed of the Cession was a conspiracy to defraud the crown of its legitimate assets: indigenous Fijian land and labor. He reviewed the history of indigenous Fijian land transaction as "one great blunder from the beginning" and emphasized that land boundaries shifted due to tribal conflict in pre-cession Fiji and that determining land boundaries with any degree of accuracy was not possible in the Colony of Fiji (Knapman 1992: 32). Everard im Thurn wanted to release indigenous Fijians from the "iron" customs which, according to the governor, prevented them from participating fully in the colonial economy. However, the ideas of Governors O'Brien and im Thurn were dismissed by the colonial secretary in Great Britain, following intense lobby from members of the Council of Chiefs. The colonial head office reiterated its support for the humanitarian policy toward indigenous Fijians and supported managing competing ethnic interests through greater collaboration between the Council of Chiefs and the colonial administration.

The Chief-Gordon viewpoint found even wider acceptance among indigenous Fijians with the increase in Indian population after the end of indenture in 1920. It was argued by the chiefs that indigenous Fijians not only needed protection from

the demands of the colonial economy but from Indians as well. Village leaders, *Turaga ni koros*, were informed by the authorities to keep an eye on any Indians attempting to settle in indigenous villages. Upon discovery of such an activity, Indians were to be promptly arrested and brought back to the labor barracks. William Sutherland notes that the ideology and the practice of racialism perpetrated by the ruling class made a large section of the indigenous Fijian population see themselves primarily as Fijians rather than exploited people (Sutherland 1992: 32). By the mid-twentieth century, the Chief-Gordon viewpoint was firmly in place, and the segregation of the three communities within their respective cultural and ethnic blocs was largely complete.

One of the most avid defender of the colonial government and the Council of Chiefs was Ratu Sukuna, the first indigenous Fijian chief to receive western education. Sukuna was the district commissioner of Lau and a son of a Bauan chief. As the most gifted of the young indigenous chiefs, he was selected to be educated in New Zealand and England. Ratu Sukuna was concerned about the pressure from Europeans and Indians to open up indigenous land for commercial agriculture, and as a result, he played a major role in the establishing the Native Land Trust Board (NLTB) in the 1940s.

The Native Land Trust Ordinance of 1940 was formulated to protect the interests of indigenous Fijian landowners by legalizing indigenous land rights. The objectives of the Ordinance were to protect indigenous interest in their own soil, preserve an area ample for their needs in the future, make provision for suitable and sufficient land for settlement by others, and achieve a continuity of policy and security of leaseholders (Wesley-Coulter 1967: 52). However, as Timothy J. Macnaught (1974: 19) observed: "Ratu Sukuna and the architects of the revitalised Fijian Administration after 1944 felt that the prerequisite of modernisation was to amalgamate the old *tikina* into more efficient units. The policy failed: the strengths of the old system were undermined; the communities resented their loss of autonomy, and rule by civil servants was considered intolerable." The theme of modernization was also picked up by indigenous Fijian anthropologist Rusiate Nayacakalou (1975) who saw Sukuna's Fijian Administration as an interim solution pending modernization of indigenous Fijian society. However, Nayacakalou emphasized that there was anxiety among the indigenous population due to increasing number of Indian population in the Colony of Fiji.

The tri-modular ethnic structure in Fiji was put in context by the much published Spate Report of 1959. The report is often cited as the baseline for events yet to unfold after independence of the Colony, but many observations in the report highlighted ethnic distance between Indians and Fijians and Europeans. According to Robert Norton (2013: 425), "for the Fijians, the 1950s was a period of rapid change, despite the controlling efforts of the Fijian Affairs Board and especially as migration to towns increased, giving rise to new social problems. Some conflict grew both within the official Fijian leadership and between it and new leaders emerging in trade unions and other urban bodies." By the late 1950s, the polarization of the ethnic communities in Fiji reached full circle. Spate noted in his report:

The current political situation in Fiji on the face of it, and not only in the tourist literature, appears to be in a state of amiable equilibrium; day-to-day relations between the various races are friendly enough, and although there are symptoms, both amongst Indians and Fijians, of political and social dissatisfaction, it could hardly be said that these are as yet very acute. It seems to me, however, and to informed and thoughtful observers both within and without Fiji, that this equilibrium is highly unstable. The political future is gloomy, and it is indeed difficult to see a solution. (Ward and Spate 1990: 100)

Spate emphasized the whole establishment was at a risk of Indian challenge, and in response Spate recommended education as a reasonable strategy to overcome some if not all of ethnic prejudice in Fiji, but his suggestions were too radical for its time as Indians and indigenous Fijians sought their own separate and untainted cultural representations. A year later in 1960, a report by Alan Burns highlighted deep-seated fears between Fijians and Indians and went further than the Spate report to suggest deportations of some members of the Indian community (Legislative Council Paper No. 1, 1960: 13).

It was in the same year that Indian militancy in the sugarcane areas surfaced and permanently fractured Indian relations with Europeans and indigenous Fijians. At the center of the Indian militancy in the sugarcane areas was India-born A.D. Patel who instigated cane harvest boycott (Pacific Review, 11 August 1960). The position of A.D. Patel was strongly criticized by other Indian leaders for his actions including Fiji-born Ayodhya Prasad (India born) and Fiji-born Vijay R. Singh.

The problem with the Indian leadership in Fiji was that they were making no attempts to negotiate and liaise with either the Europeans or indigenous Fijian chiefs and both these ethnic groups saw Indian leaders moving tactically to usurp power from the Europeans and then having secret plans to alienate indigenous land. Fiji's governor remarked that indigenous Fijian be given additional seats in any new Legislative Council so that they could safeguard indigenous interest against the accesses of Indians in the Colony (Legislative Council Paper No 40, 1960: 3).

Governor Kenneth Maddock (1958–1963) ensured that ethnic representation was effectively codified in the colonial electoral system with four indigenous Fijians for the first time directly elected with further two members appointed by the Council of Chiefs. Indians elected six members and Europeans six. The tri-modular ethnic representation was in train, but Indian members led by A.D. Patel pushed needlessly for common roll. With Indians now a majority in the colony, A.D. Patel called for “independence” which forced other ethnic communities into defensive strategies. Indigenous Fijians and Europeans embraced the Alliance Party led by Lauan Chief Ratu Sir Kamisese Mara, who professed paramountcy of political interest of indigenous Fijians as a baseline for peace and stability. The argument was that it was indigenous Fijian chiefs who ceded the colony to Great Britain and it was Great Britain that was duty bound to return the colony to the chiefs. Indians were seen as agitators and Indian-born leaders influenced by divisive politics of the Indian subcontinent that witnessed bitter partisan of British Indian and communal riots which killed about a million innocent.

Colonial governor, Sir Dereck Jakeway, reiterated that the colonial administration would never allow indigenous population to be placed under the political control of

an immigrant community (The Fiji Times, 19 February 1965). In his deliberation, Governor Jakeway reiterated Gordon-Chief viewpoint of protecting indigenous Fijians and continuing with the humanitarian colonial policy toward the natives since the Deed of Cession. Indian leaders were unimpressed and demanded clarity from the colonial administration on decolonization. However, the tri-modular ethnic set up after Cession had deteriorated as members of the European and indigenous communities expressed serious concerns over Indian ambitions and designs.

Ethnic tensions had peaked in the colony by 1965, and the leader of the indigenous Fijian-led Alliance Party, Ratu Sir Kamisese Mara, advised that his community did not want independence from Great Britain and efforts to increase the rights of Indians were "doomed to fail" (Sunday Telegraph, 25 July 1965). Fearing further problems, the colonial government held a constitutional conference in London with representatives from all parties, and it was proposed that indigenous Fijians be given 14 seats, Indians 12 seats, and Europeans 10. These allocations of seats were criticized by the Federation Party as creating further communal and ethnic isolation and argued for common electoral roll of one person, one vote. Indigenous Fijians and their European allies responded by suggesting that common roll was equivalent to Indian control of the government and eventual demise of indigenous land rights.

With the support of the Council of Chiefs, the colonial government in Fiji enacted a new constitution in 1966 based on the recommendations of the constitutional conference of 1965. The colony held general elections under the constitution, but the political atmosphere was incredibly toxic. Federation participated reluctantly in the election and continued with demands on common roll, independence, and equal rights. Indigenous Fijians were deeply concerned about their political position and land rights, and Europeans saw their position of privilege in jeopardy due to increasing Indian activism. The only sign of hope for both indigenous Fijians and Europeans was divisions among Indians and to some extent differences between India-born (Indians) and Fiji-born Indians (Indo-Fijians).

One of the anti-Federation activist was Indo-Fijian Brahma Dass Lachman, who bitterly criticized the Federation Party and called for non-girmitiyas to be placed on work visa. Lachman was particularly incensed by India-born leaders A.D. Patel and Rudranand who were leaders of the Federation Party that advocated equal political rights to all Indians in the colony and immediate independence. However, Lachman argued that indentured laborers who chose to stay in the colony and their descendants were more equal than those Indians who came as free migrants and established small business to compete with Europeans. In a letter to editor to the *Fiji Times*, Rajendra Prasad of Nasinu opined: "I am afraid to say that some of the Fiji born Indo-Fijians openly played into the hands of the Gujaratis (namely A.D. Patel). Previously, the Gujarati dominated us financially, but now, we are politically dominated too" (The Fiji Times, 14 October 1966).

The issue of rights between these two groups, Indo-Fijians and Indians, was never resolved, and on 1 September 1967, a ministerial system of government was introduced by the colonial government. Immediately, the Federation Party took offense and resigned from the Legislative Council. The resignation and the subsequent by-election were seen by indigenous Fijian leaders and Europeans as

a political stunt aimed at undermining the 1966 Constitution. To further stir communal emotions, members of the Federation Party increased their votes in the by-elections which were held in 1968. For indigenous Fijians, the Federation Party was unwilling to work with their leaders to understand indigenous concerns and fears. In addition, the resignations of Indian members in 1967 were seen as insulting to the chiefs, especially after the support given by the Council of Chiefs to the constitution. Europeans, while supporting the indigenous Fijian position, were resigned to the fact that Indian tactics had worked and Fiji was heading toward independence.

On 9 May 1968, British representative on the United Nations Decolonization Committee, Creighton Burns, remarked that “Fiji was ready for independence. However, indigenous Fijian leaders are understandably more than content to hasten slowly towards independence. They fear that premature independence could precipitate racial conflict and competition with the Indo-Fijian community” (The Age, 9 May 1968). Furthermore, the Federation Party not only pushed for independence, but its leaders wanted an independent republic (Vasil 1972: 25) modeled along the independent India, and furthermore, they also advocated common roll. However, R.K. Vasil (1972: 26) noted that “the fear of the Fijians with the use of the term Fijian to refer to all the people of Fiji” would lead to the loss of Fijian identity.

The common name remained unresolved before independence, but there was some comfort among Fijian leaders that the colonial government would ensure that indigenous Fijian political interest was preserved in any new constitutional order. Norman Meller (1984: 765) highlighted that there was an understanding between the colonial regime and the Fijian leaders on the continuation of the “Fijian Affairs Ordinance” that allowed for the protection of Fijian land during the colonial rule. Robert Norton (1993: 747) took a different position and argued that there was a degree of accommodation between indigenous Fijian and Indians/Indo-Fijians due to “experience of identity based on intra-group life.” No doubt that indigenous Fijian leadership and the Indians and Indo-Fijians were oscillating between extreme conservative views to more accommodating positions with a hope to protect and preserve their communal interests. Brij Lal (2008: 70) analyzed that the “public stand of Fijian leaders was: no independence, at least not yet, no common roll and gratitude to the United Kingdom; but privately attitudes were changing or at least were being flexible.”

During fieldwork in Nadi in 1993, I made the following observations based on extensive discussions with indigenous Fijians: Indian and Indo-Fijian leaders did not understand indigenous Fijian language and culture, and Indian leaders in particular could not comprehend the emotions associated with indigenous land and above all failed to realize that politics was part and parcel of the larger social discourse associated with the vanua. (Extensive fieldwork was undertaken as part of my post-graduate studies on the question of Fiji’s independence. Village elders and students from Narewa, Namotomoto, Navoci, and Nakavu were interviewed.) Furthermore, many indigenous Fijians believed that independence had been “forced on to the indigenous Fijian people by Federation leaders and the government of India” and that “independence should have been deferred until indigenous Fijians



and their leaders are fully inducted in the democratic processes” and Indian and Indo-Fijian leaders become fully conversant with indigenous language and custom. One interviewee opined that “indigenous Fijians should have had at least twenty years” transition to self-rule. Similar sentiments were expressed by my father who studied at Shri Vivekananda High School in Nadi, where future Indo-Fijian leaders of Fiji were cultivated but none of these leaders understood the nuances of indigenous custom, tradition, and aspirations.

More importantly perhaps as I have noted was the views of India-born non-girmitiyas and those who were India-born and Fiji-born descendants of girmitiyas. As Robert Norton (1993) emphasized, intra-communal dynamics played as much a part in establishing the “accommodation” paradigm as ethnic tensions as the duality within each ethnic group led to political contradictions that continues to be unresolved. Some indigenous Fijians wanted modernity, whereas some Indo-Fijians silently espoused peaceful coexistence. However, at the national level, both communities compromised their extreme communal positions and artificially provided support for independence.

The theme of colonialism playing a central role in ethnic conflict is also discussed by other authors in *The Palgrave Handbook of Ethnicity*. Jacob Mwathi Mati (2019) analyzes ethnicity and politics in Kenya and in particular how anti-colonial struggles were influenced by inter-ethnic, generational, and class alliances which exploited racial antagonisms to rally African unity against the politically dominant white colonial elite. Morsen Moses (2019) looks at colonialism and race in Vanuatu, and both these authors highlight the destructive role of colonialism in ethnic conflict. A more general theoretical contribution on colonialism is from Vijay Naidu (2019) who conceptualizes colonialization as a form of state-sponsored racism where ethnic divisions are institutionalized in support of European hegemony.

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## Conclusion

The chapter showed that European contact drastically changed indigenous social relations and brought an influence that led to an alliance between the chiefs and the Europeans. In 1871, a government was established but conflict among communities led to the cession of Fiji to Britain, which established an indigenous administration based on experience of the Kingdom of Bau. Moreover, the colonial administration, under the leadership of Sir Arthur Gordon, introduced into the colony a third racial and cultural category in the form of Indian indentured laborers, who started agitations for political equality after end of indenture in 1920. Seeing the rapid growth and progress of Indians, colonial governors, after Gordon, tried without success to introduce indigenous Fijians to commerce. Concerned about the pressures on indigenous Fijians and on indigenous land, Bauan Chief Ratu Sukuna assisted in the formulation and the implementation of the NLTB. In colonial Fiji, indigenous chiefs were increasingly driven by concerns of further indigenous land alienation, introduction of indigenous Fijians to wage labor, and the presence of Indians in the colony. As a result, the chiefs continually reinforced Governor Gordon's viewpoint



of protecting indigenous custom and tradition. Conflicting and often oppositional views between Indians and Indo-Fijians and indigenous Fijians and their chiefs came head on in the 1960s as Britain formed the opinion on independence of the colony. The Indian- and Indo-Fijian-led Federation Party argued for common roll electoral system, Fijian as a common name and a republic, whereas indigenous leaders called for protection of indigenous political interest, land, and leadership and emphasized continued relationship with the British crown. The historical ethnic tensions, which were managed by the British colonial administration, surfaced to the forefront in the 1960s to create a problematic inter-ethnic social discourse that remains irreconcilable even to this day.

Other authors in this volume including Jacob Mwathi Mati, Morsen Moses, and Vijay Naidu use similar themes of analyses to demonstrate the role of ethnicity and race in intergroup conflict and tensions during colonial rule in Kenya, Vanuatu, and Fiji.

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## Abstract

Instrumentalized ethnic identity has been a key variable in the mobilization and molding of Kenyan politics since Britain's colonial divide and rule policies imposed ethnic and racial dualism that emphasized difference. At independence, the post-colonial elite did not dismantle the structural architecture of ethnic-based politics. Ethnic identity therefore remains the basis for mobilization and structuring of politics in contemporary Kenya. This dominance of ethnic-based politics, though explained variously, is a product of the conflation of political economy-induced interests where elites instrumentalize ethnicity in political mobilization to ensure their own survival and reproduction.

J. M. Mati (✉)

School of Social Sciences, Faculty of Arts, Law and Education (FALE), The University of the South Pacific, Suva, Fiji Islands

Society, Work and Politics (SWOP) Institute, The University of the Witwatersrand, Johannesburg, South Africa

e-mail: [jacobmati@gmail.com](mailto:jacobmati@gmail.com)

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**Introduction**

Ethnic identity is the most prominent defining feature of political mobilizations across many nations. The all-too-common scenes of anti-immigrant demonstrations across Western nations in the last few years, for example, point to increasing politicization of the way people of different communities use aspects of culture to define belonging and exclusion. In Kenya, instrumentalized ethnicity has been key in the mobilization and molding of political organizations and actions since Britain's formal colonial annexation in 1888 (Maina 1998: 138; Nzomo 2003; Ajulu 2002; Berman 1998, 2010; Omolo 2002; Klopp 2002; Ogude 2002; Mueller 2008; Lonsdale 1994; Bratton and Kimenyi 2008; Lynch 2008). Given this, the relationship between ethnicity and politics or more precisely power has been a fodder for many social scientists with interest in Kenya's sociopolitical developments. This has been especially accentuated since the early 1990s' reintroduction of political party pluralism rekindled what had been assumed to be dying embers of ethnicity in political mobilization, organization, and action.

Ethnic-based political mobilization in competition for power in Kenya as elsewhere in Africa often inflames xenophobic sentiments and, in extreme cases, inter-ethnic violence – a regular ritual every election year since 1992 (Ajulu 2002; Omolo 2002; Klopp 2002; Ogude 2002; Atieno-Odhiambo 2002; Long and Gibson 2015; Long et al. 2013). Some of the violent incidences have been serious enough a threat to have a destabilizing effect. The Shifta War waged by ethnic Somali secessionists in Kenya's Northern frontier from 1963 to 1967 was arguably the most serious of these conflicts. More contemporary examples have manifested as large-scale election-related ethnic violence in parts of the Rift Valley, Coast, Eastern, Nairobi, and Nyanza regions most prominently in 1992, 1997, 2007/2008, 2013, and 2017. There have also been pockets of small-scale inter-ethnic violence in many parts of Kenya especially since the 1990s. These incidences of violence prompted internal as well as foreign interventions aimed at designing institutions to help the country live with or manage its diversity. The 2010 constitution is arguably the best illustrative outcome of such institutional design efforts.

Despite their intensification or rediscovery in the last two and half decades, ethnic identity-based politics and associated violence is not a recent phenomenon in Kenya. Indeed, ethnicity has for long been a very "important political resource" (Lentz 1995). This chapter explains the intransigence of ethnicity in Kenyan politics through a sociohistorical analysis of the emergence and reproduction of ethnic-based politics reinforced by a thematic analysis of the theoretical explanations of the phenomenon. It is argued that ethnicity in the context of Kenyan politics is not a static category. Rather,

it is a dynamic product of creative open-ended social and political processes, where “groups appear and disappear, change their names, adapt their cultures, fight over who is or is not a real member of the group, and address a myriad of demands to public institutions and other ethnic groups” (Berman 2010: 3).

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## **Ethnicity and Politics in Kenya: Theoretical Approaches**

Scholarly discourses on the ubiquity of ethnicity in Kenyan politics illustrate two dominant tendencies. One is the treatment of ethnicity as an instrumentally socially constituted phenomenon, the other that it is naturally occurring. Within the social construction perspective, ethnicity is viewed as primordial nativism of local orientated and often instrumentally politicized cosmopolite behavior (Mbithi 1974). That is to say that ethnicity results from people trusting their co-ethnics because they self-identify with them while holding others that are different with “suspicion and distrust or dislike” (Glazer et al. 1974: 20). In this regard, ethnicity in Kenya, like in the rest of Africa, is both socially constructed and a lived reality (Atieno-Odhiambo 2002: 230). As an everyday social experience, ethnicity was first constructed and deployed by the colonial state through what Sigmund Freud called “the narcissism of small differences” by “(over)exaggerating difference” (Mamdani 1996: 8).

In this project of conscious exaggeration of difference, language played a significant role. Specifically, the introduction of vernacular reading and writing by Christian missionaries helped in the processes of identification (self or other) – a process involving differentiating and understanding of self as identical to some collective, while separate from others, as well as defining the questions of authority and legitimacy of those that belong or do not belong (Brubaker and Cooper 2000: 4). Specifically, language became a political resource for creating categories of people with shared vernaculars and experiences distinct from others.

As a lived reality, the everyday term for ethnicity is tribalism, a concept Mbithi (1974) defines as cosmopolite behavior that results from “cross-ethnic awareness.” Atieno-Odhiambo (2002: 23) argues that tribalism is an “everyday acknowledgment of experiences, contextual practices and political fact, shorthand for the welter of the simultaneously modernising and violent political cultures that have come to typify the post-colony of Kenya.” Eminent theorists of ethnicity and politics in Africa, Lonsdale (1994) and Berman (2004), differentiate between what they term moral ethnicity and political tribalism. Moral ethnicity is the “discursive and political arena within which ethnic identities emerge out of renegotiation of the bonds of communal membership and authority, the social rights and obligations of moral economy, and access to land and property” (Berman 2010: 10) (Moral economy for Berman (2010: 4) is “that part of culture that legitimates the inequalities in the distribution of values that mark almost all human communities primarily through principles of redistribution and reciprocity of obligations between rulers and ruled, rich and poor in specific social contexts.”). On the other hand, political tribalism is characterized by a

struggle of the ethnic elites to gain resources [. . . through] mobilized communal solidarity and political organization of the community defined by *moral ethnicity*, first against the alien power of the colonial state and then, increasingly, against the competing interests of rival ethnicities for access to the state and its patronage resources, driven by the horizontal inequalities of the colonial political economy. (Berman 2010: 10)

Often, under political tribalism, ethnicity is instrumentalized (at the expense of class identity) as the singular dependable locus for articulation of group interests (Atieno-Odhiambo 2002: 230).

Within the second tendency in the treatment of ethnicity as a naturally occurring phenomenon, ethnic identity is used in collectivizing a group of people on parameters such as sameness of language, other cultural traits, and geographical location. Here, ethnicity is not necessarily a political category or a basis of political action. Simply put, ethnicity in this conception is focused on understanding sameness or difference, rather than amorally instrumentalized to serve political interests. It is however the instrumentalized ethnicity or political tribalism that dominates contemporary Kenyan sociopolitical discourses that is the focus of this chapter. We begin by exploring the explanations of its origins before moving to the analysis of its manifestations. We do this by utilizing a sociohistorical perspective.

The study of ethnicity and politics in Africa has been approached from the standpoint of “analysis of complex causality in which no single set of factors is determinant or can be analysed in isolation from others” (Berman 2010: 3). The predominant preoccupation has been a rather atheoretical empirical explanations of “common factors and the relationships between them to explain not only the similarities of cases, but also their contingent and idiosyncratic differences” (Berman 2010: 3). An influential paper on ethnicity and politics by Lonsdale (1994) indicates that in Kenya as it is for the rest of Africa, existing literature convergences on at least five empirical explanations for the salience of ethnicity in politics. These are (a) ethnicity as a residual category in a modernizing Africa; (b) ethnicity as a form of social resistance to colonial capitalist exploitation; (c) ethnicity as false consciousness that masks class struggle; (d) ethnicity as nationalism or more precisely as per Ogude (2002: 205), “dissident sub-nationalism”; and (e) ethnicity as an imagined community. In what follows, we lay out the key postulations in each of these approaches and their explanations of the production and reproduction ethnicity in Kenya’s political sphere as presented in existing literature.

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## Atavistic/Residual Cultural Ghost Thesis

Early accounts of ethnicity by modernization-inspired Africanist social scientists emphasized primordialism as the “archaic cultural basis of ethnic identities” (Berman 1998: 309). The argument was that as at the time of colonial conquest, there existed different primordial ethno-nations who were forced to belong to a new instrumental Kenya colony. These primordial republics were made up of closely related kinship groups who constituted an ethnic group such as the Giriama, Kikuyu, Luo, Kamba,

Meru, etc. Colonization was justified as necessary in the modernization project (civilizing mission) where different ethno-nations were to be “transformed” into an amalgam Kenyan nation. The underlying assumption was that as African tribesmen are “modernized,” ethnicity would die and in its place would emerge a new modern (national) identity (Coleman and Rosberg 1964; Vail 1989).

However ethnicity did not obey the so-called laws of social and political change prescribed by modernization theorists. Even after Kenya gained political independence in 1963, primordial nativism and ethnic consciousness continued to flourish. It however came to be seen by modernization proponents as an “atavistic cultural ghost” (Vail 1989; Berman 1998) that was “strongest amongst those who had least changed” (Lonsdale 1994: 132). By the time of independence and after, the failure of the eight decades of formal colonial modernization project to detribalize the African came to be viewed as a “form of collective irrationality” on the part of the colonized (Vail 1989). The pejorative political term for the native who had “refused to modernise” through the death of the tribe so that the nation would be born and live was a “tribalist” (Mamdani 1996; Lonsdale 1994). Tribalism therefore was and still is for some, routinely denounced as retrogressive, shameful, and an unwelcome aberration in modernity (Berman 1998; Vail 1989; Young 1986; Ekeh 1990). Many continue to blame ethnicity for the copious evils of the postcolonial state in Kenya and elsewhere in Africa.

Modernization’s cultural atavism thesis ignored important saliences of ethnicity that ethnic identity is created through everyday practices and experiences. Instead, given the preoccupation with “reproduction of the modernist paradigms of state and society,” this paradigm concentrated on explaining “what Africa is not, rather than with explaining what it is” (Berman 1998: 307). Indeed, the contradictory nature of the British colonial administration was that even as it intended to “modernize” native Africa, it also worked hard at maintaining each of its classified tribe(s) as a homogeneous whole. The net effect was that as independence approached, the colonial process of “transforming” the different ethno-nations into Kenya was incomplete. In addition, ethnicity had also been further entrenched through colonial state’s activities with the aid of missionaries and anthropologists’ “preoccupation with demarcating, classifying and counting subject populations” that propagated false assumptions that African ethnic identity was characterized by “neatly bounded and culturally homogeneous ‘tribes’” (Berman 2010: 1). This is to say that a Maasai, for example, was ethnically “pure breed.” However evidence from across different Kenya communities indicates that this was not the case. Pre-colonial African social identities were fluid, heterogeneous, and hybrid due to constantly overlapping boundaries, intermingling of individuals and communities, and cultural and linguistic borrowing (Berman 2010; Atieno-Odhiambo 2002). Different ethnic groups, wilfully or through conquest, intermarried with all their neighbors. In this regard, the first president of independent Kenya, Jomo Kenyatta, an ethnic Kikuyu, had a Maasai woman for a grandmother. On account of the fluidity of ethnic identity, it has been argued that a more lucid explanation of ethnicity is that it is instrumentally socially constructed. The dominant narrative is that ethnicity in Kenya is an out-growth of or an invention of colonial state power.

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## Ethnicity as an Invention of Colonial State Power

As noted above ethnicity emerged through the practices of classification and categorization by the colonial state. Specifically, the colonial state's divide and rule policies were employed in creating new "neat" categories of ethnic "identities and orders of difference out of eclectic and often contradictory elements of modernity and tradition" (Berman 1998: 306). At the same time, because the idea of racial and ethnic classification was at the heart of the questions of citizenship, rights, and obligations of subject populations, ethnicity became a key political resource because of the way the colonial state treated different groups. For instance, white settlers were citizens, while African tribesmen were subjects of the colonial state and only ethnic citizens in their tribal enclaves (Atieno-Odhiambo 2002; Mamdani 1996). Atieno-Odhiambo (2002) makes a distinction between the two forms of citizenship arguing that ethnic citizenship confers birth right recognition, identity, and patrimony, while state citizenship is a matter of bureaucratic obligation.

Given the colonial politicization of difference and differential treatment of racial and ethnic groups, contrary to modernization's postulations, ethnic identity became "politically more important, not less" (Lonsdale 1994: 132). The reawakening of ethnicity in the early 1960s in the West, especially through the civil rights movement in the United States that busted the cultural melting pot myth, meant that the salience of communal solidarities and ethnicity needed to be understood differently. Across Africa, the result of this retrospection is research that exploded the primordial myth, resulting in a realization that rather than being an "atavistic survival of stagnant primordial 'tribal' identities and communities, African ethnicities are new not old, part of complex responses to colonial modernity" (Berman 2010: 2). It is to these alternative explanations of the salience of ethnicity in politics in Kenya that we turn to.

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## Ethnicity as a Form of Social Resistance to Exploitation by Colonial Capitalism

This explanation of ethnicity is directly opposed to the modernization paradigm and closely linked to the colonial experience. The principal argument here is that ethnicity emerged as a form of social resistance to colonialism and its attendant capitalist exploitation (Berman 1998, 2004; Lonsdale 1994; Balandier 1955). This view, initially championed by French sociologist Georges Balandier postulates that colonialism was "a crude ordeal that promoted an immoral process of class formation rather than the beneficent 'social mobilisation' of modernisation theory" (Lonsdale 1994: 133). Africans reacted to this process by organizing along primordial ties that largely remained below the surface of colonial state's gaze at it policed Africans' associational life (Fowler and Mati 2019). Ethnicity, therefore, was a "mode of resistance to a predatory state and capitalist exploitation" (Lonsdale 1994; Berman 2004; Bayart 1989; Maina 1998). In this regard, Berman (1998: 305) argues, ethnicity resulted from "internal struggles over moral economy and political



legitimacy tied to the definition of ethnic communities – moral ethnicity; and external conflicts over differential access to the resources of modernity and economic accumulation – political tribalism.”

In pre-colonial period a moral economy existed in small bands of communities typically under a “big man” who utilized his material resources to reward his network of client subjects who, in return, remained loyal to him (Berman 1998, 2010). These moral economy arrangements were translated to be distinct ethnic groups by the colonial power in the process of demarcating the country into ethnic districts. Further, the colonial state exploited existing distinct moral economies in the contradictory processes of developing a market economy while simultaneously attempting to sustain “traditional” culture and authority through local agents. The strategy was to carefully reconstruct ethnicity as a refuge for local moral order to shield Africans from the “disorders caused by racist state power and externally dominated market” (Lonsdale 1994: 133).

The process of colonial conquest involved divide and rule policies (Lonsdale 1994; Atieno-Odhiambo 2002) that included the “invention of tradition” in the creation of new ethnicities that sometimes bore little, if any, resemblance to pre-colonial identities (Ranger 1983; Berman 2010). These were geared toward facilitating political control and ostensibly preserve social stability. A key strategy was the creation and installation of a clientele of collaborationist chiefs with power resources to either punish or reward their local subjects on the basis of ethnic ascriptive markers (Atieno-Odhiambo 2002; Berman 2010). These developments corrupted local moral orders as chiefs oiled the colonial state’s racial dualism machine and the accompanying “regime of ethnic differentiation” or categorization (Mamdani 1996).

One result of this was a powerful colonial state that treated white minority settlers as citizens with political and legal rights, while, on the other, colonized African natives in the insular ethnic district reserves were subjects without the same rights (Maina 1998: 143). In these reserves, Africans were subjected to customary law. The colonial state’s appointed indigenous local chiefs and headmen (through patron-client ties with the European field agents of the state) acted directly in aid of colonial power (Mamdani 1996; Berman 1998, 2010). At the same time, the colonial regime attempted to preserve the native to his tribal roots by enforcing and conserving separate native institutions (Mamdani 1996: 6).

The colonial administration was therefore key in providing the “resources and political contexts that Africans, particularly the class of collaborators and educated intelligentsia, could deploy in the internal conflicts that resulted from the unequal and divisive impact of colonial modernity” (Berman 2010: 7). In the post-colonial era, the middle classes and elites continue to reproduce ethnicity because, as Maina (1998: 138) observes, “they are not just members of a class, they are also sons and daughters of the tribe. They are held up as icons of progress and power, its emissaries at negotiations, and their exploits, the stuff of which fireside tales are made.”

The colonial system had contradictory strategies and outcomes. To begin with, the colonial system in Kenya was designed to exploit local population through labor and various forms of taxes to make the colony self-financing. As such, even as the colonial state desired to keep African “tribes” segregated in their respective reserves,

the colonial political economy's hunger for labor and taxes meant that the native could not be confined to the "reserves" forever, nor would their customs remain preserved and intact once they interacted with others from different ethnic groups. A pan-ethnic Kenyan nationalist identity ultimately emerged. Indeed, as Britons arrived to set up plantation agriculture in the so-called White highlands carved out exclusively for European settlers through violent dislocation of Africans, the demand for African labor increased. In effect, the state imposed taxes to force natives to sell their labor to earn money to pay taxes. At the same time, a system of migrant labor system was set up where African men were recruited to work in the plantations but left their families still rooted in their ethnic district reserves.

Colonial labor recruitment regime was also segregated along ethnic groups aided by the colonial government and capitalist entrepreneurs stereotypical categorization of workers on the basis of their "presumed tribal aptitudes for different sorts of work" (Lonsdale 1994: 134; Atieno-Odhiambo 2002). For example, the martial Maasai were hired as guards, the "hardworking" Kikuyu farm laborers, while Indians were clerks. These laborers were housed in ethnically segregated schemes in the farms and later in urban estates. This system effectively forced Africans into the colonial economic structures (Lonsdale 1994).

Africans reacted to these developments by "reinventing their local societies to regain control over their relations with the external world, if necessary, by shutting it out" (Lonsdale 1994: 133). Atieno-Odhiambo (2002) graphically illustrates these developments among the Luo of Western Kenya. It is noteworthy here that the net effect was that even as Africans started resisting the effects of colonial state's political economy of commodification of daily lives, this resistance was ethnically fractured. It is in this regard that distinctly ethnic-based associations like Young Kikuyu Association, Young Kavirondo Association, North Kavirondo Central Association, and Taita Hills Association (to mention but a few) emerged in the early 1920s. For these groups, tribal ideology was a "source of identity and common purpose" (Atieno-Odhiambo 2002: 234). These associations advocated for distinctly ethnic grievances. Ethnicity in this case was, therefore, a ground or basis for political action.

Even as various struggles against colonialism amalgamated into a nationalist anti-colonial movement after World War II, their distinct ethnic cleavages continued (Mati 2012). This is because the anti-colonial movement was essentially a coalition of "hegemonic ethnic enterprises" (Atieno-Odhiambo 2002), whose leaders were in the business of "essentialist construction of identity" (Haugeraud 1995). This was evident in the negotiations for independence when two dominant political forces emerged – the Kenya African National Union (KANU) and the Kenya African Democratic Union (KADU). KANU, said to represent majority ethnic groups, was essentially a Kikuyu-Luo elite alliance which favored a unitary form of government as opposed to KADU's preference for *Majimbo*, a form of consociational federalism (Ogude 2002; Atieno-Odhiambo 2002). KADU on the other hand was a coalition of the leaders of the so-called minority Luhya, Kalenjin, and Miji Kenda communities who had been supported in their opposition to a unitary government by the colonial state. These political formations emerged in a political environment that favored the

“cementing of the traditionally, high trust institutions such as the family, clan and tribe’ into sites for political activism” (Mati 2012: 83). This was because of the “institutional exclusion of African associational forms and the failure of the colonial state to provide an institutional channel for Africans to express themselves and their grievances” (Nzomo 2003: 186), and up to 1950s, only district level associations were allowed for Africans. In a sense, as Lonsdale (1994: 135) argues, the tribe in this case was transformed into a “modern corporation” rather than an inherited ethnic culture.

The post-colonial elite did not dismantle the structural architecture of ethnicity-based politics. If anything, a political fallout between President Jomo Kenyatta and his deputy, Oginga Odinga, though initially manifesting as an ideological difference in the meaning of *uhuru* (independence), quickly assumed ethnic dimensions. Both invoked instrumentalized ethnicity for political mobilization of support from their co-ethnics (Mati 2012; Atieno-Odhiambo 2002). While revisionist scholarship underplays ethnicity as an issue behind their fallout, Atieno-Odhiambo clearly captures the similarities between Odinga and Kenyatta and their approaches when he writes:

Both men were deeply cultural and espoused values that were locally rooted, Kenyatta in Gikuyu individual enterprise and personal virtue, Odinga in clan-based communocratic and egalitarian values plus a tradition of resistance to authoritarianism of any sort. Both of them understood the link between the individual and the community, the potency of the emphasis on hard work and unity, and the force and power behind the developmental roots of ethnicity. (2002: 242)

Kenyatta had come to power a captured man after his rehabilitation by the same colonial power that had imprisoned him for 7 years on charges of leading the Mau Mau rebellion. He was released from prison after a spirited campaign by African leaders led by Odinga. Once out of jail and on assuming the leadership of KANU, he assured White settlers that he would respect their right to land and property with his “*hakuna cha bure*” (nothing for free) clarion call. This was a position he shared with others in KANU including Odinga, all who believed in the tyranny of property which had to be protected by state power (Atieno-Odhiambo 2002). Kenyatta’s first mission after assuming power was to eliminate the remnants of Mau Mau and any other radicals in the independence movement. Field Marshall Baimuing Marete was among his first victims in the assassination frenzy that the Kenyatta state presided over (Namu 2013). Others, including freedom fighters Pio Gama Pinto, Tom Mboya, and J.M Kariuki, soon followed. Thereafter, believing that his ethnic base was the best way to preserve power, Kenyatta and his men patched together a solidarity of the Gikuyu, Embu, and Meru into what came to be known as GEMA tribe through oathing with the sole purpose of excluding other ethnicities from power (Atieno-Odhiambo 2002). On the other hand, Odinga mobilized his co-ethnics against the Kenyatta regime especially after the assassination of Tom Mboya, a fellow Luo. The net effect of the configurations in the use of cultural structure agency “was to alienate the Luo from the inner sanctums of power for the following three decades”

(Atieno-Odhiambo 2002: 240). In vanquishing Odinga and Luos, the Kenyatta-led state engineered the rise of an ethnocratic state (Ogude 2002) shepherded through runaway GEMA elite corruption.

Nigerian political sociologist Peter Ekeh (1975, 108) provides useful analytical tools for comprehending what was happening and continues to happen in most of post-colonial Africa. Specifically, for the post-independent elite, it was moral to steal from the civic public and distribute to the primordial public. In Ekeh's theorizing, ethnicity continues to spell doom and corrupts African politics and public life because of institutional configurations "where allegiance to kin and lineage provides the moral grounding for people's relations on the one hand, while allowing for amoral or immoral extraction of public resources" to expend in the primordial realm (Fowler and Mati 2019).

In addition, the post-colonial state continued with the same colonial power structures they had inherited complete with a provincial administration system that continued the reproduction of decentralized despotism (Mamdani 1996) and patron-client relationships between national-level political elites and local politicians and chiefs. For an increasing numbers of Kenyans, political independence did not translate to economic prosperity. Issues such as land dispossession that had been part of grievances that had underwritten the anti-colonial struggle remained largely unresolved. Under the circumstance, ethnic mobilization was seen as a "local triumph over national failure" (Lonsdale 1994: 134). The recent realization of an embedded structural decentralization of power along local ethnic groups (county governments) in Kenya as encapsulated in the 2010 constitution needs to be understood in this regard. It is essentially a continuation of primordial understandings of ethnicity as a means to establishing difference or exclusivity for political expediency, which gained greater currency after the reintroduction of multiparty politics in 1991 (Ogude 2002).

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## **Ethnicity as Nationalism or Dissident Sub-nationalism**

A closely related narrative to the one above is that ethnicity was a nationalistic response to colonial rule and later to the misrule of the post-colonial elite. Specifically, Africans reacted to colonial penetration by reverting to moral ethnicity with affection networks offering the vernacular for resistance to colonial rule through embedded social institutions (Berman 1998; Maina 1998; Aina 2013). Ogude (2002) refers to this as dissident sub-nationalism which has over the years provided an effective counterweight to the state's hegemonic project of official histories that "have reworked the past to buttress predatory government, ethnic awareness and historiography" (Maina 1998: 138). Ethnic identity in this instance, as Atieno-Odhiambo (2002: 232) observes, is "a strategy for survival in emergent urban social formations" especially those of colonial era which, as already indicated, agitated on behalf of specific ethnic groups.

Here, language is key in the social construction of ethnicity in the sense that it supplies the grammar and metaphor of African politics, as it frames the political and

social demands that groups make on the state and other groups (Maina 1998). Atieno-Odhiambo (2002: 244 citing Brubaker) invokes language and cultural idioms in interest articulation:

Cultural idioms constitute interests as much as they express them. These culturally mediated and thereby culturally constituted interests are not prior to, or independent of, the cultural idioms in which they are expressed. Thus it becomes necessary to study the social production of political languages themselves.

Similarly, Maina (1998: 138) argues that the political language that a tribe or ethnic identity provides “unites people over what to argue about . . . the images on which they can base their ideologies (and) ideologies mobilize political support around social divisions.” Such political language is encoded in people’s histories and customs, as are “their philosophies of power, justice and entitlements” (Maina 1998: 138). In contemporary multiparty era, ethnicity has been used in ethnic mobilizations and even violence as indicated at the beginning of this chapter.

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### **Ethnicity as False Consciousness Ideology that Masks Class Struggle**

Another perspective on ethnicity in African politics is Marxist-inspired. Here, scholars using political economy analysis see the basic character of ethnicity as defined by the “tyranny of property” (Atieno-Odhiambo 2002), where the big man politics and patronage networks use ethnicity as a smokescreen to camouflage class differences and interests in their ideological manipulation of subaltern co-ethnics (Berman 2010; Lonsdale 1994; Mueller 2008). Such elites have argued using pseudo-philosophies that pre-colonial Africa was a classless society. However, as Berman (2010: 9–10) argues, this is a myth:

Africans did not and do not have either class or ethnic identities, but both; and this was reflected in the cultural politics of their communities . . . It focused on increasing conflict between rich and poor over their reciprocal obligations, particularly of the former to redistribute their wealth so their dependents and clients could flourish . . .

Arguing along the same lines, Atieno-Odhiambo (2002: 234) posits that in colonial Kenya, the Mau Mau was both “an anti-settler and anti-colonial revolt and movement on the one hand, and an intra-Gikuyu civil war on the other.” It is such distinctions that the colonial state exploited by accentuating class differences to break the assumed ethnic-class heterogeneity through the 1954 Swynnerton Plan which “entrenched the landed Gikuyu gentry by expanding their landholdings at the expense of the Mau Mau detainees” (Atieno-Odhiambo 2002: 238).

Ethnicity became an important part of the hegemonic apparatus of the new African bourgeoisie for masking class differences and interests in post-colonial Kenya. Specifically, elites become what Atieno-Odhiambo (2002: 232) describes as “ethnic entrepreneurs” who politicized old or newly invented primordial

sentiments with a view to accruing personal benefits. It is in this regard that Bates (1974) describes ethnicity as an efficient resource in the competition for the “goods of modernity” (cited in Atieno-Odhiambo 2002: 232). Such ethnic entrepreneurs have also used ethnicity as a tool for protection against “loss of acquired privilege, or as a scapegoat when dissatisfaction with the government is transformed into complaints about the ethnic group or groups presumably in power” (Wallerstein 1960, 1979 cited in Atieno-Odhiambo 2002: 232). In Kenya, the war cry whenever such privileges of a “big man” patron are threatened has been “our tribe is targeted.” The key point that Atieno-Odhiambo (2002) makes is that there is a role played by political economy in production of ethnic-based nationalism where elites instrumentalize ethnicity for their own survival and reproduction (Young 1986). It is this form of instrumentalized ethnicity in political competition with other groups that Lonsdale (1994) and Berman (2004, 2010) label political tribalism.

Subalterns fall for this trick through a “false consciousness” of their situated ethnic subjectivities. This is because ideology of kinship makes elites appear as patrons of their tribal constituencies rather than the exploiters of workers and peasants that they are (Arrighi and Saul 1973). This is evident in Kenya where since colonial times, elites have whipped their respective co-ethnics for support in their competition for state power, which is critically important for securing a place at the table for opportunities for rent seeking and sharing of the same. In his analysis of the making of the Kikuyu and Luo ethnicity in post-colonial Kenya, Atieno-Odhiambo (2002: 233) argues that there was deliberate agency in Oginga Odinga and Jomo Kenyatta. In the post-Kenyatta years, Daniel Arap Moi, Mwai Kibaki, and Uhuru Kenyatta regimes have continued the deliberate class interest oriented reproduction of ethnicity in Kenyan politics. The net effect is that subaltern struggles can never unify as their basis for organizing is ethnicity which is wide and fluid, instead of class, which is more precise.

Another version explains the dominance of elite and ethnic-based political mobilization to the fact that arguably, elites are a better organized social group in Kenya to capitalize on “local fears and opportunities” (Mueller 2008; Jenkins 2012; Lynch 2008). The clientelist ethnically driven political parties in Kenya, coupled by the first-past-the-post winner-takes-all electoral system, raises the stakes of winning and even gives rise to ethnic-based political violence, especially since the reintroduction of multi-partyism in 1992 (Mueller 2008). Since then, certain political parties have come to be associated with specific individuals and their ethnic groups, and voting “defensively and fundamentally an ethnic census [attributable to] high degree of mistrust of members of other ethnic groups” (Bratton and Kimenyi 2008: 287). This generated contestations as excluded elites with support from subaltern groups demanded reforms. Similarly, Lynch (2008: 541) shows how “intra-elite cleavages are widened with the support of subordinate groups” sometimes resulting in wide-spread election related violence. This happens because many Kenyans vote for one of their own co-ethnic political elite based on their own fears of what will happen if the “other” wins power and hopes of what they might gain if one of their “own” wins power (Lonsdale 1994). In this regard, “bottom-up performance of narratives of ethnic territorial exclusion” operate alongside more direct elite involvement,

organization, and incitement (Jenkins 2012: 576) in the production of ethnic-based intra-elite competition for power.

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## **Ethnicity as an Imagined Community**

A more contemporary explanation of ethnicity in politics is that like nationalism, ethnicity is a product of social imagination that is constructed, invented, or created (Anderson 1983) and must be constantly worked (Atieno-Odhiambo 2002: 231). Within this school of thought, ethnicity is seen as a form of creative “nationalism, an intellectually imaginative political project of liberation that makes claims on behalf of civil rights, directly comparable with European nationalisms, if also sharing their Janus-faced potential for exclusive, jealous evil” (Lonsdale 1994: 136). This approach is not necessarily novel; it borrows from the four afore discussed explanations to argue that ethnicity has been constantly changing since the pre-colonial period. Specifically, Kenyan ethnic communities, it is argued, have evolved geographic specializations. Examples include fisherfolk along the coastal and the western regions due to the presence of large water bodies, highland farmers due to presence of fertile arable land, and plain pastoralists due to existence of large amount of pasture land. Each of these geo-ethnic communities have their own moral economy or means of judging civic virtue (Lonsdale 1994: 137) and a specialized exchange and rulership. The social imagination and self-awareness of ethnic groups, the argument goes, comes through time due to interactions with the external world. This is historically explained, through colonial political economy, which accelerated labor market process as “people begun to compete for the same resources of employment, urban shelter, and security” (Lonsdale 1994: 137).

Other aspects responsible for imagination are the decentralized despotism resulting from the European conquest and attendant domination which gave some people power “to help friends and hurt their enemies” and therein sharpened consciousness of difference (Lonsdale 1994: 138). This resulted in the substitution of moral economy with moral ethnicity. Here, ethnicity acquired a primordial patriotic label and transformation from moral to amoral one. These developments were/are not countered by class fractures due to ethnicity creating and reproducing a false consciousness where wealthier co-ethnics are imagined to have obligation to the poorer co-ethnics. Missionary education accelerated this through creation of vernaculars instead of promotion of the lingua franca for the country.

In the last few decades, politically instigated violence have been incubated in the disorder of ethnicized intra-elite competition and especially buttressed by a stalemate in the constitution review contentions since mid-1990s. This disorder manifests as competing visions for curing existing socioeconomic and political crisis represented on one hand, by a dominant conservative political elite faction obstinately opposed to state reforms. Using state and personal resources, this elite faction occasionally employs violence, patronage, co-optations, as well as piecemeal concessions to stem the reform wave without fundamentally curing existing contradictions. On the other hand, a faction of opposition political elites and middle-class civil society activists



united more by their opposition to the dominant elite faction than by the nature of change desired continue to challenge this order (Mati 2013). It is the impasse between these groups and their version of instrumentalized ethnicity, coupled by state institution's inability to mediate intra-elite competition in an environment of widespread dispersal of violence capacity among competing elite groups that has in the last two and half decades resulted in electoral violence, for which 2007/2008 was most poignant.

The resolution of the ethnic-based political violence has involved elite bargains. In 1997, for example, such elite bargains came in the form of the Inter Parties Parliamentary Group (IPPG) agreements that offered the institutional parameters for changing the constitution. However, subsequent ethnic-based elite impasses stalled the process. This impasse ignited the Ufungamano Initiative-led efforts at constitutional reforms (Mati 2012). This effort at reforms was again thwarted even after the merger of the state-led processes with the Ufungamano Initiative, resulting in the rejection of the government supported constitution draft in a 2005 referendum, and subsequently to electoral related inter-ethnic conflict in 2007/2008. The resolution of the 2007/2008 violence jumpstarted the stalled constitution reform project, delivering a new constitution in August 2010. The 2010 constitution introduced institutional arrangements aimed at altering relations between elites and making state institutions to be viable mediators of competing elite groups.

More fundamentally, the 2010 constitution effectively dispersed rent-seeking and patronage opportunities to broader elite factions by creating a two-tier government (county and national) and a bicameral parliament. Importantly, the post-2010 constitutional institutions attempted to constrain elite political behavior, resulting in relative calm in the 2013 elections because state institutions enjoyed relative trust among powerful political elite formations. The recent Kenyan constitutional reforms process and outcomes are illustrative of contemporary theorizations on the political economy of violence in emergent democracies (see, e.g., Arias and Goldstein 2010; North et al. 2013; Von Holdt 2014). In South Africa, for instance, political violence is shaped by "political inclusion and high levels socio-economic exclusion" (Von Holdt 2014: 147). On the other hand, North et al. (2013: 1) argue that in most developing countries, the capacity of violence is widely dispersed among diverse elite groups who, in many instances, refrain from violence but "occasionally find violence a useful tool for pursuing their ends." Such "societies limit violence through the manipulation of economic interests by the political system in order to create rents so that powerful groups and individuals find it in their interest to refrain from using violence" (North et al. 2013: 3). These social arrangements, labelled "limited access orders" by North et al. (2013: 3), specifically limit violence by creating and institutionalizing incentives for leaders of competing groups to coordinate and ensure an agreed or "fair" exclusive sharing of rents among themselves. Such elite bargains can result into elite coalitions or even constitutions that incentivize elite cooperation, deter violence, and even further entrench democratization. For Kenya, the jury is still out on whether the 2010 constitution will be able to finally arrest the beast of ethnic-based politics and attendant violence.



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## Conclusion

Scholarly discourses on ethnicity in politics in Kenya are centered on two dominant approaches: one is the treatment of ethnicity as an instrumentally constituted social phenomenon and the other is that it is naturally occurring. These are further explained utilizing five arguments presented in this chapter. These are that ethnicity is a modern day residual category of a fast disappearing phenomenon (tribe) as Africa modernizes. The second is that ethnicity is a form of social resistance or an outgrowth – almost an invention – of colonial state power. The third argument is that ethnicity is a product of false conscious ideology used to mask class interests by elites. Fourth is the view that ethnicity is a form of nationalism – primordial or national. Finally the contemporary view is that ethnic identity is socially imagined. As such, following Berman (1998: 305) ethnicity in Kenyan politics is “always simultaneously old and new, grounded in the past and perpetually in creation.” Such imagination and creation has resulted to ethnic-based Kenyan politics, which often breeds inter-ethnic conflict and violence. The role played by ethnicity in Kenyan politics provides powerful illustrations of how a convoluted nexus of state institutions and political economy of power and ethnicity results into political tribalism and even political violence. This has called for institutional arrangements to help mediate between competing interests and differences through accommodation. The 2010 constitution’s consociational power dispersal model offers a ray of hope in this regard. However the ongoing intra-elite power struggle suggests that the country is yet not out of the woods as far as destructive forces of ethnicity in politics go.

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## Cross-References

- ▶ [Ethnicity and Violence in Sri Lanka: An Ethnohistorical Narrative](#)
- ▶ [Patterns and Drivers of Communal Conflict in Kenya](#)
- ▶ [Racism in Colonial Zimbabwe](#)
- ▶ [The Significance of Ethno-politics in Modern States and Society](#)

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# Ethno-politics in the People's Republic of China

# 16

Matthew Hoddie

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## Abstract

This study describes the ethnic diversity that exists within the People's Republic of China (PRC) and how the country's government has approached the issue of interethnic relations. Focusing on the examples of the Tibetan and Uyghur ethnic groups, the essay identifies significant changes that are apparent in the government's posture toward minority communities during the periods of Maoist extremism and the reform era. Recent episodes of protest and violence by minority communities are attributed to continuing social discrimination and significant limitations associated with the government's efforts to address minority grievances. The essay concludes with a consideration of different proposals to reform the government's approach to ethnic relations within the PRC.

## Keywords

People's Republic of China (PRC) · Han · Tibetans · Uyghurs · Autonomy

M. Hoddie (✉)

Department of Political Science, Towson University, Towson, MD, USA

e-mail: [mhoddie@towson.edu](mailto:mhoddie@towson.edu)

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## Introduction

While the People's Republic of China (PRC) is not typically understood to be a multiethnic state, the country does contain substantial diversity within its borders. The majority of Chinese citizens identify as members of the Han ethnic group, yet the 2010 census reports that 8.49% of people classify themselves as belonging to a minority community. Given a country with the world's largest population, this 8.49% amounts to almost 112 million people – a number that dwarfs the total population of states such as Britain and France.

The discussion that I present in this chapter considers changes over time in the relationship between the government of the PRC and its minority communities. I divide the presentation into five sections. I begin with a description of some of the more notable differences that exist among the groups that comprise China's minority population. A second section identifies distinct historical periods in government policy toward minority communities, highlighting the differences apparent between the periods of Maoist extremism and reform. The third section considers the forms of interethnic tension that have persisted in China despite the government's adoption of limited reforms intended to accommodate minority interests. The section that follows identifies limitations associated with the current government's system of regional autonomy for minority groups and suggests that these limitations may account for the continuing suspicions and hostilities that exist between the majority and minority groups. The essay concludes with a consideration of different means by which the government might reform its approach to interethnic relations.

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## Diversity in the PRC

The PRC's government recognizes a total of 55 different minority communities, with the most recent census reporting that 9 of these groups are comprised of populations greater than 5 million. In order of population size, the largest groups are the Zhuang (16.9 million), Hui (10.6 million), Manchu (10.4 million), Uyghurs (10.1 million), Miao (9.4 million), Yi (8.7 million), Tujia (8.4 million), Tibetans (6.3 million), and Mongols (6 million).

The Han majority has tended to perceive and characterize the country's minority communities in negative terms. Studies of Chinese media portrayals of minorities highlight that these groups are typically depicted as primitives beset by pathologies such as poverty, illiteracy, and superstition. Characterized in these terms, minorities have come to serve as objects of fascination that are understood to represent China's distant past. This curiosity about the lives of members of these groups is apparent in the presence of minority-themed restaurants and amusement parks in the country, promising to provide the Han with a glimpse of the exotic "other" and their own ancient history. By characterizing minority communities as backward, the Han also tacitly invoke an understanding of their own community as civilized and superior (Blum 2001; Hoddie and Lou 2009).

As one might anticipate, the use of harmful and inaccurate stereotypes to characterize these ethnic groups has had a negative influence of the relationship between majority and minority groups. As a symptom of this tension between communities, minority citizens often highlight the problem of “big Han chauvinism” within the country. At its most benign, this chauvinism is apparent when government representatives promote policies, such as those associated with education or economic development, that do not sufficiently take into account the cultural sensitivities of minorities. At its worst, this chauvinism has been seen in acts of overt discrimination and hostility toward those defined as outside the boundaries of the majority group.

Despite this tendency among members of the majority to characterize minorities through the use of stereotypes, these groups are distinct from one another across a number of significant dimensions. One means by which these groups may be contrasted is in terms of their degree of social differentiation from the Han. A number of these ethnic groups are now largely assimilated with the majority in terms of appearance, language, and culture. Groups such as the Zhuang, Tujia, and Manchu have thus been described as constituting an “ethnic category,” with only their identity label signaling their minority status. These assimilated groups stand in contrast to those collectivities described as “ethnic communities” that maintain identity markers that indicate and reinforce their differences with the majority. Included among the groups that might be accurately described as “ethnic communities” are the Tibetans, Uyghurs, and Mongols (Liu 1996, 193–195).

If there is an awareness of China’s minority communities in the West, it is of these largely unassimilated “ethnic communities” and the efforts by some members of these groups to press their claims for either greater autonomy or independence from the central government in Beijing. Most prominent among these resistance movements are those associated with the Tibetan and Uyghur ethnic communities.

The Tibetan population of China are adherents to the Buddhist religion and are concentrated on the Tibetan plateau in the country’s southwest region. Members of this group have made their demands for greater accommodation by the PRC known in recent years through acts of self-immolation. The first public suicide of this type occurred in 2009. At the time of this writing, there have been a total of 153 instances in which an individual has chosen to set themselves on fire in protest against the Chinese state; 122 of those acts of protest have resulted in death (Self-immolations by Tibetans 2018). Most of those that have attempted to commit suicide in this manner have either been young Buddhist monks or former monks.

China’s Uyghur population also has an uncomfortable relationship with the Han majority and an atheist state. Adherents to Islam, and primarily residing in Xinjiang province, some members of this community have sought to make their demands for greater accommodation apparent through acts of terrorist violence. Most prominently, there have been instances in which members of the Uyghur community have engaged in the assassination of government officials and violent attacks targeting public transportation systems. Concerns about terrorist violence often serve as a justification for government surveillance and mass arrests of Uyghurs. This was the case in 2008, as the government engaged in a crackdown against

members of this community that they justified based on concerns about possible terrorist attacks during the Beijing Summer Olympics (Jacobs 2008).

Further heightening the stakes of the disputes between these two ethnic groups and the state is the fact that the territories in which these groups reside are rich in natural resources and occupy lands that are considered strategically significant to the Chinese state. The Tibetan Autonomous Region (TAR) occupies a border region between the countries of China and India – two countries that fought a war against one another in 1962 and still have unresolved disagreements over competing territorial claims. The region has a wealth of mineral resources that the Chinese government has been eager to exploit, including copper, lead, zinc, and iron (Johnson 2011, 73–74). Similarly, Xinjiang proves strategically important as it is adjacent to a number of states, including some that were once part of the Soviet Union, such as Kazakhstan and Tajikistan. Xinjiang contains significant oil and natural gas reserves that are important to China’s future economic development (Van Wie Davis 2008, 24–25).

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## Changes in the PRC’s Minority Policies Over Time

How has the PRC’s government addressed the challenges associated with the diversity that exists within the state? The government has adopted distinctive strategies over time. During most of the era associated with Mao Zedong’s leadership, the state proved hostile toward minority communities and sought to promote rapid assimilation with the Han majority. Following Mao’s death and the initiation of the reform era, policies shifted substantially toward greater tolerance and efforts to accommodate the distinct interests of minority communities. Here I document the substance of these changes in government policy and describe their influence on the relationship between minority communities and the government.

### The Maoist Era

In the early years following the Communist revolution of 1949, both the party and state exercised restraint in their interactions with minorities. Focusing its energies on other tasks associated with the process of the communist transition, the government engaged in what might best be described as “benign neglect” of minority areas. Many minority-concentrated regions were designated as autonomous, with guarantees that the residents of these autonomous regions would have the opportunity to use their own languages and adhere to their own distinct cultural practices (Dreyer 2004, 292–296).

In the case of Tibet, the People’s Liberation Army (PLA) initiated attacks on the territory in 1950 with the intention of asserting control over the territory. But even in this instance, the government offered accommodations to minorities. The PRC and the Dalai Lama (the theocratic leader of Tibet) negotiated the Seventeen Point Agreement (SPA) that kept a degree of authority in the hands of the Tibetan people.

In return for recognizing Chinese sovereignty over the region, the SPA provided that Tibet would be allowed to maintain its political system under the Dalai Lama and that the government would not prohibit the practice of Tibetan Buddhism (Goldstein 1997, 47–52; Shakya 1999, 89–90).

This tolerance toward minority communities, both in Tibet and throughout the rest of China, came to an abrupt end with the initiation of the mobilization campaigns that some consider the primary legacies of the Maoist era and that earned Mao his status as one of the greatest mass murderers in history. The most notable of these mobilization campaigns are the Great Leap Forward and the Great Proletarian Cultural Revolution.

The Great Leap Forward (GLF), associated with the years between 1958 and 1961, was Mao's mobilization campaign to initiate rapid economic development in the country through a reliance on the ingenuity and revolutionary zeal of the peasantry. As the title of the campaign suggests, the ambition of the government was for China to take a giant leap into its economic future and provide the country with the means to rival the development of wealthier states.

The era of the Great Leap Forward had disastrous consequences for China's minority communities. Earlier guarantees of autonomy were disavowed by the CPP and state with the initiation of the GLF. Consistent with the characterization of minority cultures as "primitive," distinctive minority practices were now condemned as detrimental to the goal of promoting economic development. As a result, minorities were discouraged from speaking their own languages, wearing distinctive clothing associated with their community, or taking time away from work to engage in prayer (Dreyer 2004, 297–298).

An important element of the GLF was the development of agricultural communes. These communes typically brought together approximately 5000 families who were required to work the land in common. Functions that were once carried out by individual families, such as child care and the preparation of meals, were now the responsibility of the collective. Members of minority communities found these communal arrangements to be particularly difficult to accept as it often required that they compromise their culture values. To note one prominent example, members of Muslim groups, such as the Uyghurs and Kazaks, objected to being served meals that were not prepared in observance of the dietary requirements of their religion (Dreyer 2004, 297–298).

It is clear that many citizens resented and resisted the loss of independence associated with work in the communes, and the often-harsh working conditions imposed on them in the context of the GLF. Events in Tibet serve to represent the exacerbated tensions that emerged between minorities and the Han during this period. Concerned about the growing assertiveness of party officials in Tibet, as well as threats to his own safety, the Dalai Lama fled Tibet in 1959 and established a government-in-exile in neighboring India.

Most of the experiments with management and technology initiated during the GLF proved a failure. In the aftermath of the mobilization campaign, the country experienced widespread famine that resulted in the deaths of tens of millions of people. These famines did not spare minority communities; estimates suggest that thousands of Tibetans died during this period (Sautman 2006, 243).



The Great Proletarian Cultural Revolution (GPCR) serves as the second mobilization campaign that defines the Maoist era. Initiated in 1966, the GPCR was Mao's effort to remove his political rivals from the CCP and give the emerging generation of Chinese a revolutionary experience that would promote a sense of patriotism and fervor for communist ideals. Toward this end, Mao encouraged students from high school and college to abandon their studies and join what were known as the "Red Guards." Red Guards were assigned the task of identifying the enemies of communism who promoted ideas and values contrary to the spirit of the 1949 revolution.

Among the slogans that Mao articulated during this time was the need for society to smash the "four olds" of ideas, culture, customs, and habit. Given the common perception of minority communities as representative of "primitive" cultures, Red Guards understood themselves to have license to participate in acts of intolerance and brutality against these groups. Scholars have documented episodes of violence targeting minority groups such as the Tibetan, Uyghur, Mongolian, and Korean communities. Beyond attacks on citizens, there was also damage and insults to the culture of these societies through the destruction of places of worship (such as Buddhist temples) and cultural symbols (Hoddie 2006, 65–66).

Reviewing the state of ethnic relations following the GPCR, Thomas Heberer (1989, 29) offers the following characterization:

Humiliation, insults, oppression, and an attempt at forced assimilation; destruction of the ecological equilibrium and ruinous exploitation; economic plundering of the minority regions; these were the consequences of the Cultural Revolution for the national minorities and their regions. It is no wonder that relations between the Han and minorities remain embittered; it will take much time to heal these wounds.

Taken as a whole, it is clear that the extremism associated with the Maoist era served to poison the relationship between the Han majority and minority communities. The distrust that still exists between these communities can trace its roots to the acts of intolerance and violence that took place on Mao's watch. Given what transpired during this period, it is easy to understand why members of many minority communities have sought either greater autonomy or independence from the Chinese state.

## **The Reform Era**

With Mao's passing, China's government embarked on a series of reforms that scaled back government hostility toward minority populations. Why these changes were initiated at this time is not immediately apparent. It may have been the case that the government and party were genuinely interested in providing some level of reparations to minority communities that had suffered a great deal as a result of Maoist extremism. Another possibility is that the government was increasingly concerned about the sense of disaffection for the Chinese state apparent in the border regions of the country in which minorities are concentrated, and in particular how

this hostility might serve as a source of vulnerability for the country in its interactions with foreign powers (Hoddie 2006, 67).

Perhaps the most significant benefit that was provided to members of minority communities during the reform period were exemptions from the one-child-per-family policy. Starting in 1979, the PRC's government had imposed a policy that limited couples in the country to a single child. This limit on fertility was deeply resented by couples in China given a cultural preference for large families and ensuring the birth of at least one male heir. This limit on fertility was eased or lifted for many minority communities. In most cases, provided that at least one parent could claim a minority identity, couples residing in urban areas were allowed to have two children. Couples claiming minority heritage from rural areas encountered no limitations and were allowed to have as many children as they wished (Dreyer 2004, 377).

This concession by the state was not costly, as most minorities reside in rural areas with low population density. But the symbolic significance of this policy for minorities proved immense, as it signaled a willingness by the government to allow minority groups to rebuild after years of state-fostered hostility and population losses. The government abandoned the one-child-per-family policy in 2015, and the right to have more than one child was extended to the country's population as a whole.

Even in terms of religion, a controversial issue for an officially atheist state that includes a number of religious minorities, the government sought to offer greater, if incomplete, accommodation. Some have characterized the state's approach to religion during this era as associated with both "soft" and "hard" policies. "Soft" policies are defined by efforts to allow for religious expression, provided that it takes place in the context of state-approved organizations. In the context of both Tibet and Xinjiang, the government has funded the rebuilding or new construction of places of worship. There has also been a willingness to allow for religious activities through state-controlled entities such as the Chinese Islamic Association. At the opposite extreme, "hard" policies are the often-harsh punishments that are meted out to those who engage in religious activities outside of the purview of state authority. Prohibited activities include proselytizing by religious activists and the provision of religious instruction outside of state-approved organizations (Clarke 2008, 279).

Other changes in government policy intended to accommodate minorities that took place during the reform period may be categorized as either political or economic in form. Political changes included the passage of new laws that mandated increasing representation and accommodation for minority communities. In terms of representation in the central state, the 1982 constitution required that a minimum of 12% of seats in the country's legislature – the National People's Congress (NPC) – be reserved for members of minority groups. At the local level, the 1984 Law on Regional Autonomy extended the rights associated with political autonomy to 20% more counties than had previously held this status. The 1984 law reiterates the understanding that autonomous areas maintain the right to determine their own laws governing issues such as economic policy and cultural protections (Dreyer 2004, 375–376; Mackerras 1994, 155–156).

Considering the laws passed by the NPC, Barry Sautman (1999, 288–289) notes a similar trend in prioritizing the interests of minority citizens during the reform era. In his words:

Of some two hundred NPC laws and State Council regulations created from 1979 to 1995, at least forty contain ‘ethnic issues’ provisions (Xinhua 3 March 1996). Statistics of this kind are deceptive, however. Some provisions do more than reiterate the power already given under the 1984 Law on Regional Autonomy (LRA) (*minzu quyü zizhi fa*): autonomy areas are empowered to adapt, modify, or supplement national laws according to local conditions (China 1987: 87–10). Other provisions are mere exhortations to take minority interests into account.

Economic reforms initiated during this period were intended to expand the financial resources directed toward minority communities and also enhance the educational and work opportunities for the members of these groups. In recognition of the fact that many autonomous regions are located in areas of the country that are relatively impoverished, the government maintained relatively low tax burdens for these regions while simultaneously investing substantial government funds in local public works projects (Sugimoto 1993, 9–19). These projects often had the potential to hire members of minority communities as workers and thus provided a financial benefit through employment (Sautman 1999, 294).

The government also instituted reforms that enhanced the educational opportunities available to minorities, seeking to address the fact that academic achievement in minority regions has often lagged behind those associated with the Han. Along with the establishment of new schools with the explicit mission of educating minorities, the Chinese state also sought to enhance minority access to existing educational institutions. A policy of affirmative action was established that enhanced the access of minority citizens to university-level education (Kaup 2000, 136). Based on a favorable weighting of their standardized tests scores, thousands of students from minority groups gained admission to universities that would have otherwise proven out of reach (Sautman 1998, 82–83).

Taken together, these policies signaled a dramatic change in the government’s attitudes and actions toward minorities in comparison to the Maoist era. Rather than a posture of hostility toward minority communities and pressures to assimilate, programs adopted during the reform era provided these same minority communities with preferential access to government benefits and programs.

One potential indication that this change in the government’s minority policy has served to improve interethnic relations appears in China’s census data. A comparison of the 1982 and 1990 census enumerations shows a 14 million person increase in the number of individuals claiming a minority identity. Demographers note that this population increase cannot be accounted for by birth rates alone. It is instead a function of a conscious choice by individuals to disavow an earlier affiliation with the majority Han and instead claim membership in a minority group (Hoddie 2006, 69–70).

One interpretation, favored by critics of these reforms, is that this shift in the size of China’s minority population reflects a self-interested strategy by some within the

PRC. According to this perspective, the choice to newly assert a minority identity is not based on a rediscovery of an individual's minority heritage. It is instead a cynical ploy to lay claim to benefits that would otherwise remain out of reach. While the possibility of some acts of strategic dissimulation cannot be fully discounted, I am unconvinced that this is the dominant trend. My own interpretation of these changes in identity claims is that it is reflective of the fact that many people within China felt a need to disavow a minority identity during the Maoist era given unremitting government and societal hostility to members of these groups. Once the political winds shifted toward reform, however, these same individuals felt encouraged to reassert what they understood to be their genuine identity (Hoddie 2006, 70).

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### **Interethnic Relations in the Reform Era: New and Old Tensions**

While it is clear that the implementation of these changes in policy during the reform era signaled a new approach to addressing the challenges associated with governing a diverse society, they have not proven to be a panacea to the problem of interethnic tensions in China. There is instead evidence of new forms of intergroup hostility emerging in the PRC, while simultaneously some of the old rivalries based on ethnic difference have remained resistant to amelioration.

The relatively new form of intergroup tension within the PRC has taken the form of resentment voiced by members of the Han majority concerning the government-based benefits provided to the members of minority communities. Parallel to the arguments against affirmative action-style policies in the United States and other countries, members of the Han majority have articulated grievances based on claims that they have unequal access to educational and economic opportunities as a result of the preferences reserved for minorities.

Given the paucity of survey research in China on issues related to ethnic issues, it is difficult to gauge exactly how widespread or deeply felt these views critical of preferential policies are in the PRC. At least one observer of ethnic politics in China suggests that while these resentments exist, particularly as they relate to the exemption from family planning laws and preferential access to education, they have never formed the basis for the mobilization of protests or acts of violence (Sautman 1998, 105). While it seems unlikely that these resentments will ever coalesce into the basis of a popular movement, it seems clear that at least some segments of China's majority population would like to see these policies revised or ended.

Beyond the claim that these minority-centered policies are detrimental to the interests of the majority, some critics of these programs further suggest that these programs are counterproductive and actually encourage continued activism and resistance by the members of ethnic minority groups. This perspective is articulated in the work of Ma Rong, a retired sociologist from Beijing University whose work on minority issues has proven increasingly influential in both academic and policymaking circles within China. Central to Ma's perspective is the view that providing political autonomy and economic benefits to individuals on the basis of ethnicity has had the unintended effect of reinforcing divisions between groups and

inhibiting the potential for social integration. He articulates this view in the following terms:

These policies link each minority to a certain geographic area, provide these groups with a political status, administrative power in their “autonomous territory”, and guarantee ethnic minorities the potential to develop at a high speed. The process of establishing and implementing these policies and institutions, with their emphasis on “equality among citizens”, will inevitably politicize and institutionalize these groups and strengthen their group consciousness. This will have the effect of pushing them away from being “cultural groups” and towards the direction of becoming ‘political groups’ in the “ethnicity-nation” continuum. (Ma 2007, 14)

Ma suggests that if China fails to alter its ethnic policies, the potential exists that the country will eventually experience the same fate as the Soviet Union and disintegrate along ethnic lines. Tibet and Xinjiang are obvious candidates for forming newly sovereign states should such a scenario be realized.

As an alternative to the current set of policies, Ma Rong advocates an approach that would transition the government away from employing ethnicity as a means of determining access to state resources and benefits. He suggests that the government should instead pursue ethnically blind public policies that prioritize assisting the poor without reference to their ethnic identity label. In a similar vein, he recommends that the current system of autonomous governance for minority areas be phased out with an eye toward discouraging ethnic groups from perceiving themselves as holding ownership over a particular territory (Sautman 2012, 19).

These policy prescriptions seem unlikely to be embraced given the dismay and resistance it would almost certainly invite from China’s minority communities. Rather than considering these recommendations as meaningful options for governance, they might instead be best interpreted as an indicator that there now exists within the PRC a certain level of discontent with the current set of minority policies favored by the government and that this has led to a degree of interethnic tension. This Han backlash against the preferences provided to minorities appears to be a new form of interethnic dispute that was not in evidence prior to the initiation of the reform era.

The other form of interethnic tensions that has proven apparent in the context of the reform era is a continuation of the hostility and violence between the Chinese state and those minority groups that were previously characterized as “ethnic communities” in this study – including the Tibetans and Uyghurs. This might appear surprising given the shifts in government policy and the attendant growth in the number of individuals willing to embrace a minority identity. In fact, a close examination of the census data related to shifting identity claims suggests that it is those groups that were among the most assimilated with the majority, which were previously described here as “ethnic categories,” that experienced the greatest shifts in population claims. These groups include the Manchu and Tujia. For groups that are more clearly distinctive and alienated from the Han majority, polarization and resistance to the Chinese state remains the norm (Hoddie 2006, 74).

In the case of the Tibetan community, there have been repeated protests and riots that reflect the strong and continuing opposition of members of this group to the Chinese government. Such episodes proved particularly apparent between the years 1987 and 1989. Two examples serve to illustrate the forms of violence that took place during this period. During October 1987, a demonstration held in the provincial capital of Lhasa progressed from a peaceful protest to a large-scale riot. As a result of the violence, both a police station and a number of stores within the city were burned, with estimates suggesting that up to 20 Tibetans were shot by police (Smith 1996, 603; Goldstein 1997, 79; Shakya 1999, 416). Riots in Lhasa also took place in both March 1988 and 1989. In the case of the 1989 disturbance, it is reported that 45 shops were destroyed and up to 150 Tibetans died in confrontations with security forces. As a result of this unrest, martial law was imposed on Tibet and not lifted until the following year (Smith 1996, 617–618).

A second spasm of violence associated with Tibetan resistance to Chinese rule took place during 2008. In this instance, the riots in Lhasa proved much more intense, and the violence spread to much of the rest of the TAR, as well as neighboring provinces with large Tibetan populations. This included protest events in the provinces of Sichuan, Gansu, and Qinghai (Johnson 2011, 92–93). In response to this unrest, the government detained over 1000 people in the TAR alone (Wong 2008).

In the case of Xinjiang, there have also been parallel moments of mass unrest followed by repression by government authorities. Protests and riots against Chinese rule took place during 1990 in Baren township, with similar events inspired by the violence in Baren taking place for a number of years in other cities throughout the province (Holdstock 2014, 4). In 1997, significant protests and unrest again took place. In this case, the city of Yining became the site of resistance activity that lasted for a number of days before government control was reasserted (Holdstock 2014, 4–5). In each of these cases, reports suggest that protestors made their antipathy to Chinese rule apparent by shouting slogans and carrying banners hostile to the Communist state. More recently, Xinjiang's provincial capital city of Urumqi became the center of unrest in the summer of 2009 when a peaceful protest demanding investigation into the deaths of two Uyghurs in an incident outside of Xinjiang evolved into riots in which approximately 200 Han citizens died in the violence (Wong 2009).

There have also been claims made by the Chinese state that Uyghurs have engaged in terrorist activities outside of Xinjiang in an effort to press their demands for a separate state. In most of these cases, it is impossible to verify whether the incidents are genuine examples of terrorist attacks as the only reports available are provided by China's state-controlled media. One instance of this form of violence was the crash and explosion of a jeep in Tiananmen Square – a landmark in the center of Beijing and the site of both the Forbidden City and the Great Hall of the People. Five people were killed in the attack, including 3 passengers in the jeep, and at least 40 people were injured. In this case, the police reported that all occupants of the vehicle were Uyghurs (Holdstock 2014, 6). A second attack that gained a great deal of attention took place during March 2014 at a train station in the city of

Kunming, the capital of the province of Yunnan. A group of 8 individuals stabbed to death 31 people and wounded more than 140. While no organization claimed responsibility for this attack, the Chinese media pointed to evidence that they suggested connected the carnage to Uyghur separatists (Holdstock 2014, 7; Jacobs 2014).

The government's responses to these moments of unrest in Xinjiang and beyond have taken the form of "strike hard" campaigns. Within the PRC, these campaigns typically take the form of focused anti-crime efforts to quickly arrest and imprison those accused of having engaged in a range of different criminal activities. In the case of Xinjiang, however, the focus has almost exclusively been on arresting those believed to be engaged in prohibited religious activities or individuals accused of promoting separatism (Clarke 2008, 280). In recent years, those arrested in these sweeps by security forces have been sent to internment camps. Within these camps, it is claimed that Uyghurs, "... spend their days in a high-pressure indoctrination program, where they are forced to listen to lectures, sing hymns praising the Chinese Communist Party, and write 'self-criticism' essays..." (Buckley 2018). Estimates suggest that between a few hundred thousand and approximately one million individuals are imprisoned in these camps at any given time (Buckley 2018).

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## Limits to Autonomy

Given the government's adoption of policies that are intended to offer a degree of accommodation to these ethnic communities, what accounts for continued evidence of interethnic tensions between the state and some of these groups? One potential means of explaining this phenomenon is to point to the past tensions between majority and minorities within the PRC. Given the long history of Han chauvinism, and periods in which members of minority communities have endured state-supported acts of discrimination and violence, it would not be surprising if the benefits that have been made available in the reform era might be understood to be "too little, too late" to change attitudes and generate support for the Chinese government. Members of minority communities also have reasons to question the durability of these reforms, recognizing that earlier promises to respect the autonomy and self-governance of minority communities have been broken.

Beyond a distrust linked to past relations between groups, it may also be the case that many members of ethnic communities have come to see the policies of accommodation initiated during the reform era as insufficient. This is particularly true as it relates to promises of autonomy – the guarantee that members of territorially concentrated minority groups will have opportunities for self-governance in the context of their regional homelands. A close examination of the practices of autonomy in both Tibet and Xinjiang reveals that there are significant limits to opportunities for self-governance. These harsh and continuing limits on existing autonomy arrangements perhaps best explain the continuing alienation of Tibetans and Uyghurs from the Chinese state.



An obvious means of evaluating the degree to which an ethnic community enjoys true self-governance is in terms of whether members of the community hold positions of power associated with administering the territory. In the case of the TAR, Tibetans hold a majority of cadre positions and occupy a number of high-ranking titles within the state government. The significance of this Tibetan presence within the state is called into doubt, however, by the fact that members of this group hold relatively few positions of influence within the Chinese Communist Party (CCP) itself. Perhaps most notably, the top CCP position within the TAR of party secretary has never been held by a member of the Tibetan ethnicity (Karmel 1995–1996, 500; He 2006, 76; Dodin 2008, 195–196). With the CCP understood to be the true center of power in China, it seems clear that Tibetans do not have opportunities for genuine self-governance.

This pattern of a lack of representation within the CCP is also apparent in Xinjiang. A report from 2008 notes that only 37% of CCP members in Xinjiang hold a minority identity. This same study reports that not 1 of the 124 of the Party secretaries in the province at the “prefectural, municipal, and county level” is a member of a minority community (Clarke 2008, 280–281). Taken together, the relative lack of Tibetans and Uyghurs in their respective provincial governments suggests that the Chinese are unwilling to hand meaningful authority over to the members of these ethnic communities.

It is also clear that the Chinese state still maintains a capacity to monitor religious practice in autonomous regions and interferes with religious activities as it sees fit. In the context of Tibet, government limits in the form of quotas have been set on the number of monks that may be attached to each Buddhist monastery. Those who seek to join a monastery must have a background check completed by the local Party committee to ensure that any applicant has a sufficiently patriotic background. Contrary to earlier practice, the government has also mandated that those seeking to join a monastery must now wait until they reach the age of 18 (Smith 1996, 583; Goldstein et al. 2006).

A further indication of the government's involvement in religious issues is its interference with the selection of new Tibetan Buddhist leaders. By tradition, Tibetan religious authorities have been responsible for identifying the individual who is the reincarnation of a deceased leader. However, when the 10th Panchen Lama (the highest-ranking lama following the Dalai Lama) died in 1989, the Chinese government asserted the right to participate in identifying his reincarnation. After the Dalai Lama announced that he had identified a child within the PRC as the Panchen Lama's reincarnation, the boy and his parents were taken into government custody and have not been seen again (Shakya 1999, 440–447; van Schaik 2011, 262–263). The Chinese state then installed into the role of Panchen Lama a different child, one who proved to be the son of two CCP officials. Tibetans have not embraced the newly installed Panchen Lama as the true reincarnation (Johnson 2011, 164).

Given the Dalai Lama's advanced age, he has become increasingly concerned that the Chinese state will also insert itself into the process of selecting his reincarnated successor. As a result, he has suggested that the means of choosing his successor may differ from past practices. On different occasions he has suggested that he may be the last Dalai Lama; he has also offered the possibility that his reincarnation may



be found outside of China. Reports in March 2018 suggest that the government-in-exile is now in discussions about exactly what practices they will adopt to determine the next individual to occupy this leadership role (Narabe 2018).

In the case of Xinjiang, there have also been long-standing concerns about the government's interference with religious practice. Complaints include claims of intense and expansive surveillance during Muslim holidays, and the oppressive policing of religious festivals. As described earlier, the government has been particularly aggressive in its efforts to crackdown on religious activities that have taken place outside the confines of what is approved by state authorities. Uyghurs claim that people have been sent to internment camps for activities ranging from possession of religious books to wearing a shirt bearing a Muslim crescent image (Buckley 2018). This interference in religious freedoms again demonstrates the limits to the autonomy provided to these communities. This has particular significance to both Tibetans and Uyghurs as it is central to the identity of each group.

A final illustration of the limits to autonomy for ethnic communities in China is in terms of immigration into these regions. China's government has had a long-standing policy of promoting Han immigration into Tibet as a strategy to further integrate the province with the rest of the PRC. Tibetans have experienced a flood of Han migrants into the country's urban areas as a result. According to one estimate, among the 13,000 stores and restaurants within Lhasa, only 300 are owned by Tibetans (Mazumdar 2010). Tibetans have come to perceive this policy of encouraging immigration as a threat to the identity of the TAR as their ethnic homeland and complain that much of the wealth of the region is now being monopolized by members of the majority group.

A similar dynamic is apparent in the case of Xinjiang, with the PRC encouraging migration by the Han into the region. The 2000 census reports that 7.49 million individuals in the province, or 40.6% of all residents, identify as a member of the country's majority group (Clarke 2008, 278). In a further parallel to Tibet, Uyghurs articulate concerns that they might soon be a numerical minority within their own autonomous region and that economic opportunities within the region are being disproportionately directed toward relatively new migrants to the area.

These grievances focused on a lack of opportunities for self-governance, restrictions on religious freedoms, and migration appear to form the basis for the continued opposition and hostility by ethnic communities to the Chinese state. Tibetans and Uyghurs both perceive the autonomy guaranteed to them by the PRC's constitution and laws to have never been realized in practice. Their acts of resistance thus serve as reminders of the hypocrisy of the Chinese state and a demand that the government abide by its commitments.

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## **Alternative Approaches to Ethnic Relations in the PRC**

What approaches exist for addressing the continuing sense of grievance among China's ethnic communities? As described earlier, one approach that has been favored by some members of the Han majority is intended to reshape government

policy in ways that discourage minorities from maintaining their separate identities. In keeping with the suggestions of Ma Rong, this would include ending the practices associated with the reform era of distributing political and economic benefits on the basis of ethnicity. Through the promotion of policies that favor assimilation, the hope and expectation is that conflict based on ethnic difference would become less salient.

There are obvious reasons to doubt that adopting this approach is a realistic possibility. It would undoubtedly invite further resistance by minority communities that have already engaged in activities indicative of their opposition to a state that they perceive to have limited their opportunities for self-governance. Doing away with affirmative action policies and other accommodations would only do further harm to ethnic relations that have already been badly damaged by years of hostile actions by the state.

An alternative approach has been favored for a number of years by the Dalai Lama. Conceding that the Chinese government is unlikely to ever accept Tibetan independence, the Tibetan leader has shifted to advocating for greater and more meaningful autonomy for Tibet. Early in the 2000s, the Dalai Lama pointed to China's use of a "one country, two systems" approach for integrating the former colonies of Hong Kong and Macau. Both regions have been incorporated into China based on guarantees that they would enjoy substantial opportunities for self-government (He and Sautman 2005/2006, 612–613). The Dalai Lama's suggestion was that China and Tibet might have the potential to develop a similar arrangement.

Perhaps in recognition of the fact that the Chinese government has become increasingly interventionist in the politics of Hong Kong in recent years, the Dalai Lama has more recently pointed to the European Union (EU) as an alternative model. He notes that the EU demonstrates that people of different nationalities and political systems have found a way to cooperate and coordinate over key issues such as foreign policy (Reuters 2018). The suggestion is again that this may serve as a means of structuring the relationship between China and Tibet.

Just as Ma Rong's proposals seem unlikely to be adopted in practice, there are very real reasons to be skeptical that the Chinese government would cede greater autonomy to territories such as Tibet and Xinjiang. As noted previously, these areas have both strategic and economic significance to the PRC; it is thus unlikely that the state would willingly place limit on its control over them. It is also the case that the government would have very real concerns about the possibility that concessions provided to one or more groups and territories would lead to a deluge of demands by other minority communities for similar accommodations.

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## Conclusion

In the near future, the most likely scenario for the ethno-politics of the PRC is that it will continue down the path that was set at the initiation of the reform era. Limited and incomplete accommodations for minorities in the form of weak territorial autonomy arrangements and affirmative action-style policies will remain the

government's favored approach for addressing the issue of diversity. These policies will likely continue to prove insufficient for addressing the grievances and sense of insecurity among ethnic communities. Episodes of protest and violence have the potential to continue as the means by which China's minorities express their continuing discontent.

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## Cross-References

- ▶ [Ethnicity and Cultural Rights in Tibet](#)
- ▶ [The State and Minority Nationalities \(Ethnic Groups\) in China](#)

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Jianxia Lin

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## Abstract

The debates on the so-called Tibet issue between the exiled Tibetan government and the Chinese central government have caused misunderstandings of Tibetan ethnicity. The manufacturing of an image of passive Tibetans either as victims or recipients of aid under China's economic and cultural policies in Tibet is questionable. The arising discussions on the improvement of China's ethnic policies provide theoretical possibilities of breaking the impasse of Tibetan ethnicity and cultural rights. The proposals of Chinese scholars to depoliticize Tibet-related issues, as well as the idea of non-separatism self-representation, are supposed to allow more space for Tibetans to exercise ethnicity and maintain the prosperity of their culture through their own voice.

## Keywords

Tibetan ethnicity · Tibetan cultural rights · Misrepresentation · Depoliticization · Self-representation

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J. Lin (✉)  
University of Leeds, Leeds, UK  
e-mail: [ssjli@leeds.ac.uk](mailto:ssjli@leeds.ac.uk)

## Introduction

In 1950, the People's Republic of China (PRC) launched nationality identification to identify ethnic minority groups within the country. This was completed by 1983, confirming the presence of 55 ethnic minorities, named "shaoshu minzu (少数民族)" in Chinese. This is in addition to the Han ethnic group, which comprises the majority of the Chinese population, meaning that there is a total of 56 official identified ethnic groups in China.

The sixth national census showed that while the Han ethnic group makes up over 90% of the population, ethnic Tibetans comprise only 0.47%. The population of Tibetans is distributed in the Tibetan Autonomous Region (the TAR) and other Tibetan-concentrated areas in four provinces that surround the TAR: Qinghai, Gansu, Yunnan, and Sichuan Provinces. It is necessary to clarify the different definitions of "Tibet" claimed by the two parties. The central government officially confirms the TAR as "Tibet," whereas the Tibetan exiled government emphasizes the idea of "cultural Tibet," which includes not only the TAR but also the Tibetan areas in the four near provinces.

It is important to be clear on the different definitions of Tibet's scale because the central government implements different policies toward Tibetan people in the TAR and toward those in the neighbor provinces. The latter experience more relaxed management from the central government. It should be noted that Tibetans are not themselves unified; many of them remain antagonistic toward different groups of Tibetans (Karmel 1995; Frangville 2009). Divided regions consist of several groups and subgroups of Tibetan language and culture (Karmel 1995). As a result, when the exiled government speaks on behalf of Tibetans without distinguishing the different experiences of the two groups of Tibetans, this creates a misrepresentation of Tibetan ethnic groups. If the exiled government cannot answer the question of where the Tibet boundary lies, they are not able to speak effectively in the name of Tibet.

This divergence on the scale of Tibet between the central government and the Tibetan exiled government is a taste of the complicated political disputes between the two parties in relation to the Tibet issue. The Tibet issue is fundamentally about the sovereignty of Tibet. The Tibetan exiled government is led by Dalai Lama and his supporters, known as the Dalai Clique on the one side of the debate and the Chinese central government on the other. Along with countless rounds of debate between these two parties, the attitudes of the exiled Tibetan government tend to be dynamic, while the central government maintains an uncompromising political stance.

The political expectation of the exiled Tibetan government has experienced a shift from the independence of Tibet to autonomy stipulated by China's constitution (Frangville 2009). In a statement made by Dalai Lama in 1961, he appealed to Tibetans who remained in China to strive for independence of Tibet and to Tibetan diaspora to get ready for returning and building a greater Tibet (The Office of the Dalai Lama 1961). Then in a memorandum sent to the central government in 2008, Dalai Clique applied a "middle way" approach to obtain "genuine autonomy" for Tibet in which the autonomy in 11 areas regulated in the PRC Constitution was cited

(Davis 2014: 100; Central Tibetan Administration 2008). This dramatic shift from expectations of absolute independence to the willingness of compliance with the Constitution shows the increasing uncertainty and divergence within the community of Tibetan exiled (Frangville 2009; Davis 2014).

In contrast to the dynamic political stances of Tibetan-in-exile, the central government allows no flexibility on negotiations and accepts no charges from the exiled government. By sustaining this hard position, the central government has experienced great pressure, both internally and externally (Goldstein et al. 2010). Therefore, the central government focuses on developing Tibet's economy, with the intention to domestically connect Tibetans economically with mainland China and to show internationally that the Tibetans live well under the management of the central government (ibid.).

One of the keywords of China's economic strategies in Tibet is "aid." Campaigns launched by the central government to support Tibet include but not limit to the "counterpart aids to Tibet (对口援藏)," which assigns more affluent provinces to sponsor Tibet, "develop the west (西部大开发)," in which huge capital and subsidies were allocated to constructing basic infrastructure in Tibet, and the "comfortable housing project (安居工程)," which offers funds directly to Tibetan households to improve their living environment. It is evident that the development of the Tibetan economy relies heavily on investment from the central government. Nevertheless, Tibetan economy still ranks at the bottom of the country's financial statistics.

Instead of factoring other disadvantages of the region, such as geographic limitations of and the preexisting vulnerabilities of the society's production mode, to the inadequate economic performance of Tibet, the political disputes surrounding Tibetan ethnic group have linked its economic weakness to its ethnicity (Zhu and Blachford 2012). The two parties each have their own views.

The exiled Tibetan government feels that the market-oriented economy has been marginalizing Tibetans and declassing them to "an increasingly disenfranchised minority in their own land" (The Tibet Policy Institute 2017: 2). This view presents Tibetans as victims of either being discriminated by the Han-dominated market or are denied of their cultural rights. Furthermore, the exiled government regards itself as the protector of Tibetan ancient culture and feels that it is required to speak on their behalf.

In contrast, the central government is keen to praise the success in developing the Tibetan economy and improving the living standards of Tibetans. The official propaganda of Tibet always reports the noticeable economic improvement in comparison to the backwardness of old Tibet and suggests that Tibetans are in dire need of aid from the government. The image of Tibetans and Tibet areas as targets of aids has therefore been generated, and the stereotype of material lacking and deficiency gradually becomes a preconceived view of the backwardness of the Tibetan community as a whole (Schwartz 2008).

While the two parties have conveyed their views on various occasions and have drawn attention from the international stage, the voices of Tibetan individuals are unheard. Beyond the two political accounts are the living Tibetan individuals, who practice their ethnicity as a way of life and make adaptations when faced with

challenges and find ways to lead a better life by seizing opportunities. The misrepresentation arising from the political disputes has not only ignored the efforts made by the Tibetan people but has also caused misunderstanding of Tibetan ethnicity and resulted in the term “Tibet” becoming a synonym of “political sensitivity.” How to break this impasse is therefore a topic worth studying.

Starting from the discussion on the misrepresentation of Tibetan ethnicity that has been created by the two parties of the debate, this chapter will then look into China’s economic and cultural policies in Tibet and analyze the narratives behind them. Following that, the recent domestic debates on the issue of “depoliticizing” China’s ethnic policy, as well as the proposal of the non-separatism self-representation, will be represented and explained in the context of Tibet. Lastly, a conclusion will be drawn that more attempts must be made to improve Tibet policies in order to allow more space for Tibetans to exercise their ethnicity and cultural rights.

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## China’s Tibet Policies: Rationales and Criticisms

China’s economy has experienced tremendous growth since the country’s opening-up reform in the late 1970s. In parallel with the rapid improvement of the national economy is the rising inequality of development among different regions: in the west of China, where most of the country’s ethnic minority groups live, the economy is less vibrant than in the southeast area. Ranked at the bottom of the country’s financial statistics, Tibet is a salient representative of those west and less developed ethnic minority groups (Fischer 2005). The gap between the reality of this inadequate economic performance of Tibet and China’s propaganda on the great economic success in Tibet leads to the questions on the efficiency of China’s Tibet policy.

The preference and tendency of China’s policies in Tibet are most intuitively reflected in the Tibet Work Forums. Tibet Work Forums are conferences that the central committee holds to make plans for Tibet’s development and to summarize the achievements and disadvantages of past stages (Yang 2012). They are key conferences that make the most important policy guidelines for the development of Tibet. Since its initiation, the forum has been held six times, in 1980, 1984, 1994, 2001, 2010, and 2015. Each forum has a directive theme, which indicates the preferences of the government in terms of developmental strategies in Tibet.

The Third Tibet Work Forum in 1994 is regarded as an important transition point of the Tibetan economic process (Barnett 2012). At this forum, it was decided to push Tibet toward a market economy by means of large-scale investment and subsidies (*ibid.*). Based on this decision, the economic development in Tibet sets out on a path of basic infrastructure construction. Most of the subsidies were used for the establishment of hardware such as high-speed roads, airports, and railways. In association of the large flow of investment into Tibet were numerous migrations from the inland China who were attracted by the preferential policies in Tibet and came to Tibet with the intention of seeking economic opportunities (Fischer 2005).

In spite of the decision on the economic development strategies, the Third Tibet Work Forum launched an unprecedented cultural intervention with the decision to



openly boycott Dalai Lama against his individual role as a religious leader of Tibetan Buddhism and of diluting the religious atmosphere in Tibet by restricting religious events (Barnett 2016). This policy has remained since then, setting a stage for the prolonged disputes about Tibet's cultural rights (*ibid.*).

There are two main rationales behind this cultural policy. Firstly, the policy initially aimed to prevent separatism and curb separatist events. The cultural decision made at the Third Forum was based on the assertion that separatism and local nationalism in Tibet comes from Tibetan culture, which is religion-oriented (Karmel 1995).

The central government has attempted to prevent separatism and local nationalism since the Mao Zedong era of 1949–1976. At the time before the Third Forum, the international context of the dissolution of the Soviet Union which the Chinese officials factored to the failure of its cultural policies and the continuous domestic unrests led by the religious figures in Tibetan areas from 1987 to 1989 had both alarmed the Chinese officials of the dangerous role that cultures could play in the separatist events (Karmel 1995). As a result, the belief that Tibetan culture and religion could be the source of separatism and local nationalism had developed and gradually deep rooted in the minds of the decision-makers (*ibid.*).

The cultural strategies of restraining Tibetans' religious activities achieved its success by sharply reducing the cases of riots in Tibet in the late half of the 1990s (Barnett 2016). However, this decision was considered to be a temporary measure that would be detrimental to the long-term interests of the country (*ibid.*). The eruption of many ethnic conflicts at the beginning of the twenty-first century was the manifestation of this prophecy. One of the most prominent of such cases was the unrest in Lhasa, which hit the world news headlines in 2008. In response to questioning about the effect of Tibet policy in aggravating the conflicts, the government did not examine the potential flaws of the current policy but again blaming on Tibetan separatists' and religious extremists' sinister motives of splitting up China (Elliott 2015).

Secondly, the cultural policy was a reflection of the recrudescence of Han ethnocentrism (Sautman 2014). It was believed that the value of Tibetan culture is typically dismissed by the decision-makers because they take an ethnocentric attitude toward it (Karmel 1995). As an evidence, most of the official propaganda on Tibetan culture emphasizes its previous backwardness when Tibet was a feudal society full of darkness and barbarity (Karmel 1995). And the central government is presented as playing the role of lifting Tibet away from its darker history. This theme has connected the present and past propaganda on Tibetan culture. The 2008 White Paper on Tibetan culture and the 2015 White Paper on Tibet maintain the same tone as the earlier 1992 White Paper. For example, the 2008 paper describes how old Tibet society "was even darker than the European society of the Middle Ages" with "a system of feudal serfdom under theocratic rule," and the central government brings the "hope to the protection and development of Tibetan culture" (The State Council Information Office of the People's Republic of China 2008: Foreword). The idea of taking material backwardness into social and moral inadequacies is further reflected in many Chinese studies regarding Tibetan

traditional cultures. Although Tibetan cultures are portrayed as treasured culture heritage for China and the world, many parts of it are regarded as against modernity and are seen to need improvement (Zhang and Xu 2011; Zhao 1993).

These narratives behind the China's policy in Tibet indicate that the policy is not unassailable, rather its deficiencies exist at the very beginning of the decision-making process. Nevertheless the implementation of these policies still brings benefits, such as improved living standards and more approaches of income making, to Tibetans. However, in the views of Tibetans exiled, the advantages of the policies are not worth mentioning, but the so prominent disadvantages deserve strong criticism as they are ruining the Tibetan community.

The inflows of Han population from inland China to Tibetan areas are deemed by the Tibetan exiled government as great threat to the homogeneity of Tibetan culture. Because the local Tibetans are easily at an unfavorable position in the competition with their Han compatriots (Fischer 2005). The disadvantage is mostly reflected in their decentralized role in their participation in the market sector. Tibetans have fewer opportunities to obtain a good job in the labor market because of disadvantages in language and technological skills. As a result, most Tibetans take jobs which have a lower salary such as building workers and truck drivers (Goldstein et al. 2008; Fischer 2005).

While the economic policies in Tibet are charged as central government's tool of exploiting the resources and facilitating the control in Tibet (Central Tibetan Administration 2015), the cultural policies are also continuously criticized by the Dalai Clique as they exaggerate its deficiencies and accuse the central government of committing cultural genocide in Tibet. In a report generated in 2017, China's policies in Tibet are portrayed by the exiled administration as "the complete annihilation of the Tibetan culture and way of life." The policies had maintained the superficial integrity of Tibetan culture but destroyed the Tibetan ethnic identity in a "fundamental and irremediable manner" (The Tibet Policy Institute 2017: 119).

As stated by Kolas and Thowsen (2005), the reality is never as black and white as both the central government and the Tibetan exiled government have described. In terms of the central government, the desire to shape policy around the Tibetans and to convince them that being close to the "motherland" is in their long-term interests is beyond reproach considering the initial intention of the policy design. However, it can be seen to create a sense of ethnic superiority of the Han majority by attributing all the progress in Tibet to the help from the Han people. The exiled Tibetan government is criticized for ignoring or underestimating the strength and abilities of the Tibetan people. Tibetans who are under the management of the central government still develop their culture, but the exiled Tibetan government holds the belief that Tibetan cultures are fading because there is no leadership from the Dalai Lama.

One same problem of both the accounts is that they have either neglected the positive parts of Tibetan culture or omitted the great efforts made by those Tibetan individuals in the creation and reconstruction of Tibetan culture.

Tibetan religion, which is viewed by the central government as superstition and a source of separatism, is deeply rooted in Tibetan ethnicity. The positive effects

of religion on Tibetan market development have long been unvalued. In fact, it “enhances shared norms that promote the incentive compatibility of non-contractual or legally enforceable exchange” (Tu et al. 2011: 62) and helps to build a fair and honest trading atmosphere in the market (Wang 2009). Because the nature of Tibetan Buddhism emphasizes karma and the afterlife, so believers are taught to care about spiritual desire rather than desire for materials and money. Chasing material desires will lead to suffering in the next life (Wang 2009).

Meanwhile, ordinary Tibetans are making efforts to live the culture and to express ethnic identity on their own. As Kolas and Thowsen (2005) summarize, both preservation and creation of culture are vibrant in Tibet. In order to protect their traditions, Tibetans are trying to revive religious activities, and greater attention is being paid to the preservation of Tibetan literacy and written language. In constructing new cultural products, Tibetan stakeholders are manufacturing new cultural commercials in the tourism industry, while young Tibetans are constructing modern Tibetan identity through the combination of traditional symbols and fashion media, such as popular music and video. Furthermore, Tibetans are increasingly expressing their identity and voicing their views through new platforms on social media (Grant 2017; Kehoe 2015).

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## Interpretation of Depoliticization in Tibet Context

These misrepresentations of Tibetan ethnicity can be attributed to the misleading politicization of the Tibet issue. The depoliticization of Tibetan ethnicity is therefore necessary. And the process of depoliticizing Tibetan ethnicity if it is possible is inevitably linked with the general context of China’s ethnic relations management. Because no matter how controversial the Tibetan issue is, the Tibetan people are fully under Chinese jurisdiction, and the Tibetan region is affected by China’s ethnic policy.

China has a long history of being a multiethnic country. The PRC has long used politics as a way of dealing with ethnic issues; the country “views ethnic groups mainly as political entities” and “emphasizes integrity, political power, and ‘territorial’ conservation of ethnic groups”(Ma 2007: 202). The implementation of regional ethnic autonomy (民族区域自治) and preferential policies (优惠政策) in regions inhabited by ethnic minorities are examples of this (Sautman 2014). While this approach has its advantages, it also has negative side effects. Conflicts between ethnic minority groups and the Han majority groups and unrest in regions inhabited by ethnic minorities continue to occur, making ethnic conflicts one of the main concerns for the PRC government and a controversial academic topic (Ma 2014).

Therefore, in recent years, some scholars have brought out and discussed some proposals of the adjustment of China’s current ethnic policies. There are advocates on a “second generation” of the ethnic policies. The leading academics are Hu Angang (胡鞍钢) and Hu Lianhe (胡联合). They call for the gradual cancelation of the preferential policies in minority autonomous regions to achieve facto equality among all ethnic groups in China (Hu and Hu 2011). Meanwhile, there is another

proposal emphasizing the idea of depoliticization of China's ethnic issues. One of the leading academics is Ma Rong (马戎) (2007, 2014); he suggests breaking the political barriers among the 56 minzu in China so that those minzu will not be distinguished by their "political status in administrative and social systems (Ma 2014: 238)." Rather, they will be recognized with different cultures and traditions (Ma 2014).

Ma Rong labels this "culturalizing," a way of managing ethnic relations in China that "prefers to treat ethnic relations as cultural interactions (Ma 2007: 202)." It treats the problems among minority groups as problems among individuals who belong to different cultural groups, instead of treating them as collective problems of the whole groups (Ma 2007; Sautman 2014). This new direction for ethnic management lacks general support within China's domestic academic circle, whereas its theory of replacing "politicization" with "culturalizing" is suitable for Tibet and can be interpreted into two layers of meaning when applied in Tibetan context.

The first layer supports Ma's view that the central government should change the emphasis of its ethnic policies in Tibet to focus more on Tibetan culture and to protect the Tibetan traditions. The government should recognize the characteristics of Tibetan culture and make flexible policies to enable its diverse development, instead of copying the development mode from the relatively developed coastal cities to Tibet (Ma 2014). The second layer of "depoliticizing" Tibetan ethnicity is to tear up the tag of "a political-sensitive ethnic group" currently placed on the Tibetans. This requires the two parties on the debate of Tibet issue could give more space for the Tibetans themselves to develop, instead of speaking on their behalf. On the one hand, the exiled Tibetan government is expected to consider the real situation of Tibetans rather than hiding political tools behind narratives of so-called historical fact and appealing Tibetans for unrealistic political aims (Frangville 2009).

In terms of the central government, on the other hand, in spite of the fact that new perspectives should be taken regarding the relationship with the Tibetan ethnic group, more freedom is also necessary for Tibetans to seek economic and cultural prosperity in a way that is suitable for their ethnicity. This requires avoidance of excessive support and aid from the government on many economic aspects because the suitable support is needed, but over-intervention is not, particularly when the intervention is under the name of preferential policies (Zhu 2013). It is argued by Ma (2014) and two Hus (2011) that the preferential policies for minorities can be helpful at earlier times but cannot last forever due to the fact that the privileges and protections enjoyed by the ethnic minorities are causing further inequalities between ethnic minority groups and Han majority populations.

Also, the Han dominance position in implementing these preferential policies can limit the space for Tibetans practicing their ethnicity in market sector. The positive influences of Tibetan ethnicity on the trading environment, such as religion, will only become apparent when a spontaneous market is available for local people to participate in positively and play a greater role. It has to be recognized that the assertion that local ethnicity is dragging back the economy is unfair and misleading because the virtues rooted in the traditional community's ethnicity have barely had

the opportunity to contribute to the development of the economy due to the government's strict management. To allow them to function better in the way they should, more space and freedom is needed.

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### **Non-separatism Self-Representation as an Alternative**

Ma has been questioned whether the ethnic issue can really be “depoliticized” because any issue relate to “ethnicity” cannot avoid a nature of political color. It is reasonable to question the same problem on the depoliticizing of Tibetan ethnicity because neither of the two layers of interpretation of the depoliticization theory in Tibet context could bypass the political debate. Even those requirements of adjustments from the two parties, which aim to depoliticize Tibetan ethnicity, are ideal but unable to be fulfilled in short future. Considering the limitation of the interpretation of depoliticization in Tibet context, further exploration in the design of Tibet policy is needed.

In addition to China's present ethnic policies and the proposals for a new ethnic strategy, Sautman (2014) provides a third option: developing the Tibetans' cultural self-representation with the denial of self-determination or separatism. According to Sautman (2014: 175), the cultural ethnic self-representation enables the members of ethnic group to “articulate their understandings of their ethnic group's history and culture.”

There are both similarity and disparity existing on the grounds of Sautman's conception of cultural self-representation and Ma's theory of depoliticization. First of all, they both advocate the important influences of securing self-esteem of minority in maintaining harmonious coexistence of minority groups. Two Hus' proposal of the second-generation ethnic policy emphasizes the importance of restraining ethnic elites' roles as representatives and spokesmen of their ethnic groups in preventing them from becoming leaders of separatist events (Hu and Hu 2011; Ma 2014). Ma Rong objects this suggestion by assuming that only when the dignity of the minority intellectuals is fully respected that they could play positive role in facilitating the cooperation among minority groups (Ma 2014). This emphasis on the dignity and happiness of ethnic minorities echoes with Sautman's argument that the realization of cultural self-representation of ethnic minority relies on the enhanced ethnic dignity (Sautman 2014). This requires internally “empowering minorities to mould perceptions of their groups within a multi-ethnic policy,” and meanwhile externally making sure that cultural characteristics of minorities are respected, the contributions made by minorities to the development are recognized, and minorities are not discriminated in a Han-dominated market and society (Sautman 2014: 179).

Meanwhile, the differences between Sautman and Ma are on their assertions of the measurements of separatism prevention. As mentioned previously, the main concern regarding China's Tibet policy is the potential for separatism and local nationalism in Tibet. Therefore, if recommendations are made for changes to the Tibet policy, the decision-maker must be assured that the changes will not cause

social instability. Ma's theory applies an outside pressure on minority groups to keep away from political appeal of self-determination and independence, urging them to "move in the direction of cultural and socioeconomic demands (Ma 2014: 241)," whereas Sautman's proposal suggests minorities' actively rejecting self-determination or separatism (Sautman 2014).

In the particular context of Tibet, this active abandon of separatism and self-determination requires a prerequisite that Tibetans realize the claim of self-determination lack legitimacy. Based on his political expectation of self-determination, Dalai Lama tends to cite international regulations as legitimacy of his claim of self-determination. For instance in the report accusing "cultural genocide" from the central government, the exiled government cites the statement of International Covenant on Economic, Social and Cultural Rights that "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development" to back up its argument of Tibetans' self-determination rights (The Tibet Policy Institute 2017: 28).

However, this ethnic-based self-determination claimed by Tibetan exiled government is actually "a *cul-de-sac* under international human rights norms" (Sautman 2014: 180). Because the "external self-determination as a gateway to separation" only suits in the cases of "colonialism and foreign occupation" (Sautman 2014: 180), but Tibet is not a colonial subject. And the internal self-determination sought by Dalai Lama which stresses the choice of the system of government is also out of the rights granted by international law (Sautman 2014; Matsuno 2014).

The self-determination claimed by Dalai Lama is not only unwarranted from international law but also lacks internal supports. Both external and internal self-determination, as concluded by Rob Dickinson (2014), are characterized by violence, while the nature of religion-oriented Tibetan society stresses nonviolence and determines the impossibilities of Tibetans' support for using violence to achieve self-determination (Dickinson 2014).

In comparison to Ma and the two Hus whose new propositions fail to offer a feasible measurement of preventing Tibetans from separatism, Sautman may take advantages of his suggestions of minorities' inside-out denial of self-determination in promoting cultural self-representation in the context of Tibet.

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## Conclusion

Just as the political debates between the Chinese central government and the Tibetan exiled government have no end in sight, the fundamental adjustment of China's ethnic policies in Tibet is also out of the question. However, the open discussion regarding changes to ethnic policies in China is a good sign that the problems are realized and possible solutions are explored. Although this is not backed up officially, or widely supported in academia, it offers a possibility that is lacking in the current system. In Tibet context particularly, the interpretation of the idea of depoliticizing ethnic issues infuses new blood to the impasse of Tibetan issue.

Regardless of how strong the political stances of the two parties on the Tibet issue are, their manufacturing of Tibetans' experiences and misrepresenting Tibetan ethnicity should be questioned (Frangville 2009). It is vital to look beyond the political narratives produced by the two parties in the Tibet issue debate to see the images of Tibetans in reality. Firstly, they are neither victims nor recipients of aid. They are people who participate in the market while practicing their ethnicity just as other ethnic groups in China, facing both challenges and opportunities, benefiting from the market, and bearing any side effects of the market-oriented economy (Zhu and Blachford 2012). Secondly, they are neither a backward ethnic group who are in dire need of mother state's help with cultural preservation nor "uniquely spiritual, peaceful and enlightened people nestled in a far-off, wild and sacred frontier (Kehoe 2015: 314–315)" who are easily overwhelmed by the numerous changes and cannot make adjustments just because they have no leadership from their religious spiritual leader.

These misunderstandings towards Tibetan may not be sanctioned by the two accounts, but the two parties are responsible for the generation of them. Because the political discourses made in the political debate has squeezed the space and freedom for Tibetans to practice their ethnicity and cultural rights through their own voices. In this case, the idea of cultural self-representation without separatism, which enables Tibetans to represent their culture while at the same time remains this self-representation within the demands of separation preventing, is worth consideration. If self-representation can ever be used by the Chinese government to deal with Tibetan related issues, this may greatly help to ease the conflict between Tibetans and other ethnic groups. In addition, as Sautman (2014: 185) puts it, this action will "go further in China towards mitigating ethnic problems than it has elsewhere."

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## Cross-References

- ▶ [China: Modernization, Development, and Ethnic Unrest in Xinjiang](#)
- ▶ [Ethno-politics in the People's Republic of China](#)
- ▶ [The State and Minority Nationalities \(Ethnic Groups\) in China](#)

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# Volga Tatars: Continuing Resilience in the Age of Uncertainty

# 18

Renat Shaykhutdinov

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## Abstract

The purpose of this chapter is to trace social and political processes of Volga, or Kazan, Tatars – the largest ethnic minority in the Russian Federation and one of the largest stateless ethnonational groups of Europe and the world. In doing so, some of the major developments concerning Tatar history, traditions, and their interaction with the Russian state will be surveyed. In addition to some of the key scholarship on Tatars published in English, several Russian- and Tatar-language sources will be employed. Following the introductory remarks, the origins of the people and their name will be examined alongside their early history. Competition with the Russian lands and the consequences of the loss of statehood will then be discussed. These include strategies of resilience, especially efforts at reforming culture, tradition, and the way of thinking. Post-communist struggle for greater self-governance, achievement of the power-sharing treaty with Moscow, and the post-Yeltsin policies will also be investigated. Brief assessment of the prospect of Tatar survival will be offered in the concluding section.

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R. Shaykhutdinov (✉)  
Florida Atlantic University, Boca Raton, FL, USA  
e-mail: [rshaykhu@fau.edu](mailto:rshaykhu@fau.edu)

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**Introduction**

Volga, or Kazan, Tatars are a nation autochthonous to the Volga–Urals region located in the eastern part of the East European Plain at the confluence of the Volga (Ídel) and Kama (Çulman) rivers “whose current republic of Tatarstan (one of 21 within the Russian Federation), ranks among Russia’s most prosperous, highly developed and industrialized regions” (Daulet 2003, 3). Tatars boast rich political tradition; they speak a version of the Kypchak Turkic language and culturally and linguistically are close to the neighboring Bashkirs and Chuvash (Tanrısever 2001, 46). According to the ranking of top 100 most spoken languages in the world compiled by *the Ethnologue* in 1996 and updated in 1999, the Tatar language with its 8 million speakers occupied the 95th position globally; was among top 21 European languages (including Turkish), ahead of several official EU languages; and was the second most commonly spoken minority language of Europe (after Lombard) (Grimes 1996). The demographic attrition of the Tatar-speaking population is now counted in millions in just a handful of years between two Russian censuses. As such, the Tatar language has likely ceded its positions drastically. In fact, by 2009 *the Ethnologue* would exclude Tatar from the global top 100, downgrading the language to a still close 101st position (6.5 mln speakers) (Lewis 2009). Nevertheless, the language, culture, and legacy of Volga Tatars do remain an important phenomenon on a global ethnonational landscape. Tatars are still widely considered to be “Russia’s biggest minority” (Massimo 2015). They are currently one of the largest, if not the largest, stateless ethnonational groups in Europe.

Following a rich history of independent statehood, people that came to be known Volga Tatars were the first non-Slavic and non-Christian people to be fused into the Muscovy, paving the way for that (proto-)Russian state to eventually become a continental empire. Alongside the history of conflict with Russia, Tatars were nevertheless instrumental in Moscow’s expansion to Central Asia in a later period of czarist rule. Experiencing periodical campaigns, targeting their identity and very existence, and masterminded or condoned by the Russian state, Tatars nevertheless benefitted immensely from brief periods of Russia’s liberalization and cooling off of its imperial and “civilizing” zeal. Short-lived political opportunities coupled with growing concerns about their existence within the Russian state led to the formation of a reform movement among Volga Tatars that aimed at reevaluating their values, culture, and thought system and has been widely considered among the most far-reaching reformist endeavors in the Islamic world. Among their major aspiration was greater self-governance, which included a maximal desire for the formation of their own state, during the czarist, communist, and post-communist periods. During much of their history, and perhaps most tellingly, at present, these aspirations have been fueled and undercut by

assimilationist policies of the Russian state. These developments will be expanded on in the rest of the chapter.

The title of this chapter draws on two important books, one published at the beginning of Gorbachev's perestroika in 1986 – *The Volga Tatars: A Profile in National Resilience* – by historian Azade-Ayşe Rorlich was the “first Western-language study of the history of the Volga Tatars” (1986, xv) and for a long time perhaps the most authoritative study on that nation. Another is by Alan-G. Gagnon (2014) – a renowned scholar of ethnicity and federalism – who recently published a study that examines minorities at “the age of uncertainty.” Resilience and uncertainty inform and set a tone for the rest of this chapter where, from this author's perspective, a brief but comprehensive account of historical and contemporary developments will be provided. Both terms of resilience and uncertainty, however, should be qualified for space and time, in which Volga Tatars find themselves. Resilience provides a positive outlook suggesting that Tatars are able and willing to recover from stresses placed upon them in history and perhaps even more so by contemporary challenges. Whether Tatars' resilience has limits or will help them survive as a distinct collectivity is nevertheless an open question as their resilience is tested hard by the current “age of uncertainty” in which many ethnonational minorities are faced with adverse state policies having little hope for redress and justice. State actors often act in subtle manner, engaging in ethnocide, cultural, and linguistic genocide, but stopping short of outright ethnic cleansing. Such instances, including one in which Volga Tatars find themselves, may even be dubbed as hybrid ethnocide. The age of uncertainty at the level of general dominant discourse spells an uncertain future driven by “objective” forces of history, and is supposed to result in “neutral,” “natural,” and even favorable outcomes for these groups. However, alternative views suggest that such future is far from uncertain and will bring about unfavorable, if not ominous, consequences to ethnic groups pushed by the actions of their “host” states. This contradiction of the new age is perhaps illustrated well by Valery Tishkov, a former Russian cabinet minister for nationality affairs and ex-head of the Institute of Ethnology and Anthropology in Moscow, in a recent interview: “no peoples [in Russia] have disappeared” in the last 20 years. Yet, “if the 20th century was the century of minorities, the 21st will be the century of majorities.” In Russia, “Assimilation is also helping the ethnic Russians [. . .]people who live in Orthodox culture are making a voluntary choice in favor of Russian culture and the Russian language” (Goble 2016a). At one level, this quote gives hope for the survival of Russia's ethnic minorities, but at another points to their hybrid disappearance.

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## Historical Background: The Origins of People and Name

Volga Tatars have also been called *Kazanis* (*Qazanlılar*), *Bulgars* (*Bolğarilər*), *Mishars* (*Mişärlär*), and *Tatars* (*Tatarlar*). However well into the mid-nineteenth century, they were called and favored to be called as Muslims (Rorlich 1986, 3), perhaps not unlike the Bosniaks. Both the ethnonym (name) and ethnogenesis

(origins and subsequent development) of Volga Tatars are subject to scholarly and popular debates which bear major political and even individual psychological implications. As Shafiga Daulet (Şafığa Däwläät) points out, the ethnonym *Tatar* is associated with massive brutality and all things negative. Consequently, many in Russia and elsewhere think that violence and repression, past and present, directed against the Volga Kazani population is well-justified. Daulet counters this reasoning suggesting that the indigenous people of Volga-Urals have long professed a tradition of peace and nonviolence and suffered immensely from both the Mongol and Russian brutality. She also claims that they have been ashamed and reluctant to own and use *Tatar* as their ethnonym and chooses to refer in her work to this population as *Kazani(an)* over *Tatar*. Taking Daulet's qualification of the Tatar national character as peaceful even further, İskändär Ğıyläcew (Iskander Gilyazov), the editor of the Kazan Institute of the Tatar Encyclopedia points out that "We are an excessively modest and subservient people. . . We live according to the principle 'today things are like this but tomorrow we will see.' We aren't capable to defend [ . . . ] ou[r] interests" (Goble 2018a). Faller thinks that by tracing their history directly to the (pre-Mongol) Volga Bulgar state allows the present-day Volga Tatars to claim their status as an indigenous nation of the Volga-Ural region (Faller 2011). In deconstructing the myth of the "Tatar Yoke," Bilz-Leonhardt further shows that Western historiography has long been critical of the hegemonic negative view that Tatar rule was detrimental to the Russian principalities and suggests that a similar historical revisionism in Russia was largely made possible only in the post-Soviet period. She further opines that the recently qualified and reinterpreted history allowed the Volga Tatar population to reclaim their national pride and positively influenced Tatarstan's sovereignty project (Bilz-Leonhardt 2008).

Two versions exist regarding how the ethnonym *Tatar* originated – a Turkic and a Mongolic one. The Mongol version traces the roots of *Tatar* to the Chinese *Ta-Tan* (or *Da-Dan*) a derogatory name used by Chinese for Mongols. According to this version, *Tatar* refers to a Mongol tribe subjugated by Genghis Khan and "*Tatar*," which appears on the Orkhon Inscriptions, is believed to signify them. Mongol Tatars lived together with Turkic tribes and witnessed the destruction of the seminomadic Turkic kaganate (6–7 centuries A.D.) before being overtaken by Genghis Khan (1202–1208). Mongol Tatars together with Central Asian and south Siberian Turkic tribes were incorporated in the army of Batu, Genghis Khan's grandson. At the time of the conquest by Batu (and his three sons) of the east European *ulus* (lands), the Mongols came into relation with Turkic Kypchaks who at the height of their power (12–13 centuries) ruled enormous territory between Irtysh and Danube called *Dasht-i Kypchak*. Mongols and Mongol Tatars constituted a minority in Batu Khan's military; their ratio was even smaller in the newly formed "Golden Horde" that appeared after the conquest of the European *ulus* west of the Urals. As such, they have been assimilated both culturally and biologically by the Turkic peoples alongside whom they resided (Rorlich 1986, 4–5).

The ingathering of all Mongol tribes by Genghis Khan could only be possible by breaking the opposition of the Mongol Tatars. This has been symbolically marked by Genghis Khan's 1206 command to name all conquered people as *Tatar*; Tatar meant a subjugated people. However, as Mongols themselves have been assimilated by the peoples they had previously conquered, they would eventually adopt *Tatar* as their

name. Most peoples of the Golden Horde would appear to embrace the name *Tatar*; however, the ancestor of Volga Tatars would resist that name in the sixteenth century (Rorlich 1986, 5).

The Turkic version is accepted by a minority of scholars who think that the Turkic people named *Tatars* existed before the Mongol invasions and it was them whose name passed on to the residents of the Golden Horde. It has also been argued that the ethnonym *Tatar* could have been used independently for two different groups of people – a Mongol tribe called Tatars and a Turkic tribe that resided at the far end of Eastern Europe, west of the Ural Mountains. This view draws heavily on Mahmud al-Kashgari's dictionary of Turkic languages, the *Diwan-i Lugat it-Turk*, which suggests that a Tatar arm of the Turkic languages was spoken in the area west of the Irtysh river (Rorlich 1986, 5).

The ethnogenesis of Volga Tatars is likewise very complex. Despite the disagreement about the origins, there is no division among scholars that by the sixteenth century Kazan Tatars were residing in the territory that included the northern part of the former Volga Bulgar state. This territory was still referred to in the western maps as *Bulgaria Magna*, yet it coincided with the area of the Kazan Khanate. The extensive network of firmly populated urban and rural settlements points to a degree of economic and cultural development and continuity of Kazan Tatars that sets them apart from their (semi) nomadic neighbors. The disagreement on the origins, however, is illustrated by two main theses – Kypchak and Bulgar. The Kypchak school of thought maintains that Volga Tatars descent directly from the Tatars of the Golden Horde, whereas the Bulgar claims that the forefathers of Kazan Tatars were Bulgars – a Turkic group that settled in the Middle Volga and lower Kama after being displaced from their ancestral lands located at the Sea of Azov by Arab raids. Volga Bulgaria was then conquered by Mongol Tatars (1236 and 1237) but their culture survived disappearance of their state and provided base for the rise of present-day Kazan Tatars. The latter thesis is deemed more categorical and less flexible (Rorlich 1986, 6) and even primordial while the former is likely to align with the constructivist scholarship of ethnic origins.

Historical complexity, ideological pressures, control, and periodic suppression of the study of Tatar history led to a situation where most Tatars, despite a rich written tradition, do not exhibit deep knowledge of their national origins. This is captured well in an interview with German journalist and writer Kai Ehlers who thinks that “Tatars do not know who they are, but know what they want”:

It seems to me that many Tatars do not quite understand who they are. [Are you d]escendants of the Huns? The Mongols? You cannot answer this question. At the same time, I have a feeling that you are as if telling others that “We are Tatars, we want to live our own way. We work. We follow our own path. We are strong and very hardworking.” I would say that Tatars know what they want. Very practical people. (Etatar.Ru 2011)

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## Early Contacts with the Muscovy/Russia

The conditions and developments surrounding the tragic loss of independence by Volga Tatars provide some fascinating details that underscore the continuity of peaceful coexistence between Tatars and Russians but also challenge some

widespread views concerning brutal treatment of Russians in the hands of Volga Tatars. In fact, Kazan, Moscow, and Crimea were equal heirs to their “host” state, the Golden Horde and cooperated with each other in their rivalry with Sarai (the capital of the Golden Horde). Alliances, counter-alliances, and cooperation and rivalry both within and between those entities marked their relations. Eventually, however the history of the Tatar Kazan and less significant Ästerxan (Astrakhan) Khanates would be characterized by conflict with and “their resistance to Russian counterinvasion” (Grousset 1970, 473). Historically, Tatar fragmentation is exemplified by multiple centers of power at the last stages of the Golden Horde and in its aftermath – Kazan, Crimea, and Astrakhan – which allied with Moscow in their conflict with Sarai. These centers of power, which, in turn, were internally divided by the time of the Russo-Tatar competition. The Muscovy was not necessarily responsible for the emergence of all the divisions within the Tatar elites. The quest for power among the rulers of the Kazan Khanate and the inability to check it by Kazan is an example. However, the Muscovy’s provision of a “Czardom”/Khanate to Qasim, the brother of Kazan’s ruler Mahmudek, was a crucially important direct move. The Kasimov Khanate was a vassal entity subordinate to the Muscovy; the cooptation of Tatar elites had arguably peaked with its establishment. The Kasimov Khanate has been instrumental in Muscovy’s involvement in the competition between the Kazan khans, which would ultimately undercut the influence of Kazan and, after its fall, that of other Tatar khanates.

Specifically, following his decision to end the independence of Kazan, the ruler of the Muscovy Ivan IV (the Terrible) (1533–84) besieged Kazan in June, 1552 with the strong support of the Russian artillery. “On October 2, he took it by assault, massacred a large part of the male population, enslaved the women and children, pulled down the mosques, and annexed the territory of the khanate” (Grousset 1970, 475). The end of the Kazan Khanate precipitated the swift change in the balance of power between the Jenghizides and the Russian state as the Ästerxan Khanate fell almost immediately in 1554, though the Crimean Khanate was to survive for another 200 years.

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## **Tatars and the Imperial Russia: Suppression, Resilience, and Reform**

Following the conquest and loss of statehood, Kazan Tatars were subjected to direct pressures from the state. Subsequent repressive policies of the czarist regime led to the destruction of mosques, seizure of property, and building of churches and monasteries (Davis et al. 2000). Imperial Russia’s policy of coopting the Tatar aristocracy via religious conversion was unsuccessful as only a small portion of Tatars adopted orthodox Christianity (Tanrisever 2001, 46). Consequently, the locals who refused conversion were forced to relocate 30 kilometers away from Kazan and the riverbanks (Faller 2002). As the Russian peasantry was transferred to the area [and exempt from serfdom, which was in place in the rest of the Muscovy], to colonize the newly conquered lands, Tatars found themselves expelled from their

rural areas to arid lands (Faller 2002, 82). Scholars, such as Kopanski (1998), claim that all-Russian orthodox hegemonism has always been in place across political and economic regimes in Russia. It is implied, however, that its salience has been conditioned by state's capacity/weakness. Instability and state-wide crises that led to greater freedoms were in part produced by Tatars (and Bashkirs) themselves during the uprising of Batırşa; by the external forces as at the time of troubles; or the combination of both, when, for example, Tatars and Bashkirs took part in the peasant war of 1773–1775 alongside the Russian serfs. Among other notable factors determining the level of relative freedom is the higher degree of enlightenment of autocratic rulers, with Catherine II and Mikhail Gorbachev being perhaps the most prominent examples. Still, even for rulers widely deemed democratic and enlightened, economic resources are claimed to be a decisive factor in shaping their political reputation. According to Russian commentator for *Deutsche Welle* Igor Eidman, “Yeltsin was just as much a crazy imperialist as have been practically all other Russian rulers over the last several centuries,” yet “he simply did not have the economic resources for carrying out an imperial policy at the international level. But judging from his conversations with Clinton, he like his predecessors very much wanted to be master of half of the world” (Goble 2018b).

Even though Kazan came to be a central city for missionary efforts, Slavic colonization, and Russia's assimilationist endeavors accompanied by periodic Tatar revolts against Russification, an understanding between the two groups developed with respect to mutual benefit and cohabitation (Toft 2003, 46). Tatars were increasingly becoming mediators between the Christian imperial core and the Turkic peoples conquered more recently contributing to their coexistence. Their central geographical location within Russia and social role allowed Tatars to enjoy a relative prosperity that led to the establishment of a large Tatar middle class (Toft 2003, 46–47). Tatars exhibited high literacy rates, developed national consciousness, and grew concerned about de-Tatarization and the challenges to the Tatar way of life (Toft 2003, 46).

Historically, perhaps the most important intellectual movement that forged and exhibited national resilience was that of the progressive reformist Muslim Tatar movement of *jadidis* who sought to reform and energize the Tatar ways of life in an effort to counter what they saw as an impending and almost certain extinction of the nation. An important *jadidi* was a classic of the Tatar literature Ğayaz İsxayıq (Iskhaki) (1878–1954), who published in 1904 a famous novel titled “Disappearance After 200 Years” (“200 Yıldan Soñ İncıyraz”). İsxayıq was widely seen as a talented and passionate spokesman for the radical renewal of Tatar social life as a condition for the preservation and development of the nation (Ämirxanov/Amirkhanov 1997).

Another scholar who is (re)gaining attention in Kazan is Musa Bigiyev, sometimes referred to as Luther of Islam, “a Tatar Muslim theologian of the first half of the 20th century whom many have called Islam's answer to Martin Luther because of his call for a reformation in the ways Muslims approach the Koran and who spent time in both Soviet and British jails.” Bigiyev was a major figure in the Muslim renaissance of 1905, having put together records of the All-Russian Muslim Congresses and participating in the early phases of the Tatar national movement. He was noted in



1909 for what others dubbed as “the errors in the Qur’an” that he had identified. In reality, however, he did not talk about the errors in the Qur’an, but instead about errors of people who read it as in the way the Qur’an was currently written there are “more than 60 places” where interpretation of the Arabic has been challenging. The version of the Qur’an that he had corrected received a far-reaching acceptance among the *ulema* (Islamic scholars) in the Muslim world. This was his first major “victory” in what was seen by some as the reformation in Islam. He subsequently produced books where he utilized his revised version for rereading and reinterpreting earlier Islamic scholars (Goble 2018c; Xäyretdinov (Khairutdinov) 2018).

As the system was democratizing, by the end of the czarist rule, Muslim Tatars were able to acquire political representation in the Russian Duma and assert their aspirations for self-government. A leading contemporary scholar of Islam in Russia claims that in contrast to the previous period, by the beginning of the twentieth century, the political side of their relationship with Russia became especially important to Tatars; the Russian revolution brought “hopes and aspirations for democratic liberties; the notion of the ‘motherland’ gained a new civic substance, which implies the equality of political rights and duties. . .” (Möxämmätšin (Mukhametshin) 2009, 137). The Tatar intelligentsia clearly understood that the success of Tatars’ national aspirations was inexorably tied to “the democratization of the entire political system of Russia,” offering a model of Russia’s political restructuring based on pluralistic principles long familiar in the West (Möxämmätšin 2009, 139). In the context of Russia such model, first suggested by I. Gasprinski, placed Tatars and Russians in the position of formal equality. As the Muslim fraction in the second State Duma published in its program, “as the most appropriate form of state structure for Russia under the current conditions the fraction recognizes the constitutional parliamentary monarchy, in which the highest state authority belongs to the monarch constrained in her rights by the Constitution, and the people embodied by their representatives who act on the base of the same constitution” (Möxämmätšin 2009, 138).

By the end of the nineteenth century, they agreed that a Tatar homeland should exist in the middle Volga region (Toft 2003). The Idel-Ural state (1917–1918) uniting Tatars, Bashkirs, and the Finno-Ugric people of the area was formed during the World War I, but proved to be short-lived as Bolsheviks took over. Political repression of the 1920s–1930s suppressed the Tatar national movement (D. M. Iskhakov et al. 2005, 11). The entire Tatar intelligentsia was purged in 1930s due to the accusation of bourgeois nationalism (Faller 2002, 82). “By midsummer [of 1937] the entire Government of the Tatar Republic was under arrest,” which reflected a likely “general decision to destroy old Parties in the national Republics” (Conquest 1968, 251).

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## Transition from Communism: New Hopes and Regrets

By the end of the Soviet period, Tatarstan had become one of the most industrially developed areas of the country (Gorenburg 2003, 20). It produced 50% of all Soviet trucks in one of the largest factories in the USSR. By 1970s, the republic was the largest

producer of oil in the Soviet Union (Gorenburg 2003) with an industrial potential superseding that of the three Baltic republics. In spite of the industrial developments, the borders of Tatarstan formed by Soviet ethnic engineers were explicitly designed to divide Tatars and weaken the Tatar identity, laying ground for the expression of the ethnically driven demands by the end of the Soviet rule (Toft 2003, 48).

The policies of *perestroika* initiated by Gorbachev in 1985 gave ethnic groups within the communist bloc an opportunity to express their grievances. During the early transition, the Tatar forces are represented by two key players within the republic – Tatar nationalizing intellectual and political elites – who largely defined the political landscape in Tatarstan and Tatarstan’s relationship with Moscow (Giuliano 2000; Kondrashov 2000; Toft 2003). Both intellectual and political elites have constantly pressed for the greater autonomy of Tatarstan since the late Soviet period. Both intellectual and political elites in Tatarstan were, to a degree, the products of what Giuliano calls “an overt, publicized strategy of nativization (*korenizatsiia*) and a covert strategy of Russification” of the ex-USSR (Giuliano 2000, 304). Nativization led to the increased social mobility of the minority titular populations, but it also meant that titular nationality groups had to play by the rules of the game, which implied education in Russian and communication in Russian at work. The urban Tatar intelligentsia became quite isolated from the Tatar culture. Hence, it was advocating the need for language revival. Russified Tatar intellectuals were the founders of the first (and most dominant) non-state nationalist organization Tatar Public Center (TOTs) (Giuliano 2000).

Substantive demands of parties, clubs, and social organizations of Tatar intellectual elites ranged from purely cultural and educational, such as *Mägäriif*, to overtly political, such as the *Suverenitet* Committee, *İttifaq*, *Azatlıq* Association, and TOTs. Programmatic statements of the groups avoided references to violence and, as did *Watan*’s program, explicitly “reject[ed] violence and terror” putting emphasis on attaining party goals through peaceful means (D. M. Iskhakov 1992, 23).

Regarding the rights of other nationalities, TOTs stipulates equality of all citizens and congruence of the republic’s law with international norms (1992, 14). *İttifaq*’s program suggests that “social rights and freedoms of the people of other [non-Tatar] nationalities should be respected” and “all conditions for satisfaction of national and cultural needs are provided” (1992, 21). *Watan*’s program stipulates equality of all nations, good neighboring relationships between different peoples, recognition of their territorial integrity, as well as respect for the rights of other nationalities in a restored Tatar state. *Watan* also claims to promote social and national equality and different forms of property ownership (1992, 23). Islamic Democratic Party of Tatarstan grants “native peoples of the republic... status of a native nation” while taking “an active role in the defense of ethnic interests of all nationalities residing in the republic, their language, culture, education and religious conscience” (1992, 24). *Suverenitet* Committee “purports to express the interests of all citizens who actively support the politics of reform within the country and the growth of the state sovereignty of Tatarstan regardless of their nationality, social status, religion or partisanship”; it supports human rights of individuals without regard to their ethnic background and calls for restoration of the ideals of humanism (1992, 26).

Smaller groups that split from TOTs – *İttifaq* and *Azathq* – voiced more extreme demands, yet as Toft shows, they “never drew large following” and their demands for “Tatarstan for Tatars” calls for a ban on Tatar–Russian marriages, and extension of citizenship rights for any Tatars living outside of Tatarstan were “counterbalanced by equally extreme groups on the other side” (Toft 2003, 51).

The issue of language revival advocated by many Tatar intellectuals did not attract much support from Tatar-speaking Tatars, most of who resided in the countryside and already fluently spoke Tatar. A perceived cleavage in social status between the urban and rural Tatars might have resulted in a more limited support of the nationalist aspirations. Despite their inferior status in the eyes of some urban intellectual elites, the Tatar-speaking Tatars from the countryside came to play the most important role in the political elite of Tatarstan. These elites were formed under the leadership of the Tatar communist party *obkom*’s (republic, oblast’ level party branch) first secretary Tabeev in the 1960s–1970s. While in office, he brought to Kazan people from the local and town administrations (Giuliano 2000). By the time Tatarstan entered the period of national revival, the republic was headed by Tabeev’s successor Mintimer Shaymiev. Shaymiev and his administration employed conciliatory actions and rhetoric that emphasized nonviolence.

Despite splinter groups, Tatar intellectual elites, Tatar political/presidential elites, and pro-Russian unity groups have been the main forces on the political scene of Tatarstan. Throughout the period, there was a shifting balance of forces among them; however, between 1988 and 1992, the nationalist movement “set the agenda,” but from 1992 “[n]egotiation with Moscow over the republic’s resources came to be determined by [ruling] elite interests” (Giuliano 2000, 54).

From summer 1989, TOTs advanced a nationalist discourse in the republican media and organized street campaigns. Tatar political elite complemented nationalist protests organized by grassroot organizations. A Tatar MP read a TOTs’ petition addressing Gorbachev and Yeltsin at the Russian Congress of People’s Deputies in Moscow (McAuley 1997). By the end of August 1991, the Tatar Declaration of Sovereignty was adopted.

Yeltsin quickly reacted to the mounting, yet, peaceful pressures coming from Tatarstan. He traveled to the republic in late summer and held a number of visits with the representatives of economic enterprises, intelligentsia, and members of the Tatar parliament. It was also during this visit when Yeltsin made a legendary announcement inviting Tatarstan and, indeed, other republics to take as much sovereignty as they could swallow (Malik 1994).

Despite Yeltsin’s efforts, Shaymiev and the republican political elite cooperated with Gorbachev’s Union forces with the purpose of gaining a Union republic status for Tatarstan. Hence, when Yeltsin tried to introduce in Gorbachev’s referendum the question on the formation of the Russian presidency, the republic’s elite excluded this question from the referendum. After the elections of the Russian president were permitted, the nationalist organizations resisted them and by the end of April 1991, an approximately 10,000-strong rally stipulated the recall of the Tatar deputies from the Russian parliament (Beissinger 2002). A demonstration of some 15,000 participants on May 21 is also noted, which included the members of *İttifaq*, who went as

far as to start a hunger strike; newspaper *Novosti* wrote of daily rallies and protest meetings (Toft 2003). These events were critical as they led to the onset of negotiations between the Tatar and Russian political elites and resulted in a power sharing treaty between Kazan and Moscow in February 1994. The treaty solidified interethnic and interreligious concord as an integral part of social and political identity of Tatarstan, and the republic “was presented as an example of tolerant coexistence of the different people and faiths, as center of the Tatar and Muslim cultures” (Nurutdinova 2016, 34).

Since Putin’s election as Russian president in 2000, he embarked on the construction of the *power vertical* centralizing regional competencies in Moscow. Among the first policies were the formation of the federal districts in 2000 as an intermediate layer between Moscow and regions; stripping governors and heads of regional parliaments of right to represent their entities in the federal senate; replacing direct gubernatorial elections with effective, though indirect, appointments; and amalgamation of ethnic autonomous district (*okrugs*) with predominantly Russian regions. There were also more direct pressures on Tatarstan. According to a source interviewed by Faller (2011, 11):

In 2000 – his first year as Russia’s president – Vladimir Putin came to Kazan during the annual Sabantuy celebrations in June and held a 24-hour-long closed-door meeting with Tatarstan President Mintimir Shaimiev and Bashkortostan President Murtaza Rahimov. According to a source close to Shaimiev, Putin threatened to ‘discover Wahabbists’ on the two presidents’ territory, which he would use as justification for ‘making a Chechnya’ out of Tatarstan and Bashkortostan, unless both republics relinquished their adherence to the power-sharing agreements they had concluded with Moscow in 1994. . . Tatarstan immediately agreed to cede at least 50% of the revenues generated on its territory to Moscow, which, as in Soviet times, were not redistributed back to the republic.

However, the instances of violence remained infrequent, though more salient. The Global Terrorism Database, which tracks information on terrorist incidents around the globe from 1970 to 2014 found evidence for only seven occurrences in Tatarstan, with an isolated event in 1997 and the remaining cases taking place in equal numbers in 2012 and 2013. The dataset misses explosions that took place in December 1999, targeting gas pipelines in the border region of Tatarstan and Russia’s Kirov oblast. That incident was blamed upon students at the Yolduz (Yoldız) madrasa and linked to the Arabs teaching at that school and Chechen rebels. That incident resulted in the republic-level anti-terrorism campaign that led to detention of some Yolduz students with suspected affiliations with al-Qaeda (Malashenko and Yarlykapov 2009; cited in Khurmatullin 2010) and the eventual shutdown of that madrasa in 2000 (Khurmatullin 2010). While the incident, referred to at times as the Quqmara [Kukmor] event, was not widely reported by English-language outlets, the twin terrorist attacks that occurred a little over a decade later would bring world-wide attention to a region known for its peaceful and pragmatic approach to religion.

The terrorist acts of July 19, 2012, represent perhaps the most vivid example of a security issue that leaped to the very top of public concern and government attention. The vice mufti of the central Russian republic of Tatarstan, Wäliulla Yaqup (also spelled Yağqup and Yakupov), was assassinated in front of his house, while *mufti*

(chief Islamic religious figure) Fäiz's (Fäyez, Fayzov, Faizov) car was subjected to three explosions at a busy intersection of the central streets in the capital city of Kazan. Fäiz suffered a broken leg and was hospitalized. A series of important developments followed the incidents. One was the rapid detention of five suspects, including four Tatarstanis. These were the head of the board of directors of the *İdel-Xac (Idel-Hajj)* company Röstäm Ğataullin (Rustem Gataullin), the leader of the Muslim organization *Waqıf* Murat Ğaliev (Galeev), the businessmen Azat Ğäynetdinov (Gainutdinov) (from Tatarstan's Layış district), and Ayrat Şakirov (Airat Shakirov) (from Biektaw district), together with a national of Uzbekistan, Abdunozim Ataboyev. Overall, it is reported that several hundred people were detained by the authorities (up to 700, according to Keenan (2013, 75)). A video would later surface featuring an appeal to the republic's Muslims to fight the Russian regime by a self-proclaimed Tatarstani jihadist leader, later identified as Räis Miñğäliev (Rais Mingaleev), who pledged allegiance to the Caucasus Emirate. By August 16, a manhunt for the prime suspects, Räis Miñğäliev, Robert Wäliev (Valeev), and Albert İsmäğıylev (Ismagilov) was declared. Approximately one month after the attacks, on August 20, a car exploded on the Kazan-Yäşel Üzän highway leaving three passengers dead. Authorities attributed the cause to an accidental detonation of a homemade explosive by the suspected members of an underground Islamist group. A violent standoff in a Kazan apartment on October 24 left four dead, including three suspects and one member of the FSB (Russian security service). Ammunition apparently intended to be used in terror attacks was uncovered during the operation. According to Russia's National Anti-terror Committee (NAC), the militants killed were suspects in the attack on mufti Fäiz; the *RIA Novosti* news agency referencing NAC claimed that two of the killed, Qaşapov (Kashapov) and Wäliev, were members of Miñğäliev's group. However, some within the Tatar intellectual elite interpreted the event differently. The Head of the Institute of History of the Academy of Sciences of Tatarstan, Rafail Xäkimov (Rafael Khakimov), maintained that ordinary crime rather than terrorism was behind the tragic events of October 24 in Kazan: "I believe that this is a continuation of the attack on the mufti. This is not an Islam-related affair, it is criminality. I think this is not terror. . . I wouldn't say that some sort of ideology is at play here. Organizing explosions before the holidays only looks like someone is pulling wool over our eyes" (RFE/RL 2012). Meanwhile, a reclusive Islamic sect led by its own prophet, Fäyrazman Sattarov, dubbed the "catacomb sect" of Faizrakhmanists (Fäyrazmançılar) because it operated from the basement of a house, became the target of a special operation by the authorities. The sect, totaling 70 members, did not interact with the outside world, did not let anybody in their residence at the outskirts of Kazan, did not use communication technology, and was not connected to the terror events. However, the group's Tatar language literature was confiscated and sent off for expert examination for extremist content. In November of 2013, a Kazan court ruled that the sect should be evicted from their house. By April 2014, the sect was included in the registry of extremist organizations and 15 members remaining in the house were eventually evicted. Similarly, the Äl-İxlas (Al-Ikhlās) parish/mosque was pronounced extremist and shut down by the government.

On the weekend of November 16 and 17, 2013, another series of events shook Tatarstan. On the 16th, four rockets were fired at a chemical facility within the confines of the petro-industrial city of Tübän Kama (Nizhnekamsk) along with an arson attack on two churches in Yaña Çișmä and Çistay districts. The following night was marked by a deadly crash of the Tatarstan Airlines Boeing 737-500 jet airliner, which took the lives of some 50 people, including the son of Tatarstan's president. These events resonated with the initial twin terror attacks of July 19, 2012, underscoring a sense of popular insecurity. The coverage of the terror events in the Russian and western media focused on apocalyptic scenarios for Tatarstan as far as risks for the subsequent terrorism are concerned; however, most locals downplayed the significance of that threat in online forums (Shaykhutdinov 2018).

Many online commenters saw recent violence in Tatarstan as an assault on the republic and Tatars more broadly. In addition to violence, many were concerned about the catastrophic demographic situation: between 2002 and 2010 the number of active Tatar speakers has reportedly diminished by some 1 million; the 2010 figure for the total number of Tatar speakers in the Russian Federation was 4,280,718 (including 3,647,137 ethnic Tatar speakers of the language). This change can at least partly be attributed to a range of policies intended to centralize Russian federalism through the *power vertical*. The policies targeting ethnic non-Russian population (and Tatars and Tatarstan, specifically) include the prohibition on the use of the Latin alphabet for republics' state languages; refusal to allow students to take the country-wide university entrance examination (EGE) in languages other than Russian; "optimization" (economic cuts) in the education system leading to disproportionate closure of Tatar-language schools (187 in 2011–2016); and diminishing opportunities for higher education in the Tatar language.

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## Conclusion

What does future hold for Volga Tatars? Unfortunately, recent developments are less than encouraging. Among them are the effective termination of territorial autonomy for Tatarstan in July 2017 and the ban on Tatar language classes in the mandatory curricula of Tatarstan's public schools in November 2017. The federal center refused extending the treaty between governments of Russia and Tatarstan in July 2017, allowing that document to lapse in August 2017. The language ban followed a July statement by President Putin that "Forcing a person to learn a language that is not native to him/her is just as unacceptable as reducing the level of teaching of Russian" in the national republics. Apparently, the expiration of the treaty allowed the Russian government to unilaterally modify the education policy. In November, the republic's prosecutor delivered a speech at the session of the parliament of Tatarstan, in which he threatened that no "statements of extremist nature" concerning the issue of language education will be tolerated. Following the speech, the parliament, holding no discussion, in the best Soviet traditions terminated the mandatory education of Tatar in Tatarstan. Students who gathered in front of the parliament to sing a Tatar

folksong in protest were threatened by their university's administration. Tatar intellectuals also expressed worries that the likelihood of dissolution of Tatarstan is high. In the meanwhile, Volga Tatars who are also a recognized minority group in the People's Republic of China are being interned in the reeducation camps in the Xinjiang Autonomous Region alongside Uyghurs, Kazakhs, and others.

Many Tatars concerned about future of their nation are "negative nationalists," who view their position in the world through the prism of survival and interest. To the extent that Tatars' rich historical tradition, peaceful coexistence with others, and resilience influences their transformation into "positive nationalists" – ones "who think they are going to win because they are on the winning side of history" – Volga Tatars may stand a chance at survival. Such survival may take unusual form, consciously or unconsciously feeding on the assimilationist policies currently at work. As such, those policies may backfire in a grand manner. While linguistic Russification and "Irelandization" of the Tatar culture is increasingly the topic of discussion for urban Tatar intellectuals (Säetov/Saetov 2017), some observers warn that "some Russian-speaking non-Russians may have a stronger sense of national identity than their [unassimilated] ancestors" who spoke native languages and consequently are "likely to be the Irish of the 21st century" (Goble 2016b).

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## Cross-References

► [Ethno-politics in the People's Republic of China](#)

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Cathal McManus

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## Abstract

For almost 30 years, Northern Ireland society was torn apart by a conflict based along competing ethno-religious lines. The signing of the Good Friday (Belfast) Agreement in 1998, however, promised a peace process that would bring an end to the militancy of previous decades and the establishment of new political arrangements that would see the competing groupings of Irish Nationalism and Ulster Unionism share power in a devolved Northern Ireland assembly. Despite much progress in the 20 years since the Agreement, many problems remain, and often bitter sectarian tensions continue to blight Northern Irish society and block progress toward full implementation of both the Good Friday Agreement and the subsequent St Andrews Agreement of 2007. This chapter will examine the nature of these ongoing divisions and highlight the role that competing identities have come to play in maintaining a sectarian divide since 1998. Arguing that Northern Ireland has yet to confront a legacy of “Othering” between the two conflicting communities, it will be stressed that much work remains to be done to fulfil the

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C. McManus (✉)

School of Social Sciences, Education and Social Work, Queen’s University Belfast, Belfast, Northern Ireland

e-mail: [c.p.mcmanus@qub.ac.uk](mailto:c.p.mcmanus@qub.ac.uk)

promise and optimism of 1998 and to create a Northern Ireland at peace with its diversity.

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**Keywords**

Northern Ireland · Othering · Peace process · Reconciliation · Identity · Sectarianism

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## Introduction

In July 1997, the Irish Republican Army (IRA) declared an “unequivocal restoration” of the ceasefire it had previously called in August 1994, bringing about a “complete cessation of military operations.” The ceasefire was an important milestone in bringing to an end a conflict that had raged for almost 30 years and had claimed the lives of over 3,500 people. Central to this conflict were the competing national aspirations of Ulster Unionism/Loyalism, who seek to protect Northern Ireland’s position within the United Kingdom, and Irish Nationalism/Republicanism who strive to bring about some form of political unification with the Irish Republic.

The decision by the IRA to restore its ceasefire also helped to create a political climate that made negotiations toward a new compromise settlement possible, negotiations that were to culminate 9 months later with the signing of the Good Friday (Belfast) Agreement (the Agreement) in April 1998.

At the heart of the Agreement was a new power-sharing/consociational assembly headed by a governing executive, positions to which were allocated via the d’Hondt system with each party being allocated ministerial posts based on the number of votes gained in elections (HMSO 1998). This helped to ensure that power would largely be shared between the two dominant political blocs with the smaller cross-community alliance party occasionally holding one or two ministerial positions.

In addition to establishing the power-sharing assembly, the Agreement also provided for reform to policing, the release of paramilitary prisoners, and the decommissioning of illegally held weapons by these groups which included not only the IRA but also loyalist organizations such as the Ulster Volunteer Force (UVF) and the Ulster Defence Association (UDA).

Furthermore, and in an important addition to the consociational frameworks proposed by Arend Lijphart (1977), the Agreement also established new North-South ministerial bodies to develop greater cooperation between Northern Ireland and the Republic of Ireland on “matters of mutual interest” and new institutions designed to improve working relations between both parts of Ireland and the United Kingdom (McGarry and O’Leary 2009).

For proponents of this consociational democracy, the Agreement ought to have provided a long-term settlement to the long-running constitutional question having accommodated the competing nationalist yearnings of both Irish nationalists and Ulster Unionists. In protecting the immediate future of Northern Ireland by attaching it to the principle of consent and developing stronger UK ties, the Agreement had much to reassure Unionists. With the establishment of the power-sharing assembly,

the creation of new (and potentially further) cross-border ties, the guarantee to the right of Irish citizenship, and a promise to protect and promote Irish cultural identity, there was also much to reassure Irish Nationalists and Republicans.

Yet, implementation of the Agreement has proven to be hugely problematic as Northern Ireland remains bitterly divided along its historic sectarian lines. Indeed, at the time of writing, Northern Ireland has been without a government for 19 months following the collapse of the assembly in January 2017 in part because of issues related to the introduction of an Irish Language Act (*Acht na Gaeilge*). This dispute is merely the latest in a long line of disagreements that have had cultural issues at their heart, leading some to argue that we are now witnessing the old military conflict being fought out over matters of identity (McManus 2017).

This chapter will examine the causes of these cultural disputes and, in particular, highlight how processes of “Othering” are continuing to shape negative attitudes toward “the Other.” It will be argued that although the Agreement was designed to provide a long-term solution to what was once deemed an intractable conflict, it has also helped to feed and sustain the sectarian divisions that have characterized Northern Ireland society throughout much of its history.

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## Background to the Conflict

Although the conflict in Northern Ireland finds its immediate roots in the crisis generated by the civil rights campaigns of the 1960s, it has a much longer ideological lineage (Bew 2009). At its heart lies the question of the constitutional relationship that should exist between the island of Ireland and its nearest neighbor Great Britain – a question that has been framed by political, economic, religious, and cultural considerations.

This was to become an increasingly important issue following the Act of Union of 1800/01 which brought an end to the historic Irish parliament in Dublin, with representation shifting to Westminster as part of the new United Kingdom of Great Britain and Ireland (Bew 2009). Opposition to this Union grew throughout much of the nineteenth century, mainly within the Catholic population but initially with considerable backing from within the radical elements of Protestantism. The radical nationalist movements of the nineteenth century, which included such groups as the Young Irelanders, were greatly influenced by developments elsewhere in Europe, including the emergence of a cultural nationalism that served to define nationhood around the possession of a distinctive identity (McManus 2016; English 2006). McManus (2016) argues that because Ireland “was seen to possess its own distinctive cultural identity, including its own language,” it provided a “greater legitimacy” to nationalist claims for nationhood and, as such, the island “was deserving of political independence” (pp. 46–47).

The emergence of a cultural nationalism during the 1890s, however, merely helped to reinforce wider divisions that had appeared throughout the nineteenth century and which, increasingly, became defined by religion. Many Irish Protestants had hoped that the Union with Britain would lead to a decline in the Catholicism of the majority

population of the island – aided by increased support for proselytization furthered by the establishment of a new National Schools system. Leading figures within Irish Protestantism looked down upon Catholicism as little more than an “idoltrous superstition” (McManus 2015, p. 54) but also, crucially, viewed the church as a threat to their “established” status, especially as Catholicism became better organized and structured as the century progressed (Bew 2009). This fear intensified with the emergence of the various Irish nationalist movements, culminating in the Home Rule movement from the 1880s, which commanded a very public support from leading figures in the Catholic clergy (English 2006). Opposition to Home Rule – a limited form of self-governance that would also maintain the UK – came predominantly from within the Irish Protestant population, particularly in North East Ulster, who rallied around the belief that Home Rule would mean Rome Rule and, as such, posed a huge threat to Protestant interests in Ireland (Walker 2004).

A crucial component of the political culture in Ireland during the period of the Union (1801–1922) was the processes of Othering that helped to define attitudes toward the Other (McManus 2017). Two elements are important in this Othering process: possessing a sense of superiority over the Other but also, at the same time, fearing the Other as a threat to “our” way of life.

As can be seen above, for example, Irish Protestants looked down upon the Catholicism of the majority population from a theological perspective, but this was also to be reflected in their attitudes toward the Irish cultural heritage as it was defined by the various cultural nationalist movements (Loughlin 1999). This was particularly true of the Irish language which was seen as a backward language of the peasantry with little practical use in a modern society (Crowley 2008). What is more, this backwardness was seen as one element of the wider threat posed by Irish nationalism to the superior British way of life in Ireland (McManus 2015). In other words, not only were the Catholic Irish a numerical threat; they also represented a cultural threat (Loughlin 1999).

McManus (2017) maintains that Othering, by its nature, is a two-way process and that it is this that helps to feed conflict (see also McManus *Forthcoming*). As such, over the course of the nineteenth century, many Catholics/Irish nationalists also came to view their religion and cultural heritage as being superior to that of Protestantism and Britishness (Boyce 1995; Hutchinson 1987). Furthermore, for many nationalists, the nature of Protestantism and Unionism in Ireland meant that it posed an existential threat to the Irish way of life – a perception seemingly reinforced by Unionist opposition to Home Rule and their apparent willingness to partition the nation by 1912 (English 2006). As a result, elements of radical Irish nationalism adopted something of an anti-colonial narrative that emphasized the need to protect the nation including its cultural identity (English 2006; Howe 2000).

These divisions meant that the two communities came to feel permanently threatened by their Other. This reinforced a sectarianization of Irish society in which neither community could nor would seek to understand the position of their Other or reach out in an effort to incorporate them into their vision for the Irish nation (McManus 2017). Rather, both political communities focused mainly on their own priorities and continued to ignore the complex realities of diversity on the island. The

outcome, of course, was the creation of an ever more sectarianized society and, ultimately, the partition of Ireland (Bew 2009).

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## Northern Ireland: A Legacy of Sectarian Division

Northern Ireland was established in 1921 amid chaos across the island of Ireland (English 2006). The IRA, predominantly in the southern provinces, were waging a guerrilla campaign against the British establishment, while in Northern Ireland itself, the sectarian violence had escalated so dramatically that civil war effectively raged on the streets of Belfast and other major towns (Bardon 2005).

These violent origins helped to shape the political culture of the new Northern state (McManus Forthcoming). Of particular significance was the impact the violence had on attitudes toward the Catholic minority – representing one-third of the total population – who were immediately labeled as an internal threat being aided by external and hostile forces from the South (McGarry and O’Leary 1995). This sense of threat, McManus argues, helps in part to explain “why the Unionist government failed to use the new opportunity presented to them to build a state capable of representing all its citizens”:

The reality was that the combined sense of hostility towards and fear of their “Other” made any movement towards conciliation unlikely. Although “most Catholics did not actively work against the Northern Ireland state,” both the passive hostility of the majority and the active opposition of a minority helped to feed unionist fears and convince them that their negative perceptions of the Other was accurate. (McManus Forthcoming)

The sectarianism of the previous century, therefore, continued to frame the political culture of Northern Ireland (Brewer and Higgins 1998). A sense of anti-Catholicism, alongside a dislike for and fear of anything “Irish,” was evident in Unionist government circles from the foundations of the state (Walker 2004; Elliott 2000). This was to manifest itself in various policy approaches that led to discrimination against the Catholic population in terms of housing allocation, employment opportunities, and voting (Elliott 2000) – issues that would come to the fore in the campaign for civil rights during the 1960s and which would eventually push the state toward crisis (English 2006).

It was also evident, however, in the negative attitudes expressed by Unionists toward aspects of Irish culture that Northern Catholics continued to define themselves by. In particular, there was considerable opposition among Unionist politicians toward giving support – financial or educational – to the Irish language which they viewed as backward and useless. In a debate at Stormont over the position of an “organiser of Irish language instruction,” in May 1923, one Unionist Member of Parliament (MP), Robert Lynn, queried:

...whether a circular has been issued...saying that in cases where Irish is taken up history may be dropped. I respectfully suggest to the Ministry of Education that history – that is, real history, not imaginative history of the Irish type – would be of more benefit to the schools

than the teaching of Irish. That is purely a sentimental thing. None of these people who take up Irish ever know anything about it. They can spell their own names badly in Irish, but that is all. I do not think it is worth spending any money on. (Lynn 1923, p. 663)

The language used here emphasizes the negative and sectarian attitude of many Unionists toward the Catholic Irish and, more specifically, the Irish language. This was again highlighted in 1933 when the MP for North Belfast, William Grant, declared in parliament that “the only people interested in this language are the people who are the avowed enemies of Northern Ireland” (Grant 1933, p. 773).

Such remarks, as shocking as they often are, need also to be contextualized. As Richard English (2006) highlights, the views and actions of Unionists in the early decades of the state were, to a large extent, “determined by Irish nationalism”:

IRA violence in the founding years of Northern Ireland heightened unionist anxiety, as did the increasing Catholicization and Gaelicization of independent Ireland once de Valera came to power in 1932, and the understandable sense among northern nationalists themselves that the new northern state was neither fair nor legitimate. (p. 342)

Although Unionists unquestionably looked down upon Gaelic Irishness, they also had very genuine fears concerning the threat posed by Irish nationalism. As such, they felt justified in taking the actions, outlined above, that would limit the political influence of Catholics (Patterson and Kaufmann 2007; Elliott 2000).

McManus (Forthcoming) argues that what emerged in Northern Ireland was a political climate fed by a series of “self-fulfilling prophesies.” Unionists, for example, in preventing Catholics from fully participating in the state (for what they deemed to be defensive reasons), merely reinforced the negative views held by the Catholic population toward both, the Unionist administration and the state itself. This negativity fed a continuing sense of alienation that would manifest itself in an ongoing support for nationalist and/or republican political movements – thus, in itself, reinforcing unionist fears that Catholics remained disloyal (English 2006). It was these fears that helped, in part at least, to frame Unionist attitudes toward the civil rights movement during the 1960s – while Catholics argued that they all they wanted was “British rights,” Unionists feared that this was little more than a new nationalist/republican plot to undermine Northern Ireland by other means (McManus Forthcoming; English 2006). It is within this context that violence was to erupt in the late 1960s. As English has succinctly summed it up, “[c]ulture, economy, symbols, religion and politics all combined to produce. . .the worst combination in the north: a disaffected minority and an under-confidant majority” (2006, p. 369).

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## Conflicting Cultures: The Politics of Identity

The crisis surrounding the civil rights movement quickly escalated, and street violence – largely organized along sectarian lines – became a regular feature of Northern Irish society (Hennessey 2005). Moreover, as English argues, an

inadequate response from the Unionist government at Stormont only helped to further inflame tensions:

... a one-sided curfew in Catholic Belfast in 1970, the introduction of an equally one-sided and clumsy internment in 1971, and the disaster of the Bloody Sunday killings in 1972 all backfired, and helped destroy the chance of a rapprochement between the British state and the Catholic working class. (2006, p. 370)

The use of the British military and the Royal Ulster Constabulary in this response further alienated many Catholics from both, and, as a result, elements within the community turned to the IRA for protection from loyalist attacks (Taylor 1998; McCleery 2015). McManus (Forthcoming) argues that this turning to the IRA had significant implications for the movement who found their ranks swelling with “significant numbers of young men and women angered by events around them” (p. 10) but who lacked a significant grounding in traditional Irish republican ideology.

The outbreak of violence in 1969/1970 had, to some extent, caught the IRA by surprise, and they initially lacked the resources necessary to help defend nationalist areas in an effective manner (Taylor 1998). Although they worked to quickly correct this military weakness, less time was taken to deal with the absence of an ideological background among its members (McManus Forthcoming; Adams 1995). When such efforts did emerge, it was very much reflective of the republican movement of the early twentieth century and had, as a key component of its ideological narrative, an anti-colonial outlook (McManus 2016, pp. 53–54). Central to this was, again, the Irish language which, McManus argues, gained “a more prominent status within what was seen as a wider political struggle against the effects of British colonialism on the island” (2016, p. 53). As political activity grew in importance for republicans, so too did the significance of the Irish language, with considerable efforts made to promote the language in nationalist areas. Throughout the 1980s and 1990s, Irish-medium schools were established in greater numbers, and programs of adult education courses became a common occurrence in community halls (McManus 2016).

The importance of the Irish language to the Nationalist and Republican community(ies) can be seen in the status afforded to it within the Good Friday Agreement. Under the terms of the Agreement, the British government committed “where appropriate and where people so desire it” to:

- Take resolute action to promote the language.
- Facilitate and encourage the use of the language in speech and writing in public and private life where there is appropriate demand.
- Seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of the language.
- Place a statutory duty on the Department of Education to encourage and facilitate Irish-medium education in line with current provision for integrated education (HMSO 1998, pp. 19–20).



In addition to this, the British government, in a further Agreement reached at St Andrews between Sinn Féin and the Democratic Unionist Party (DUP) in 2006, committed to introducing “an Irish Language Act reflecting on the experience of Wales and Ireland and work with the incoming Executive to enhance and protect the development of the Irish language” (NIO 2006, p. 12).

The prominence of the language was part of a concerted effort by the nationalist parties, the Social Democratic and Labour Party (SDLP) and Sinn Féin, to gain a greater recognition for the Irish cultural identity of Northern Catholics and to provide developmental support for a language that they believed had been suppressed by both the British and Unionist governments (Adams 2005, pp. 78–88). For both parties, but increasingly for Sinn Féin as it became the biggest nationalist party in the North, governmental support for developing the Irish language was part of a rights-based and equality agenda. As Gerry Adams (2005), a prominent figure in the Republican movement since the 1970s, has argued:

The negotiation for the Good Friday Agreement involved rights and safeguards for cultural expression, including the promotion of the Irish language. These rights and safeguards had been absent from the Six Counties since its foundation. (p. 84)

That Sinn Féin were arguing for the protection and development of Irish sat uncomfortably with many Unionists with three key reasons helping to explain this.

In the first instance, many Unionists continue to look down upon the language with many believing that it is not worth protecting. The former aspect was demonstrated by a controversial incident in the Stormont Assembly in November 2014 when a senior DUP politician, Gregory Campbell, mocked the language as he stood to give a statement (BBC 2014). Later in the same month, as the controversy still raged, another prominent Unionist, Jim Allister, was quoted as having described Irish as “a dead language that will never bring jobs to anyone” (Strabane Chronicle 2014).

A second, and more prominent reason, was that Unionists feared the Irish language was being used by Sinn Féin for political reasons – specifically, they believed that it was part of a wider agenda to undermine the Britishness of Northern Ireland. In support of this, they could point to various campaigns and policy statements developed by the party during the years of conflict which emphasized the role of Irish in a “reconquest” of the island (McManus 2016, pp. 53–54). As late as 2005, indeed, Gerry Adams was writing that “it is impossible to separate national liberation from cultural revival” (Adams 2005, p. 84).

Such a viewpoint has been aided by the fact that although the political arrangements provided for in the Agreement were seen to protect the position of Northern Ireland in the UK in the short to medium terms, the Agreement also legitimized Nationalist aspirations for Irish unity and, under certain circumstances, catered for a border poll to be held to determine the North’s future constitutional status. McManus (2017) maintains that this has fed unionist fears regarding key elements of the peace process and particularly those aspects designed to protect what are deemed as component parts of an Irish culture:

Working under the terms of the Agreement, northern Catholics have sought greater recognition and equality for their political and cultural identity. . . Unionists, however, interpret this as part of a new nationalist strategy designed to undermine the ‘Britishness’ of the state and advance their cause of Irish unity – an analysis seemingly reinforced by the opposition of Nationalists to Unionist/Protestant culture such as Orange parading. (p. 422)

This leads therefore to the final consideration which centers on the above idea that while Sinn Féin were promoting Irish as part of an “equality” and “rights-based” agenda, they were also seemingly attacking Unionist culture and rights. This perception stemmed from various disputes that emerged during the 1980s and 1990s over the right of the Orange Order, a Unionist and Protestant organization, to parade through predominantly Catholic/Nationalist neighborhoods (McManus 2017; Bryan 2000).

In the mid-1990s, as the peace process was still emerging, disputes about these parades in Derry, Belfast and, most famously, Portadown, led to significant outbreaks of sectarian violence (Bryan 2000). Unionists believed that the emergence of residents’ protest groups were part of a deliberate strategy by Republicans to undermine Unionist and Orange culture while at the same time promoting an Irish agenda (McManus 2017). Such were the fears of Unionism in this period the then leader of the Ulster Unionist Party (UUP), David Trimble, predicted that “culture is going to be a political battleground” (quoted in McManus 2017, p. 422).

In many ways, this prediction has come to pass. In the two decades since the signing of the Good Friday Agreement, progress has been stalled at various intervals over disputes related to identity politics that have included not only Orange Order parading but also the flying of Union flags on civic buildings, loyalist commemorative bonfires and, most recently, the implementation of the Irish Language Act seemingly promised in the St Andrews Agreement (Nolan 2014; Nolan et al. 2014). Divisions over the latter, indeed, had a role to play in the collapse of the Northern Ireland Assembly in January 2017 when Sinn Féin’s Martin McGuinness resigned his position as deputy First Minister. In his resignation letter to the Speaker of Assembly, McGuinness accused “elements of the DUP” of having “exhibited the most crude and crass bigotry” toward those “who wish to live their lives through the medium of Irish” (McGuinness 2017).

Although the primary reason for Sinn Féin’s decision to bring down the Assembly was an alleged financial scandal involving the DUP, the primary issue preventing its return has become the Irish Language Act (Dunlevy and Mainnin 2017). Sinn Féin claim that there will be no return of the Assembly until the St Andrews Agreement is implemented in its entirety which, for them, means the introduction of an Irish Language Act. The DUP, however, have claimed that they never agreed to this in the St Andrews negotiations and that its inclusion was part of a side deal agreed only between Sinn Féin and the then Labour Government in Westminster. Yet, despite this, the party did come close to signing a fresh agreement with Sinn Féin in early 2018 which would, according to a prominent Belfast journalist, have included a self-contained “Irish Language Act” only for that deal to collapse due to a huge swell of opposition within grassroots Unionists (Mallie 2018).

## Comfort in Sectarianism?

Opposition toward the Irish Language Act within grassroots unionism provides a useful insight into current political thinking within that community and highlights the extent to which unionist leaders have failed in selling what they deem to be political progress to their support base (Shirlow 2012; McAuley 2010). This failure, indeed, highlights an important consequence of Othering in that it demonstrates the extent to which it is difficult to break free from the sectarian politics it creates, even if doing so has potentially positive outcomes for the in-group. To assess the nature of this in more detail, it is important to understand the nature of Unionism and, more especially, the brand of Unionism represented by the DUP.

As the DUP rose in electoral strength at the turn of the century, it sought to portray itself as the party of strong and confident unionism – a unionism that would stand up to the threat of Irish nationalism and republicanism and which would, as a result, win a fairer peace than that secured by the UUP in 1998 (McAuley 2010). Although there was much initial anger and resentment at the party's decision to share power with Sinn Féin – a party they had previously promised to “smash” – they successfully managed to contain the disquiet and held off the challenges from a rival, anti-Agreement party, the Traditional Unionist Voice (TUV) led by former member Jim Allister (Tonge et al. 2014). By 2012, the then party leader and Northern Ireland's First Minister, Peter Robinson (despite having lost his own Westminster seat in 2010), was keen to portray the success enjoyed by the DUP over the previous 5 years and how they had successfully contained the threat posed by Irish nationalism. He told his party conference in November of that year that the “siege has lifted, the Troubles as we knew them are over, and the constitutional debate has been won” (Robinson 2012). Almost a year later, in October 2013, he proclaimed that the “simple and unchallengeable reality is that the Union has never been stronger. . . Support for the Union has never been higher” (Robinson 2013).

This confidence, however, has not been reflected across Unionism and, in particular, within its working-class loyalist communities. Indeed, within a couple of months of Robinson's 2012 speech, Belfast was once again subjected to a period of violence and sectarian tension following Belfast City Council's decision to limit the number of days the Union flag would fly at City Hall (Nolan et al. 2014). Although there is evidence that the DUP had sought to exploit anger at the vote to win back Robinson's lost Westminster seat in East Belfast, there is little doubt that the party was also, to some extent, sidelined in the loyalist protests (Nolan et al. 2014). For these protestors, the decision by the Council was yet another attempt by Sinn Féin – now the largest party in Belfast – to undermine the British identity of the City and Northern Ireland more widely, and it was seen to make a mockery of Robinson's more optimistic outlook (Tonge et al. 2014).

For many Unionists, therefore, the flag dispute in Belfast again highlighted what they perceived to be an ongoing cultural war being waged against the Protestant/Unionist identity (Tonge et al. 2014, pp. 120–122). Sinn Féin's campaign for the Irish Language Act is very much seen within this context, and, as such, there appears to be a strong determination within grassroots unionism to frustrate it.

This was evident during the negotiations between Sinn Féin and the DUP as they sought an agreement that could restore the Stormont Assembly. Even as talks were progressing, it was clear that opposition to an Irish Language Act was strong within grassroots Unionism with an Orange Order lodge at Queen's University Belfast issuing a stark warning to party leaders that Unionists had "no appetite" for further compromise. According to this lodge, an Irish language act would have "far ranging ramifications across civil society" that would not have "a positive impact on the nation." They further claimed that the "promotion of cultural supremacy, under the guise of equality, will only further entrench divisions in Northern Ireland" (Queen's LOL 2018).

Such attitudes reflect the views gathered by Tonge et al. (2014) in their study of the modern DUP. They found among grassroots members that:

The idea that the DUP are engaged in a 'culture war' has been given further momentum by perceptions that attacks on Orange Order halls are not just sectarian, but also politically inspired. This understanding is also applied to other issues, such as restrictions placed on Orange marches, or the limiting of the flying of the Union Flag on Belfast City Hall to designated days. Such actions are interpreted by the DUP as evidence of a broader campaign of 'anti-British bigotry' waged by Irish republicans. (Tonge et al. 2014, p. 121)

Such views, however, raise an important question for Unionists, particularly within the context of Peter Robinson's 2012–2013 speeches arguing that the Union was safe: if the Union has been secured should they now take moves to better facilitate the Irishness of Northern Catholics in an effort to create greater political stability?

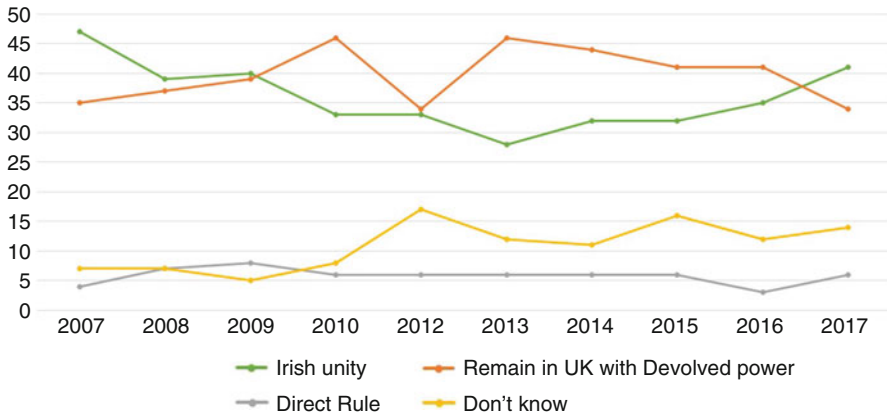
To examine this question, a number of important issues need to be considered.

Firstly, Robinson's claim that the Union "has never been stronger" was based on a growing perception that more and more Catholics were content with the political status quo – that is to say, they were willing to support a form of Union with devolved powers to Northern Ireland. Robinson, indeed, in his 2013 speech was keen to emphasize that:

Support for the Union has never been higher. When Republicans can't even persuade a majority of their own people of the case for a United Ireland you know their game is up. For the first time in generations Northern Ireland has stable political structures. (Robinson 2013)

These claims have been backed by findings from the Northern Ireland Life and Times Survey (NILT), which has been conducted annually since 1998 by researchers from both Queen's University Belfast and Ulster University. These findings show a consistent support for Northern Ireland remaining within the United Kingdom (with devolved power) with a majority of Catholic respondents supporting that position between 2010 and 2016 (Fig. 1). Notably, in that period, there was a significant degree of political stability and functionality at Stormont despite ongoing tensions on the ground.

This data would suggest that the political aspirations of those labeled "Nationalist" are more complex than is often allowed for and hint at the idea that respect for



**Fig. 1** The long-term policy for Northern Ireland should be? (Catholic respondents only). (Source: NILT)

the Irish identity of Catholics could facilitate a degree of contentment with the state (McManus 2016).

The second consideration, therefore, centers on how Unionism has responded to such findings. While there has been lip-service paid to these changing dynamics – as highlighted by the speeches of Peter Robinson – Unionist leaders have failed to move beyond this rhetoric in any meaningful way. This is evident not only in their failure to engage with the idea of an Irish Language Act but, perhaps more symbolically, in the fact that they continue to refer to the Irish language in such derogatory terms. The high-profile examples of Gregory Campbell and Jim Allister have already been highlighted but perhaps even more crucial was the intervention of Arlene Foster, the current DUP leader and former First Minister. Speaking at a DUP event in February 2017, Foster claimed that the party would “never agree to an Irish language act” and claimed that because there were more Polish speakers in Northern Ireland than Irish speakers, a Polish Language Act should take precedence. Regarding Sinn Féin’s demand for an Irish Language Act, she quipped that “if you feed a crocodile it will keep coming back for more” (Foster 2017).

Such views do little to lessen the Catholic population’s alienation from the Northern state which has potentially been further reinforced by Britain’s 2016 decision to leave the European Union – a decision supported by the DUP but opposed by the vast majority of Nationalists (Murphy 2018). Indeed, polls during the referendum campaign suggested that 85% of Catholics supported Remain – a stark contrast to the 41% of Protestants that did so (Murphy 2018).

Moreover, in the immediate aftermath of the vote, questions started to be asked concerning the compatibility of “Brexit” with the political arrangements established by the Good Friday Agreement – an issue that had been largely neglected in the

mainstream debates leading up the referendum (Murphy 2018). In particular, the issue of the Irish border – soon to be the only land border between the UK and the EU – became a significant stumbling block to progress in Brexit negotiations given the possible necessity of new custom checks should any divergence emerge between the UK and Ireland (Hayward 2017). Such a possibility angered Irish nationalists who firmly oppose any return of a visible and/or physical border between the North and the Republic (Murphy 2018).

The issue has been further complicated by the DUP's continued support for Brexit, despite the fact that a majority in Northern Ireland voted in support of Remaining (56% Remain – 44% Leave). What is more, the party continues to espouse an uncompromising Leave position that will tolerate no special treatment for Northern Ireland that might help to prevent the reintroduction of border check-points even in the case of a no deal scenario.

All of this has seemingly had an impact on political attitudes in Northern Ireland. According to the 2017 NILT survey, for example, there has been a rise in support for Irish unity within the Catholic population from 35% in 2016 to 41% in 2017.

This analysis suggests that Unionism can be, at times, its own worst enemy. This leads to an obvious follow on question to that posed above: why don't unionist politicians do more to reach out to the Catholic/Nationalist population if they are willing to support the Union under certain circumstances?

One answer to this is that it brings little electoral advantage to the DUP in the short term. Although many Catholics/Nationalists will express a willingness to support some form of Union, they have not yet come to see themselves as Unionist and are not, therefore, likely to vote for the DUP. Moreover, should the DUP reach out on issues such as the Irish language, it is likely they would anger their own political community who may turn against the party in elections.

A second reason is that Unionism continues to fear the normalization of Irishness in Northern Ireland society. Such a normalization would serve, as stated by the Queen's LOL 1845, to undermine what is deemed the British character of the state and to reinforce the idea that it is a place apart. Indeed, this fear of being viewed as different has been evident in relation to the Brexit question and how any customs checks on the island should be managed. While those in favor of Remaining in the EU have argued for Special Status for Northern Ireland, this idea has been rejected by Unionists who see it as a "trap" and a Sinn Féin ploy to "break up the Union" (Murphy 2018, pp. 133–134).

It is important also to contextualize this situation within the framework of Othering. McManus (Forthcoming) has argued that a fear of the Other (as well as a sense of superiority) will lead to an in-group taking measures that often contradict what it claims to stand for. In this case, although Unionists will talk about representing open and tolerant British values and express a desire to see stable political structures operating in Northern Ireland, they often lack the political leadership necessary to implement those measures that might achieve such ends.

## Conclusion

Identity has played an important role in helping to frame the sectarian divisions in Northern Ireland that fed conflict for almost 30 years. It has been instrumental in shaping long-term processes of Othering that generate an in-group sense of superiority over the Other but which also, as a consequence, feeds a sense of fear over the threat posed to “our” way of life.

Although the Northern Ireland peace process has provided the basis for a political settlement, the failure to address the processes of Othering has allowed a cultural war to emerge that is perpetuating the divisions caused by the military conflict. Most recently, this has focused on the implementation of an Irish Language Act, but there is also a very real possibility that Brexit could become a further strand of this such are the levels of polarization it is creating. Indeed, with an apparent unwillingness to compromise now evident in both communities, it appears that any resolution to the political deadlock that has taken hold since January 2017 will be far from easy and will require a brave leadership to emerge – something that has been lacking in the recent times.

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## Cross-References

- ▶ [Cultural Socialization and Ethnic Consciousness](#)
- ▶ [Ethnic Conflicts and Peace-Building](#)
- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [Historical Memory and Ethnic Myths](#)

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# Immigration Policy and Left-Right Politics in Western Europe

# 20

Trevor J. Allen and Misty Knight-Finley

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## Abstract

Immigration and migrants have been increasingly politicized across Western Europe in the twenty-first century, corresponding to the rise of the radical right. Focusing events in the early 2000s lent salience to a now-familiar far right brand of ethnocentric, anti-immigrant identity politics, as distinct from emphases on immigration's economic impacts. This research considers the extent to which multiculturalism and ethnocentrism, exploited by the far right, remain disconnected from economic conflict in West European party systems. Specifically, we evaluate the relationship between the traditional left-right economic dimension and a more recent multiculturalism-ethnocentrism dimension structuring party competition in nine Western European nations. We use expert positioning of political parties to describe the evolution on these two dimensions at four time points from 1999 to 2014. While party positions on multiculturalism are mostly

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T. J. Allen (✉)

Department of Political Science, Central Connecticut State University, New Britain, CT, USA  
e-mail: [allentj@ccsu.edu](mailto:allentj@ccsu.edu)

M. Knight-Finley

Department of Political Science and Economics, Rowan University, Glassboro, NJ, USA  
e-mail: [knightfinley@rowan.edu](mailto:knightfinley@rowan.edu)

distinct from positions on economics in 1999, positioning on the two dimensions becomes highly correlated by 2009, increasing further in 2014. The shift is driven both by the far right's de facto absorption of rightist economic policies, and the mainstream right's increasing ethnocentrism. It is proposed that the far right is the principal actor behind this realignment, and policy implications are explored.

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**Keywords**

Far right parties · Party systems · Multiculturalism · Western Europe

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## Introduction

Following focusing events in the early 2000s (e.g., 9/11 and the London and Madrid bombings), immigration in terms of national identity has become increasingly politicized. Muslim immigrants and their descendants, in particular, have increasingly been targeted with value laden rhetoric by Europe's far right (Zúquete 2008). For instance, the 2007 French *Front National* (FN) manifesto regards religious difference as the greatest impediment to Muslim integration in France (Williams 2010, see also Byng 2008). Similarly, the FPÖ's Haider criticized Islam as being at odds with Austrian values towards women (Betz 2003). During the French headscarf affair, feminists and the FN were reasonably similar in their treatment of Muslims as a monolithic anti-modern foil (Scott 2009). More recently, a 2017 AfD election ad featuring a picture of a baby pig standing in lush green grass read: "Islam? It doesn't fit in with our cuisine." Paradigmatically, the flash-pan *Lijst Pim Fortuyn* (LPF) achieved historic success mobilizing against multiculturalism in the Netherlands, by promoting both immigrant assimilation (Joppke 2004) and value pluralism (Akkerman 2005).

Evidence suggests far right parties have been instrumental in casting immigration as a question of national identity rather than (say) labor migration (Schain 2006). However, the impact of this rhetoric on party systems more broadly is less than univocal. Moreover, the extent to which far right parties themselves influence policy is contestable. In this chapter, we consider together research on party families, immigration and integration policies, and public policy processes to examine the critical role of far right parties in immigration politics and policymaking.

We take as our starting point the debate as to whether the "new politics" of far right parties belongs on the left-right continuum historically structuring party competition in Western Europe, or whether far right parties remain orthogonal to this traditional dimension. We hypothesize that the initial ambiguity around far right parties' situation in the competitive party space has crystalized, and use 15 years of expert data to evaluate the evolving relationship between party positions on the left-right continuum and a scale of ethnocentrism and multiculturalism, a proxy for anti-immigrant positions *qua* issues of national identity. Subsequently, we evaluate far right parties' influence over immigration policymaking in light of our results, suggesting that incorporation of immigration into traditional left-right corresponds to the issue's increased salience and its incorporation into national citizenship regimes.

Before proceeding with these empirical analyses, we begin with a discussion of the development of far right parties and an examination of the debates that considered immigration, ethnocentrism, and multiculturalism independently from traditional left-right politics. In so doing, we discuss immigration as an issue of “new politics.” After presenting our empirical methods and results, we discuss the implications of this work.

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## Situating the Far Right in West European Party Systems

The far right mobilizes most successfully on grievances about immigration, especially when cast as a cultural issue of national identity – the battle between ethnocentrism and multiculturalism – rather than as a matter of left-right economics (Betz and Meret 2009; Ivarsflaten 2008; Schain 2006; Hooghe et al. 2002). This brand of anti-immigrant identity politics became especially available to far right actors following twenty-first century terrorist attacks in New York and London, the Danish cartoon affair, and the assassinations of Theo van Gogh and Pim Fortuyn. It is generally agreed that the extreme right made their anti-Islam message increasingly overt as these events unfolded. For instance, Williams (2010) finds after 9/11 “virtually all parties and formations on the radical right made the confrontation with Islam a central political issue.” Likewise, Eatwell (2003) characterizes the attacks as a “godsend” to the extreme right. Others qualify that the far right’s interest in immigration is informed by ethnopluralism and civic nationalism, rather than racism or issues surrounding labor migration (e.g., Rydgren 2005; Schain 2006), in keeping with arguments to “value pluralism” (Akkerman 2005).

An examination of the development of individual far right parties reveals strategic pivots in party messaging, narrowing focus on populism, nationalism, and radicalism or extremism to expand party ranks (Golder 2016; Lehmann et al. 2017). The evolution of Germany’s *Alternative für Deutschland* (AfD) illustrates the point, but is only one of several examples. In 2012, three prominent members of the country’s Christian Democratic party (CDU) started a political action group – *Wahlalternative 2013* – advocating for an electoral alternative to the traditional parties in the 2013 election. After proposing a failed party list with the Federation of Independent Voters in the January 2013 state elections, *Wahlalternative*’s leaders founded AfD. The group drafted a short manifesto focusing primarily on economic policy issues, with a few references to education and immigration ahead of the 2013 federal elections (Arzheimer 2015). Ultimately, AfD fell just short of the 5% threshold required to earn seats in parliament but gained more votes than any new party in over 50 years (Arzheimer 2015). Much like the far-right parties gaining popularity throughout Europe, AfD filled a space created by voters disaffected by traditional parties – typically younger, less-educated, male, blue-collar, anti-immigrant, anti-establishment voters (Allen 2017; Arzheimer and Carter 2006; Savelkoul and Scheepers 2017). In an effort to court more dissatisfied voters, the AfD manifesto grew from 80 quasi-sentences to 1,151, and included entire chapters on “Culture, Language, and Identity” and “Immigration,

Integration, and Asylum” by 2017 (Alternative für Deutschland [n.d.](#); Lehmann et al. [2017](#)). This shift in issue attention paid off; as of this writing, AfD is the third-largest party and the primary opposition party in the Bundestag.

The story of AfD’s transformation from an unsuccessful single-issue party to a successful far right party is not unique. In their early days, far right parties exhibited considerable cross-national variation. In Austria and Switzerland, far right populists co-opted existing right parties. The French FN consisted of a variety of far right elements at its founding including Poujadists, monarchists, Old Right militants – a “hodgepodge of political cranks” (Art [2011](#): p. 2). Many of the Scandinavian far right parties began as anti-tax “progress” parties. The Swedish far right has roots in interwar fascism (Ignazi [1992](#)), but has since evolved. UKIP and the AfD were principally Euroskeptic parties at their outset, but developed programmatically in other areas as they matured. In Italy and Belgium, successful far right parties developed from explicitly regional movements. Nascent Dutch and Norwegian far right parties were idiosyncratic vehicles for their charismatic leaders. However, as all of these parties realized a toehold in their party systems; they began to reflect the contours of those systems, operating in space vacated by so-called mainstream parties – that is, Christian and Social Democrats – after the transition to advanced capitalism. The number of countries with competitive far right parties has increased since the early 1980s, as has the far right’s share of the total vote (Bale [2003](#); De Lange [2007](#); Golder [2016](#); Koopmans [2010](#); cf. McGann and Kitschelt [2005](#)). Furthermore, the party family has survived various tenures in government (e.g., Austria, the Netherlands) and party splits (e.g., France, Austria), and its impact on Western Europe’s party system is increasingly manifest.

Though the far right represents a durable addition to the party families of Western Europe, there remains a debate as to whether and where these parties belong on the left-right continuum historically structuring party competition in the area. On one hand, the far right’s narrow preoccupation with ethnocentric, anti-immigration rhetoric; characteristic populism (Derks [2006](#); Kaltwasser [2014](#)); and advancement of both right and left economic positions (Ivarsflaten [2005](#); McGann and Kitschelt [2005](#)) have led some scholars to exclude economic platforms entirely from studies on the extreme right (Mudde [2007](#)). Similarly, given these parties’ “ideological promiscuity,” other scholars have questioned whether the “right” label is appropriate (Arter [2010](#), p. 494). A study of UKIP pithily summarizes the difficulty in placing the party family on the continuum, suggesting the party is neither right, nor left, but represents those “left behind” (Ford and Goodwin [2014](#)). On the other hand, far right parties have grown increasingly popular and positions associated with the far right have gained respectability among mainstream voters and parties (Betz and Meret [2009](#); Williams [2010](#); Zúquete [2008](#)). At the same time, the far right may have moderated some of its views to posture for coalitions with or in support of mainstream center-right parties (see Bale [2003](#)).

Either of these possibilities, or a combination of the two, could represent absorption of the immigration debate into traditional left-right politics. Some scholars describe the ethnocentrist immigration attitudes of the far right as a “rightist” stake in “new politics” – characterized by noneconomic, quality of life issues (Dalton [2013](#); Inglehart [1977](#)) – orthogonal to the traditional left-right dimension (Bornschieer [2010](#); Ignazi [2003](#)).

The intervention of new values into the continent's once-ossified party systems is typified by green movements (Dalton 2008; Kitschelt 1989), and there is reason to consider the far right's mobilization against immigration as operating on the same dimension (Bornschieer 2010). Where mainstream parties did not integrate new values, new interest groups, and eventually new political parties, formed (Kitschelt 2004; Ford and Goodwin 2014). For the far right, as social democratic parties' economic platforms moved rightward and trade unions disintegrated, the working class – former partisans of the Old Left – became attracted to the far right's sociocultural authoritarianism (Ivarsflaten 2005; Kitschelt 2004; Oesch 2008; Rydgren 2009). At the same time, far right parties have intentionally underemphasized economic programs to unify a voter base consisting of blue-collar workers and the *petit bourgeoisie* on this second dimension of political competition (Kitschelt 2007; Ivarsflaten 2005).

Relatedly, the “conspiracy of silence” hypothesis suggests the mainstream left and right prevented immigration from gaining traction in the competition between mainstream alternatives (Bale 2003). This purportedly allowed the far right to attract the portion of the electorate susceptible to ethnocentric anti-immigration rhetoric (Bale 2003; Givens 2005; cf. Ignazi 2003; Kitschelt and McGann 1995). From these perspectives, anti-immigrant mobilization, while consistent with a broader constellation of preferences anticipated by both economic and sociocultural consequences of post-industrialism, remains disconnected from an economic dimension of party competition.

Conversely, the continued salience of immigration and changes in political opportunity structures consequent for all party families cast doubt on the argument that the immigration debate remains separate from the traditional left-right dimension. First, pressure on the center right to coalesce with extreme right parties has increased since the success of Green parties expanded the coalition possibilities for the center left, seemingly forcing the center right to align itself with far right positions on immigration (Bale 2003). Some mainstream parties have responded to the message of the extreme right by incorporating restrictive immigration programs in response to the issue's politicization and symbolically addressing sociocultural issues dredged up by the extreme right (Yılmaz 2012; Williams 2010; Bale 2003). This noticeable shift suggests the absorption of far right party platforms into Western European party systems (Williams 2010; Yılmaz 2012; cf. Bale 2003).

Contrary to early accounts, the far right's preoccupation with immigration does not make it a single-issue party, and there is a reasonably durable constellation of sociodemographic characteristics of far right supporters (Arzheimer and Carter 2006; Mudde 1999). As such, some scholars simply place the far right on the extreme end of the single left-right dimension (Abedi 2004; Carter 2005) or suggest the far right is something of a “halfway house” for disenfranchised center left voters as they move to the mainstream right (Mudde 2007). Other influential accounts ascribe obvious rightist qualities to far right parties. Kitschelt and McGann's (1995) seminal work includes an opposition to redistributive politics among the constituent characteristics of the new radical right. Moreover, the far right has generally supported conservative economic policies when in or supporting government (Bale 2003). There is also evidence to suggest the far right has moderated somewhat since its inception, perhaps to appear more “coalitionable” (Williams 2006). These latter

scholars emphasize the degree to which post-industrial political opportunity structures, in general, and the extreme right, in particular, have impacted and refocused party systems along a single dimension (e.g., Kitschelt and McGann 1995).

Next, we examine these contrasting perceptions. Specifically, we consider whether immigration, especially in terms of multiculturalism and national identity, has come to correlate with an existing left-right dimension since its politicization alongside the rise of the far right, or if positions on immigration are still best characterized as perpendicular to a left-right understanding of party competition.

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## The Expert Survey Data and Analyses

We measure the relationship between party position on immigration as a question of multiculturalism and national identity, and on the traditional left-right dimension of politics using expert surveys at four time points. Our data come from the European Election Studies' (EES) Euromanifesto Study (Schmitt et al. 2016), where after coding manifestos experts are asked to assess party positions on several issue areas. Although the expert evaluations are not formulaically derived from the manifesto coding, the degree to which manifestos are coded on multiculturalism is largely dependent on how immigrant integration, related to a national way of life, is addressed in the manifesto. We use the four most recent waves of EES data – 1999, 2004, 2009, and 2014. The  $t_0$ , 1999, represents the dataset immediately preceding the political impact of 9/11, 7/7, and the other events of importance to far right actors detailed in the previous section. We consider the nine EU-15 countries with far right parties by 2014, which is appropriate given the historical determinants of the traditional left-right dimension. Thus, our cases are Austria, Belgium, Denmark, Finland, France, Germany, Netherlands, Sweden, and the United Kingdom.

To compare party positions on the economic and immigration dimensions, we use two key variables from the data that asked party experts to position parties along 1–10 point scales:

(1) *Left versus Right (10)*

(1) *Multiculturalism versus Ethnocentrism (10)*

We expect the left-right scale to display the traditional economic conflict between social democratic and conservative parties. If immigration debate remains distinct from economic conflict (see Bornschier 2010), the multiculturalism dimension should have far right parties at one pole and traditional parties at the other.

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## Immigration, Multiculturalism, and the Traditional Left-Right

We examine the contrasting perceptions of how immigration as a question of national identity has become politicized in the party systems of Western Europe by mapping the changing correlations between the left-right economic dimension and

the dimension measuring multiculturalism versus ethnocentrism between 1999 and 2014. In so doing, we can evaluate the two differing perspectives on whether and where far right parties fall on the left-right continuum. The first perspective emphasizes the conspiracy of silence surrounding immigration, and the far right's participation in a new dimension of politics distinct from the traditional left-right continuum. Here, immigration represents the "rightist" stake in "new politics." If this school of thought is correct, we should see minimal correlation between parties' positions on multiculturalism (or ethnocentrism) and economic issues.

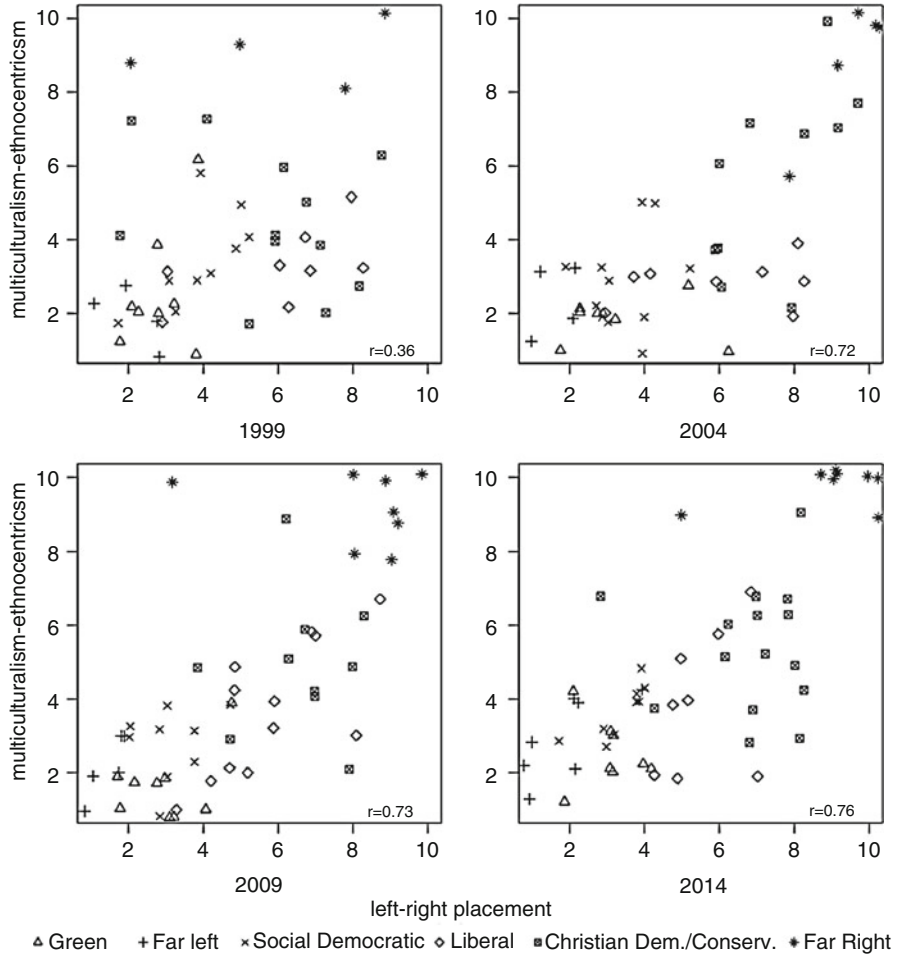
The alternative camp emphasizes the currency of immigration in Western European politics, because of which mainstream parties of both left and right have taken positions on immigration, facilitating its integration into the unidimensional left-right continuum. These latter scholars observe the many mainstream parties now proposing plans not altogether dissimilar from the ones previously proposed by their system's far right party (Williams 2010). Mudde (2013) indicates that social democratic parties have shown a tendency to move rightward on immigration only when there is a successful extreme right party present, though other impressions are mixed (Bale et al. 2010). Center right parties seem to be moving in that direction almost irrespective of extreme right party performance and have thoroughly legitimized the message of their far right competitors, radicalizing discourse and polarizing the party system (e.g., Bale 2003; Ignazi 2003). If this latter school of thought prevails, we should see increased correlation between the two dimensions.

Figure 1 shows the correlation between experts' assessments of parties on the 10-point left-right economic dimension and the 10-point multiculturalism-ethnocentrism dimension at four time points: 1999, 2004, 2009, and 2014. The data points are rounded to the nearest integer, so the data clearly indicate more populated coordinates. The figure provides insight as to how multiculturalism has been absorbed into the left-right dimension. In this sense, "rightist" positions on immigration represent not only more restrictive policies but also more ethnocentric ones. This distinguishes rightist parties who might oppose immigration in cultural terms from other parties that might oppose labor migration for protectionist, economic reasons.

The chart mapping 1999 party placement represents the period before the focusing events discussed above (i.e., 9/11, 7/7, etc.). In this chart, the economic dimension reflects largely predictable patterns, with far left and social democratic parties left of center, and liberal parties to the right of the center. Christian Democratic and conservative parties and far right parties, by contrast, can be found across the left-right dimension. For far right parties, the pattern illustrates efforts to corral economically diverse voters *vis a vis* non-economic immigration issues – namely, immigration as a matter of national identity (Kitschelt 2007; Ivarsflaten 2005). On the multiculturalism dimension, all of the far right parties are found at the top of the graph – the space representing stronger ethnocentrism. There is minimal correlation ( $r=0.36$ ) between parties' placements on the economic and multiculturalism dimensions overall. This spatial alignment supports early assessments (Ivarsflaten 2005) of far right parties and the immigration issue as orthogonal to the traditional economic cleavage.

By 2004, multiculturalism positions become significantly more correlated ( $r=0.72$ ) with expert assessments and remain that way through 2009 ( $r=0.73$ ) and





**Fig. 1** Party positions on multiculturalism-ethnocentrism and left-right, 1999–2014

2014 ( $r=0.76$ ). Between 1999 and 2004, Christian Democratic and conservative parties and far right parties assume rightist economic platforms and the moderate right grows increasingly ethnocentric. The lonely point in the upper left corner of the 2009 chart belongs to the radical right Finnish True Finns (PS) (Art 2011), indicating some durable programmatic heterogeneity among the far right as regards economic policy. By 2014, party families clearly cluster together on both the economic and multiculturalism dimensions, though the liberal party family displays the greatest variance, as it includes “social” liberals like the Dutch D66 and United Kingdom’s Liberal Democrats, “right” liberals like the Dutch VVD, and Scandinavian Agrarian parties (Ennsner 2012).

The clustering of party families suggests the incorporation of immigration as a question of national identity into the traditional left-right dimension of party

competition in Western Europe. Possible sources of this realignment include the diminished ideological base for post-communist parties in the aftermath of the cold war (Dalton 2008) and pressure on the center right to respond to or coalesce with extreme right wing parties (Carter 2005; Bale 2003). Contrary to the above, it does not seem to be the case that the far right has appreciably tempered its positions on immigration, rather the center right has moved in a restrictive direction (Fig. 2 below). The salience of immigration corresponds to more restrictive preferences among the electorate and in policy (Howard 2009), so this trend is not terribly surprising. There remains considerably more noise on the left side of the continuum, which is consistent with the comparatively wide variety of strategies identified for Social Democrats in the climate of far right success (Akkerman 2015; Bale et al. 2010).

To better examine this apparent realignment, Fig. 2 tracks the movement of party families over time on a single chart. We use the average value for each party family at two time points to better assess how each party family participates in the realignment of the dimensions examined above. Party families are useful for a more granular analysis in part because specific parties may differ between the two time points. This is especially true of the comparatively nascent far right where several countries have had multiple members of the party family emerge and disappear since 1999. We expect to see center right parties move toward more ethnocentric positions. Some movement by the far right on this dimension is also possible. More likely, however, would be far right movement on the economic dimension toward more traditionally rightist positions. Figure 2 may also shed light on the response of Social Democratic parties.

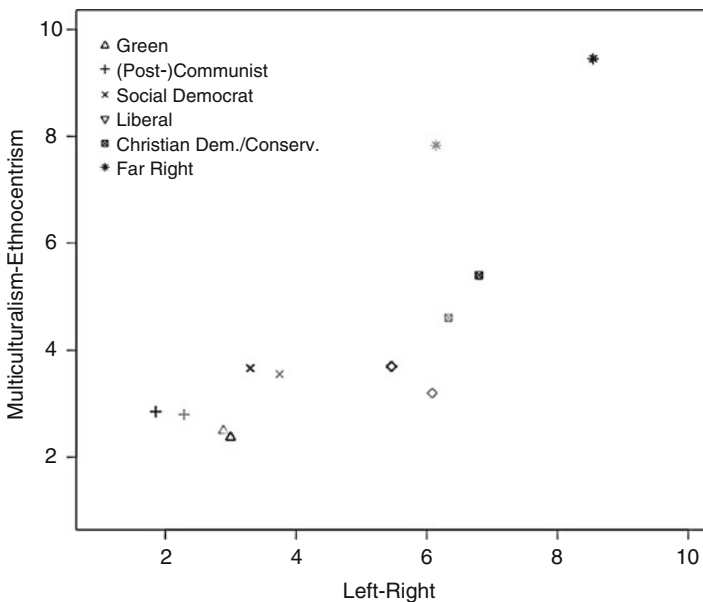


Fig. 2 Multiculturalism-Ethnocentrism positions over time

The black shapes in Fig. 2 represent party family positions in 2014; the grey shapes represent the 1999 averages. In 1999, there is a relative convergence by most parties on the multiculturalism dimension. By 2014, most party families move as predicted. Already by 1999, it seems the radical (post-communist) left has become integrated into the post-industrial dimension of party competition (Dalton 2008). There is an increase in ethnocentrism in center right (Christian Democratic, conservative, and liberal) party families. Contrary to the prospect of a more moderate far right, the far right moves significantly in an ethnocentric dimension, reflecting the potency of that strategy in Western Europe (Rydgren 2005). The Green parties in the sample move to the bottom left, indicating a dimension of party competition for which Green Parties and far right parties are the anchors (Bornschieer 2010; Cole 2005). Lastly, perhaps as a result of their variegated strategies on multiculturalism, there is little movement by the Social Democrats on that dimension (Akkerman 2015; Bale et al. 2010). There also seems to be some polarization in both dimensions, due possibly to the onset of the Eurozone crisis (Cramme et al. 2013), or influence of the far right on electoral politics (Carter 2005; Bale 2003).

Through this analysis it appears as though immigration as a question of national identity became increasingly accessible in terms of the traditional left-right direction over the first decade of the twenty-first century. While a relationship is present in 1999, it is considerably strengthened by 2014. As such, although it may not be accurate to fully endorse the “conspiracy of silence” hypothesis, it is apparently the case that the party systems of the EU-15 integrated immigration and national identity as the issues realized greater salience in the twenty-first century. Likewise, the far right party family does not appear to have moderated into the continent’s party systems, but has instead pulled center right actors toward its positions on immigration and multiculturalism.

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## Theoretical Implications for Immigrants and Immigration Policy

That immigration *qua* a question of national identity has become tethered to traditional left-right political conflict raises questions about the implications for immigrants and immigration policy. Indeed, these results have significant consequences for theoretical and practical debates. First, given that the increased politicization of immigration as a question of identity means increased salience and issue attention, tractable solutions to the influx of forced migrants are fleeting. Second, given the challenges of policymaking in high salience policy spheres (Givens and Luedtke 2005), governments may look to bureaucratic and technical policy changes to subvert criticism from the left while assuaging fears of the center and right. Finally, to the extent that immigration policy can be made at all amidst such heightened awareness, policy outputs are likely to be more restrictive (Givens and Luedtke 2004, 2005) and lay the groundwork for nationalistic, anti-immigrant policy regimes.

Existing work has identified hyper-awareness to immigration issues as a threat to the harmonization and liberalization of immigration policy in the European Union (Givens and Luedtke 2004). Though citizens' attitudes toward immigration liberalized during the 1990s, the 2000s have seen a slight increase in preferences for more restrictive and nationalistic policies (Caughey et al. 2017). Far from insignificant, this shift stands in contrast to the decided liberalization of social policy issue attitudes across Europe (ibid.). With immigration issues in the limelight, political parties and their legislators face increased scrutiny and pressure over actions in this policy sphere. As concern over immigration rises and pressure to implement more restrictive policies builds alongside the refugee crisis, parties must wrestle with the competing interests of voters and the humanitarian needs of the region. This reality complicates and politicizes the refugee crisis, unfortunately leaving few acceptable solutions.

Amidst the challenges of making policy in high salience issues areas, governments may rely on bureaucratic and technical policy solutions in an effort to manage competing constituent concerns. Specifically, as increased issue salience illuminates socially constructed conceptualizations of immigrants and immigration, elevates discussions of deservingness, and promotes calls for congruent policymaking, countries may bifurcate their administration of immigration policy based on individual immigrant utility and status (Schneider and Ingram 1993). That is to say, countries may increasingly adopt divergent rhetoric and strategies for skilled and unskilled labor or for prospective new arrivals and already present immigrants (Givens and Luedtke 2005; Wright 2017). Importantly, these public preferences may justify restrictive regulatory and administrative changes even in the absence of more substantive policy change. For instance, countries across Europe have developed integration requirements for citizenship and settlement, requiring migrants to demonstrate language competency and civic knowledge (Goodman 2012). These sorts of changes to immigration policy are likely to be met with less resistance than more substantive changes, but will still assuage the fears and concerns of attuned anti-immigrant voters. Thus, technical policy changes offer politicians an option for balancing competing constituent interests.

The European Election Voter Study reflects a secular increase in citizens identifying immigration as their countries' most important problem between 1999 and 2014. To the extent that policymakers succeed in making policy in this sort of high salience issue area, their policy outputs are likely to be more restrictive (Givens and Luedtke 2004). Given the growing pressure to reign in immigration and the corresponding stereotyping of immigrants as deviants, restrictive policymaking is congruent policymaking (Schneider and Ingram 1993). Beyond the shorter-term, normative implications of restrictive immigration policy, the development of restrictive policy may lay the groundwork for long-term policy shifts toward nationalistic and anti-immigrant policies. Specifically, research on policy feedback demonstrates that policymaking is iterative and self-reinforcing (Goodman 2012). Thus, the establishment of such policies may provide a foundation for increasingly restrictive immigration policies under the banner of national pride.

## Conclusion

The emergence of immigration as a defining issue in European politics reflects, along with the rise of environmental movements, the political opportunity structures in postindustrial societies where quality of life issues are increasingly salient. The incorporation of immigration as a question of national identity into party politics too reflects this change. To the extent that anxiety in the electorate regarding immigration was unrequited by mainstream parties, it opened the door for the far right. As the far right continued to gain popularity, and ultimately seats in parliaments, other parties were predicted to adjust their platforms in response.

The foregoing analysis assessed the relationship between a general left-right dimension of party competition and immigration in terms of multiculturalism. Immigration and multiculturalism have come to correlate with the existing left-right dimension much more strongly during the first decades of the twenty-first century. The right side of the spectrum has become more consistent than the left in their appropriation of restrictive and ethnocentric positions, with Conservative and Right-Liberal parties adopting more ethnocentric programs. Indeed, the increased role of immigration and multiculturalism in electoral politics attests to the “absorbency” of the traditional left-right dimension in Western Europe. Even in the relatively brief period examined here, the impact of immigration, multiculturalism, and the far right on EU-15 party systems seems clear, as does the party systems’ ability to incorporate these comparatively new issues. While other literature has considered the far right to be moderating, perhaps in an effort to be more “coalitionable” for the center right, we find little evidence of that here. Rather, the far right seems to have had a polarizing effect. This is a finding with important implications for the timbre of electoral politics, especially in the context of potential economic nationalism (cf. Brubaker 2011).

The increased salience of immigration as a question of national identity has implications at all levels of analysis. More restrictive policies toward immigration and citizenship exist where immigration is salient, and the far right is a principal actor in immigration’s politicization. This politicization also has ramifications at the systemic level as suggested by the analysis above. Perhaps most importantly, the expected shifts in policy outputs may produce lasting and meaningful shifts in migrant flow (e.g., Alarian and Goodman 2017). In sum, it appears that most party families have in some way repositioned themselves to correspond with a postindustrial dimension of party competition that features immigration as a question of national identity. The implications of this repositioning and attending increased salience of immigration alongside the myriad crises besetting Europe marks a critical juncture for European integration and for Europe itself.

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## Cross-References

- ▶ [Multiculturalism and Citizenship in the Netherlands](#)
- ▶ [The Significance of Ethno-politics in Modern States and Society](#)

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# Lost in Europe: Roma and the Search for Political Legitimacy

# 21

Neil Cruickshank

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## Abstract

In trying to locate/identify avenues for political representation and contestation in Europe, this chapter examines four discrete approaches that in various ways and guises have animated (and continue to animate) Romani mobilization (and the Romani movement) over the past few decades. In no particular order, these are: nationalism, transnationalism, internationalism, and cosmopolitanism. The argument hinges on two assumptions: (1) the European Union, and Europe generally, has the institutional capacity to accommodate a non-territorial, post-Westphalian, form of belonging and representation and (2) Europe's largest contiguous minority, Roma, could realize enhanced political legitimacy and efficacy through one of the suggested models. An important caveat to the discussion at hand is that "institutional capacity" is not the same as institutional willingness or desire,

N. Cruickshank (✉)

Political Scientist and Dean of the Faculty of Arts, Science, and Technology, North Island College, Courtenay, BC, Canada

Faculty Associate, Centre for European Studies, Carleton University, Ottawa, ON, Canada

e-mail: [neil.cruickshank@nic.bc.ca](mailto:neil.cruickshank@nic.bc.ca)

and the gulf between what could work and what lawmakers are prepared to endorse is, at this point, sizable. Various attempts to integrate Roma have failed, and it looks like that without a significant change in how Roma interact with politicians and jurists, at the EU and state level, they will remain peripheral and disenfranchised, and politically lost.

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**Keywords**

Roma · Transnationalism · Europe · European Union · Nationalism and political legitimacy

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## Introduction

One thing is for certain: For Roma rights to advance, something has to change. The promise of an integrated, open, and more humane Europe that would assist in the delivery of political and social rights has not materialized. Putting things in context, Zeljko Jovanovic, director of the Open Society Roma Initiatives, is quoted as saying: “When we started some of the major initiatives on Roma rights in 2003 and 2004, we saw more political will and less money than we have today available for addressing the situation for Roma” in Europe, he said. “We don’t have a scarcity of resources, we have a scarcity of political will” (Surana 2016). This “scarcity of political will,” and the dearth of political legitimacy that accompanies it, is the focus of this chapter. The concern is not with discrimination and racist attitudes per se, though they are both a cause and consequence of disenfranchisement, but with the possibility of political empowerment through new and different institutional arrangements. It is important to take a look at what different models offer; institutions and networks that might help Roma achieve political legitimacy and in turn improve group cohesion and identity.

It should be said from the outset that Roma are not “lost” in the literal sense, and the title should not be interpreted or construed in this way. Drawing this distinction is important because the last thing this chapter would want to do is contribute to the mistruths, falsehoods, and racist discourse that paint Roma as itinerant, exotic, and politically inattentive. Having participated in workshops, conferences, and research projects with and about European Roma, most recently in Budapest, I can say with relative certainty that Roma know exactly who they are, where they are, and what their contributions to European society have been since they migrated to Europe nearly seven centuries ago. Despite having lived in Europe since the early medieval period, only now are there opportunities in place, like the Romani Studies Program at Central European University, to study Romani language, politics, art, and culture. Going forward, the European Roma Institute for Arts and Culture (ERIAC), having opened its doors in June 2017, will surely serve as a hub for the study, curation, and preservation of Romani music, literature, and artifacts.

Speaking about representations of Roma in popular culture and ERIAC, Timea Junghaus said: “The stereotypical view of us is as a romanticised, sexualised, criminal people. The effect is false and destructive. Now we’re claiming our own

right to represent ourselves,” she said. “Self-expression will hopefully challenge these long-held assumptions and prejudices” (Connolly 2017). In this way, Roma are not only taking control of their cultural destiny but also working to develop institutions, organizations, and discourses that aid in their quest for political power, legitimacy, and representation. The time is ripe to discuss the sorts of representative models that will aid in this development and enable Roma to work across and through political frontiers. The existing arrangement, which relies upon States to integrate Roma, develop and implement strategies to enhance Roma representation at the State and local levels and work through European institutions to coordinate policies and construct metrics (to evaluate the effectiveness of those policies) has proven ineffectual.

This chapter is concerned first and foremost with political legitimacy and political representation and the ways in which both, or perhaps either of these, could be achieved through the various approaches described below. Therefore in the context of this chapter, “lost” denotes an uncertain position or spot among European states, nations, and institutions, both at the EU and European (i.e., continental) levels, wherein Roma exist uncomfortably (and simultaneously) at the local, national, international, transnational, and supranational levels. Lost also suggests fluidity and flux, constant movement and searching – in the political sense – at all levels and within all available institutions and organizations. There is no titular Roma state, and no homeland that could be used to mobilize the whole Romani community, worldwide. A population that numbers in the tens of millions. And differences remain with respect to the depth (and intensity) of attachment between any particular Romani community and their host state, or between any two Romani communities living in the same state. Like any diverse population, especially one that displays transnational or diasporic qualities, Roma are properly understood as an amalgam of ethno-politically similar, yet distinctive groups, rather than a single, culturally homogenous and ethno-linguistically unified population.

There are a lot of uncertainties, but it is unfair to assume that just because questions persist about the organizational density of the pan-European Romani community, scholars and lawmakers should not examine Roma as a contiguous population, deserving of group rights and representation. They display the sorts of ethno-linguistic, socioeconomic, and political markers that both invites one to examine Roma through a transnational framework and consider orientations that emphasize group belonging and expression. The problem, and why this chapter is reviewing four discernible paths to political legitimacy, is expressed by McGarry (2010): “from an academic point of view, Roma fall through the cracks of conventional theories on minorities which have so far failed to account for this diverse community. . .” (p. 3).

On that note, after orienting the reader to the history and plight of Roma, this chapter will first discuss Europe and the European Union, the backdrop to the theorizing, before outlining four possible (and potentially emancipatory) avenues to greater political legitimacy: transnationalism, internationalism, nationalism, and cosmopolitanism.

## Roma

The question is often asked: Who are the Roma? In his book, *The Romani Gypsies* (2015), Yaron Matras uses this question to animate his opening chapter and then, as a way to give shape to a group that sometimes seems more mythical than real, spends considerable time outlining the many stereotypes and prejudices Roma are subject to. Popular misconceptions of Roma, as vagabonds, fortune tellers, hustlers and worse, criminals, still shape popular discourse to such an extent that it is difficult to know where the fictional Roma ends and the nonfictional begins. Some of these inaccuracies and misrepresentations are so commonplace, like the idea that Roma are nomadic, that Europeans and non-European alike are quick to identify Roma as voluntarily stateless or itinerate. Such a belief excuses all sorts of unsavory policies and practices, permitting non-Roma to ignore and/or rationalize living conditions that are truly deplorable and treatment that is cruel and callous. Jean-Pierre Liégeois argues (2012), “it must be underlined that the majority of Roma are not nomadic, and many would prefer not to be but are obliged to be so in order to adapt to changing and often threatening living conditions” (p. 26). It is also for this reason that Roma have emigrated from central Europe to Canada, the USA, and to other Western European states (like the UK and Ireland).

It is hard to find a time when Roma were not subject to mistruths, falsehoods, and cruel stereotypes. One of the more outrageous yet enduring claims concerns the idea that “Gypsies” are kidnapers of non-Roma children. The idea being that “nomadic Gypsies” would kidnap children as they travelled from town to town, village to village, with their itinerancy making it nearly impossible for authorities to find and rescue the abducted children. But this sort of mindset, as obviously prejudicial as it is, is far from historical.

In 2013, a young girl with blonde hair and blue eyes named Maria was “rescued” by Greek authorities when she was discovered living with a Roma couple outside Athens. News outlets around the world ran with the story, publishing articles and broadcasting stories that assumed, first, that Maria was most certainly not Roma (because of her complexion and hair color) and, second, was clearly the victim of a “Gypsy” kidnapping. Tabloid newspapers, like the *Daily Mail*, asked rhetorically if Maria could one of the many missing girls reported from the UK or elsewhere. Within days of the Maria story airing in Europe, *Fox News* (in America) published the story “Missing Missouri child could be a match for gypsy girl, attorney says.” Hysteria and racist discourse is all too common when Roma are involved, and especially when an event or alleged crime, like the abduction of Maria, fits the narrative of Roma being itinerant, dishonest, predatory, and non-European. The custodial parents of Maria, a Roma couple living in Greece, explained to authorities that they were minding her for a family friend, who lived in Bulgaria, and asked for their help because she could not afford to care for her. This explanation for why Maria was in their custody was met with credulity and ridicule. They were asking, as many were, how could it be that a blond haired, blue-eyed girl with a fair complexion is living, *legitimately*, with a Roma family?

In the end it was discovered, through DNA testing no less, that Maria did in fact belong to a Roma woman living in Bulgaria, and that the explanation given to police and child services by Maria's guardians was, indeed, the truth. Moreover, *Maria is Roma*. So, Maria is not a "mystery girl," a "kidnap victim," and she is certainly not the "missing Baby Lisa." As Zeljko Jovanovic (2013) points out, "when the glare of the media spotlight fades, Maria will go back to a life of exclusion, without basic documentation or rights" (np). Clearly, there is a sinister side to the sort of mythologizing that produced the inaccurate and racist narrative around Maria's apprehension; it permits and excuses all manners of prejudicial and cruel behavior. This is something that Roma are continually dealing with, trying to overcome and having to fight against. And this is why an appreciation (or better yet, an understanding) of how prevailing discourses and imagery complicate any discussion related to Roma activism, Romani political mobilization, and, the issue at hand, political representation and legitimacy.

Peter Vermeersch (2006) a scholar of Romani political mobilization, spends considerable time contemplating the use of the term "Roma" and its implications. He argues "the introduction of the term 'Roma' (. . .) clearly represents an attempt to break away from the social stigmas and to produce a more positive, more neutral, and less romanticised image" (p. 13). The term, Roma, while being somewhat imprecise because it covers Sinti, Manouche, Travellers, Gypsies, etc., is now used by enough IGOs and organizations, and researchers and journalists, to make it the preferred noun for the whole group heretofore referred to (most often pejoratively) as Gypsies. While this chapter does use the term Roma, it does so in the knowledge that the term is a shorthand for a remarkably diverse community that has lived in Europe, uninterrupted, since before the European state system emerged.

For Vermeersch (2006) "Romani identity is the result of a complex process of labeling, categorization, and self-categorization. To study the Romani movement means to study that process of labeling, categorization, and self-categorization in political action" (p. 3). He goes on to caution, "a serious analysis should not simply focus on specific forms of lifestyle, traditions, descent, language usage, and so forth; it should ask why and in what social and political circumstances such phenomenon become generally accepted as markers of Romani identity" (p. 3). The enduring debate about (what is) Romani identity, (who represents and can speak on) Roma culture, and (who are) Romani people is in some respects the by-product of decades – if not centuries – of unhelpful, and at times racist, discourses.

In Europe, Roma are a contiguous minority numbering approximately 12 million. The majority of Roma live in central and Eastern Europe. This number, however, is just an estimate. The uncertainty stems from poor record keeping, internally displaced Roma lacking proof of citizenship and/or residency, and state bureaucracies unconcerned with obtaining reliable census data. Also, not everyone from a Roma family will self-identify as such. It is a sad truth, but many Roma have traded their ethnic identity for enhanced life chances. Simply put, in Europe non-Roma are more likely to find employment and suitable housing than Roma.

Roma are Europe's largest minority and live in all areas of Europe, and all EU states. It is generally accepted that Roma arrived in Europe approximately seven

centuries ago, living and working alongside non-Roma for just as long. Since their arrival, Roma have contributed to European economies and culture. They are as much a part of Europe as any other ethnic group and just as entitled to the fruits of European “civilization” as anybody else. Despite these objective truths, Roma continue to be scapegoated and treated as “outsiders.” Aiden McGarry (2017) refers to this condition as Romaphobia. He defines it as:

Romaphobia is the hatred or fear of those individuals perceived as being Roma, Gypsy or Traveller; it involves the negative ascription of group identity and can result in marginalization, persecution and violence. Romaphobia is a manifestation of racism: it is cut from the same cloth. Romaphobia is no different in form and content to Islamophobia or anti-Semitism, both of which are on the rise in Europe, but its causes can be particularised. There is something *specific* about Romaphobia, even if its racist core is familiar (p. 1).

Subject to segregated schooling, coercive sterilization, pogroms, and physical violence, Roma have never really enjoyed full citizenship rights in Europe. This chapter’s preoccupation with legitimacy and representation speaks to this continued marginalization. The models being advanced, presumably, can help with the development of a more robust political identity.

In this context, and how the concept is being applied here, political legitimacy is a term that denotes the level, degree, or efficacy of a subject’s involvement in formalized political processes and decision-making. If an actor or organization has “political legitimacy,” they are deemed to be a part of political decision-making and, most importantly, are thought to represent a discrete segment of society. With legitimacy, Roma can engage with other stakeholders, as a stakeholder, and not have to worry about communicating through others, be it states, NGOs, or law-makers, to decision-makers at the European or State level. Frankly, legitimacy is the difference between being ignored and being heard. Moreover, legitimacy begets legitimacy. As Dür (2011) argues, “interest groups’ resources mentioned in the literature include money, *legitimacy*, political support, knowledge, expertise and information (. . .) By dealing with certain political bureaucratic actors (in particular officials that are not directly elected, such as those in the European Commission), interest groups may also be able to convey legitimacy upon them” (p. 112).

The argument here proceeds on two foundational assumptions. First, the European system, which consists of a lattice work of EU institutions and protocols, structures, and, regimes, along with overlapping and cross-cutting bilateral and multilateral agreements, partnerships, and working groups, and an emergent European public space, is ripe for transnationalism, transboundary (or cross-border) activism, and cosmopolitan thinking. Second, Europe’s largest contiguous minority population, Roma, are in a position to take advantage of (or derive political legitimacy from) this transnational turn in European politics. However, the argument proceeds cautiously. As the title of this chapter implies, being *in a position* to take advantage of new political opportunities is certainly not the same things as actively taking advantage of them.

There is no panacea at this point, but the proposed models seem appropriate, in different ways, for a European space that utilizes multilevel decision-making and

governance. It is important to acknowledge that some EU states are actively challenging this orthodoxy and pushing back against EU institutions and, in particular, principles fundamental to the European project, like freedom of movement. These challenges to some aspects of European integration, however, fall short of undermining its core institutions and the bulk of the treaty law dating back to 1951.

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## Europe

To say that Europe has undergone a fundamental political-economic transformation since the end of World War II is hardly contentious. The development of the European Union, both horizontally and vertically, and its impact on the pace and character of democratization in central and Eastern Europe has both been remarkable and profound. Even a cursory examination of the transition period beginning 1989 will yield countless examples of how the drive to join the EU (for states like Poland, Czechoslovakia, and later the Czech Republic and Slovakia, Hungary, Romania, and Bulgaria) and the official accession process influenced decision-making around economic planning, public policy, and the structure and function of newly created democratic institutions. Moreover, with emphasis on governance and civil society, a new expanded Europe looked a perfect match for a transnational community searching for new political opportunities and enhanced legitimacy.

It was with central and Eastern Europe in mind that in 1993, the EU developed its accession criteria (“the Copenhagen Criteria”). Among these criteria was “stability of institutions guaranteeing democracy, the rule of law, *human rights and respect for and protection of minorities*” (emphasis added). While abstract, and arguably aspirational, the articulated concern for minority rights and the prominence it was given during the accession period was for many a step in the right direction. It was at this point, as well, that Roma and human rights NGOs were optimistic and hopeful. There was a belief that the new institutions of democracy, coupled with an open, diverse, and reenergized civil society, would advance a kind of participant political culture that would be inclusive to Roma. However, this did not materialize. As Ringold et al. (2005) discovered: “For several interwoven reasons, Roma poverty is rooted in their unfavorable starting point at the outset of the transition from planned to market economies. Low education levels and overrepresentation among low-skilled jobs led to labor market disadvantages. . .” (p. xiv). In other words, everything perpetrated against Roma during the socialist period, in particular the practice of segregated schooling, conspired to limit any potential gains they could have made during the transition period.

The transition to democracy and accession to the EU occurred by way of a complex and complicated process. The two processes, democratization and Europeanization, are in many ways mutually reinforcing. Some of the changes occurred at the institutional level, involving the *acquis communautaire*, which is the whole body of European law new members are expected to adopt, and others occurred (and are still occurring) at the cultural and discursive levels. Through the process of Europeanization, accession countries (like the Czech Republic, Poland, Slovakia, Hungary,

and Romania) learned not only how to practice democracy, but most critically, activists learned how to utilize pan-European networks to advance their claims.

The other important development has been the creation of a human rights regime. The regime, comprising both European and EU institutions, rules and treaties, offers minority groups recourse to universal standards and fundamental human rights. This regime, consisting of the EU Charter of Fundamental Rights, the European Convention on Human Rights (“the Convention”), the European Court of Human Rights (ECtHR), which serves as a final appellate court for anyone residing in a signatory state, and the Court of Justice of the European Union, is remarkable advancement in the practice and application of transnational human rights. In short, this regime constitutes an important institutional and discursive development.

In the first instance, it affords minority ethnic groups, like Roma, additional opportunities to query and challenge discriminatory practices that occur at the state level. In *D. H. and Others v the Czech Republic*, a case heard by the ECtHR in 2007, the majority of jurists ruled that segregated schooling violated several principles of European law, including Article 14 (‘Prohibition of Discrimination’) of The Convention. Article 14 reads: “The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.” In the second instance, which is perhaps more difficult to see, the presence European-wide rights discourse not only reinforces the idea that human rights are universal but also routinizes the application of law in matters of discrimination and unequal treatment.

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## Four Pillars of Political Legitimacy

As a heterogeneous and geographically dispersed population, and a group without the strong national, religious or linguistic bonds that many other ethno-political groups claim to have and rely upon to create social cohesion, it is impossible to speak of a single Roma political movement or ideological orientation. It is equally difficult to speak of a single, encompassing Roma identity, be it ethnical, racial, sociopolitical, socioeconomic, or otherwise. Saying this, it is important to recognize that Roma, regardless of where they live, share a common condition. They are viewed by the majority population in similar terms, through a racialized lens, and very often subject to the same indifference. So, despite differences between and among Roma and Romani groups, Roma are united by a common history and the acute discrimination they experience across Europe and throughout the world. However, they are also united in their pursuit of justice, social and economic rights, political legitimacy, and in their concern for overcoming systematic, institutionalized and often public expressions of anti-gypsyism.

With that, and in the hope of moving the discussion about Roma rights forward, this chapter looks to identify four popular and potentially viable models available to Roma for the enhancement of both political representation and legitimacy. Before proceeding with that discussion, it is important to summarize where we are, in terms



of Roma rights and representation, and what the principal concerns are relative political legitimacy and representation. The current situation can be boiled down in this way:

1. Despite attempts to integrate Roma, initiated primarily at the European level, they continue to experience discrimination, harassment, and maltreatment in a variety of ways and forms. Physical violence, forced evictions, and segregated schooling continue to happen across Europe. Programs designed to assist with integration, like the Decade of Roma Inclusion 2005–2015, started with great fanfare but, as with other top-down initiatives, fell far short of delivering any tangible improvements. It goes to reason that either the existing institutions are ill-equipped to deal with ongoing marginalization of Roma, or Roma lack the political power, and by extension legitimacy, needed to bring about change through contentious politics.
2. The European Union, a system that encourages informal decision-making and governance, is home to a constellation of actors and organizations actively working across political frontiers. Power is highly diffuse. Social movements, contentious politics, and collective action occur with little regard for jurisdiction and Westphalian norms. The presence of the European Court of Human Rights, coupled with deepening and widening human rights law, changes the parameters of contention in a very real (and still uncertain) way. Some activists, and some Roma, are still holding out hope for the EU Framework for National Roma Integration Strategies (EU Framework), which began in earnest in 2011. The idea being that each EU member-state should know how to best integrate Roma living within their territory, as each city, town, and village will present differently when it comes to Roma–non-Roma relations. Noting the previous point (no. 1), Roma are beginning to look at models and approaches that move beyond status quo, take advantage of new European institutions, laws and norms, and offer the possibility of emancipation.

So, the models being examined here align with new and emerging possibilities. The post-structural turn in Romani research has ushered in a new sense of optimism, and with this a reimagining of governance, representation and legitimacy.

The four approaches overlap in some ways, though they each tend to emphasize a different element of relational politics and decision-making. In functional terms, each approach is different as well. They demand different things as far as institutions are concerned and draw the eye to different levels or spheres of governance. While they can be applied at the same time, some of the incompatibility that exists between them will make it very difficult to advance more than one or two models simultaneously. But, it is possible to advance from one model to another.

Internationalism, for example, functions according to the principle of sovereign equality and on the basis that each group, being a named community, will assume the personality of a discrete (potentially juridical) actor. Responsibility resides with the representative of each group to communicate concerns to a larger group, and the larger group in-turn takes decisions on behalf of the whole. If this sounds like representative democracy or intergovernmentalism, it should. A model premised

on internationalism would adhere to the notions of subsidiarity and collective decision-making, and focus attention on each community.

Transnationalism is first and foremost a process whereby information, ideas, and norms travel across political frontiers, and political actors feel unconstrained by traditional identities and boundaries – be it citizenship, geography, or language. Linking the idea of transnationalism to migration, Portes et al. (2009) contented the concept is suggestive of “a permanent back-and-forth movement in which migrants lived simultaneously in two or more societies and cultures, tying them together into ‘deterritorialized’ communities” (p. 568). The appeal of this approach is that it can accommodate multiple identities and belongings.

In some ways, nationalism appears incompatible with the new, integrated, and multileveled European Union. After all it was nationalism and the horrors of World War II that motivated Jean Monnet and Robert Schuman, among others, to develop the European Coal and Steel Community in the first instance. However, in trying to build cohesion and a robust identity, it might be appropriate for Roma to advance a doctrine of nationalism. Nationalism, as Ernest Gellner (1983) argues, “is primarily a political principle, which holds that the political and the national unit should be congruent” (p. 1). As it has been advanced so far, Romani nationalism is less concerned with statehood than the development of solidarity between Romani communities. With devolution, subsidiarity, and federalism, not to mention The European Committee of the Regions (CoR) that actively seeks input from sub-national governments, it looks like a form of nationalism can be advanced that does not myopically pursue statehood.

Cosmopolitanism has both an empirical and normative dimension to it. One of its principal opponents, David Held, offers this definition:

Cosmopolitanism elaborates a concern with the equal moral status of each and every human being and creates a bedrock of interest in what it is that human beings have in common, independently of their particular familial, ethical, national and religious affiliations. It does not deny the historical, sociological, and political significance of these kinds of identity, but argues that they can obscure what it is that all people share – the bundle of needs, desires, anxieties and passions that define us all as members of the same species (Held 2010, p. x).

With its focus on morality, subsidiarity, and universal human rights, it is not hard to see why Roma activist and sociology professor, Nicolae Gheorghe, advanced this approach as a way to reconcile local concerns with pan-European institutions and norms.

The next few pages will delve a little deeper into each of the identified approaches.

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## Transnationalism

As a community contiguous to Europe, with familial bonds that stretch across political frontiers and with a history that predates the European state system, Roma appear not only well-situated to become a transnational community but,

objectively speaking, *are already* a transnational community. With EU expansion in 2004 and 2007 came the institutional framework that would (and could) help facilitate the further transnationalization of European Roma, and more importantly, created among lawmakers, at both the European and State levels, a sense that Roma are a “European” community. The development of a European public space, a European civil society, and a European human rights regime, as mentioned above, all contributed to this new discourse. The United Nations identifies the constitutive elements of a transnational community:

Trans-national communities are one aspect of trans-nationalism. Trans-national communities are groups whose identity is not primarily based on attachment to a specific territory. The notion of a trans-national community puts the emphasis on human agency: such groups are the result of cross-border activities which link individuals, families and local groups (UNESCO 2013).

Recall, Roma are peripheral actors in all European States, continually being derided for their culture and ethnicity, which many posit is not or non-European. We now know that Roma have lived in Europe for nearly a millennia, but the idea that Roma are from somewhere else persists. This defies logic, but as McGarry points out, Romaphobia involves a denial of fundamental truths and wanton disregard for Romani history and culture. There is no question that Roma migrated to and across Europe at some point during the early medieval period. However, moving back to the here and now, today's Roma are geographically dispersed and heterogeneous, speak different languages, and have a more profound attachment to their own community – not the broader European diaspora. The question is, how do Roma develop political bonds while retaining their regional and/or clan differences?

The answer lies, it would seem, with the kind of transnationalism being described below. It is easy to speak of Roma as a single population, especially with the advent of the term, “Roma.” A term that is, admittedly, imprecise. But it is not considered pejorative, like the term Gypsy, and is favored by all European institutions, including the EU. Despite the homogenizing effect the term Roma has had, cleavages within the Romani community exist, are sometimes profound, and often make consensus difficult if not impossible to achieve. Recognizing this, it might be that a transnational model is the only possible way to balance the needs of the whole group with the wants of each Romani community. The quote, below, provides a strong endorsement of this model.

There is no substitute for having human rights everywhere; this is the logic of seeking to define Roma as a transnational rather than a national minority. It is not so much that the rights of ethnic minorities must be protected, as that ethnic majorities must be in themselves deconstructed. The foundation of global human law must shift from the self-contradictory illusion of national self-determination to a new bedrock of individual human self-determination. The unfolding agenda of Gypsy activism may be nothing less than the abolition of the nation-state. The mere existence of such an agenda has profound implications for any sociology of group conflicts (Gheorge and Acton 2001, p. 69).

A transnational approach would prompt Roma to develop connections across and between political boundaries and look to supranational institutions for the mediation of political disputes. Moreover, it would empower individual Roma to exert their rights, as members of an ethnical group. This could be the compromise needed to push the discussion of rights forward.

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## Internationalism

In some respects, the international model is subsumed within “transnational” and “national.” So, this section really serves as a bridge between the two. However, there are two important things to keep in mind.

First, separate from a transnational identity, Roma have acquired an international personality that in some instances, through the United Nations (UN) system for example, has allowed activists to directly communicate their grievances to world leaders and agencies with global reach. A 2013 position paper authored by the Roma Regional Working Group of the United Nations Development Group (RRDG) outlines the advantage of the UN system:

As the guardian of the international human rights system, the UN has a unique role in supporting and strengthening national and local authorities and others to ensure effective domestic implementation of human rights. More particularly, UN entities frequently have operational strengths in the field in particular countries, making them well-placed to assist authorities in securing Roma inclusion (RRDG 2013. p. 1).

As it has been documented elsewhere, and despite good intentions, Roma are still very much at the margins of society with little in the way of dynamic political power. However, whereas in the early 1990s Romani issues were thought to be specific to Europe, they are now of international concern. Part of this has to do with the movement of Roma from Europe to North America, primarily, but also South America and Australia.

Second, the establishment of the International Romani Union (IRU) in 1977 effectively reoriented the focus of some Romani activists. The hope was to involve global actors and institutions in the pursuit of political rights and ultimately the amelioration of anti-gypsyism around the world. However, to achieve international personality Roma would first have to develop as a coherent nation. As reported by Acton and Klimová (2001):

Dr Ščuka continued that gadje saw Roma as a minority group, social group or even a criminal group and was adamant that Roma should not let themselves be defined in that way by outsiders. Roma were, above all, a nation in their own right, and should be seated as a nation in organizations like the UN and UNESCO.

With the president of the IRU, Dr. Ščuka, identifying Roma as a nation, it might be that before any of the models can be pursued, especially internationalism and transnationalism, Roma must first contemplate the efficacy of nationalism.

## Nationalism

Unlike the Scottish, Welsh, Catalans, or Basques, all subnational groups that are geographically rooted, Roma are without a single, coherent delimited territory, other than Europe as a whole, and the particular regions/areas they inhabit within existing states. And unlike Indigenous people in Canada that have been recognized at the constitutional level, they lack the juridical right to self-government and a historical claim to territory. There is no process in place to identify Romani lands or areas that might be understood as historically Roma, or populated by Roma. So when discussing the parameters of Romani nationalism, it is a non-territorial (non-irredentist) form of nationalism that is being considered. Calls for cultural, legal, and political rights have been issued, but not territorial rights. Since the early 1970s, some Roma, particularly those associated with the IRU, have been discussing nationalism and presenting a program of non-territorial political rights. In this way, Romani nationalism departs from other forms of European nationalism. Some comparative analysis has been done between European Jews and Roma, the form of nationalism practiced by each and how each group mobilized in the nineteenth and twentieth centuries. While there are some commonalities, the cases are idiosyncratic, and there is no Romani equivalent to Zionism.

Unsurprisingly, researchers have given Roma nationalism some thought (Fosztó 2003; Liebich 2007; McGarry 2011, 2014). This has also involved looking at the utility of the paradigm, used more confidently (and commonly) by people making an irredentist claim, like Québécois or Catalans. It is not a common approach, admittedly, but given the structure and function of the European Union, it makes sense to contemplate how a Romani nation would interact with European lawmakers. Having presented on the topic of “Roma Nationalism,” to audiences in Europe and North America, it became apparent early on that many European Roma, and non-Roma for that matter, equate nationalism with Nazis or Fascists. The interwar period, 1919–1939 was marked by nationalism and nationalist discourse, and the targeted killing of Roma, Jews, and others deemed “inferior.” It is not surprising that Roma, today, are skeptical of nationalist.

Thoughts of the former Yugoslavia, once beset by ethnonationalist violence, were also top of mind. Given this association, it makes perfect sense that most Roma would not want to embark on a nationalist program. In *Europe is Ours: A Manifesto*, Ethel Brooks (2018) asserts: “We claim nationhood without aspiring to the hierarchy of the nation-state; nor do we aspire to the tyranny of the border or the imperative to empire that are part of the legacy of Europe, embodied in the current system of nation-states.”

Like all good areas of scholarly inquiry there are plethora of approaches, theories, methodologies and concepts available to the earnest researcher. Sometimes it looks like there is more disagreement than agreement when it comes to the study of nations and nationalist movements, and this applies to the utility of the term “nation” itself. Looking back at the Warwick debates (1996), between eminent theorists of nationalism Ernest Gellner and Anthony D. Smith, it is easy to see just how unsettled some of the basic assumptions about nations and nationalism are. The debate, for example, revolved around the questions: The nation: real or imagined? and “Do nations have

navels?” There is still fundamental disagreement about how and when nations are created, their scope and character, and the value of looking at groups of human beings through a nationalist lens.

Further complicating matters is the splitting of nation into “ethnic” and “civic.” Having reviewed several political science textbooks and books on nationalism, this taxonomical shorthand is becoming all too common and with that accepted. Michael Ignatieff (2006), for example, argues “civic nationalism (. . .) maintains that the nation should be composed of all those – regardless of race, color, creed, gender, language, or ethnicity – who subscribe to the nation’s political creed” (p. 6). He goes on to say in the same paragraph that this type of nationalism is democratic, inclusive and is “a community of equal, rights-bearing citizens, united in patriotic attachment. . .” (ibid.). According to Ignatieff, “ethnic nationalism claims (. . .) that an individual’s deepest attachments are inherited, not chose. It is the national community that defines the individual, not the individual who define the national community” (p. 8).

Intersectionality assumes people might share ethnic or national markers, like Roma do, but is also supposed that members of the same group belong to other discernable groupings. Smith (1996) definition, below, is a useful starting point:

Ethnic community (or ‘ethnie’) as a named human population of alleged common ancestry, shared memories and elements of common culture with a link to a specific territory and a measure of solidarity; a ‘nation’ as a named human population sharing a historic territory, common myths and historical memories, a mass, public culture, a common economy and common legal rights and duties; and ‘nationalism’ as an ideological movement for the attainment and maintenance of autonomy, unity and identity on behalf of a population some of whose members deem themselves to constitute an actual or potential ‘nation’ (p. 446)

Martin Kovats (2003) offers a critique of Roma nationalism, arguing among other things that Roma, as a heterogeneous, diasporic, and loosely aligned community can never really achieve anything akin to a nation-state. His analysis is striking and worth quoting at length.

Roma nationalism represents the politicisation of the Romantic racial myth of the ‘Gypsy people’; this, though intellectually discredited, has been thrown a lifeline due to its political utility. The application of ‘Gypsy’ identity has traditionally been used to marginalise the status of these communities, and Roma nationalism accords with this tradition by legitimating the ideology of segregation and suppressing democratic political development in order to sustain the marginalisation and isolation of ‘Roma’ people so they become politically dependent on the nation’s elite. The nationalist agenda can only be realised by ripping Roma people from the societies in which they are citizens. It tells Roma people it is pointless trying to use the established mechanisms for democratic political accountability within their home countries; nor should they seek political support from amongst their ‘non-Roma’ fellow citizens. Indeed, attributing the problems experienced by Roma people to the racism of their neighbours could not be more important to an ideology which deliberately seeks to exacerbate social tensions (ibid.).

There is an implicit assumption that nationalism, and by extension the formation of a nation, is counterproductive and somehow destabilizing and would only work to sow

more distrust between Roma and non-Roma, and between Roma themselves. Kovats also asserts that a Roma nation would effectively rip Roma “from the societies in which they are citizens” (ibid.). When one of the biggest problems facing Roma is political representation, or rather lack thereof, it might be time to pursue a nationalist agenda.

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## Cosmopolitanism

One of the more intriguing developments of the past two decades has been the renewed interest in cosmopolitanism. This model is being applied to Roma, certain aspects of the EU, and more generally to what have been identified as a post-Westphalian world order. As social scientists grapple with new kinds of governance, what appears to be an ever intensifying globalization that links people from disparate regions in awkward and exhilarating ways, and the spread of NGOs, IGOs, and transnational corporations (TNCs), they are looking to novel (and granted, some less novel) theoretical approaches to help explain forces behind contemporary decision-making and political mobilization. As the closest thing to a cosmopolitan order, a confederation of sovereign states working under the direction of supranational institutions, the EU has attracted a lot of attention from empiricists and theoreticians alike. And for good reason, as the EU acquires a genuine public space and civil society, and further establishes its human rights regime, which features a charter of rights and convention (i.e., *Charter of Fundamental Rights of the European Union* and *European Convention on Human Rights*) and an appellate court to adjudicate human rights violations (i.e., the European Court of Human Rights), and continues to rely on pan-European political networks and systems of governance to legitimate its political decision-making, it looks to approximate. Van Hoof (2014) suggests:

But cosmopolitanism is not just another name for egalitarianism or liberal humanism. What it targets are forms of discrimination that arise from the victim's being of a different nationality, ethnicity, religion, language, race or any other form of identity that is used to classify people into discrete groups (. . .) It is the division between people that are created primarily by religion, race, nationality and ethnicity that are of central concern to cosmopolitanism (p. 5)

There is a danger when applying cosmopolitanism to Roma and Romani ways of knowing and understanding that one might, rather unintentionally, fall victim to romanticism. This is something that should be guarded against. Roma have been portrayed as itinerant, carefree vagabonds that travel throughout and across Europe (in wagons or caravans) with little concern for civility or societal norms. Many believe Roma are fortune tellers, mystics, and musicians. While cosmopolitanism is worth considering, it is an approach that could further malign Roma and provide lawmakers a reasons to shirk their responsibilities with respect to Roma living in their state.

## Conclusion

The discussion here has been about legitimacy and representation. The arithmetic is fairly simple: Roma lack political clout and power, and therefore within the existing institutional framework have been unable to acquire the political legitimacy that would normally translate into meaningful representative authority. In this way, as the title of this chapter suggests, they are lost, perpetually navigating an institutional environment devoid of real political opportunities. Complicating matters, and despite being a contiguous, diasporic ethnic community with a territorial claim to many parts of Europe, they never developed the accoutrement of a Nation. (Although the existence of a Romani flag and anthem are indication of some movement toward that possibility.) Further, their status as a diaspora, of Europe's largest ethnic community, has not translated into increased political power. As this chapter has argued, changes at the structural and discursive levels are the only way to ameliorate this condition of political impotence and marginalization. But critically, and for it to be effectual, this structural change has to occur outside existing channels, either above, below, or in-between European national states. The four perspectives covered, nationalism, internationalism, transnationalism, and cosmopolitanism, even if combined in some way, shape or form, will undoubtedly provide that opportunity.

Moving away from (or pulling out of) existing political institutions to build cohesion and political legitimacy might seem wrongheaded, even regressive, but such a move will help Roma develop connections, between and among themselves, and the social capital required to effect change. True, national states should be prepared, willing, and indeed able to address the maltreatment and disenfranchisement of Roma. After all, Roma are citizens deserving of rights, protections, and ultimately the same life chances accorded non-Roma. However, 30 years after the collapse of state socialism in central and Eastern Europe, Roma are no better off, with little to no improvement in their per capita wealth. Poverty, ill-health, and illiteracy disproportionately impact Roma. So, they are poor, undereducated, and subject to a host of discriminatory policies and practices, including segregated schooling, deportation, and forced relocation. Denial of citizenship, and the internal displacement it produces, is the net result of continuing, endemic forms of institutionalized racism. With many Roma inhabiting a legal gray zone, authorities are able to intimidate, coerce, and simply ignore whole swaths of the Romani population.

Only through an examination of the policies, practices, and prejudices that have prevented Roma from realizing full political participation at the State and regional levels can one begin to fully comprehend the breadth and the depth of the representative deficit. With this in mind, and with an eye to the future, it is important to contemplate models that move beyond *status quo* and in parallel look for ways to build capacity among Roma. This chapter attempted to do this. Admittedly, the discussion here is not altogether novel nor ground-breaking, as the approaches presented above have been examined elsewhere and applied across disciplines. However, by presenting transnationalism, internationalism, nationalism, and cosmopolitanism as alternative frameworks capable of producing political legitimacy, this



chapter is contributing to an ongoing discussion about ethnopolitical mobilization, minority group representation, and identity politics.

Political empowerment has not come easily for Roma, and where gains have been made, they have often been modest, incremental, and episodic. Realizing this, this chapter is just the start of longer, more in-depth exploration of different representative models and sources of political legitimacy.

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## Cross-References

- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [Stereotypes of Minorities and Education](#)

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## Part III

# Stereotypes and Prejudices

## Part Introduction

This part of the book comprises 14 chapters that describe, dissect, and critically examine the nature of stereotyping, prejudice, and racism; and the consequences of these cognatic and behavioral dimensions of fairly ubiquitous ways of thinking and acting, as well the struggles against racism. The authors draw case studies from various parts of the world.

One of the salient features of modern-day societies is the occurrence of various forms of discrimination based on ethnicity and race among almost all multiethnic member states of the United Nations. The extent of state responses to quell discrimination and promote multiculturalism and antiracism varies considerably. In many countries, the promotion of cultural diversity and equality of opportunity in a situation of institutionalized racism remains a major challenge.

The first chapter by Vijay Naidu provides a conceptual and historical overview of race and racism, and the following chapter by Paul Spoonley provides a sociological assessment of stereotypes and how they are institutionalized and manifested in human relationships. approach them differently in relation to how they are applied in different contexts. The chapters which follow provide a variety of unique case studies from various parts of the world. Alois Mlambo provides a critical analysis of colonialism in Zimbabwe (Southern Rhodesia) and documents the profoundly debilitating effects of discriminatory policies on Indigenous Africans in relation to land, education, labor, residence, and livelihoods. Land appropriation by the colonizers was central to tensions and conflict between Indigenous peoples, the white settlers, and the colonial government.

The history of discrimination based on skin color survives in various forms in contemporary societies. This theme is taken up by a number of authors in this part. They include racialized identity in apartheid South Africa Suryakanthie Chetty and racism against black people in Europe by Stephen Small. Paul Bagguley and Yasmin Hussain discuss how the impact of institutionalized racism and inequality created conditions for riots in the UK in 2001.

Contemporary forms of stereotyping, prejudice, and racism are also taken up by authors whose chapters address the mass media's role in constructing, reinforcing,

and sustaining stereotypic images of ethnic minorities and “others.” Tara Ross critically examines how negative images of Pacific peoples are framed by mainstream New Zealand media and how these reinforce intergroup perceptions. Karl Cheng Chua discusses the imageries of the Japanese in the Philippines literature and how this has changed over the years. The Japanese have been portrayed as villains with cruel disposition in the postwar era, but their image has become more nuanced as having both “good” and “bad” and the “ugly” among them. The final chapter looks at the dilemma relating to racial justice in education and implications on “white fragility.”

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## Abstract

It can be said that virtually all member states of the United Nations are multiethnic, and yet racism and ethnic discrimination remain significant features of many of these countries. This chapter examines the notions of race and ethnicity, the origins of racialization and racism, as well as ethnic discrimination. It alludes to the historical significance of the enslavement of millions of Africans to labor in the plantations and mines of the Americas and Caribbean islands, colonialism in Africa, Asia, and the Pacific, and international labor migration to contemporary forms of racism and interethnic relations. The violent displacement and movement of thousands of refugees and asylum seekers from Iraq, Afghanistan, and Syria to Western countries have given rise to xenophobia, Islamophobia, and racism in the latter states. Interethnic tensions and conflicts remain legacies of an earlier epoch of uneven and unequal development as well as discriminatory practices in most postcolonial states. The struggle against racism and ethnic discrimination is an ongoing process.

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V. Naidu (✉)  
University of the South Pacific, Suva, Fiji  
e-mail: [vijaynaidu61@gmail.com](mailto:vijaynaidu61@gmail.com); [vijay.naidu@usp.ac.fj](mailto:vijay.naidu@usp.ac.fj)

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**Introduction**

In the early twenty-first century, notions of race and racism are widely used and their manifestation can be seen in everyday life at global, national, and local levels. Most recently, the terrorist attack on worshippers that resulted in 50 deaths and 50 injured and hospitalized in Christchurch, New Zealand, show that a relatively remote and apparently peaceful country is not spared the extreme violence of a white supremacist. International main stream media and social media cover matters relating to race, ethnicity, and racism on a routine, if differential basis. Prominent among these are statements and actions of President Donald Trump and the reassertion of white supremacist views and activities by American and European right wing and neo-Nazi groups; the “Black Lives matter movement”; European countries’ responses to the immigration of displaced civilian men, women, and children of Iraq, Syria, Afghanistan, and a number of African countries; Islamophobia in Western countries fueled by fundamentalist Muslim terrorists; the ethnic cleansing in Myanmar (Burma) of Rohingyas; the forceful appropriation of white-owned farms in Zimbabwe; ethnic profiling by security forces including at points of entry into countries; the treatment of Palestinians by the Israeli state; rising anti-Semitism; the suppression of Uighurs and Tibetans by China; and the continuing marginalization of first nation peoples and interethnic conflict in many postcolonial states.

This chapter examines some selected trends in intergroup relations and racism in the contemporary era.

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**The Notion of Race**

The idea of race and especially its use in pseudoscientific disciplines such as eugenics is relatively recent in terms of human history. It denotes the classification of human beings or *Homo sapiens* in terms of patterns of physical appearances beginning with skin color (pigmentation), facial features, hair texture, physical size, and head shape. Patterns of these phenotypical features spread over geographical space and reflect both periodic isolation and intermixing among human populations. Biologists accept that all human beings belong to the one species of *Homo sapiens* and physical differences have arisen out of environmental conditions and over time, reproduction in relatively isolated gene pools. They have also maintained that biologically “race” is a meaningless notion as irrespective of phenotype and genotype human beings can and do interbreed to produce virile offspring. However, “race” is a social construct of dominant groups to identify themselves and other people who vary in physical appearances and may or may not have cultural differences. Over time, there has been a wide acceptance of racial categorization globally, regionally, and nationally. These categorizations include social and cultural attributes, self-identification,

political-state based identification, and institutional definitions and practices (Banton 1967; Cohen 1999; Cox 1948; Rex 1983; Sivanandan 1982; Yeboah 1988).

The UNESCO Declaration on Race and Racial Prejudice (1978) has unequivocally declared that “all human beings belong to a single species and are descended from a common stock.” However, “Legal and political language use the term *races* in the plural sense in order to cover different ethnicities or geographically characterizable subgroups, such as Caucasians, Africans, Mongoloids. Because of the well-established (but erroneous) custom, political and legal language is still using this term.” (Gayle 2018).

There is some overlap between the concept of race and ethnic group. According to Stavenhagen:

... ethnic groups are historically given collectivities which have both objective and subjective characteristics, that is, their members acknowledge sharing common traits such as language, culture or religion, as well as a sense of belonging... Ethnic boundaries are socially constructed and may be more or less permeable... Ethnic group identity is the result of internal factors (common lifestyles, shared beliefs), but also the outcome of relations the group entertains with other distinct but similarly constituted groups and with the state in any given country (1996, 4).

Historically, at the very beginnings of the categorization of human beings into races, intellectual, behavioral, and normative – therefore cultural – dimensions were included in the definition of race.

In the mid-eighteenth century, Carl Linnaeus, the renowned Swedish zoological taxonomist, classified human beings in the order of primates and belonging to the single species of *Homo sapiens* and several major subspecies. By the time of his writing, the European world had expanded to most parts of the world and knowledge about peoples in these places was shared among European scholars. His fourfold categorization included *Americanus*, *Asiaticus*, *Africanus*, and *Europeanus*. He proceeded to imbue these supposed subspecies with traits derived from Eurocentric perceptions. *Europeanus* were white, and supposedly gentle and inventive. *Asiaticus* were melancholic and greedy. *Americanus* were red, ill-tempered, and subjugated. *Africanus* were black, lazy, and impassive. “. . . Linnaeus correlated skin color with medical temperament—Americans turned out to be ‘choleric,’ Europeans ‘sanguine,’ Asians ‘melancholic,’ and Africans ‘phlegmatic’—moral characteristics, preferred clothing, and form of government” (Muller-Willie 2015, 597). The association of human anatomical features with intellect and other nonbiological attributes has been a feature of subsequent classification of varieties of human beings (Fredrickson 2002, 56). Linnaeus and, following him, Blumenbach, accepted that these varieties of human beings belonged to the one species (Ibid., 57).

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## Racialization: An Overview

This categorization of vastly culturally diverse groups of people both in physical appearance and in terms of their cultures became an integral dimension of both identifying these groups in rather simplified categories, ascribing certain immutable attributes, and discriminating against them. European exploration and colonialism

was accompanied by this process of naming and ascribing. In a number of cases, the names have stuck, even when they were blatantly inaccurate from the start. Two examples should suffice. The term “Indian” was applied to the huge number of nations and ethnicities in the Americas and the Caribbean region. The Pacific island countries were divided into three regions based on the early explorers’ designation of them as Melanesian (black islands), Polynesian (many islands but inhabited by lighter skinned people), and Micronesian (very small islands, inhabited by brown skinned people). As pointed out by William Alkire, there is no clear demarcation between these islands, and indeed because of considerable intermixing in the one village, “The range of physical types found in most Oceanic communities is great, and it is fairly simple in Micronesia to find within the same village individuals whom anthropologists of 30 years ago would have labelled ‘Mongoloid’, Negroid; or Caucasoid” (Alkire 1977, 9).

The role of dominant groups and states in defining “race” has been significant in the institution of discriminatory racist policies and practices. For examples, in the United States, one drop of black blood meant that the person was black irrespective of what the person looked like. This definition emerged in the southern states of the United States and was adopted at the national level (Davis, ND). Racial classification in Apartheid South Africa by the 1950 Population Registration Act stipulated three races: “white,” “native” (black African), or “colored” (neither white nor “native”). Appearance and public perception were the two criteria for designating a person’s race. Thompsell describes a simple racial test in South Africa thus:

Over the years, certain unofficial tests were also set up to determine the race of individuals who either appealed their classification or whose classification was challenged by others. The most infamous of these was the “pencil test”, which said that if a pencil placed in one’s hair fell out, he or she was white. If it fell out with shaking, ‘colored’, and if it stayed put, he or she was ‘black’. Individuals could also be subjected to humiliating examinations of the color of their genitals, or any other body part that the determining official felt was a clear marker of race (Thompsell 2018).

Racialization has a long history and is associated with contact and interaction between people of different physical and cultural backgrounds. For instance, the expansion of the ancient Egyptian empire brought together Africans, Asians, and Europeans – in short, the inhabitants of two large continents: Africa and Eurasia. In AD 325, Alexander the Great led a military expedition across Asia Minor into the Indus valley conquering and subjugating various groups on the way. He was accompanied by a scholar, Megasthenes “who wrote the *Indica*, recording strange races of people in India: dog-headed men, men without mouths who got their nourishment from smelling fruits, men with their faces on their chests” (Palat 1998). This type of grossly distorted, exaggerated, and imaginary descriptions of non-European people became common place as European explorers and adventurers journeyed to Africa, Asia, the Americas, and the Pacific. These generally negative imageries and associated attributes were reproduced in caricatures of colored peoples in foreign lands.

Apart from conquest, trading was also a way of connecting groups. For instance, the Silk Road provided traders and travelers from the Far East, the Middle East, the



near East, and parts of “civilized” Europe to establish networks and relationships across diverse regions and cultures (Gordon 2008). Presumably, in these relations, there would have been both positive and negative stereotyping that would have informed the trade partnerships that were engendered.

Colonialism also played a central part in the racialization process. Early Portuguese and Spanish intrusion into Africa and the Americas in the sixteenth century, followed by other Europeans, namely, the Dutch, the British, the French, the Germans, Italians, Belgians, over the subsequent 300 years resulted in several negative outcomes for peoples of the non-European world. Colonial conquest, the subjugation and decimation of native peoples, expropriation of the land of first nation peoples, their enslavement, as well as the scramble and partition of Africa, and much of the rest of the world have been held as morally reprehensible by Adam Smith. He stated that European superiority of force “enabled to commit with impunity every sort of injustice in those remote countries” (Smith 1811, 459; see, Ince 2017). Terms such as primitive accumulation (Karl Marx) and booty capitalism (Max Weber) could be applied to this phase of human history. European expansionism for economic and geopolitical reasons was accompanied by ideas of racial superiority over colored and black people. Such ideas emerged even more powerfully from the rationalization of the slavery of non-Christian native peoples and especially Africans, and subsequently by pseudoscientific racism beginning with social Darwinism, and then in the early twentieth century by eugenics. Rudyard Kipling wrote of the “white man’s burden” and although Christianity coexisted with the enslavement of indigenous peoples and Africans for the better of 400 years, it lived with the contradiction of human beings made in the image of god and the horrendous treatment of black people and people of color. In fact, a pope accepted African slaves as gift in the sixteenth century endorsing the kidnapping and enslavement of non-Christians of color.

It is noteworthy, that in the post-WWII world following the revelation of the horrors of the Holocaust, the ideology of racial purity and superiority waned (together with Eugenics as a “science”), and the United Nations stood strongly against all forms of racism. However, Howard Zinn, the American historian, has written that:

Fifteen years ago, when I was teaching at Boston University, I was asked by a Jewish group to give a talk on the Holocaust. I spoke that evening, but not about the Holocaust of World War II, the genocide of six million Jews. It was the mid-eighties, and the U.S. government was supporting death squads in Central America, so I spoke of the deaths of hundreds of thousands of peasants in Guatemala and El Salvador, victims of American policy. My point was that the memory of the Jewish Holocaust should not be circled by barbed wire, morally ghettoized, kept isolated from other atrocities in history. To remember what happened to the six million Jews, I said, served no important purpose unless it aroused indignation, anger, action against all atrocities, anywhere in the world ” (Zinn 1999).

Numerous atrocities akin to the Holocaust have been committed against mostly people of color over the last five centuries. The genocide and apparent extinction of the indigenous people of Tasmania, with the death of Truganini in 1876 is one

example of the atrocities committed against native peoples by white settlers during early periods of colonization (Alexander 2006).

In 2008, Stanford University researchers estimated that the Americas had 40–80 million native peoples when European explorers arrived in the late fifteenth century. Within a very short period of time, 90% of the native peoples died because of their lack of immunity to European diseases, such as small pox, influenza and measles, or were killed by the invaders. The sudden demise of these indigenous inhabitants in such large numbers resulted in rapid reforestation of the Americas and the reduction in the amount of carbon dioxide in the atmosphere. This engendered the “little ice age” that Europe experienced from 1500 to 1750 (Yirka 2011). The British used “germ warfare” against native peoples by deliberately infecting them with small pox (Dixon 2005).

It has been pointed out that in Australia there are numerous statues and war memorials in large and small cities and towns but there is no such commemoration of the war of conquest over Aboriginal peoples. A campaign to exterminate indigenous communities settled in Australia for over 65,000 years took place between 1788 and 1872. It is estimated that over 500 massacres occurred mainly by white settlers of aborigines and 250 massacre sites have been identified by researchers (Wahlquist 2018) and were rarely investigated, and no one was prosecuted for their homicide. The deaths in custody of first nation people continued after the 1991 Royal Commission of Inquiry in Aboriginal Deaths in Custody (Allam et al. 2018).

As noted earlier, slavery and colonialism have been pivotal in the evolution and inculcation of racist attitudes and behaviors. These will be addressed in the following section.

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## The Ideology of Racism

Although it is now accepted by nearly all scholars of human populations and biology that *Homo sapiens* evolved in sub-Saharan Africa over 250,000 years ago and spread over the rest of the world in the following centuries mixing with other varieties of local human species, there have been the purveyors of multiple origins of the human species. The later have argued that Europeans (Caucasians) evolved separately from black, yellow, and brown people. Another line of argument by other pseudoscientists of race is that white people are at a higher stage of evolution than black and colored people, or that the latter are degenerated races (see discussion on Yeboah 1988, 55 and 64).

Beyond these types of racial thinking, the ideology of racism derived from five sources. The first has its origins in the prejudice and treatment of the European peasantry or serfs by those who lorded over them. Those who labored in the fields and did menial work were deemed to be inferior breeds of humanity whose station in life was to toil and serve those whose station in life placed them in upper echelons of society. They were regarded for many centuries by the aristocracy, clergy, and commercial classes with “contempt, derision and fear” (Davis 1991, 180). They were deemed to be intellectually inferior, of loose morals, and inclined to

have great sexual appetite as seen by the relative number of offsprings they had (a la Malthus) (Caldwell 1998) <https://ucmp.berkeley.edu/history/malthus.html>. In the earliest period of European settlement of the New World, people from this category were taken as slaves and as indentured laborers.

Second, racism emerged in tandem with the kidnapping, transportation, and the sale of Africans into slavery in the Americas and West Indies. The Atlantic triangular trade began in the sixteenth century and reached its apex in the mid to late nineteenth century. Between 10 million and 15 million were sold into slavery. Much of African stagnated as the continent's able bodied and productive young people were abducted and enslaved (Rodney 1972). Some of the negative stereotypes associated with European serfs were extended to black people and new ones added. Africans were deemed to be an inferior species of human beings closer to apes and monkeys. They were intellectually inferior, indolent, driven by emotions, sexually inclined, dishonest, dependent, and lacked creativity. African man had large penises (Yeboah 1988, 64). (Shakespeare's Othello alludes to some of these negative qualities of the Moor.) There was Biblical justification provided for the inferiority of serfs as there was for black slaves. For the latter, Noah's curse on Ham permeated to all his descendants who were blacks. Without examining empirical evidence of any kind, a number of prominent European philosophers like Voltaire, Rousseau, David Hume, Immanuel Kant, and Hegel emphatically considered Africans to be inferior. Some of these philosophers maintained that Africans had not built a civilization (Henry 2004; Camara 2005).

The so-called "Polynesian labor trade" involved primarily the kidnapping, shipping, and forced labor of Melanesians from the Solomon Islands, Vanuatu, and islands of Papua New Guinea, as well as Micronesians, namely Ikiribati people, to a number of countries in the Pacific. Prominent among these were Australia (Queensland and New South Wales), Fiji, New Caledonia, and Samoa. Peruvian slavers also descended on Tuvalu to abduct whole villages of their inhabitants to work in guano mines of Peru and Chile. The periodic discovery of skeletal remains of these victims of slavery in Queensland and New South Wales evoked anger among Pacific islanders but also showed to them the systematic discrimination practiced by white planters in these countries against them (Armbruster 2017).

Third, anti-Semitism also appears to have its origins in the Bible, both old and new. The distinction between "God's chosen people," the Jews and Gentiles provided a problematic basis for inclusion and exclusion. Moreover, with Christianity, prejudice, discrimination, and pogroms against Jews were rationalized on the basis that they were the killers of Christ. Negative stereotypes included Jews as misers, money lenders, cunning and crafty, and dishonest. As a distinct religious minority, Jews suffered systematic discrimination over the centuries including violent pogroms in and forced exiles from many parts of Europe. Not unusually this was associated with nationalism and the rise of the modern European states. The Holocaust in Nazi Germany saw the horrific genocide of 6 million Jews in gas chambers of holding concentration camps in Germany and in Poland.

Fourth, European imperialism and colonialism meant the conquest, suppression, and subjugation of people of color in the Americas, Africa, Asia, and the Pacific.

Accompanying these historical events were the notions of Darwinian “natural selection” and “survival of the fittest” to which was added “manifest destiny” as thousands and millions of indigenous people perished with European incursion and invasion. The conquest and occupation of the regions of the Global South was taken as evidence of both European racial superiority and the “white man’s burden” to civilize and Christianize the rest of the world. Rampant racism accompanied the wars of appropriation against first nation peoples and European settlement of the Americas, parts of Africa, and Australasia (Zinn 1999; Davidson and Scarr 1970). Nuclear colonialism in many ways reflected the little regard for the well-being and lives of Micronesians, Tahitians, and aboriginal Australians by the United States, France, and Britain (Winchester 2015; MacLellan).

The fifth source of racist thinking and ideology derives from language and particularly the English language (and extends to other European languages). Language was (and is) an extremely portent ground for the evolution of racist thinking and practice. Fundamentally, the color black is associated with the devil and evil, and just about everything else that is bad and unpleasant, “black death,” black list, black market, black arts, black magic, black Friday, and black attire associated with mourning and death. By contrast, the color “white” is associated with purity and good things, even lies could be made light with the reference to “white lies.”

Sixth, racial and ethnic stereotypes and prejudices are to be found in most countries, including postcolonial states where certain groups who may physically appear to be similar have a history of competition and conflict often manufactured by divide and rule policies of the former colonizing power and/or by local dominant groups. These stereotypes, prejudices, and competitive relationship have led to horrific violence with scores of thousands being killed for instance during the partition of British India, in the “Biafran war” in Nigeria, and in the genocide in Rwanda. They also have fueled the long-standing conflict in Northern Ireland, Sri Lanka, and Kashmir. Black and colored people have expressed their racism in recent times towards to immigrants in South Africa and India.

The active recruitment of labor to work in colonial plantations and mines and the encouragement of the immigrant laborers to settle in the colonies together with bringing together diverse nationalities, ethnicities, and “tribes” in colonial states created complex multiethnic societies including the so-called plural societies. In nearly all these states, there have been issues relating to interethnic relations and systemic discrimination against minorities. The discrimination can be based on language, religion, physical appearance, and ethnic identity more generally.

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## **Racism in the Contemporary World**

Over the last 300 years, countries of the world have become increasingly diverse, although there have been counter trends as well. For instance, Argentina’s African inhabitants have diminished quite markedly over the last century. “The demographic shift has been sharp. In 1800, on the eve of revolution with Spain, blacks made up

more than a third of the country, 69,000 of a total population of 187,000, according to George Reid Andrews's 2004 book *Afro-Latin America*. In 2010, 150,000 identified themselves as Afro-Argentine, or a mere 0.365 percent of a population of 41 million people, according to the census, the first in the country's history that counted race" (Luongo 2014). Currently, it could be argued that virtually all the 193 member states of the United Nations are multiethnic. The diversities in nearly all states have been the outcome of population migration as well as the political incorporation of culturally diverse groups by emergent states (Castles 2000; Stavenhagen 1996). The United States is perhaps the most culturally diverse country in the world with nationalities and ethnic groups from numerous parts of the planet. Even the most apparently homogenous countries of the world such as Japan and Samoa have minorities.

Racism based on discriminatory treatment by dominant groups is as widespread as the ubiquity of multiethnic societies. The concept has cognitive and behavioral dimensions. Stereotypes both negative (prejudice) and positive exist in ethnic (and racial groups). These originate in socialization, and experience including through the exposure to mass media with its portrayal of those who are different in appearance and who may have different cultures. Behavioral dimension of racism is usually associated with relative power and the capacity to discriminate against those of different ethnicity or "race." When such discrimination is systemic, the term institutionalized racism is used to distinguish it from inter-personal discrimination. A "culture of racism" exists in Britain and indeed in many countries of the world. As racial discrimination and racist behavior has at its core unequal power relations, such practices are found in wealthy countries that have drawn migrant laborers, and by those who comprise the dominant groups and classes in societies. In the notions of "old" and "new racism," distinction is drawn between the expression of open prejudice and discriminatory treatment of black people by whites of the period before the 1980s to more subtle forms in the last 30–40 years.

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### **"Old" and "New" Racism**

Basically, "old" racism denotes open forms of discrimination which in their extreme manifestation were seen in state-sponsored racism of Jim Crow, USA, and Apartheid South Africa. Prejudiced and racist behavior by whites were openly expressed, condoned, and even encouraged by law. With the Civil Rights Movement and the enactment of the Civil Rights Act (1964), open segregation, discrimination in education, employment, housing and in access to public utilities and services were proscribed in the United States. However, it is maintained that more subtle forms of racism continued and these are labelled "new racism." The opposition to affirmative action for Afro-Americans and other disadvantaged groups and the claims of "reverse racism" in a supposed social context of "equal opportunities" for all are perceived as new racism. The empirical evidence from countries where there has been a history of racism show that both institutionalized discrimination and interpersonal expression of prejudice continue to exist, and in some contexts thrive.

In the early twenty-first century nationalism, xenophobia and racism have been on the rise in Europe and the United States. These have been especially manifest in the response to the exodus of refugees and asylum seekers who traveled, including on foot to European country borders during the wars in Syria and Afghanistan, and the campaign for Brexit and its aftermath (Gayle 2018). But all European countries and especially those states that have been former colonial powers have deeply ingrained “cultures of racism” which is manifested at institutional and individual racist practices. This is reinforced by extreme right, neo-Nazi groups, and nationalistic political parties. As noted by other scholars, racism becomes amplified during times of economic crisis and wanes when the economic performance of European states is on the rise. Globalization, demographic changes, and the arrival of refugees and asylum seekers have given rise to a siege mentality among Europeans in a number of countries including Britain, France, Denmark, and Germany.

Institutionalized racism has been evident over and over again by the slowness of police in investigating and prosecuting perpetrators of hate crimes and violence against minority black and colored communities, and by police practice that has disproportionately targeted these communities. Police in Europe and the United States have a proclivity to stop, question, and search a disproportionate number of black persons. Criminal justice systems have been largely used to penalize individuals and groups from minority communities. A combination of institutional and individual racism has undermined minority access to education, employment, health, housing, and welfare. The “race riots” of the 1970s and 1980s, and in 2001 in the cities of United Kingdom, and subsequently in other European cities brought to the fore issues relating to how dominant communities, local governments, and central state institutions had been discriminating against minorities.

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## **Race Relations and Anti-racist Struggles**

With the rise of tensions and overt conflicts exemplified by demonstrations, riots, and response to police brutality and white racism in the United Kingdom, policies to dialogue and co-opt black community organizations and leaders become widespread. Although some scholars pointed out that the issue of racism and exclusion of minorities lay with the dominant group, and this is what has given rise to the “race problem,” a number of local and national level initiatives led to the growth of race relations bodies. Some of these entities have been well funded and have been involved in promoting dialogue, reconciliation, mediation, and tolerance between whites and blacks. However, both institutionalized and interpersonal racism is deeply entrenched and racism continues in the United Kingdom (Sivanandan 1991).

Opposition to racism has been undertaken by both those who have been its victims as well as those who opposed social injustices committed on racial grounds. The decimation of indigenous peoples the world over was opposed by individual Europeans, some were clergy men. Slave uprisings were common in the Caribbean region and there were white individuals who opposed slavery. In the nineteenth century, the abolition of slavery movement gained traction with the changing

demands of capitalist enterprises. Slavery came to an end in the British Empire in the 1830s, and the American Civil War ended slavery in the United States in 1865. The French ended slavery in their colonies in late 1840s and Brazil did so in 1888. Other forms of forced labor were to follow as for example the Indian Indenture Labour System (Tinker 1974).

However, racial equality was severely undermined during the late nineteenth century and well into the 1960s by Jim Crow laws in the southern states of the United States, colonialism in the Global South, the emergence of Apartheid in South Africa, and the color bar against the Windrush generation and their Asian counterparts in Britain. Responding to Enoch Powell's racist anti-immigration campaigns the British government enacted its first immigration legislation beginning in the 1960s which was eventually followed by the Immigration Act of 1971 and the Nationality Act of 1981. These sought both to encourage black people to return to their countries of origins but also to restrict possibilities of long-term migration to Britain. Australia put in place a white Australia policy following its federation in 1901. Anti-racist struggles have been underway in North America, Europe, and South Africa for much of the twentieth and early twenty-first centuries. The American Civil Rights Movement led by Dr. Martin Luther King helped confront the openly racist system of segregation found in the southern states of the United States. The fight against racism continues in the post-Obama era with the "Black Lives Matter" movement in the United States. Far too many Afro-Americans, and especially young men are being killed by police in the United States.

The African National Congress with Nelson Mandela at its helm and their allies engaged in a peaceful campaign and an armed struggle to end Apartheid in South Africa. The internal struggle within South Africa was accompanied by a powerful international movement that finally led to the collapse of the racist regime. While racism persists in Britain and other European states, people of color and progressive white people have continued their struggle against institutional and interpersonal racism. Increasingly, this struggle has extended to campaigns against Islamophobia, as well as against the reemergence of anti-Semitism.

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## Conclusion

Racism is a socially constructed discourse and practice that has emerged over time and space. It is historically linked to anti-Semitism, slavery, colonialism, and contemporary national immigration policies of countries of the Global North. In fact, one could argue that the international division of labor itself reflects the long history of racism at the global level. The rise of right wing white neo-Nazi organizations and the apparent willingness of individuals with extremists believes to engage in extreme violence armed with semiautomatic weapons as well as using motor vehicles to run over people are contemporary phenomenon.

Racism is not limited to white people only as negative stereotyping but prejudice and discrimination are also found among people of color. The treatment of Dalits, Muslims, and other minorities in India remains a matter of concern for human rights



defenders. The Chinese state has suppressed minorities such as Tibetans and Uighurs. Discrimination and interethnic tensions and conflict are to be found in most postcolonial states in Africa, Asia, South and Central America, the Caribbean, and the Pacific. Anti-Chinese riots have occurred in Tonga and the Solomon Islands, and Fiji has experienced political turmoil and four military coups that have featured indigenous Fijians and Indo-Fijians.

Clearly the wide prevalence and ubiquity of racism and the struggles to counter it means that no single paper or book can provide in-depth coverage of its many features, manifestations, and consequences.

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## Abstract

Mass media have huge reach in society and are a key filter through which people learn about each other, yet countless studies demonstrate that these media continue to reproduce ethnic and racial stereotypes, with often harmful effects. In various mediums – news, drama, and gaming – ethnic minority groups are typically marginalized and overlooked. Very often, when they are represented, they are shown only in narrowly stereotyped roles, such as the model Asian migrant or the exotic Latina, or depicted negatively as the problematic “other,” disproportionately represented as violent or criminal, and “less than” dominant groups (i.e., less intelligent, less wealthy, less powerful). Ethnic minority media – that is, media produced by and for ethnic minority groups – generally offer more positive representations and a counter narrative to mainstream stereotypes but can also be prone to narrow typecasting and stereotype. The resulting pervasiveness of stereotyped representations across media formats and type is partly the outcome of complex media production processes, norms and values, commercial

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T. Ross (✉)  
University of Canterbury, Christchurch, New Zealand  
e-mail: [tara.ross@canterbury.ac.nz](mailto:tara.ross@canterbury.ac.nz)

drivers, and a lack of ethnic minority media producers. Nonetheless, their impact, though hard to measure, is potentially significant. Mass media play a role in shaping collective identities and intergroup attitudes and, by typecasting certain groups, distort the picture that audiences see of different groups. There is evidence to suggest these skewed media representations can not only promote public hostility toward other ethnic groups but also lower ethnic minority individuals' self-esteem. As a result, research into ways to combat stereotypes and promote more positive representations in the media is critical.

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**Keywords**

Media · Ethnic media · News · Stereotype · Audiences

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## Introduction

When it comes to the representation of different groups and the reproduction of racial and ethnic stereotypes, the media matter – partly because they are a key filter through which groups learn about each other. It is impossible for us to interact with everyone directly and much of what we know or understand about one another is often mediated by news and popular media. Coupled with the massive reach of mass media that makes these media powerful social agents.

Not surprisingly then, they are also the subject of close study. In terms of ethnicity and the media, a dominant line of research has concentrated on media content and representational problems in relation to the use of racialized stereotypes, systematic under- and misrepresentation of minority ethnic groups, and the marginalization of minority media producers. Media scholars have drawn on theorists such as Michel Foucault (1980), Stuart Hall (1980, 1996), and others to theorize the connections between these mediated constructions of difference and structures of power and/or structural inequalities (Jedlowski and Thomas 2017), essentially arguing that the media are, if not a source of dominant ideas about race and ethnicity, at least highly influential in structuring social ideas about race and ethnicity (van Sterkenburg et al. 2010). That is partly due to the media's role in constructing and reaffirming stereotypes – McLaughlin et al (2018, p.4) note that the more a stereotype is repeated in media content, the more it becomes naturalized and can influence the ways individuals think about different groups. Much of the existing research tends to privilege the analysis of Western representations of “its” others, and research on non-Western societies' representations, particularly of other non-Western societies, is much rarer (Jedlowski and Thomas 2017, p. 64). This chapter attempts to address some of that bias but is limited by the paucity of literature on ethnic groups and the media, particularly in relation to Africa, Latin America, parts of Asia, and the Indian subcontinent (Matsaganis et al. 2011, p. 265).

To understand how and why stereotypical representations are reproduced, it is useful to look not just at theories of communication, but also at the characteristics of media industries, as their occupational routines and structures play a key part in shaping what we see and hear in media content. In terms of news media, for instance,

scholars have demonstrated how the use of news values to select and prioritize what is news, along with news routines and professional norms of objectivity, has tended to advance dominant views and values and marginalize ethnic minorities (Cottle 2000). News media play a key role in reaffirming unequal power relations in society by systematically over-accessing people in powerful and privileged institutional positions – officials, experts, politicians – often to the detriment of alternative viewpoints. Budget and resource constraints often mean little attention is devoted to searching for noninstitutional voices or viewpoints (ibid.), and some issues are overlooked. For example, the time constraints of deadline-driven newsrooms make it easier to focus on *what* happened rather than *why*, ruling out the deeper political and economic analysis that is needed to understand longstanding structural inequalities (Abel 2004). Commercial pressures – the drive to attract maximum audiences and thereby advertising revenue – mean stories tend to be centered on the middle ground of dominant (often White) opinion and interests, and the lack of diversity in many newsrooms means they tend to reflect the experiences and assumptions of a largely White, middle-class workforce (ibid.).

Erigha's (2015) overview of research on inequalities in Hollywood film and television production, for example, demonstrates how a lack of representation within the ranks of media producers has led to stereotypes and a lack of diversity in entertainment media content. She cites studies that show Hollywood to be a predominantly White sphere, where racial and ethnic minorities are highly under-represented in various roles, including acting, writing, and directing: Black filmmakers directed only 7% of all theatrically released Hollywood films between 2000 and 2011; more than half of theatrical films had casts that were 10% or less minority; and writing occupations showed similar patterns of White over-representation and minority under-representation (ibid., p. 81). This matters, because the structural inequalities of media production play out in on-screen representations. Smith and Choueiti's 2011 study of 100 top-grossing Hollywood films in 2008 (cited in Erigha 2015, p. 86) showed that an absence of ethnic minorities behind the scenes corresponded with fewer and less empowered characters on-screen, while greater diversity behind the scenes positively impacted the quality of on-screen images. And it is not just an issue of numerical under-representation. It is also an issue of representational quality, that is, the kinds of roles that people occupy. Typically, ethnic minorities are limited to narrow roles and genres: actors are typically cast in stereotyped and racialized roles, directors and writers are similarly typecast in ethnic genres, and ethnic minorities are less likely to belong to core talent agencies or major studios. (ibid., p. 82). Recent figures suggest the picture may be getting worse, with the Directors Guild of America (2018) annual study of US feature films finding ethnic diversity has dipped to a new low. In 2017, only 10% of the 651 films measured were led by directors of color – down 3% on the previous year, and the lowest figure since the guild began its reporting in 2013.

Given our media-saturated lifestyles – and the potential for media to shape views on diverse groups – it is important, therefore, that we examine closely the media's role in the production and reproduction of racial and ethnic stereotypes and the quality of their content (Mastro 2015, p. 3).

## Mainstream Media Representations of Racial and Ethnic Minorities

Whether you look at primetime television, newspapers, TV news, advertising, film, sports, or videogames, Mastro (2015) says media representations have generally been unfavorable toward racial/ethnic minorities. In the United States, numerous scholars have documented problematic media depictions of Native Americans, Arab Americans, Asian Americans, and Hispanic and Latino minorities (Schneeweis and Foss 2017, p. 1147). Elsewhere, scholars have documented problems with media depictions of immigration as a threat and the framing of ethnic relations in terms of problems or within discourses of “us” and “them” that reproduce the power of dominant groups.

Though the media representation of ethnic minorities has tended largely to be negative, representations have differed across different mediums, such as news, drama, and video games. Depending on people’s media consumption, Mastro (2015, p. 3) says that can distort the picture people see of different racial/ethnic groups. For example, while the representation of Blacks in US primetime entertainment television has improved over time, print and television news continues to portray them as violent and criminal. Similarly, the portrayal of Latinos in dramas has improved, but their portrayal in sitcoms is still problematic (*ibid.*). As such, audiences who follow one form and not another will get a more or less distorted view. This is particularly important when it comes to the news format. How mainstream news media portray ethnic minorities deserves particular attention, because audiences’ belief in the news media’s supposed objective presentation of information means they are even more likely to view them as reliable sources of information about different ethnic groups. Yet media scholarship demonstrates repeated problems with the representation of ethnic minorities in news media.

### News Media

International research shows that news reports routinely use criminalizing language when reporting on ethnic minorities and that ethnic and racial minorities are routinely over-represented as criminals or perpetrators compared to dominant racial groups (Dukes and Gaither 2017, p. 790; Ewart and Beard 2017, p. 169). In Australia, researchers have shown how news media have portrayed Lebanese Australians as violent and criminal or as terrorists; Chinese Australians as illegal immigrants; and Sudanese Australians as criminal, deviant and the perpetrators rather than victims of serious violent crimes. The most frequent categorization for stories involving an ethnic minority was crime (Ewart and Barnes 2017). Foster et al. (2011) tracked the ways in which the Australian press wrote about Arabs, Muslims, and Islam and demonstrated a reliance on xenoracist stereotypes and “them”/“us” dichotomies that essentialized and simplified what it meant to be Arab or Muslim. In New Zealand, mainstream news media have tended to depict Muslims as terrorists, Pacific peoples as unmotivated, unhealthy and “criminal others,” and indigenous

Māori as under-achievers involved in conflict, violence, or crime (Allen and Bruce 2017, p. 227). These representations can add up to a picture of crime and danger for whole neighborhoods or areas. Allen and Bruce's study of news media coverage of the mostly ethnic Pacific community of South Auckland revealed it was depicted primarily as a place of violence and crime. More than a third of news articles focused on crime, amounting to a higher proportion of crime-related stories than the highest level reported in an international meta-analysis of crime reporting (Allen and Bruce 2017, p. 238).

More significantly, research also shows that these skewed media representations can promote public hostility toward ethnic minority groups. Dukes and Gaither (2017) write that Blacks are less likely to be depicted as victims of crime than Whites, and when they are shown as victims they are often demonized and criminalized. They cite Smiley and Fakunle's 2016 content analysis of media coverage of the deaths of six unarmed Black men by law enforcement (*ibid.*, p. 791). That study found news stories focused on the victims' behavior as criminal, their physical stature and attire, and the location where they were killed or lived as crime-ridden and impoverished, and they included negative, stereotypical elements about the victims' lifestyles (*ibid.*). In their own 2017 study, they found that the type of information reported about shooting victims significantly shaped not just people's sympathy and empathy for victims but also how people attributed blame and recommended punishment. When negative Black stereotypical information was given about a shooting victim, they found that it significantly colored those victims as being more at fault for their own deaths.

Most often, these representations are not deliberate – most journalists do not go to work aiming to slander an entire ethnic group. Instead, these stereotypes are often the result of unconscious bias and newsroom pressures. Within the demands of live, 24/7 real-time news production, journalists often have little time to review their work, which raises the risk that they might fall back on – and reinforce – widely circulating stereotypes. For example, in 2012 ESPN sacked a journalist (and suspended another) after he used the loaded headline “chink in the armor” in a mobile news story about the under-performance of rising Asian-American basketball star Jeremy Lin. Jason Fry (2012) says the reporter was working in the middle of the night, virtually alone (the mobile team operated without a copy editor and the only other journalist working alongside him was too busy to double-check his work) and at speed. Better practice would be to allow time to step back and deliberate over content, but as-live production allows little room for that. Indeed, various content analyses of live sport media commentary, which is similarly produced at speed and with fewer opportunities for considered reflection, reveal a pattern of crude stereotypes that might be different if content was produced in a less time-pressured way. For instance, one study found live football commentators gave White players more play-related praise and represented them in a more positive light than Black players, and depicted Black athletes as naturally gifted and strong compared with White athletes, who tended to be depicted as intelligent and hard-working (van Sterkenburg et al. 2010, p. 822).

So, there are clearly problems with how news media portray ethnic minorities. There are problems, too, with *how often* they portray them. Ethnic minorities are

often overlooked and even rendered invisible in mainstream news media, which limits the resources that members of these groups can draw on to build a secure sense of identity and community. Ewart and Beard's (2017) overview of Australian literature found that the continuing marginalization of ethnic minorities was a significant feature of the Australian mediascape. They cited Phillips' 2011 study of current affairs stories, which found that of 209 stories, 139 had no ethnic minority faces at all, not even incidentally in the background (cited in Ewart and Beard 2017, p. 173). ter Wal et al. (2005) noted similar patterns of erasure in European Union and Dutch domestic news media, where they found that, even in stories *about* ethnic minorities, majority ethnic subjects appeared more often as the main news actors than minorities themselves – and ethnic minorities were underrepresented in reports about politics and government and in the role of politicians and professionals, and overrepresented in crime news.

Overall, news media representations of ethnic minorities have tended to be negative. However, they are also crosscut with other dominant constructions – about class, gender, sexuality, and so on – and as such there are differences in how different groups are portrayed, with some treated more negatively than others. van Doorn's (2015) analysis of racial and ethnic patterns in the US newsweeklies' pictorial coverage of poverty found the poor were disproportionately represented as Black. His study found that the composition of coverage was well out of step with the actual demographics of poverty: Blacks were overrepresented by more than a factor of two (and overrepresented in stories about welfare and stories that were unsympathetic to the poor), while Hispanics were underrepresented, making up less than 10% of newsweekly pictorial content but 21% of US welfare recipients. Elsewhere, Stamps (2017, p. 410) argues that the news media's routine focus on poor African American families (despite the fact they make up less than 26% of welfare recipients in the USA) means many people understand welfare to be an African American issue.

van Doorn's analysis of pictorial coverage (2015) usefully highlights the importance of the visual, as opposed to just textual dimensions of media content. By analyzing a major US daily newspaper's photographs for emotion, Rodgers et al. (2007) were able to pick up subtle differences in the way different ethnic groups have been framed. They found the average African American was visually portrayed as happy, excited, and submissive, while the average Latino and Asian American was seen as sad, calm, and submissive. The authors argued that these images reinforced to readers that this was what ethnic minorities should be like and, by framing them as emotionally calm or submissive, these messages helped readers to understand the operation of power in US society. Elsewhere, Harrison et al. (2016) have shown how the visual representation of Chinese in South Africa has both simplified and exaggerated the stereotypes found in media texts. Interestingly, they also found evidence of the ways in which visual messages could *subvert* stereotypes – by humanizing, rather than labeling, ethnic minority actors.

As with the intersection of ethnicity and class, the intersection of dominant ideologies about race/ethnicity and gender has generated different stereotypes. An analysis of gendered race representations in popular American magazines

(Schug et al. 2017) found that, relative to the proportions of Whites, Asians depicted in the magazines were more likely to be women and Blacks were more likely to be men. In this way, Asians were stereotyped as more feminine and Blacks as masculine, and those who did not fit the prototype – Asian men and Black women – were rendered largely invisible (*ibid.*, p229). The authors argued (*ibid.*, p. 230) that the type of discrimination faced by people who were deemed prototypical and non-prototypical clearly differed, and where previous research suggested that individuals who matched their group prototypes face more discrimination (e.g., Black men), nonprototypical groups, such as those who did not match the gendered race stereotype, might also suffer from discrimination in the form of invisibility.

## Popular Media

Many of the stereotypes we see depicted in news media are echoed in other entertainment media, such as popular film and television, comedy, reality television, and video games. Tyree's study (Tyree 2011) of ten reality television shows airing in the USA between 2005 and 2008 found all ten shows had at least one stereotyped African American participant. More than half of the shows' African American participants fit the characteristics of a stereotype, and African American participants were often catalysts in arguments, disagreements, and physical altercations with other Black and White participants. Tyree said that added up to a significant reinforcement of negative stereotypes by a genre that played a major role in shaping pop culture (*ibid.*, p. 409).

Latinos are the largest ethnic minority in the United States (comprising about 16% of the population), yet account for less than 10% of prime-time television portrayals – and those portrayals are often limited to crime dramas and sitcoms, thereby typecasting a group in narrow ways (Martinez and Ramasubramanian 2015, p. 210). On a positive note, Guzman and Valdivia (2010) write that strong demand from US ethnic audiences for more inclusive programming had increased the production of more diverse film and television shows in terms of race, ethnicity, gender, and class (though programming continued to include homogenizing discourses and problematic stereotypes, such as Latina/o tropes of tropicalism (bright colors, rhythmic music, and brown or olive skin) and sexual availability and exoticism).

This kind of narrow typecasting and “othering” remains a problem in popular media, not just in the USA but also internationally. Jedlowski and Thomas' (2017) study of Ethiopian popular films found Chinese characters were depicted often negatively as the “other” and in ways that reinforced closed definitions of what it meant to be African. Donovan (2017) found similar othering of Chinese migrants in Spanish film and media, where they were portrayed as both the racialized “other” and as a threat to the Spanish way of life. Elsewhere, Cabanes' (2014) analysis of entertainment media in Manila found a racially hierarchical view of both Filipino subjects and other ethnic groups: Depictions of local Filipinos who were so-called Mestizo (light- and fair-skinned) were privileged over those who were brown- or



dark-skinned, and depictions of the city's Indians and Koreans (which tended to marginalize these groups) similarly valorized lighter-skinned Koreans over darker-skinned Indians.

Racial and ethnic stereotyping is also evident in interactive, participatory media, such as video games, but in these forms media stereotyping is further complicated by the fuzzy line between what we understand to be real and/or virtual. Burgess et al.'s (2011) multipart study of race in video games found overt racial stereotyping was common. In their content analysis of top-selling video game magazines, they found that minority men were generally underrepresented when compared with US Census and gamer demographics but overrepresented as thugs using extreme guns, and also as athletes (compared with White males who were almost exclusively portrayed using technology). Their content analysis of video game covers found that minority men were again underrepresented, and when they were present, they were more likely than White males to be portrayed as athletes or as aggressive, and less likely to be depicted using technology or in military combat. This last point is an interesting one. The study's authors noted that not a single minority was portrayed in a socially sanctioned (i.e., military) setting, and where 51% of aggressive minorities were depicted in fighting scenes, only 37.8% of Whites were, adding up to a picture where Blacks were more likely to be engaged in illicit rather than socially sanctioned aggression (ibid., p.297). The authors concluded (ibid., p. 303) that video games taught a number of stereotypes:

Blacks are athletes or unprovoked social menaces with extreme weapons; Asians are martial artists; Hispanics are in short supply. White men fight in fantasy realms or defend their country in heroic war settings. Alien characters outnumber minority males. Women of color are invisible.

Given their interactive and participatory nature, video games pose extra questions for researchers interested in questions of representational bias, because the traditional distinctions that have been drawn between the real and virtual are problematic in this space. Cover (2016) argues that the way we think about film or television – where racial and ethnic difference is seen to be either grounded in the “real” and represented on-screen as “virtual” or represented in the media sphere and then enacted in reality – does not fit interactive gaming. Because gaming involves bodies on-screen or as game-players “who are neither disembodied nor radically separated from those on-screen representations,” Cover says we need new ways of understanding issues of race and ethnicity that can account for the performativity of gameplay (ibid., p. 5).

Many of these studies focus on overtly negative stereotypes, but some scholars have drawn attention to the “othering” effect of what might seem on the surface to be “positive” stereotypes. In an analysis of Asian American stereotypes in popular film, Kawai (2005) argues that the stereotype of the “model minority” (i.e., the good migrant) should be considered as simply the benign flipside of the negative “yellow peril” stereotype and, thereby, understood as being just as implicated in racial hostilities and violence toward Asian Americans. Schneeweis and Foss' (2017)

analysis of the portrayal of Roma communities in 60 years of US fictional and reality television programs found similar parallels between overtly negative, age-old stereotypes (the ethnic “other,” the swindler, the fortune teller) and the contemporary, more politically correct construction of the “misunderstood” Gypsy. In all cases, they were characterized as outsiders, “sometimes feared, sometimes pitied, but always separate from mainstream culture” (ibid., p. 1151). Thus, though there might be differences in character and tone, media stereotypes generally still tend to portray ethnic minorities in ways that are othering and one-dimensional.

## Media Effects

The picture, then, is not pretty, but so what? Do these distorted and negative representations have any consequence? That is difficult to answer. Put simply, the processes of representation are complex and do not end with publication. To understand the media’s role in stereotyping, we need to also understand audiences and what they do with media, and that is not so easy. Audiencing is a messy concept and, when it comes to ethnic minority audiences, there are relatively few studies to draw on. Early traditions of media effects research focused narrowly on what media did to audiences, painting a picture of media as an all-powerful institution that “injected” a message into a passive audience with direct effects. Theoretical approaches to audiences have moved on since then and alternative approaches have adopted a view of audiences as more active and complex in their uses and interpretation of media. Research into the meaning-making practices of audiences (based on Hall’s (1980) suggestion that the meanings embedded in media texts are not necessarily taken up by audiences) has shown that audiences are active producers of meaning. We cannot assume that the meaning intended by media producers – or the unintended meaning buried in their content – is the meaning that will be interpreted by their audiences. Furthermore, audience members’ everyday practices are messy and cannot be neatly categorized. The mere fact of having a television switched on does not indicate audience-hood; people interact with television in complex and different ways and their degree of attention, type of watching, and empathy with a program varies (Morley 1990 in Toynbee 2006, p. 123). In fact, audiences are not discrete, homogeneous groups that use media in isolation from everything else in their lives. Cordoning people off by their use of a particular medium or genre – or by categories of “racial” or ethnic grouping – is problematic (Bird 2003), as is isolating their media practice from their everyday practice and context. People slot in and out of a range of media, use multiple forms simultaneously, and interpret meaning based on their familiarity with different media and different socio-cultural contexts. Cultural meanings, including stereotypes, are generated from within the complex messiness of people’s lived experience, of which media are just one part.

Notwithstanding these caveats, there is evidence to suggest that mass media play some role, at least, in shaping collective identities and intergroup attitudes. Tyree (2011, p. 399) says television audiences tend to believe that what they watch is a true

representation of cultures and people, particularly when they have little or no direct experience with those cultures and people. For example, Schneeweis and Foss (2017, p.1148) cite studies that have found Caucasian people who learn about Latinos from television are much more likely to believe negative stereotypes than those who have personal interaction with Latinos; that heavy viewers of television are more likely to believe ethnic stereotypes than those who watch fewer hours of television; and that fans of television news tend to hold more negative attitudes toward African Americans than light news viewers. Interestingly, in a US national survey measuring participants' exposure to Latina TV characters, McLaughlin et al. (2018) found that exposure was related to more favorable feelings toward Latinas (which they ascribed to the positive portrayal of reoccurring Latina characters) and to higher levels of stereotyped views of Latinas as sexualized and melodramatic (because portrayals, though positive, were frequently one-dimensional and relied on old stereotypes of the emotional, hypersexual Latina). The authors argued (ibid., p.1521) that we need to develop theoretical models that can "account for the complicated manner in which media portrayals produce both positive and negative societal effects" – and do so simultaneously.

As well as playing some role in shaping people's attitudes about others, the media also play some role in shaping beliefs about oneself and one's own group – often negatively. Various studies have shown that exposure to mainstream media stereotypes can lead to lower self-esteem and negative self-concepts (Ramasubramanian et al. 2017; Tukachinsky et al. 2017). In a national US study of the effect of prime-time ethnic stereotypes on Latino and Black Americans, Tukachinsky et al. (2017) analyzed two decades of the most viewed television shows and examined their relationship with Latinos and Blacks' feelings about their own ingroup. They found that negative representations reduced Latinos' and Blacks' warm feelings towards their ingroup, while favorable characterizations contributed to feelings of warmth (ibid., p551). The study's authors concluded that negative media representations might pose a tangible identity threat to ethnic minorities – and they highlighted the critical importance of promoting positive media representations and limiting negative media depictions (ibid.). Other authors have suggested that the media can also shape support for social policy. Sue Abel (2017) says that news media representations of indigenous Māori, which have tended to focus on violence, crime and Māori as a threat to "the nation," have contributed negatively to policy-making in New Zealand. She argues that governments need the goodwill of the majority non-Māori population to put in place policies that might redress the historic wrongs of colonization, but negative attitudes toward Māori, fostered in part by mainstream media, have impeded such legislation.

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## **Ethnic Media, Representation, and Stereotypes**

Much of the literature on ethnicity and stereotypes has been focused on ethnic minorities' under- and misrepresentation in mainstream media, but there is a smaller literature on ethnic minority media (i.e., media produced by and for

ethnic minorities) that reveals different insights into the relationship between media and stereotypes. There are gaps in that literature – studies of ethnic minority audiences, in particular, are relatively rare, and very few studies have much to say about how people use ethnic media – but various works attempting to pin down the role of ethnic minority media suggest they serve several functions, including combating negative stereotypes and providing a counter-narrative to mainstream media reporting, as well as providing self-representation, that is, “telling one’s own story and celebrating one’s own culture in one’s own way” (Browne 2005, p. 31).

Ethnic media have largely been equated with providing an alternative or counter-narrative to mainstream news. Matsaganis et al. (2011) describe various examples of the ways in which ethnic media have emerged from a community’s frustration with its representation in mainstream media and/or served as platforms for an ethnic community’s campaigns for voice, social equality and other social and political demands (e.g., South Africa’s “homeland” radio stations in the late 1970s and early 1980s, Black and Native American newspapers in the United States, German-Turkish media in Berlin, Aboriginal newspapers in Australia, and Greek media in London). In her work on New Zealand’s indigenous TV channel, Māori Television, Smith (2016) says the station’s programming has enhanced individual and collective wellbeing by routinely broadcasting strength-based representations of Māori people and things Māori.

Ramasubramanian et al. (2017, p. 1890) write that where the representation of minority members in mainstream media is largely negative, ethnic media have provided minority members with an alternative and relatively more positive source of information about their ethnic identity, “which subsequently make minority members feel more positive and secure about their ethnic identity by increasing their ethnic pride and ethnic performance.” However, they note that ethnic media, as with mainstream media, have also marginalized certain groups, for example, lighter-skinned compared with darker skinned members of a group or indigenous voices. Just as in mainstream media, the impact of intersecting identities can lead to the privileging of some identities over others in ethnic minority media.

Some scholars have suggested that ethnic media can also tend to freeze communities in relation to each other and to majority ethnic groups, by enacting representations of ethnicity that are too narrow. A study of New Zealand’s Pacific media representations (Ross 2014, 2017) demonstrates the risks of over-simplifying identity in this way. By celebrating and foregrounding certain identities within a group (usually traditional, “authentic” prototypes), ethnic media can reify some identities and marginalize others. A thematic analysis of Pacific ethnic media content revealed that New Zealand’s Pacific media tended to privilege migrant identities over hyphenated or New Zealand-born identities, so that what counted as authentically “Pacific” was tightly tied to traditional island “homelands” and villages, and not the urban landscape of New Zealand-born Pacific youth. Many Pacific media producers are aware of this risk and some have taken steps to respond (Ross 2017): A television show was attempting to include Pacific identities that were less rigidly rooted in notions of “home” or tradition; a magazine had embraced a Polynesian identity that

was more inclusive of Pacific peoples who also identified as Māori; and a Tongan news website had adopted English language as well as Tongan content to address a diverse audience – and included a dedicated section dubbed “Diasporic Pacific Islanders” for news about Tongans in New Zealand, the United States, Australia, and Tonga, to speak to an emergent, younger Pacific transnational identity.

Notwithstanding these efforts, Pacific media were not free of weaknesses. Key media tended to represent Pacific peoples as athletes (often within the dominant racialized discourse of physical flair versus leadership or strategic ability), performing artists, and church-goers, but not business owners, scientists, or IT professionals (Ross 2014). Interviews with Pacific media producers (Ross 2017) revealed producers aimed to tell “brown” stories in “brown” ways to differentiate from and fill the gaps in mainstream media coverage, but that often set limits on how “Pacifinness” could be legitimately performed. So, for instance, a belief in Pacific identity’s roots in an ancestral homeland ruled in scripts and representations of grass skirts, sand, and palm trees and ruled out those of the urban Pacific Rim. Indeed, by emphasizing ethnic minority identity in certain ways, the study suggested that ethnic media risked falling back on well-established versions of identity, including racialized versions, thereby paradoxically reproducing the dominant stereotypes found in mainstream media.

Several scholars have raised questions about the extent to which ethnic minority media actually offer an alternative voice to mainstream media by demonstrating that they can be, in fact, a copy of such media. Daniels’ (2006) case study of Native American media revealed that, far from producing their own “ethnic” content, some ethnic media republished mainstream content in large quantities – up to 95% of their product. Browne (2005) and Riggins (1992) have similarly noted heavy use of mainstream media content, production values, and styles by ethnic media. Moran’s (2006) content analysis of mainstream and Spanish-language television news channels revealed Spanish media followed the conventions of mainstream media, just in a different language. They had similar story types, corporate structures, news values, presentation, focus on profits and even their journalists shared largely the same training. In their book on ethnic media, Matsaganis et al. (2011) noted that mainstream media had even acquired key ethnic media, leading some to suggest that, by losing control over their production practices, those ethnic media would become no different from the mainstream (p. 244).

What this demonstrates is that it is too simplistic to assume that ethnic media producers will produce only progressive representations of their in-group. As already outlined, media content is shaped by many complex factors and the ethnicity of the media producer is only one factor. Perhaps controversially, bell hooks (1996) argues that because they must appeal to mass (White) audiences and/or they have internalized white aesthetics, Black filmmakers’ representation of blackness often replicates dominant stereotypes.

Until both colonizer and colonized decolonize their minds, audiences in white supremacist cultures will have difficulty ‘seeing’ and understanding the images of blackness that do not conform to the stereotype. (1996, p. 72)

Interestingly, her critique suggests that ethnic audiences also play a part in shaping stereotypical representations. By pushing for more positive images of their group, audiences create a straitjacket for producers' work. hooks contends that in all areas of cultural production in the USA, the work of Black artists, especially filmmakers, has been subject to heavy policing by consumers around whether or not the work is authentic or positive and so on – and that has actually restricted producers' ability to subvert dominant stereotypes.

The role of the audience in co-creating stereotypes is woefully under-studied and an area for further research. In the contemporary Web 2.0 and social media landscape, audiences not only consume media but also create and interact with it, leading some to ask where the boundary can be drawn between audience member and media producer. Strong and Ossei-Owusu (2014) traverse some of these questions in their examination of the YouTube videos (and comment threads) of the *Naija Boyz*, two Nigerian-born, US-based brothers who became a YouTube hit for their "African Remix" genre of hip hop video parodies. Strong and Ossei-Owusu (*ibid.*, p.194) argue that, on one hand, the *Naija Boyz*' success demonstrates how the proliferation of new media channels, especially user-generated media like YouTube, has given ethnic minority artists and audiences "unprecedented levels of agency in their production, consumption, and social interaction." However, on the other hand, they suggest that the independence of that media production, which sits outside the traditional institutions of mainstream and ethnic media, has not guaranteed the absence of stereotype. In fact, the brothers' videos and comment threads contain xenophobic discourses and problematic tropes of Africa and black America (e.g., the "true African" vs. the Black American "swagger jacker" or charlatan) that are viewed by some as caricatures (*ibid.*, p. 197). Clearly, neither the ethnicity of media producers nor their independence from traditional media institutions is guarantee against stereotypical representation.

Matsaganis et al. (2011) suggest some ethnic minority media have adopted too narrow a view of their audience – and thereby limited the identities they portray – particularly in relation to language (Smith [2006] offers a similar warning in relation to Māori Television's 'staging' of cultural identity in a way that privileges language fluency). Publishing or broadcasting in an ethnic minority language is seen by many scholars as an important function of cultural maintenance and revival, but it can also act as a threshold – and stereotype – of authenticity that rules in those who "really" belong and those who do not. The authors give the example of the Japanese-American community in the USA, which has low rates of language proficiency, particularly among second- and third-generation Japanese Americans, yet most Japanese-American newspapers are still written primarily in Japanese rather than English, and their circulations have declined as a result.

Johnson (2010) and Mora and Kang (2016) draw on social identity and self-categorization theories to argue that ethnic media play an important role in generating and reinforcing socio-cultural categories. They hypothesize that individuals form and adopt collective or social identities based on processes that accentuate in-group prototypes. In their study of social identity and English-language Latino programs, Mora and Kang (2016, p. 32) found a positive association between the programs'

hyphenated and pan-ethnic social identities and the self-worth and ethnic solidarity of their respondents, who were mostly second-plus generation Latina or Latino. Conversely, respondents' self-worth declined when program characters' Latino social identity was identified through an arguably too-narrow, specific ethnic label such as Mexican, Cuban, or Puerto Rican.

These various studies suggest that the range of representations available in ethnic media – and their fit with different ethnic communities' everyday realities – is important. A broad and inclusive range of identities is crucial to how well media representations resonate with ethnic audiences and effectively combat stereotypes. Ramasubramanian et al. (2017, p. 1892) found that ethnic media exposure could mitigate the negative effects of mainstream media stereotypes for ethnic minorities. As such, they argued that as well as addressing negative portrayals of ethnic groups in mainstream media, it was important to nurture alternative spaces where ethnic communities could create, consume, and share their own media: “These alternative mediated spaces can help improve group vitality, boost collective ethnic pride, and increase willingness to engage in ethnic performance for minority groups” (ibid.).

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## Conclusion

In summary, the media scholarship demonstrates both the vexing pervasiveness of ethnic and racial stereotyping in the media *and* the critical importance of promoting positive media representations and combating negative representations (Tukachinsky et al. 2017). What it is less clear about is how to challenge and change such stereotypical representations. Some have argued that new digital media might provide an effective challenge by enabling spaces for alternative, grass-roots storytelling and a democratization of content from a more diverse range of producers. For example, Guins (2008, cited in Erigha 2015, p. 87) found that artistic practices online offered more racial and gender diversity than traditional media studios, while Erigha (2015) describes evidence that suggests millennials, regardless of race, are more likely than members of previous generations to watch and seek out media by or about people from racial/ethnic groups different from their own. These tendencies may strengthen, she says, as more people drift to the Internet and alternate channels for media content (YouTube, social media, etc.) – and, potentially, compel decision-makers in traditional and dominant media to include more diverse cultural creators and content to compete for audience attention (ibid., p. 88).

Scharrer and Ramasubramanian (2015) argue that the media can either promote or call into question racial and ethnic stereotypes, and there is potential for media to use their influence positively to mitigate the effect of social stereotypes. They cite research that shows exposure to counter-stereotyping exemplars in the media can increase positive attitudes and have a positive effect on intergroup relations. The pair suggest that media literacy efforts, especially with young people, could help to address prejudice and racial bias, promote appreciation for diversity, and foster more nuanced understandings of identity and social groups. Clearly, more research



into ways to combat stereotypes and promote more positive representations in the media is critical.

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## Cross-References

- ▶ [Japanese Representation in Philippine Media](#)
- ▶ [Rewriting the World: Pacific People, Media, and Cultural Resistance](#)

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# Japanese Representation in Philippine Media

# 24

Karl Ian Uy Cheng Chua

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## Abstract

The Japanese are often depicted in as one of the countries worst villains in Filipino history textbooks despite the fact that they were in the Philippines for only 3 years, while Spanish colonial rule lasted almost 400 years, and the Americans, 40 years.

However, when we look beyond formal education, at images of the occupation period in movies, memoirs, television shows, and other forms of popular media, different views of the Japanese often emerge. Instead of demonizing them, a number of accounts seek to distinguish “good” and “kind” Japanese from their “brutal” or “evil” compatriots. Popular Filipino accounts of the war thus convey complex and often contradictory images of Japan.

This chapter aims to present how the Japanese were represented in the Philippine children's literature in the present, when relations with Japan have

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K. I. U. Cheng Chua (✉)  
History Department, Ateneo de Manila University, Quezon City, Philippines  
e-mail: [kchengchua@gmail.com](mailto:kchengchua@gmail.com)

gradually softened. The findings of this investigation illustrate the evolution of Filipino images of the Japanese and the factors affecting these representations.

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**Keywords**

Children's literature · Representation · Historical memory · Japan · Philippines

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## Introduction

The recent years marked significant commemorations between the Philippines and Japan, with 2015 memorializing the 70th Anniversary of the end of World War II, and the following year, 2016 honored the 60th year since the “normalization of diplomatic affairs” between the Philippines and Japan. This created much solemn fanfare with two nations whose relationship was marred by invasion and occupation of the Philippines by Japan. The highlight would be a state visit by the last Japanese Emperor and Empress of the Heisei year, which marked their second visit to the Philippines, who are personally committed to remembering his country's past by making statements such as “renewed sense of sorrow” and “feeling of deep remorse of the last war” (Tatsumi 2016).

Amidst the somber celebrations, Filipino impressions on Japan's wartime actions are predominantly negative. In the same state visit, aging women from Lila Pilipina, an organization comprised primarily of comfort women and supporters of their plight, addressed then Philippine President Benigno Aquino, III that “the abuses against us must be addressed. We have yet to receive real justice. We were so young, but a lot was already taken from us. We lost our dignity. We weren't able to go to school. We suffered under the Japanese soldiers” (Kyodo News 2016). This is just one of several negative impressions of Filipinos concerning the Japanese, as written accounts of the period focused on themes such as the atrocities committed by Japanese soldiers. Setsuho mentions that “the victimization of the Philippines during this time in its history, however, extends far beyond the battlefield” (Ikehata and Jose 1999, 1–2).

The writing of Philippine history and its legitimacy has been a point of argument from historians of the Philippines who cite the oft repeated from Jose Rizal “*He who does not know how to look back at where he came from will never get to his destination.*” which emphasized the importance of history towards nation building. The task proves to be more challenging after a country emerges from a difficult event, as the country struggles to understand what had just happened. To gain legitimacy, formal education in history took a nationalist turn to appeal to the people for support in the postindependence period. Historians wrote grand narratives which spoke of a Philippines “discovered”; and “civilized” by the Spanish, “developed” by the Americans, and “destroyed” by the Japanese. While such an emplotment seemed apropos for the immediate postwar period, the problem of the grand narrative is that it has not changed much from its inception. That is why

aside from establishing political and economic structures, participation of the education and media sectors were also integral towards the successful support these government-led projects.

However, generations of postwar Filipinos are slowly distancing themselves from the memory and experience of the war. A number of individuals who lived through the occupation period are reassessing their relationship with the former colonial master. This was reflected in a closed survey conducted by Japanese government in 2016 regarding Japan-ASEAN relations which resulted in 90% of Filipino respondents perceived Japan as a friend of the country, an important and reliable partner. Furthermore, looking beyond school texts, different media have presented varied images of the Japanese. Instead of demonizing the Japanese, popular Filipino accounts of the war convey the complex and often contradictory images of Japan and the Japanese.

In a previous study (Cheng Chua 2013), I charted the changing of visual representation of Japanese in Philippine *komiks* published in a popular magazine, *Livewayway*, which began in 1922 and has a wide semi-intellectual readership. The extent of readership expanded to major vernaculars with translated versions in Bisaya, Hiligaynon, Bikolano, and Ilokano. The study highlighted the shifting representation of Japanese addressing issues that Filipinos were coming to terms with from the immediate postwar up to the present.

Children's literature offers an interesting perspective as paired with the formal education of the classroom and the nonformal education of the home, the informal education offered through children's media was a means by which young Filipinos were socialized and prepared for adult subjecthood. Through their consumption of the various works, their identities become unconsciously formed. The contents begin to shape their world view as well as how they see themselves, through the information they have learned and the illustrations they enjoyably consume.

There are various forms of popular media available for society to consume. Media geared towards children seem to be the most influential as Children's Literature scholars would claim. Kutzer in her work, *Empire's Children: Empire & Imperialism in Classic British Children's Books* (Kutzer 2000), would identify children as future adults and will comprise future society, and it is through the education of these children, whether formally (in the form of schooling) or informally (through the reading of books), that the form of the future society is built. Furthermore, Griffiths would add that children's media is the best way to understand the values of adults of the period, as well as the often yawning gap between what they say and do, by looking at the process by which they transmit knowledge of all types to children (Griffiths 2007). Thus as a medium of influence, children's literature should not be ignored by scholars.

With all this in mind, this researcher chose to look at how the Japanese were represented in the Philippines' children's literature of the present, when Japanese popular culture and other vehicles for "soft power" have permeated Filipino society. The findings of this investigation illustrate the consistent evolution of Filipino images of the Japanese.

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## Representing the Japanese

The study of the representation of Japanese in the Philippines is not new. Yu-Rivera has published two books entitled, *Patterns of Continuity and Change: Imaging the Japanese in Philippine Editorial Cartoons, 1930–1941 and 1946–1956* (Yu-Rivera 2005) and *A Satire of Two Nations: Exploring Images of the Japanese in Philippine Political Cartoons* (2009). (Yu-Rivera 2009) and points out that editorial cartoons were immune from censorship, thus making them more powerful than the written text. The effectiveness of editorial cartoons partly relies on the fact that they are published in widely circulated tabloids and newspapers. Thus presenting impressions of public intellectuals concerning issues revolving around Japanese, and how they were able to influence general thought during the period.

Terami-Wada has written two articles on the topic: “Japanese Images of Prewar Filipinos” (Terami-Wada 1991) and “Postwar Japanese Images in Liwayway Short Stories and Serialized Novels, 1946–1988” (Terami-Wada 1992) survey representations of the Japanese in the magazine’s short stories and serialized novels, identifying three main categories: (1) Japanese as main characters, (2) Japanese as supporting characters, and (3) Japanese mentioned in passing or as a people (i.e., a collective group).

By contrast, a study I conducted on *komik* serials (rather than novels or short stories), published in *Liwayway* from the 1940s to the 1970s, aim in demonstrating the complex and often inconsistent ways in which these represented the Japanese. It sheds further light on how popular images of Japan and the Japanese changed, and on the ways in which they were influenced by shifts in Filipino society and politics. The main focus is on the portrayal of “enemies” or “villains” in the *komiks*. As O’Barr (2009) notes, studying representations of the other can tell us, first of all, how a particular external group is imagined within a particular society. Secondly, it can elucidate the nature of social relationships, or popular perceptions of these, in this case through describing how “heroes” and “villains” interact with each other. By the same token, it also shows us how inequality and the distribution of power within Filipino society are popularly perceived. Thus, by looking at the representations of the “enemy” or “villain” in a medium such as children’s literature, we can gain a clearer picture of how Filipino identity was conceptualized in the popular imagination.

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## Children’s Literature

Lin Acacio-Flores is a prominent children’s literature who has presently written 16 books since 1996. *The Secret* published in 1997 is a 107-page lavishly illustrated fictional work which is supposed to reference the author’s own war experience. This novel for children tells the story of Rica and her experience of the war in the convent where she, and others like her, sought refuge from the conflict. The work includes actual headlines from various newspapers of the period, presenting the Japanese aggression which elicits fear and power (Acacio-Flores 1997).

On December 7, 1941, Japanese planes attacked Pearl Harbor, crippling half of the United States Navy.

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Blazing Headlines of the *Japan Times* and *Advertiser* declared:

U.S. PACIFIC FLEET WIPED OUT!

-----  
Emperor Hirohito issued a formal declaration of war:

*We, by the grace of Heaven, Emperor of Japan, seated on the throne of a line unbroken for ages eternal, enjoin upon you, our loyal and brave subjects: We heareby declare war on the United States of America and the British Empire.*

-----  
Headlines from *The Tribune*, Manila, Philippines, Tuesday, December 9, 1941:

U.S. DECLARES WAR ON JAPAN

**NICHOLS FIELD RAIDED**

ATTACK 7 P.I. (Philippine Island) Points

IN FIRST DAY OF WAR

*DAVAO bombed twice,*

*Baguio, 2 Cagayan Towns Once*

-----  
By Associated Press:

The Japanese used fleet units and their air power to hit along a front extending from Thailand and British Malaya to Hawaii with the Philippines in the very center of the conflagration.

The story features a “good Japanese” – a Captain Nokumura who befriends the nuns and the children. Nokumura asks for permission to read the books in the convent’s library and is described as “an unusual Japanese, courteous, bowing to Sister Angela whenever he came. He spoke perfect English, and he said he had studied in London” (Acacio Flores 2002, 70). Despite Captain Nokumura’s redeeming qualities, the narrative also highlights the brutality of many Japanese soldiers by featuring an episode in which one of them is trying to find gold hidden inside the convent. Threateningly addressing one of the nuns, this soldier says “you hiding gold of yourrr churrch, now properrrrty of Japanese Imperial Arrrrmy and Emperrror of Japan!” (Acacio-Flores 1997), and then draws his saber and puts the blade against Rica’s throat. The nun retorts by invoking Captain Nokumura, upon which the soldier beats a hasty retreat. While the dichotomy of “good” and “evil” Japanese nuanced the period, the juxtaposition of an educated Japanese who spoke perfect English against that of what seems like an “uneducated” Japanese due to the speech

pattern represented by the author through imperfect English represented the pro-American sentiment that was prevalent in postwar Philippines due to the success of American colonial policies which included the promotion of an English-language education by the Thomasites and led to an English-speaking population during the Japanese occupation period (Okada 2009).

Another fictional work is Lin Acacio-Flores' *Adventures of a Child of War* (Acacio-Flores 2002), a novel about Eduardo, a young boy whose life is turned upside-down by the war. Unlike the previous work which used original illustrations, this work used as supplementary material, stock photographs of the period, and scans of Japanese propaganda material, as well as instructional pamphlets such as how to build air raid shelters. While the book also included "posed" photographs related with the story, interspersed in the pages created a believable effect on the young readers who could further imagine life during the Japanese occupation period of the Philippines. Similar to her previous work, she also features a benevolent Japanese character, in the form of Captain Abe. Abe takes a liking to Eduardo because "he rike my *musuko*, my boy. In Japan" (Acacio-Flores 2002). She further presented the generous side of Captain Abe, who gives supplies and a horse named *Nakama* (friend) to Eduardo's family, and later reveals that he is educated, like Eduardo's father: "Me, engineer, arroso" (Acacio-Flores 2002). Towards the end of the war, when the fleeing Japanese were killing innocent men, women, and children, Eduardo made to remark: "But I was sure that Captain Abe wouldn't have done anything like that" (Acacio-Flores 2002) The representation may confuse the readers, as the author veers away from her previous trope of contrasting "good" and "evil" through their English-language skills. However, this humanizes the Japanese as more than just an "enemy" through information that Captain Abe has a family as well. She goes back to her trope by emphasizing the fact that good Japanese had to be "educated" as they are not capable to the violence.

Barbara-Ann Gamboa Lewis wrote her semi-autobiographical piece entitled *Barefoot in Fire: A World War II Childhood* (Gamboa-Lewis 2005), narrating her family's life during the Japanese Occupation period. It was initially published in 2000 in the United States under the title of *Pocket Stones: A Child's Story of World War II in the Philippines* and was republished under the current title in 2005 for local distribution. Unlike many other works that deal only with the Japanese Occupation of the Philippines, the story covers the prewar, wartime, and immediate postwar periods, highlighting the flux that occurred. The author blatantly identifies her family as being "leftist," and thus having a perspective that is quite different from most Filipinos, who hid their political inclinations during the period. This ideological slant is evident from the way in which the author and her family criticize fellow Filipinos, whom they accused of making the war even worse through their passive or active collaboration. Such perspective slowly gained ground in the Philippine psyche in the 1960s, almost two decades after the war, which slowly distanced the survivors from nationalist narratives, and the beginning of the normalization of Philippine-Japan relations in 1956. This initially began with the act of executive clemency by then President Elpidio Quirino in 1953 to 105 Japanese war criminals, some with death sentences (Philippine News Agency 2018). This continued with the



negotiations for reparations and arguments for further clemencies until the 1970s. Another unique feature of this work is the introduction of new “villains with reason” never mentioned in the *komiks*: Koreans. Lewis writes, “The Japanese Army that invaded the Philippines included Korean soldiers. This was because Japan had conquered Korea in 1910, taking it over for themselves with the approval of the United States and major powers in Europe. The Koreans were considered inferior by the Japanese and were used as menial laborers; they were often mistreated. This was probably why, in many instances, the Korean soldiers were more cruel to the Filipinos than were the Japanese soldiers” (Gamboa-Lewis 2005, 76–77). This was a common rumor that began to propagate in line with the success of the normalization of Philippine-Japan relations, and the need to identify a “new villain” in the realms of nationalist histories. However, this was disproven by Yu-Jose who stated that while Koreans were in the Philippines as colonial subjects, their numbers were few and far in-between from the Japanese. Nonetheless, this rumor continues to spread since the roles of Koreans are not properly discussed in official narratives (Yu-Jose 2012). Finally, the author uses a similar trope by Acacio-Flores, by redeeming the former “enemy” via the introduction of an unnamed Japanese officer showing his humanity by crying at the sound of the protagonist’s violin, commenting on how this made him think of his son, also a violin player.

A more nuanced narrative emerged with a picture book written by Corazon O. Calica entitled *Good Night, Lala* in 2013. (Calica 2013) Her biography mentioned that she was born in Pampanga in 1936, which presumes that she had lived through the war as a child. This is her first and only book on the topic. The introduction by her daughter and editor, Maya O. Calica highlight that the story was about her mother’s life growing up during the Japanese Occupation period of the Philippines, as her legacy to her *apos* (grandchildren). Mara states that “despite the terrors of World War II, Mommy (Corazon) saw fun in the bleakest moments (Calica 2013). The overall narrative presented a state of “normalcy” which nationalist narratives would often refer to as Japanese propaganda but turned out to be real in certain parts of the Philippines (Cheng Chua 2005). The pro-American narrative was also present via the character of the grandmother, Ima who “said something about General MacArthur leaving the country and how the barrio folk awaited his return” (Calica 2013). Thus reflecting a popular sentiment of American colonial success, echoing the statement of General Douglas MacArthur in statement with Australian journalists on his arrival, “I came out of Bataan and I shall return.” This piece was one of a few children’s literature works which also dealt with the controversial topic of comfort women. The story talks about “many stories of the abuse of young women (by the Japanese)” and continued with her parents worried about their sister, Victoria or *Acheng Toring*. *Acheng Toring*’s beauty worried the parents 1 day brought her out late at night, and returned with a “young boy with short, cropped hair.” They disguised *Acheng Toring* as a boy and finally said “She is safer as a boy for now.” This was a common practice by Filipinos in protecting their daughters and wives from being take as comfort women. But the skill of dealing with a complex topic can only be done within the realms of children’s literature, which according to Kutzer (2000), allowed the “unpalatable to be

palatable” due to the consumption habits of children who would reject media they do not like. Finally, another interesting actor introduced by piece were the *Huks* which was an acronym for *Hukbo Laban sa Mga Hapon* (People’s Army against Japan) whom were rebels which the locals believed to keep them safe from the Japanese. Lala’s family planned to escape the provincial capital of San Fernando, to a small town 10 km away claiming that “the rebel Huks were in the barrios and outskirts of Pampanga (province where they were) and gave villagers a sense of safety because they (Huks) were around” (Calica 2013). The curiosity of the introduction of the Huks was that despite being labeled as heroes during wartime, the group would be discredited during the postwar when the Americans mistrusted them due to their Communist inclinations and the emergence of the Cold War.

On 2001, a children’s book publisher, Adarna launched their *Batang Hitoryador* (Child Historian) series which had five books set at different periods of Philippine history: *Si Pitong, Noong Panahon ng mga Hapon* (Pitong During the Japanese Occupation) (Rivera 2001). Not only was there reference to Japanese raping women which began the theme of “comfort women” prior to *Good Night Lala* but also went a peculiar step further by introducing a scene where in evacuating their home in Tarlac, had to paint his face with soot to “disguise” himself. This was peculiar as this was an act to prevent the rape of girls to make them look like tramps. The author’s confusion can also be seen when he referred to Japanese soldiers as *kempeitai* even though *kempeitai* only referred to the military police of the Imperial Japanese Army. Nonetheless, memory of *kempeitai* lasted with Filipinos through their oral accounts as they were identified as the Japanese would slap them if they did not salute the soldiers, as what was done to Pitong in the story.

Finally, narratives of the Japanese occupation period could be found in the picture book biography of Socorro Ramos. *Nanay Coring* (Socorro Ramos) is the founder of National Book Store, the largest bookstore chain in the Philippines. Yet while the biography of *Nanay Coring: The Story of National Book Store’s Socorro Ramos* by Yvette Fernandez (2012) may seem to not have anything to do with the Japanese Occupation period, *Nanay Coring* lived through the war and began her business during the period. The story mentions a policy by the occupation forces which affected her business, the banning of books which were written by the enemy, in her case stories about America. Thus, to survive, she began to sell products which catered to the needs of her customers, pencils, pens, paper, candy, and soap, things you may not find in a typical bookstore. Rather than treat the Japanese as “enemies,” the story presented that *Nanay Coring* treated them as customers. “I [also] found out that the Japanese soldiers liked rubber slippers called *tsinelas*. At night, they liked wearing slippers after walking around in boots all day long. So I went to Divisoria, a market, where I bought slippers at a cheap price, and sold them at our store at a higher price. That’s how we made money. We sold hundreds and hundreds of pairs of slippers” (Fernandez 2012). She also developed good relations with her Japanese customers, which further humanized them. When *Nanay Coring* gave birth to her twin sons, she remembered a Japanese soldier giving her children matching red flannel blankets to keep them warm, to which she gave the soldier coconut candy called *bokayo*. There seemed to be no ill feelings between her and her Japanese

customers. Rather, the tragedy she narrates is that when the Americans returned to liberated the Philippines. “Then the American soldiers arrived, bombing the city of Manila to send the Japanese away. The bombs killed many people and destroyed many homes and buildings. Our little store burned down and we lost all our soap, slippers, pencils, pens and paper. We lost everything” (Fernandez 2012). This last section veers away from standard tropes of Filipinos which was eager for the Americans to return, as in the story by Calica. Rather, through *Nanay Coring*, the author presented a new “enemy,” the Americans through their air raids which is commemorated as the Battle of Manila. In the commemoration of 70th year of the end of the war, Filipinos have now nuanced their war memory as Morales wrote “it was mainly the United States’ casualty-avoidance policy that resulted in unrestrained and indiscriminate application of overwhelming firepower by forces under MacArthur, which caused the utter devastation of Manila and the loss of 100,000 Filipino lives in 1945” (Morales 2015).

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## Postwar Postscript

The beginning of restoration of Philippine-Japan relations was marked by the unpopular decision by then President Elpidio Quirino in granting executive clemency on 4 July 1953 to 114 Japanese nationals who were accused as wartime criminals. In response to public uproar on his decision, Quirino replied stating that “I should be the last one to pardon them as the Japanese killed my wife and three children, and five other members of my family. I am doing this because I do not want my children and my people to inherit from me the hate for people who might yet be our friends for the permanent interest of our country” (Ocampo 2016). Thus beginning the attempt to separate the memory and hatred of postwar Filipinos to the Japanese.

In the signing of the “Treaty of Peace with Japan” and “Reparations Agreement Between Japan and the Republic of the Philippines” on July 1956, diplomatic amicable relations was expected. Nonetheless, the relationship remained precarious, with suspicions by Filipinos of the Japanese. Aside from diplomatic relations, business and economic interests normalized with the establishment of the Philippine-Japan Society on 17 January 1972, and the Japanese Chamber of Commerce and Industry of the Philippines on November 1973. This coincided with Japan’s economic miracle.

With a booming Japanese economy vis-à-vis a struggling one in the Philippines, then President Ferdinand Marcos promoted international tourism with the establishment of the Philippine Tourism Authority in 1973 which became the policy implementing arm of the Department of Tourism. Unfortunately, with haphazard projects, the surge of tourist, the boom also included the advent of sex tourism in the 1970s. The Department of Tourism saw an increase of tourist arrivals who would stay in the Philippines for an average of 12.6 days (National Statistics Office 2011). Even as late as the 1980s with attempts by both governments to prevent the entry of sex tourists, official figures have stated around 134,261 inbound tourists from Japan

**Table 1** Changes in the number of new arrivals of Philippine nationals by selected status of residence (MOJ 2009). (Changes in new arrivals refer to **flow** of migrants to Japan as they go through immigration control at various ports of entries – e.g., airports and seaports. Changes in number of alien registration meanwhile refer to the **stock** of migrants once they register to their various localities under the alien registration system (*Gaikokujin Touroku*))

Status of residence	2004	2005	2006	2007	2008
Entertainer	82,741	47,765	8,608	5,533	3,185
Spouse or child of Japanese national	5,038	5,530	8,257	6,687	5,133
Long-term resident	2,893	3,109	3,410	4,068	3,811
Trainee	3,635	4,311	4,941	5,843	5,678
Specialist in humanities/international services	66	88	138	127	98
Temporary visitor	51,617	69,285	63,171	58,931	54,678
Total	147,817	132,745	91,474	84,198	75,651

via 1,448 tourist agency members of the Japan Association of Travel Agents who were offering packaged tours, including sex tours by male groups (Yu-Rivera 2006). This caused a resurgence of negative imagery of Japanese from the male soldier to the predatory sex tourist.

Media would engage in this space with the representation of the Japanese sex tourist, predominantly men, who would be compared to the negative archetype of the soldiers of the yesteryear (Yu-Rivera 2009). With the crackdown on sex tourism by both governments, a surge of Filipino migrant workers, including Filipino entertainers entered Japan with around 9075 workers and 5,299 dependents registered in the records of the Immigration Bureau of Japan in 1986 (Yu-Jose 2007). Thus beginning the three waves of gendered migration into Japan. With the “entertainer ban of 2005” of the Japanese government, the advent spouses and rural brides became imminent. This can be seen in the number of entertainers gradually decreasing (Table 1).

The last wave of this migration came with the signing of the Japanese-Philippine Economic Partnership Agreement in 2006 which allowed for the entry of care workers into Japan.

The result of such was the rise of cross-cultural partnerships and the birth of multicultural children. Their identities would shift from the *Japino* which has acquired a negative nuance as children who are “abandoned,” “illegitimate,” “poor,” and “offspring of a sex worker.” They have shifted to a more neutral term, referring to themselves as Japanese-Filipino Children (JFC). (Asis and Liao 2017) It is through the stories of the JFC that representation of the Japanese in children’s literature reappear.

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## My Father (?)

While the literature would focus primarily on the JFC, the subject of the Japanese would be referenced through the distant or absent father. Hanna’s story focused on the food rituals of her family, particularly on difference between the food prepared

by her mother, who cooks Filipino food, her grandmother, who cooks provincial Filipino food, and her father, who “occasionally cooks” Japanese food. Distance is felt when Hanna says: “I’ve never asked why my father ate upstairs in his room in front of the TV watch NHK, CNN, or whatever anime has taken his fancy.” (Asis and Liao 2017) She also mentions that her father didn’t live with them, as he was managing their family’s business.

There is also the theme of real absence through the story of Arisa who spells out her situation. “There was once an overseas Filipina worker and a Japanese contractual agent who met in an entertainment club in Takamatsu, Kagawa-ken in 1992. Their relationship blossomed, and in 1993, she found out that she was pregnant with her first child. . . Upon his return to Japan, the mother kept calling him, but the number seemed to be out of coverage. . . She came to the realization that she and her child vanished in his life” (Asis and Liao 2017). The rest of the story continues with the theme of the absent father.

The same themes are reflected in a manga compilation of JFC entitled *Yoghi Manga* (Neri 2009) which stands for Youth Organization Gives Hope and Inspiration. The three stories tell of the issues of the JFC children who are bullied for their multicultural background, due to the World War II experiences of Filipinos. Yuki Nakamura tells his friend that he is used to the bullying since “our people suffered a lot from the Japanese Occupation” with the backdrop of Filipinos suffering and Japanese soldiers. Naomi was also harshly treated by her grandmother because she was abused by Japanese soldiers. Furthermore, her father is absent as well during the entire story.

The absence of the Japanese in these stories creates a solution to the dilemma of the previous narratives. As nuanced representations of Japanese are gradually presenting itself in children’s media, the introduction of another villain archetype would complicate the modern day relations of Filipinos and Japanese who are moving forward towards creating families with each other, perfect and imperfect. Thus supplementing the representations of the Japanese by simply relegating the nuanced villain as part of a past.

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## Concluding Remarks

While commemorations of the 70th year of the end of the war came to a close, negative stereotypes of the brutality caused by the Japanese still persists in the children’s literature, since this image corresponds not only with the lived experience of so many older Filipinos but also the dominance of static nationalistic historical narratives. However, the same children’s literature have nuanced their narratives to include the figure of the “good Japanese,” and at times also present “new enemies” such as the Koreans or the “once-favored” Americans. Regardless, the trope of the “evil Japanese” persisted with the qualification that “good Japanese” not only by his moral qualities but his superior level of education and occasional fluency in English. While the group that emerges best out of these accounts should be the

Americans – ironically, would also be subject to a more critical gaze by postwar generations as well.

As the Philippines emerged from the ravages of war, a desire to boost the collective national ego was evident in postwar works, which juxtaposed the heroics of Filipino guerrillas – and the country’s eventual American saviors – with the almost uniformly evil Japanese. However, this depiction would disappear in the twenty-first century as the Philippines not only has to come into terms with its colonial past but with its postcolonial present.

With the gradual thawing of Filipino-Japanese relations, Filipinos can now ask a once taboo question: “Perhaps the Japanese were not all so bad after all?” This, at least, is the sort of shifting national mindset that these children’s literature appear to reflect and which they perhaps helped to pass on to the next generation’s historical memory.

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## Cross-References

- ▶ [Cultural Identity and Textbooks in Japan: Japanese Ethnic and Cultural Nationalism in Middle-School History Textbooks](#)
- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [Foreign Military Occupations and Ethnicity](#)
- ▶ [Historical Memory and Ethnic Myths](#)
- ▶ [Media and Stereotypes](#)
- ▶ [Museums and Identity: Celebrating Diversity in an Ethnically Diverse World](#)
- ▶ [Racism and Stereotypes](#)
- ▶ [Rewriting the World: Pacific People, Media, and Cultural Resistance](#)

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## Abstract

Colonial Zimbabwe (known as Southern Rhodesia until 1965, and Rhodesia thereafter until independence in 1980) was established in 1890 under the sponsorship of Cecil John Rhodes and his British South Africa Company (BSAC). Rhodes was a firm believer in the White-Man’s Burden idea of the duty of the Anglo-Saxon race to help “civilize” the “darker” corners of the world and regarded British imperialism as a positive force for this purpose. The settlers who occupied colonial Zimbabwe shared this view of the world and treated the indigenous African population as children who needed their guidance, protection, and civilization. The policies which the settler state adopted and implemented, therefore, whether in politics, constitution making and governance, education, economy, land and labor policies, social relations, or residential policy, were based on this sense of racial superiority and the determination to promote white interests at the expense of the nonwhite population. Racial segregation permeated the entire colonial project at every level,

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A. S. Mlambo (✉)  
University of Pretoria, Pretoria, South Africa  
e-mail: [alois.mlambo@up.ac.za](mailto:alois.mlambo@up.ac.za)



whether it was in sports, hotel facilities, or the use of public conveniences and amenities. White racism in colonial Zimbabwe was also informed by a sense of fear, given the fact that whites were grossly outnumbered in the country throughout the colonial period and were always afraid of being overwhelmed by the African majority. This contributed to their determination to control the Africans and keep them in their place. Attempts at promoting racial partnership in the 1950s achieved little. State sponsored white racism ended with Zimbabwe's independence in 1980.

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**Keywords**

Racism · Imperialism · Colonization · Black peril · Land · Education · Labor · Rhodes · Rhodesia · Settler

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## Introduction

Late nineteenth-century European imperialism and colonization in Africa were motivated by a range of factors, including a predominant European racist view of the world which regarded the Anglo-Saxon race as the most civilized of all the races and, therefore, duty-bound to spread the benefits of their civilization to the “lower” races of the world. Called the White Man's Burden or “civilizing mission” and “mission civilisatrice” in the English and French world, respectively, this idea was celebrated by Rudyard Kipling in his 1902 poem entitled “The White Man's Burden,” which was, partly, in celebration the United States victory over Spain in the Cuban-American- Spanish War and, mainly, an assertion of the Anglo-Saxon race's right to rule other races. As will be shown, the founder of Rhodesia, Cecil John Rhodes, was a strong believer in the civilizing mission idea and had no doubt whatsoever that his race was the best in the world. He firmly believed that bringing the land between the Limpopo and the Zambezi under British rule was for the unquestionable benefit of the indigenous people of that territory. Rhodesian white settlers shared Rhodes' world view. Not surprisingly, therefore, racism remained the foundation and the pervasive ethos of white colonial rule from the establishment of the British colony in 1890 until the collapse of white rule in 1979, mainly because of the African liberation movements' determination to dismantle the racist colonial system by any means necessary, including taking up arms.

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## Defining Racism

For purposes of this study, racism means “any action or attitude, conscious or unconscious, that subordinates an individual or group based on skin colour or race . . . [whether] enacted individually or institutionally.” Institutional racism manifests itself in discriminatory policies based on race in schools, businesses, employment, religion, and media, among others, which are designed to “perpetuate and maintain the power, influence and wellbeing of one group over another.” Such discriminatory

policies often manifest in the denial of benefits, facilities, services, and opportunities to a person or a group of people on the basis of their racial origins. In addition, racism also exists when “ideas and assumptions about racial categories are used to justify and reproduce a racial hierarchy and racially structured society that unjustly limits access to resources, rights and privileges on the basis of race” (Tatum 2003).

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## Scientific Racism and the White Man’s Burden Idea

While racism and racial prejudice have a long history, as evident in the racial justifications of the transatlantic slave trade as beneficial to the enslaved because it took them away from their savagery in Africa and exposed them to Western civilization and the dignity of manual labor, it is the specific manifestation of this phenomenon in late nineteenth century Western Europe which has a direct bearing on the partition of Africa in general and the colonization of Zimbabwe in particular. Based on the intellectual arguments advanced by American and European Social Darwinists, such as Spencer and Alfred Mahan, which regarded the Anglo-Saxon race and its civilization as the most evolved and best, this version of racism, particularly in Late Victorian Britain, postulated that it was the Anglo-Saxon race’s duty to spread Anglo-Saxon civilization to the “darker” corners of the world through colonial domination for the benefit of the colonized peoples (Hofstadter 1944; Rogers 1972). There was no doubt, for instance, in British arch-imperialist Cecil John Rhodes’ view that British imperial domination was the best thing that could happen to the world at large. He wrote:

I contend that we [the English] are the finest race in the world and that the more of the world we inhabit the better it is for the human race. Just fancy those parts that are at present inhabited by the most despicable specimens of human beings what an alteration there would be if they were brought under Anglo-Saxon influence, look again at the extra employment a new country added to our dominions gives. (Rhodes 1877)

With respect to Africa, specifically, Rhodes stated:

Africa is still lying ready for us. It is our duty to take it. It is our duty to seize every opportunity of acquiring more territory and we should keep this one idea steadily before our eyes that more territory simply means more of the Anglo-Saxon race more of the best the most human, most honourable race the world possesses. (Rhodes 1877)

The White settlers who entered the territory of what was to become Southern Rhodesia (Zimbabwe) in 1890 as part of an invading group of adventurers known as the Pioneer Column which Rhodes sponsored were imbued by this sense of mission and superiority which made them regard the indigenous African majority as a lesser breed to be controlled and guided toward Western civilization. Following their victory in the 1893 Anglo-Ndebele War and the subsequent successful suppression of the *Chimurenga/Umvukela* armed uprisings of 1896, colonial settlers not only claimed the right to rule by conquest, but also consolidated their white supremacist

ideology and the conviction that the African majority was a subject race, not only in need of moral guidance and civilization, but also of strict and close control. The determination to control the majority of Africans as closely as possible stemmed from the fear of them inspired by the 1896 uprisings and the ever-present fear of the largely outnumbered white settler population of being swamped by the Africans. Not surprisingly, little effort was made to understand the Africans and their worldview, while a determined resolve prevailed to “civilize” the so-called natives. (This innocuous term normally used to denote indigenous peoples of original inhabitants of a place took on a rather derogatory meaning in colonial Zimbabwe where it increasingly implied inferiority and lack of civilisation. Hence, it will be used in this chapter only in quotation marks.) Thus, the gulf between the races was entrenched in Rhodesian society from the very onset of European colonialism.

According to Anthony Chennells, the white Rhodesian self-image which developed in the early years of colonialism “was based on the idea that they were civilisers of the wilderness, taming its violence. They saw themselves as peace-bringers and profoundly moral beings, in contrast to the less-than-human blacks that embodied brute nature” (Sicilia 1999). Not surprisingly, therefore, whites generally regarded Africans as perpetual children to be firmly and strictly controlled by the civilized settlers. Africans were, thus, perpetually infantilized and were routinely referred to as “boys” or “girls” regardless of their age, as in the then common references to “houseboys” and “house girls” for grown-up African men and women.

Increasingly, therefore, whiteness became a mark of superiority and civilization and, therefore, power and privilege to be promoted guarded and defended at all times, and remained so throughout Zimbabwe’s colonial history. This was very evident in the way the successive generations of white political leaders asserted this superiority and white entitlement and repeatedly affirmed the white people’s civilizing mission in the colony. For instance, Godfrey Huggins, Rhodesian Prime Minister from the 1930s onwards, declared that “the greatest civilising influence in Southern Rhodesia is the White settler, as long as he is really white inside,” while dismissing Africans as incompetent and incapable of holding political or administrative office. When discussions were under way to set up the Federation of Rhodesia and Nyasaland or the Central African Federation, Huggins was adamant that Africans should not be given any administrative positions in its governance structures. He made it abundantly clear that his vision of the proposed Central African Federation had no place for blacks at all in its structures because, “they are quite incapable of playing a full part . . . They may have a university degree, but their background is all wrong.” In response to a seeming insistence by politicians in the United Kingdom to make the Federation more inclusive, Huggins asserted: “It is time for the people in England to realise that the white man in Africa is not prepared and never will be prepared to accept the African as an equal, either socially or politically” because there was “something in their [Africans] chromosomes which makes them more backward and different from peoples living in the East and West” (Turnbull 1962: 90). Given this racist attitude toward the Africans, it came as no surprise that Huggins spearheaded the policy of separate development which he labelled the two-pyramid system when he became the colony’s Prime Minister in

the mid-1930s. As the name suggests, the policy had much in common with the later policy of separate or parallel racial development which was the foundation of the South African apartheid system when the Nationalists came to power in that country in 1948.

Similarly, Ian Smith, the Prime Minister of Rhodesia, in the Unilateral Declaration of Independence (UDI) government from 1965 to 1979 justified UDI by saying that by preventing black majority rule in the country, they had “struck a blow for the preservation of justice, civilisation and Christianity.”

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## Racism and the Black Peril Phenomenon

A clear manifestation of pervasive White settler racism and the fear of the African majority which accompanied and underpinned it was the black peril phenomenon of the early twentieth century which saw White settler society experiencing collective hysteria over the alleged sexual threat of African males to white womanhood. The fear, it seems, stemmed from the 1896 uprisings which had resulted in the killings of almost 10% of the total white population and the resulting and ever-present specter of racial swamping, especially given the ratio of Africans to whites of 45:1 in 1901 and 22:1 in 1931 (Mhike 2016). Constantly aware that Africans resented their domination, White settlers were apprehensive about their future in the country and of the likelihood of Africans seeking revenge at some point, including through possible sexual abuse of white women by the, generally, depraved black males driven by irresistible primitive animal sexual instincts. Commenting on this pervasive and ever-present fear of the Africans stemming from the 1896 uprisings, Katherine Gombay stated:

The ‘Rebellion’ confirmed the settlers’ preconceptions about the brutishness of the Africans, while also awakening in them a sense of their own vulnerability which diminished little over the next two or three decades. It was this legacy of fear and hate which found expression in phenomena such as the black peril. (Gombay 1991)

Imagining Africans as less than human and naturally depraved and brutish was not difficult for the settlers, given that they regarded Africans as little more than children who were ruled by emotions and, therefore, capable of the most violent outbursts of anger and dark acts of sexual passion. Such attitudes were fed by the “scholarship” of the day which was steeped in the racist principles of Social Darwinism, which “formed such a crucial ideological underpinning to colonial conquest” (Pape 1990) and claimed that Africans were subhuman. An example was Professor Henry Drummond’s book entitled *Tropical Africa*, published in 1890, in which he characterized Africans as “tribes with no name, speaking tongues which no man can interpret” and who were “half animal half children, wholly savage and wholly heathen” (Drummond 1890). According to such “scholarship,” Africans were still at a lower level of evolution and were not yet capable of controlling their sexual urges. This is what was reflected in the statement by one member of the

Legislative Assembly in 1916 that “the male native more or less has a tendency to commit rape” (*Rhodesia Herald* 14 July 1916). Similarly, describing African girls, N. H. Wilson stressed that African morality was low and that African girls passions “are stronger, they have much more of the animal in them in sex matters and they have not the restraint and control that white women have” (Mushonga 2013). This toxic combination of fear and racial hatred of the Africans inevitably led to the determination to impose strict legal controls on Africans in order to monitor and govern their every activity.

Because Africans were believed to be little more than infants, it was presumed that they could not handle European liquor, hence the passage of the 1898 Sale of Liquor to Natives and Indians Regulations. Also, to keep Africans out of white residential areas, the government passed the Native Locations Ordinance in the same year. In 1901 came the Master and Servants Ordinance designed to enforce African workers’ obedience and subservience to their white employers, as well as to limit their work and economic options. Most significantly, in order to address the settler community’s fear of the abuse of white womanhood by African males, colonial authorities passed the Immorality Suppression Ordinance of 1903, followed by the Immorality and Indecency (Suppression) Ordinance of 1916. Thus African actions and behaviors were systematically criminalized.

The 1903 Ordinance, specifically, outlawed sexual relations between white women and black men and made such transgressions punishable by a maximum sentence of 2 years in prison for white women and 5 years for black men. In addition, black men could be condemned to death for any act legally defined as “attempted rape.” Significantly, there was no law preventing white men from having sexual relations with black women or pronouncing on attempted rape of black women by white men. Indeed, the growing number of children of mixed race, known in Southern Rhodesia as Coloureds, is testimony to the prevalence of white male and black female sexual relations over time. Indeed, while white males who married or cohabited with black women were ostracized or criticized by fellow whites, evidence abounds that such sexual arrangements were quite common in the early decades of the twentieth century (Mushonga 2013; Schmidt 1992). Attempts to pass laws criminalizing white men’s sexual interaction with black women were continually unsuccessful until the 1950s.

Indeed, as Pape pointed out, while the black peril legislation was the result of white male anxiety and sense of insecurity arising out of the fear of the African majority, it may also have been a diversionary tactic designed to divert attention from their sexual shenanigans with black women. Thus,

By encouraging white rage against black sexual offenders, settler men were able to hide their own far more widespread and often violent sexual relations with black women. This was the real sexual ‘peril’ in colonial society, but it can only be discovered by reading between the lines of the tirades against [Africans accused of such crimes]. (Pape 1990)

Moreover, white settler society seems to have downplayed the role that some white women may have played in encouraging or initiating sexual relations with

their black servants for purposes of self-gratification or out of curiosity. Mushonga reports that there were 46 cases of white women who used their authority as employers of black men to “persuade” them to have sexual relations with them between 1899 and 1914 (Mushonga 2013). Vambe argued that consensual sexual relations between white women and black men were not that uncommon and that it was only when a white woman involved with a black man was exposed that she would cry rape. Power relations were such, he argues, that even if the black man was reluctant to have sexual relations with a white woman, if the white woman ordered the servant to sleep with her, he had little choice, lest he be falsely reported as having attempted to rape the mistress (Vambe 1976).

According to McCulloch, as a result of the immorality and indecency in legislation, no less than 20 African men were “charged and executed for sexual assault of white women,” while, approximately, “two hundred others were either imprisoned or flogged between 1902 and 1935” (West 2003). The sentences meted out to alleged offenders by white-only male kangaroo-type courts, which were “quick to convict African men for any behaviour which could be construed or misconstrued as being threatening to white women” (Vambe 1976), were, most likely, unfair and unjustified and spoke more to the ingrained racial prejudices of white settler males and the hysterical public rhetoric of the threat to white womanhood at the time than to evidence of actual sexual assaults. West observes that:

The brief kangaroo proceedings that passed for trials went hand in hand with the public expression of white outrage, as exemplified in rallies, fulminations in the press, and demands for still tougher action by the colonial legislature and the administration. (West 2003)

The settlers’ hostility to interracial sexual relations persisted for most of the colonial period, as evidenced by the fact that when an African, John Matimba, who had married Adriana von Hoom, a white woman of Dutch descent while studying in England, returned to the country in the mid-1950s, he and his wife found it impossible to settle in the country because of the hostility of the local white society. Not only could they not find anywhere to stay because of the 1930 Land Apportionment Act (LAA) which divided the country into white and black areas and did not provide for mixed marriage accommodation, but they also came under hostile attack in the press, while their marriage was the subject of such acrimonious public debates that they decided to go into exile in 1959 (Mushonga 2008).

Meanwhile, as late as the 1950s, new white female immigrants into the then Federation of Rhodesia and Nyasaland were still warned “never to allow their female children to exhibit any degree of nakedness and for themselves to make their own beds, wash their own underwear and avoid appearing in a state of casual undress . . . [as this would put them] at risk at the hands of male servants” (Mlambo 2014).

Doris Lessing’s *The Grass is Singing* captures the persistent white fear of the back peril and disapproval of interracial sexual relations between white women and black males very well in her portrayal of the murder of Mary Turner, the main white female character, by her African male servant under circumstances which smacked of an intimate relation gone wrong. Lessing’s representation of the settler community’s

reaction to this tragic event suggests that, for many, this merely confirmed what was expected of such an unnatural and undesirable interracial liaison. Pointedly, the novel's opening words are:

Mary Turner, wife of Richard Turner, a farmer at Ngesi, was found murdered on the front of their homestead yesterday morning. The houseboy, who has been arrested, has confessed to the crime. No motive has been discovered. It is thought he was in search of valuables. The newspaper did not say much. People all over the country must have glanced at the paragraph with its sensational heading and felt a little spurt of anger mingled with what was almost satisfaction, as if some belief had been confirmed, as if something had happened which could only have been expected. (Lessing 1950)

As shown, racism, which was informed by Social Darwinism at the turn of the twentieth century, underpinned the European colonization project in Africa and gave the incoming settlers a sense of superiority which translated into negative attitudes toward the African majority and discriminatory policies against them.

Indeed, as time went on, the settlers' sense of Africans as infantile and in need of "civilization" deepened, with adult men continuing to be referred to as "boys" who were expected to behave respectfully toward their elders (whites of whatever age) and whose "insolent" behavior, which might include speaking in a loud voice, appearing angry toward any authority figure, and "laughing outright and grinning when being interrogated by the police," was prosecutable behavior (Shutt 2007). In tandem also developed white ideas of "native stupidity" and "inferiority," particularly among the semiskilled whites.

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## White Racism and the Alienation and Racialization of Land

White racism in colonial Zimbabwe was most pronounced in the manner in which the incoming white settlers arrogated themselves the right to land without any consultation with the local inhabitants whom they found already in the country and then proceeded to decide what parts of the country Africans could legally occupy based on their race. The expropriation of land by the whites commenced with the arrival of the Pioneer Column in 1890. Through his British South Africa Company (BSAC), Rhodes funded a group of adventurers called the Pioneer Column to occupy the land north of the Limpopo River and promised them 3000 acres of land claims each for participating in the occupation. No negotiations with local African authorities had been conducted prior to this decision being taken and then implemented; the assumption being that, either the land belonged to no one or the incoming whites had the right to allocate the land as they wished. This right, it was assumed, was bestowed on the settlers by the Royal Charter given to the BSAC by the British Government, authorizing it to govern the territory it was, yet, to establish. It was assumed, therefore, that the company could dispose of the colony's land on behalf of the British Crown.

It can be argued that the settlers' decision to arbitrarily expropriate and allocate land was, initially, based on a misconception that any uninhabited land at the time

of occupation belonged to no one and was, therefore, available for the taking, whereas, the situation was very different. In African society, land did not belong to either individuals or chiefs and kings, but to the community as a whole, together with the yet to be born and those who had passed on. Individuals only had usufruct rights on the land which was allocated to them and which was administered by the traditional leaders. The fact that there were stretches of land which were not occupied at the time of the British occupation did not necessarily mean that the land belonged to nobody, as local populations and their rulers knew exactly which group owned which stretch of land, without boundary pegs or picket fence demarcations.

In the early years of occupation, Whites used very little of the land allocated to them as they concentrated mainly on prospecting for gold. After all, most early settlers had entered the colony in the hope that they would make their fortunes from the fabled gold deposits that, reportedly, were as rich as those at the Rand in South Africa. With time, however, disappointed at not finding the reported rich gold deposits, many of the pioneers either abandoned their land and drifted back to South Africa or sold the land to a number of speculative land companies that were emerging in the colony. Some settlers turned to agriculture, but for a long time, this was little more than subsistence farming. Meanwhile, the small, but growing white settler population depended on the agricultural produce of the African peasant farmers who had responded favorably to the market opportunities offered by this incoming population and increased their output for sale in the mines and other emerging white settlements. Eventually, more Whites took up farming for a living and sought government support for their industry. In the process of developing white agriculture, the colonial government, under pressure to promote and defend the white agricultural sector, proceeded to destroy African agriculture and to promote white agriculture, instead.

The destruction of African agriculture was effected, mainly, through land alienation and confining Africans to designated areas of the country known as African reserves. The first three African reserves, namely Gwaai, Tsholotsho, and Nkai, were established in 1893 in Matebeleland, following the recommendations of the Commission of Enquiry on future land policy set up by the Company Government in that year. What all three areas had in common were poor soils and little rainfall. They were also far away from the emerging urban centers which provided viable markets for agricultural produce. This pattern was to characterize most of the African reserves established by successive governments throughout the colonial period. By 1905, 60 reserves had already been established. More reserves were established following the recommendations of the 1913 Reserves Commission, most of them also located in areas "with little rainfall and far away from major transportation lines and market towns" in order to eliminate competition from African farmers in the agricultural market (Mlambo 2014; Phimister 1988). By 1914, Whites, whose population amounted to only 28,000 people or 3% of the total population, controlled 75% of the land, while Africans, numbering 836, 000 people and accounting for 97% of the population, were confined to



only 23% of the land in the agriculturally marginal areas of the country (Mushunje 2005).

The most defining law of Southern Rhodesian's racially based land segregation was Land Apportionment Act (LAA) of 1930 which became the pillar and key symbol of racial segregation in colonial Zimbabwe. Dividing the colony's land surface into white, African, and crown lands, the Act decreed where the two racial groups could legally own land or reside, with a minority population of whites amounting to 50,000 people receiving 52% of the land, while the 1 million African majority were allocated a mere 29.8%, designated as Tribal Trust Lands (TTLs). In order to create a buffer class between whites and Africans, the Act also provided for the so-called Native Purchase Areas (NPAs), where Africans could purchase land. The Crown lands were owned by the state in reserve for future allocation, as well as for public parks and state forests. The 1930 LAA was a close copy of the South African 1913 Native Land Act, which also sought to cripple African agricultural self-sufficiency in order to generate cheap African labor, among other objectives.

When, as expected, the growing African population began to exert pressure on the allocated land resources through soil erosion and other forms of environmental degradation, the colonial governments placed the blame on poor African agricultural practices and imposed cattle destocking measures as well as a number of very unpopular soil conservation policies which alienated a growing number of Africans. These measures were accompanied by the 1951 by the Native Land Husbandry Act (LHA), Native Land Husbandry Act (NLHA), which was designed to reform the African land tenure system from communal to individual ownership, ostensibly, in order to improve efficiency in African agriculture. A not-so-obviously stated objective was to promote stable labor in the emerging industries in the colony's emerging towns and cities by creating a class of Africans permanently divorced from the land and, therefore, obliged to provide labor in the emerging industries. The last major piece of land legislation during the colonial period was the Land Tenure Act of 1969 passed by the Rhodesian Front government of the day, which replaced the LAA and still unfairly allocated an equal amount of land to Africans and whites, even though whites comprised only 5% of the colony's population. Thus, approximately 5 million Africans were to share 44.9 million acres at the ratio of 67.9 persons per square mile, while less than a quarter of a million whites shared 44.95 million acres at 3.2 persons per acre (Austin 1975). As was presaged by the first three African reserves created in 1893, most of the land allocated to the Africans in subsequent legislation was in dry areas with marginal and unproductive soils, thus contributing greatly to the economic marginalization and underdevelopment of the African majority. In the words of Reg. Austin,

Apart from tenure and scale, Africans suffer other disadvantages: The main roads and railway lines were planned only in relation to white areas. Urban centres and, hence, industry and associated activities are concentrated in white areas. In relation to soil fertility and rainfall, the better agricultural land is predominantly in white areas. By and large, whites have almost as much 'good' land as 'bad' land, while the African land is three-quarters 'bad' and only a quarter 'good'. (Austin 1975)

## A Racialized Labor Regime

A dilemma facing early white settlers was how to maintain spatial racial segregation while ensuring the constant supply of cheap African labor. The solution was found in the creation of African reserves where Africans could permanently reside but be allowed to provide labor in the white areas as transient laborers. For this reason, there was great resistance to the provision of urban housing and social amenities to Africans, especially since there was also a widely held belief that Africans were “unhygienic” and most likely to engender disease outbreaks which would impact negatively on the white population. According to Ginsburg,

Under the policy of segregation, Africans were categorised as temporary lodgers in white cities to fulfil the most menial of tasks. It was believed that physical proximity meant more chance of social mixing, miscegenation and the spread of disease . . . Africans were seen to carry infectious diseases over to the white population and this provided a powerful justification and motivation for urban segregation. (Ginsburg 2017)

Consequently, the state passed the Native Urban Locations Ordinance (1906) and the Private Locations Ordinance (1908) restricting Africans to designated native areas or native locations which were very basic, since they were regarded as only temporary homes for the transient laborers who had their permanent homes in the Reserves.

In order to control African labor, the state passed the 1901 Masters and Servants Ordinance and the 1902 Natives Pass Ordinance, both designed to enforce labor contracts and to regulate African labor mobility. The first regulated relations between white masters and African servants in ways which gave the former unchallenged control over the latter, while the second was meant to control the movement of male laborers in the colonial economy and to reduce desertions, among other goals. Indeed, the lives of African males above the age of 14 years became closely governed by a variety of passes, namely registration certificates, work-seeking passes, visiting passes, contract service passes upon gaining employment, and passes to get out of the employers’ premises at night. Meanwhile, mine owners adopted the compound system which housed laborers, mostly migrant workers from the surrounding countries of Northern Rhodesia, Nyasaland and Mozambique, in prison-like institutions where they were closely monitored and could be easily disciplined. To get the labor out, the state introduced a range of taxes, including the Native tax, dog tax, dip tax, and a tax for every second and subsequent wives; all payable in money and, therefore, necessitating Africans to seek for employment in the white economic sector in order to raise the required amounts.

Meanwhile, white workers, like white farmers, remained strongly hostile to African competition, as evidenced in the open hostility by white artisans to the training of African artisans at Missions in the early 1920s, resulting in the commitment by the country’s Chamber of Mines under pressure from the white trade unions that “coloured employees should not be employed on certain skilled work” (Steele 1972). Opposition to possible African competition in the work place was pushed

vigorously by the Rhodesian Labor Party in the 1920s, which, reminiscent of white workers on the Rand in South Africa at the time, insisted on guaranteeing the white workers' future through an industrial color bar that would ensure that African artisans would be permitted to work only in their own areas. It maintained that Africans should be employed in white areas only as unskilled workers. Significantly also at its foundation in 1929, the White Rhodesia Association, whose first chairman was the future Prime Minister, Godfrey Huggins, proposed to stem African competition in the labor market through increased white immigration which would result in the country having more whites than Africans and, thus make African labor redundant. It was partly under this pressure that Prime Minister Huggins promulgated his two-pyramid policy in which whites and Africans were to develop separately from each other.

This was followed by the state passing the Industrial Conciliation Act of 1934, which was enacted partly "in response to a strike by European workers within the building industry who felt threatened by being replaced by African workers" (Ginsburg 2017). The Act effectively introduced a labor color bar by providing for the establishment of trade unions and industrial councils for employers as part of an industrial conciliation system, but pointedly excluding Africans from the definition of employees and, thus, making it unlawful for them to be part of trade unions. Meanwhile, apprenticeships were restricted to whites under the Act. This was in addition to the fact that the Public Services Act of 1921 had already excluded Africans from employment in the civil services, meaning that Africans could not work as "foremen, telegraphists, postal sorter, salesmen, typists, printers, dispensers, or even mechanics employed by Government or industry." Despite such restrictions, an African middle class developed, nevertheless, over time, much to the consternation of some white workers (Ginsburg 2017).

Justifying his policies, Huggins stated:

The Europeans in this country can be likened to an island of white in a sea of black, with the artisan and tradesmen forming the shores and professional classes the highlands in the centre. Is the native to be allowed to erode away the shores and gradually attack the highland? To permit this would mean that the leaven of civilisation would be removed from the country, and the black man would inevitably revert to a barbarian worse than before. (*Bulawayo Chronicle*, 31 March, 1938)

Under the Huggins administration, African workers faced other restrictive discriminatory legislation, including the 1936 Native Registration Act, which regulated the movement of African males into the urban centers by requiring that, in addition to the registration certificate introduced earlier in the century, one had to have either a "pass authorising him to seek work in town, a certificate to prove that he was employed in the town, a certificate signed by a native commissioner" testifying that he was "earning a living in the town by lawful means" or a visiting pass from his employer if employed outside town (Phimister 1988). With time, however, Huggins realized that separate development was not practical in the Rhodesian context and moved more toward a discriminatory but more integrated development model.

Discrimination between white and black workers persisted into the Unilateral Declaration of Independence (UDI) years from 1965 until the country's independence in 1980, during which period many white workers supported the Rhodesian Front Party's policies to maintain "segregation, land apportionment, the colour bar" and "to protect the white settler state" and its claims to fighting to maintain "standards" and against communism. While the official rhetoric was that of defending Christian civilization, white workers, in fact, sought to maintain so-called standards, "through upholding racist labour practices" and "conflated their own fate with the idea of 'white civilisation'" (Ginsburg 2017).

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### **Some Are "More White" than Others (Mlambo 2000)**

Racism in Southern Rhodesia manifested itself, not only along the white and black racial divide, but also among whites themselves, with settlers of English stock regarding themselves as superior to whites from other countries or regions of the world. While Cecil John Rhodes had dreamt of developing Southern Rhodesia as a white man's country, this was not to be because Rhodesian governments were very particular about who they let into "their" country, preferring to accept only the "right type" of immigrant, by which they meant British immigrants. In fact, despite the semblance of unity, the white Rhodesian community was deeply divided by, among other factors, racism and racial chauvinism which emanated, largely, from settlers of British stock and which evoked equally strong animosities from other white groups, particularly the Afrikaners. By the 1920s, Afrikaners were generally regarded as illiterate, indigent, and undesirable and a group which was once described as "neither black not white but really worse than animals; and . . . mentally deficient" (Townsend 1964). British settlers also dismissed Afrikaners as people with "no code of honour such as is understood by the Britishers," "low class," and "persons of a poor and shiftless type, physical degenerates, sick and diseased" as well as people who were "low in mentality and mode of existence . . . little removed from the native" (Mlambo 2003). Also looked down upon were Poles, Greeks, Italian, Spaniards, and people of the Jewish religion (Mlambo 2003).

Writing in the 1920s, E. Tawse Jollie, the only female member of the Southern Rhodesian Legislative Council, noted that the "average-born Rhodesian feels that this is essentially a British country, pioneered, bought and developed by British people, and he wants to keep it so" (Jollie 1921). Similarly, in 1939, C. Harding of the Department of Internal Affairs gave the official Southern Rhodesian government position on immigrations as follows:

The policy of the government in regard to immigrants is to maintain a preponderance of British subjects in about the same proportions as last year when the total number of immigrants was 3 500 of whom 3 000 were British subjects and 500 aliens i.e. 6 to 1. (Mlambo 2003)

Ginsburg reported that the 1933 Immigration Bill listed “Levantines, Europeans from Eastern Europe, Europeans from South Eastern Europe, Low class Greeks, low class Italians, ‘Jews of low type and mixed origin and other persons of mixed origin and continental birth’” as undesirable immigrants (Ginsburg 2017).

As Gann and Gelfand correctly observed, in the post-Second World War years as well as in earlier years, “After dinner speakers would extol ‘white Rhodesia’ but agreed that white aliens should not be allowed to overrun the country but must only be assimilated in penny packets”(Gann and Gelfand 1964).

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## The Invisible Minorities

In addition to the racial categories of European and “native,” there was also another category, that of Asians and Coloureds, who Muzondidya calls the “invisible subject minorities . . . who held an intermediate status in the Rhodesian racial hierarchy, distinct from the white and African populations.” (The category of “natives” comprised two distinct groups, namely the so-called colonial natives, who included all the Africans in the country and who originated from outside the country, and indigenous natives, i.e., those descending from tribes indigenous to Rhodesia.) Included in this category were local and foreign descendants of mixed race, including “Griquas, Malays and Cape Coloureds from South Africa” and Indian immigrants (Muzondidya 2007). The settler state strongly discouraged Indian immigration into the country, resulting in the Indian population in the country remaining small for much of the colonial period. The immigration of Indians into Rhodesia was regarded with both fear and hostility. The fear was of economic competition as Indians were accused of undercutting European merchants which threatened the very existence of whites in the country (Douglas n.d.). In 1908, the state passed the Asiatic Immigration Ordinance of 1908 designed to discourage Indian immigration except at the discretion of the Company Administrator. The ordinance was rescinded following protests from the British India Association and the Indian Government (Mlambo 2003).

Despite being regarded as inferior to whites, the invisible minorities were considered superior to the “natives” and were, accordingly, granted some privileges which were denied the indigenous population. For instance, they did not have to carry passes and had easier access to the urban areas. They also were free to live in the urban areas and were not confined to the Locations, until the passage of the 1930 LAA after which they were required to reside in segregated areas. Asians and Coloureds also had access to white hospitals, schools, and other social amenities and had some voting powers, at least until the Rhodesian Front removed this right in its 1969 Constitution. These privileges notwithstanding, the subject races were still discriminated against in the types of employment they could take up and “remained on the margins of colonial society where they faced exploitation, discrimination and denial of full citizenship because of their race and origin” (Muzondidya 2007).

## Political Marginalization and Other Forms of Discrimination

Throughout the colonial period, Africans remained politically marginalized even though, technically, the vote was open to everyone who met the various stipulated qualifications. The main problem was that these qualifications were set so high that very few Africans could meet them, so the majority of the African population could not vote. A good example is the 1923 Constitution which granted the vote to all men (White women had been allowed to vote in 1919) who were British subjects over 21 years of age and literate enough to fill the particulars of the application form but set the conditions that to be eligible, applicants for enrolment must have an income of £100 per annum, occupy buildings worth £150, or own a mining claim. Given the fact that the average wage of an African was £3 a month, only whites were eligible to vote under this constitution (Mutiti 1974). Subsequent constitutions raised the property qualification bar to levels that excluded the African majority as well as demanding specified educational levels that were unattainable to most Africans in an educational system which favored white children over blacks in several ways.

The state discriminated against African children in education by showing no interest in African education and leaving it in the hands of the missionaries until well into the 1940s and encouraging mostly industrial education in those schools through a grant system which it provided the mission schools with (Dierdorp 2015). The state had no interest in providing a well-rounded education for African children, for as one member of the Southern Rhodesian Legislative Assembly emphasized in 1927:

We do not intend to hand over this country to the native population or to admit them to the same society or political position as we occupy ourselves . . . We should make no pretence of educating them in exactly the same way as we do the Europeans.

Following that logic, African education was consistently underfunded throughout the colonial period. In addition, while education was made compulsory for all white children from 1930, over 50% of African children were not attending school as late as 1979, while the government established the first secondary school in the country only in 1946 (Mlambo 2014). It is no wonder most Africans could not meet the educational requirements for voting.

Apart from the political marginalization, as in South Africa, Africans in Rhodesia were also governed by petty discrimination legislation barring them from using Whites-only toilets, park benches, and other public facilities, and, until the late 1920s, from walking on the pavements in the towns. Until the 1960s, the major hotels in Salisbury, the Miekles and the Ambassador, enforced a color bar and did not serve Africans in their bars and restaurants. The third, the Jameson, was multiracial but deliberately exclusive of the African majority by insisting on certain standards of “culture,” “civilization,” and dress code. Lastly, until 1959, “it was illegal to accommodate Africans in hotels that were located in European areas (and vice versa)” without special permission from the Secretary of Native Affairs (Craggs 2012).

There was also rampant discrimination in sports (Novak 2012, Dierdorp) and in other social spaces. Such discrimination belied the official policy as a member of the Central African Federation (1953–1963) which was, officially, one of promoting partnership between the races, although it later turned out that the partnership which was envisaged was that between a rider and a horse, rather than one based on genuine equality. White liberal organizations, such as the Interracial Association (IRA) and the Capricorn Africa Society (CAS), mushroomed in this period and maintained the fiction of racial partnership, succeeding in attracting the attention of a few African nationalists for a while until the Africans realized that partnership was a sham (Mlambo 2014; Townsend 1964; Craggs 2012). It was the cumulative result of the many years of political, economic, social, educational, and other types of marginalization on the basis of race which eventually led to the rise and intensification of African nationalism which culminated in the armed struggle as African nationalists fought to end white settler colonialism in the country.

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## Conclusion

Colonial Zimbabwe was born out of a racist ethos espoused by its patron, Cecil Rhodes, and rooted in the late nineteenth century scientific racism, social Darwinism, and the white-man's-burden philosophy which extolled the virtues of whiteness and Western civilization and denigrated everything African. Not surprisingly, the African population was treated as second-class citizens and marginalized in every walk of life throughout the colonial period, resulting in African nationalists taking up arms in a bitter struggle to overthrow the racist colonial dispensation. The result was Zimbabwe's independence in 1980.

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## Abstract

This chapter analyzes the context causes and consequences for ethnic relations of the 2001 riots in the North of England. Between May and July 2001, a series of riots occurred in the Northern former textile towns of Oldham, Burnley, and Bradford. The social context and key features of the riots in each of the towns are examined. This is followed by a discussion of the policing and subsequent prosecution of the rioters, especially in Bradford where the most serious disturbances occurred. Finally the chapter analyzes the emergence of community cohesion policy as one of the longer-term consequences of the riots.

## Keywords

Ethnic relations · South Asian · 2001 riots · Bradford · Oldham · Burnley

P. Bagguley (✉) · Y. Hussain  
School of Sociology and Social Policy, University of Leeds, Leeds, UK  
e-mail: [P.Bagguley@leeds.ac.uk](mailto:P.Bagguley@leeds.ac.uk)

## Introduction

The year 2001 is better remembered for the 9/11 attacks and the beginning of the long “war on terror” (Sayyid 2013). However, from May to July 2001, there were a series of riots in Oldham, Burnley, and Bradford in the North of England. The three towns shared the characteristics of being former centers of the textile industry and had lost most of this employment since the 1980s and also had substantial British South Asian populations. This wave of riots began in Oldham over 26–29 May involving around 500 people, injuring two police officers and three members of the public. The resulting damage to property was estimated at £1.4 million. A month later in Burnley, similar disturbances involving around 400 people occurred on 24–26 June. In this case 83 police officers were injured along with 28 members of the public. The most serious riot that summer occurred in Bradford over 7–9 July involving 500 people. Those injured during the Bradford disturbances included 326 police officers and 14 members of the public (Bagguley and Hussain 2008).

Rude (1981: 10–11) suggested that it is necessary to ask what happened in a riot and why and with what consequences and what were the response of the forces of law and order and the longer-term consequences of the event. This chapter provides such an overview of the riots of 2001 in the UK. It begins with a consideration of what kinds of places were Oldham, Burnley, and Bradford in 2001 and what is known about who was involved and who or what they were attacking. This is then followed by a section on the response of the police and the criminal justice system to the riots with a special focus on the political responses to the riots. The final section of the chapter looks at the longer-term consequences of the riots in terms of the changes that resulted in the state’s management of “ethnic relations” in the UK in terms of the emergence of the discourse and practice of community cohesion.

It is important to locate the events of 2001 in the longer-term history of racialized riots in the UK (Bagguley and Hussain 2008; Joshua and Wallace 1983; Keith 1993). The conventional view is to see the character of these riots changing over time from white crowds attacking ethnic minority men in the riots up to the 1950, often with police standing aside, with the 1980s onward as a period of “black resistance” (Joshua and Wallace 1983). However, in this chapter it is suggested that the 2001 riots do not quite fit this historical generalization as shall be seen from the discussion of the riots below. If anything the riots of 2001 have several similarities with the riots of the first half of the twentieth century, especially given the role of neofascist groups and white crowds instigating some of the violence.

Prior to the riots, there had been heightened media and political concerns around young South Asian men giving rise to a populist image of “the Asian gang” Alexander’s (2004). These populist discourses suggested that while young Bangladeshi and Pakistani women apparently need defending from forced marriages and male violence, the rest of “us” need defending from the young men from the same backgrounds. South Asian men are no longer stereotyped in media and political discourses as passive feminized victims as they were prior to the 1990s, but since then they have been increasingly seen as the new aggressors (Alexander 2004). All of this marks a reworking of the meaning of ethnicity as it is imposed upon South

Asian communities by others. While previously the concern was to define ethnicity in this context in terms of supposedly traditional, fixed, and internally homogenous collectivities based upon the national origins of the initial migrants, this has now shifted to focus upon religion as the defining characteristic. In particular Muslims are now seen as the most problematic group and the ones who are reluctant to assimilate, the most deprived, and the most dangerous. The 2001 riots in the UK and the wider responses to them were a key turning point in how Muslims were perceived in the UK.

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## What Happened in 2001?

This section examines the social contexts of Oldham, Burnley, and Bradford in 2001 and who was involved in the riots. Despite the popular impression of Oldham, Burnley, and Bradford as centers of settlement of the South Asian, and especially Pakistani, diaspora in Britain, all three locations at the time had predominantly White British populations. According to the 2001 Census, 4.9% of the Burnley population, 6.3% of the Oldham population, and 14.5% of the Bradford population reported their ethnic origin as British-Pakistani (Bagguley and Hussain 2008: 40). Furthermore, these were still predominantly working class places compared to the rest of the country. Over 50% of the population in each of these towns reported their employment as being in blue-collar or working class occupations to the 2001 Census, compared to England and Wales as a whole where most people reported that they were in white-collar or middle class occupations. The riots occurred against local backgrounds of high unemployment. The unemployment rates for men from the two principal British South-Asian ethnic groups in the three localities were twice as high as the White British male population (Bagguley and Hussain 2008: 41).

Oldham was the first place which experienced unrest in 2001 and had experienced deteriorating relationships between the local police and the local communities prior to this (Ray and Smith 2004). This saw the emergence of a “moral panic” about racially motivated crimes by South Asians on local white people (Ray and Smith 2004: 687). The release of these statistics to the media and how they were interpreted heightened the sense of conflict between the white and South Asian communities in Oldham. The police claimed that during the 1990s gangs of young South Asian men had been trying to create “no-go” areas for whites in certain areas of Oldham (Kalra 2002). In January 2001 the police figures purported to show that over 60% of the racial incidents were by South Asians on whites. Consequently the local press reported the rise in racist offending against whites in typically lurid terms (Ray and Smith 2004: 691). This undermined the confidence of ethnic minority communities in the local police. In such a context, underreporting of racist incidents against ethnic minority communities tends to follow, further distorting the picture represented in official statistics (Ray and Smith 2004).

The media interest in these issues led the neofascist British National Party (BNP) to see the town as a potential area for recruitment and possible electoral contests, and the central theme of this mobilization was the defense of white rights and the

vilification of Muslims (Allen 2003: 26). Following a rally in the town on 3 March, the Party staged a protest outside the local police station against South Asian violence toward whites. This was followed up by the National Front planning a march in Oldham at the end of the month. The march was banned by the Home Office, but this was followed by national media interest in the form of BBC's Radio 4 reporting on the creation of no-go areas for whites in the town.

Unfortunately these events were followed by an attack by a group of South Asian youths on a 76-year-old white war veteran. Although this did not take place in one of the putative "no-go areas," the attack did attract further attention to the issue. National newspapers claimed that the attack was racially motivated with headlines such as "Whites beware" and "Beaten for being white," despite the victim's family arguing that it was not a racially motivated crime. Over the following weeks during the general election campaign groups of members of neofascist organizations such as the BNP, the National Front and Combat 18 met regularly in Oldham pubs, and one of these meetings played a key role in the riots that followed (Asian News, 1 December 2001).

On the evening of 26 May 2001, two South Asian boys aged 11 and 14 were walking along a street on the boundary of the mainly South Asian Glodwick neighborhood. A 16-year-old white youth threw a brick at them which struck one of them on the leg. He ran into a nearby house pursued by the victim and his 19-year-old brother. As they kicked the front door of the house, a 36-year-old white woman who lived there became alarmed and was racially abusive toward them and attempted to slap one of them as she followed them down the street. Other South Asian youngsters became embroiled in the argument, and the woman phoned her 25-year-old brother telling him: "Some Pakis have kicked the door in." He had spent the day in Oldham pubs with up to 12 friends variously described as members of the neofascist group Combat 18 as well as the Fine Young Casuals firm of football hooligans singing songs such as "Keep me English," "No surrender to the IRA," and "If you all hate Pakis clap your hands" (Bagguley and Hussain 2008: 47).

The group arrived at the house shortly after 8:00 pm and proceeded to attack nearby South Asian people and their property with iron bars and piece of wood. Up to 200 White people were reportedly in the area retreating into local pubs after their attacks. Windows were smashed, and a South Asian woman 34 weeks pregnant had to receive hospital treatment for shock after her house was attacked (Kundnani 2003). As a result South Asian men responded in the midst of rumors that the police were not responding to the attacks. The police arrested some of the South Asian men who arrived on the scene while protecting white people they had arrested, and at 8:45 pm the police withdrew from the area. Later that evening and into the early morning, around 500 South Asian men built barricades and threw petrol bombs and other missiles at police. In addition the offices of the *Oldham Evening Chronicle*, a local newspaper widely seen as anti-Asian, 4 public houses and 32 police vehicles were damaged.

It was over 2 years later that the 12 white defendants were tried and sentenced for their role in the riots. Despite the court accepting that they had played a key role in instigating the violence, nine men and one woman were sentenced to 9 months each

for affray, and a 16-year-old boy received a 12-month supervision order and a 17-year-old girl a conditional discharge. In comparison 22 South Asian men had been sentenced for an average of 3.5 years in prison and ranging up to 7 years for riot for their actions during the Oldham disturbances. The 12 white defendants had originally been charged with riot by the police, but the judge ruled that there was insufficient evidence so they were tried for the lesser offences of affray and common assault (Kundnani 2003).

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## The Burnley Disturbances

The events in Burnley on 23–25 June 2001 followed after those in Oldham. There is an official account from the police of the disturbances in Burnley that, although it was accepted by the Burnley local authority's Task Force as an accurate account of events (Clarke 2001: 36), has been critically discussed by others (King and Waddington 2007). Prior to the disturbances, it has been noted how politics in the town had moved to the right. The local council was accused of giving preferential treatment to areas of South Asian residence in its investment, and there had been calls for the Equal Opportunities coordinator and translation unit to be closed. Furthermore, the BNP had recently won 21% of the vote in a local authority by-election, and the party achieved its second highest vote in the area in the 2001 general election. In addition the local South Asian community had reportedly lost its trust in the police in the light of a number of incidents immediately prior to the riots (King and Waddington 2007).

The focus of the disturbances in Burnley was in the north of the town in the Stoneyholme, Danehouse, and Duke Bar districts. These areas are the main concentrations of ethnic minority residence in the town with Danehouse, for example, being the heart of the local Pakistani community and Stoneyholme that of the Bangladeshi community. Prior to the disturbances, a number of incidents have been identified as playing a role in their development including a dispute between white and South Asian neighbors and attack on a South Asian taxi driver and a series of violent incidents in the Danehouse and Colne Road areas that the police account described as being related to conflicts over drug dealing (King and Waddington 2007: 125).

That evening on Saturday 23 June, a group of white men gathered outside the ground of Burnley football club before attacking several South Asian-owned takeaways. After warnings were given to the South Asian family who lived there, an off-license in the Burnley Wood district was looted and destroyed in an arson attack. Similarly Shafi's store in Oxford Road was looted and set on fire by white rioters. Subsequently at around 11:00 pm, around 70 South Asian men attacked the Duke of York public house in the Duke Bar district, smashing its windows and knocking two customers unconscious and wrecking the pub with a fire bomb attack. The police interpretation of this was that it was an act of revenge in retaliation for the attack on the South Asian taxi driver (Clarke 2002; King and Waddington 2007).

The Duke of York pub had been previously largely cleared of its customers on police advice amidst rumors of an attack on the premises. Many moved to a nearby

pub, the Baltic House, which had a reputation as a gathering place for neofascist sympathizers (King and Waddington 2007: 126). In addition a member of the Commission for Racial Equality, the son of the Deputy Mayor of Burnley and at that time the only ethnic minority member of the National Executive of the Labour Party, Shahid Malik was hit on the head by up to four police officers and required hospital treatment on the evening of 25 June. He was trying to persuade a crowd of South Asian men who were facing a line of police in full riot gear to disperse. The police subsequently arrested him on suspicion of inciting violent disorder, but the charges were dropped (Bagguley and Hussain 2008: 49).

One of the distinctive features of the Burnley disturbances compared to those in Oldham and especially Bradford was that most of those arrested for their role in them were white. At the time of their submission to the Burnley Task Force inquiry, the police had arrested 101 out of 157 of those sought for offences during the disturbances. Of these 101 around two thirds were white and the remainder were South Asian. The largest single group of offenders were white men aged over 30 (Clarke 2002, appendix 10 k). White middle-aged man hardly fits the stereotype of the rioting South Asian youth that has dominated most debate since the riots.

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## **Bradford 2001**

The Bradford disturbances in early July 2001 followed those in Oldham and Burnley. As will become clear, there are a number of distinctive elements to the development of the violence in Bradford. According to Allen (2003) early in 2001 the neofascist British National Party leafleted extensively in North Bradford with leaflets carrying the slogans: “Islam out of Britain” and “I.S.L.A.M. – Intolerance, Slaughter, Looting, Arson and Molestation of women.” These leaflets claimed that these actions were encouraged by the teaching of the Koran and that the issue is not a matter of race as Hindu and Sikh activists had published warnings against the dangers of Islam. In the May 2001 elections, the BNP’s candidate won 1,600 votes in Bradford North. The day before the riots, a meeting in the Ravenscliffe area of Bradford for BNP activists and sympathizers was addressed by the BNP leader Nick Griffin (Bagguley and Hussain 2008: 55).

Around noon on Saturday 7 July 2001, several hundred people of a variety of ethnic backgrounds gathered in the center of Bradford to attend a demonstration organized by the Anti-Nazi League and their allies against a threatened march in the city by the National Front. The police had successfully requested the Home Office to ban the march and a countermarch planned by the Anti-Nazi League. In addition this had been communicated widely to the local community by the police and local politicians; there was sufficient skepticism for there to be a reported 600 present. This skepticism had been fuelled by the last minute cancellation of the “World in a City” music festival scheduled to take place in Centenary Square in the center of Bradford. After taking advice from the police, Bradford City Council cancelled the event a matter of days before it was due to happen. This was because of the fear that a few members of another small neofascist group – the National Front (NF) - visiting

Bradford and provoking violence that could have been a wider threat to public safety. This decision was criticized by some local politicians as giving in to the NF and for it continuing to fuel the rumors that they were coming to Bradford despite the ban on their march (Bagguley and Hussain 2008; Bujra and Pearce 2011).

By 3:00 pm the Anti-Nazi League rally was winding down, although some of those attending were still present in Centenary Square and the police were requesting them to disperse having been herded into a corner of the square. Some of the politicians who had attended at least were leaving, and the event had reportedly ended quietly at 2:30 pm. At this point it may be inferred that some of the crowd were dispersing as well. Around 2:45 pm the police turned back five NF supporters who had arrived at Bradford Interchange railway station, and it was reported that they had complied with the police and left Bradford. However, at around 4:00 pm news of the racist attack on an Asian man in Ivegate outside Addison's bar reached some in the crowd in Centenary Square a matter of yards away (Bagguley and Hussain 2008; Bujra and Pearce 2011; Waddington 2010).

The principal damage to property during this time was an arson attack Lister's BMW garage on Oak Lane, a similar arson attack on the Labour Club on Whetley Hill, from which 30 people narrowly escaped, the Upper Globe pub on Whetley Hill and Arthur's bar on Heaton road. In addition, the Lower Globe pub on Heaton road suffered fire damage as did a butcher's shop on Oak Lane, while in the city center, various shops had broken windows. The police had to draw in a further 425 officers from 9 other police forces to reinforce the 500 already present. Of these 326 were injured. The police eventually recorded 452 crimes including criminal damage, arson, assaults on police officers, robbery, and serious assault. The overall property damage was estimated at £7.5 m (Bagguley and Hussain 2008; Bujra and Pearce 2011; Waddington 2010).

In the press conferences immediately afterward, senior police officers admitted that they had lost control over the situation. Furthermore, despite stopping a small group of NF supporters at the railway station and ordering them to leave the city, they also admitted that "between 12 and 30" had successfully travelled to Bradford in spite of the ban on their march. Various attempts by so-called community leaders to negotiate between the rioters and the police mostly failed. However, the main phase of violence ended at around 1:00 am when some South Asian community members persuaded those involved in the violence to given up. However, those involved in this successful initiative were not the elected local politicians or publicly recognized "community leaders" (Bagguley and Hussain 2008).

The immediate response of politicians and senior police officers was to criminalize the rioters (Allen 2003). Although several of the newspaper headlines and comment used the language of "race riots" to describe the events in Bradford, senior police officers and politicians were quick to dismiss that label. They were equally quick to dismiss any role for factors such as economic and social conditions in the inner city. The predominant explanation as reported in the media that came from the police and politicians was simply to label the events as simply criminal. Several local politicians emphasized the need to "root out" the criminals (Bagguley and Hussain 2008: 61–2). These statements are a straightforward expression of the "law and



order” discourse that emerged in the 1970s and 1980s (Keith 1993). Given that these are Labour Party MPs, this just illustrates how this discourse of the Conservative right has now become dominant.

Others highlighted issues that were to become central theme of the predominant community cohesion discourse that featured so strongly in the subsequent reports on the disturbances in Oldham and Burnley. These issues were on the one hand the perceived spatial and social segregation of different ethnic communities and on the other hand the question of speaking English and the more general undesirable transnational marriages of some in the South Asian community. These express the underlying culturally racist notion that the causes of the riots were ultimately to be found in the culture of south Asian Muslim communities themselves (Bagguley and Hussain 2008).

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## The Power of Surveillance Policing

One of the most striking features of the state’s response to the 2001 riots was the long sentences that the rioters received. Most of the youth prison sentences for riot were for up to 18 months, whereas most of the adults were sentenced for 4 or 5 years for riot, with some sentences ranging up to 9 years (Carling et al. 2004). These were longer than comparable sentences given to those involved in the riots in Burley and Oldham that summer. This was part of a centrally sanctioned exercise in the strategic repression of those involved in the riots and their communities.

Toward the end of July 2001, the police began to release photographs of those wanted in relation to the riots. Through posters displayed in police stations, mosques, and schools as well as the police website and through the local press, 212 photographs were released. Three years later 305 people ranging in age from 13 to 47 had been arrested in connect with offences committed during the disorders, and 259 were charged with offences of which 183 were charged with the most serious public order offence of riot. At least 188 received custodial sentences of some kind in relation to offences committed in connection with the disturbances. The longest sentences were 12 years for arson and 8.5 years for throwing petrol bombs. Of those arrested 88% were South Asian, 10% were White, and 2% were African Caribbean. Furthermore 86% came from Bradford, 7% from nearby Keighley, and 5% from elsewhere in West Yorkshire, leaving only 3% from outside the county (Bagguley and Hussain 2008).

The most important prerequisite for the success of the state in punishing those involved in the Bradford violence was the changes in the law relating to riot as a result of events in the 1980s. Under the older public order legislation, very few people were ever charged or successfully prosecuted for the crime of riot in the second half of the twentieth century (Joshua and Wallace 1983). These failures to successfully pursue charges of riot against those involved in more serious disturbances in 1981 was one of the reasons for the reform of public order legislation, although concerns with public order going back to the 1970s played the most significant role. The 1986 Public Order Act introduced a much more promiscuous



legal definition of riot. One that would make prosecutions much more feasible in case such as the riots experienced in England during the 1980s. The 1986 Public Order Act specifies a sentence of up to 10 years. More important for the process of prosecuting rioters, however, was the redefinition of riot as follows:

- (1) Where twelve or more persons who are present together use or threaten unlawful violence for a common purpose and the conduct of them (taken together) is such as would cause a person of reasonable firmness present at the scene to fear for his personal safety, each of the persons using unlawful violence for the common purpose is guilty of Riot.
- (2) It is immaterial whether or not the twelve or more persons use or threaten unlawful violence simultaneously.
- (3) The common purpose may be inferred from conduct.
- (4) No person of reasonable firmness need actually be, or be likely to be, present at the scene.
- (5) Riot may be committed in private as well as in public places. (Carling et al. 2004: 11)

Critical in this redefinition was, firstly, that violence need not be threatened nor used simultaneously by those involved and, secondly, that common purpose could now be inferred from the conduct of those charged. These removed the possibility of much of the detailed legal debate about the definition of riot and how it could be proven. Furthermore, it facilitated the use of video and photographic evidence. In particular as common purpose can now be inferred from conduct, if the police have video of someone being there in the crowd that has been defined as a rioting crowd, guilt pretty much automatically follows.

It is rare for the police to prefer the charge of riot in preference to less serious charges under the 1986 Public Order Act. The police are required to gain the consent of the Director of Public Prosecutions for each time someone is charged with riot, and as Allen (2003: 34) suggests, this raises the possibility that the whole approach to the charges, trials, and sentences in Bradford had at least the tacit approval, if not the active support of the Prime Minister and the Home Secretary. Reflecting back on his comments in his autobiography, Blunkett remained unrepentant and proud of his approach:

Thugs are thugs, from whatever community, ethnic or faith background. The problems that they articulate need to be addressed, but their methods need to be crushed. That was the message that I promoted. . . The reaction from the police was remarkable. The fact that I had stood up for law and order and for tough – though fair – action in dealing with the self-destruction of home and community was widely welcomed. In other words, I had established a very clear message, that we were not prepared to tolerate mindless violence and the counterproductive undermining of all our efforts, and that we would take any action necessary to stop it. (Blunkett 2006: 280)

Carling et al. (2004) completed a detailed analysis of the sentencing of those convicted for offences committed during the riots. Over 69% of those involved were charged with riot under the 1986 Public Order Act. Of the remainder 17% were charged with violent disorder and the rest with other offences (Carling et al. 2004: 15). They also found that the average age of those charged with riot or violent disorder was significantly lower than that of those charged with other offences. Over 90% were convicted of their offences (Carling et al. 2004: 23), a seemingly historically high rate

of conviction for offences committed in these types of disturbance. In 2001 the authorities had at their disposal the changes in the law and the criminal justice system, principally the provisions of the 1986 Public Order Act. The police used video evidence both to identify perpetrators and to use in evidence in court. For the most serious offence of riot, 96% of the adults were given prison sentences, compared to 21% of those aged under 18, with most of them being given Detention and Training Orders. Over 70% of the adults convicted of violent disorder also received prison sentences (Carling et al. 2004: 23–6).

In Bradford the police did not initially make it clear what the specific charges were that the offenders would be charged with, nor was it or could it be made clear what the sentences would be when they appealed for people to hand themselves in or for information from the public. Consequently many individuals voluntarily handed themselves into the police or were identified to police by friends and family in response to the release of photographs of those wanted by the police in connection with the riots. These photographs appeared in the local press, on the police website, and in police stations as well as mosques and local schools. At the time it was the country's largest criminal investigation. What followed was an act of collective goodwill by a majority of those sought by the police, their families, and the wider South Asian community as a step toward reconstructing good community relations. As Allen (2003: 34) argued: "the vast majority of these were not only community or self volunteered, but were also first-time offences without any history of criminal activity."

In response to the initial sentences, the Fair Justice for All Campaign was launched by some of the female relatives of some those who had been arrested and convicted. This sought to provide a support network for those who had been sent to prison and their families, as well as challenge legally the sentencing. Of the 145 convicted for riot offences considered by Allen, many did not receive any reduction in their sentence for not having previous convictions (Allen 2003: 38).

Also important in the Bradford sentencing was the high public profile of the principal judge in the cases Judge Stephen Gullick. For his efforts he was appointed to the newly created position of Honorary Recorder by the City Council. He repeatedly defended the lengthy sentences that he gave out against the growing criticism, and a length statement was published after the initial sentences were handed down toward the end of 2001 (Bagguley and Hussain 2008: 131). The strategic intent of deterrence was quite transparent here, and the consequence was a kind of collective punishment and criminalization of a whole ethnic community.

One important feature of the trials after the Bradford riot was the use in the courts of video evidence gathered by the police. During the trials themselves, two videos were often shown. The first was an edited series of scenes from the disturbances, and the second was evidence of the actions of the particular individuals who were being tried. These videos were shown despite the fact that many of the defendants had handed themselves into the police and had pleaded guilty to the offence of riot quite early on in the process. This use of video evidence helps to account for the very large numbers convicted of riot offences.

The Pakistani community in Bradford generally felt that the sentencing of the rioters was unfair and excessive in most cases. There was the sense that people with and without previous records received the same sentences and that this was unfair. In addition some felt that the personal and family circumstances of the rioters should have been taken more account of in the sentencing. Finally, there was a strong sense of racial injustice emerging, with the Pakistani Bradford rioters being treated much more harshly than the white rioters. One consequence of this was a further loss of confidence in the police (Bagguley and Hussain 2008: 135–41).

The local Pakistani community saw the issuing of “wanted posters” by the police as shaming and criminalizing the whole community. It was felt that this was a form of punishment being meted out to the local community by the police with the collusion of the media. The idea to use what became popularly known as the “wanted posters” arose from the police, and it was first put to the police liaison committee which includes many representatives of the local community who would have been aware of the impact of the shame on the families of those concerned. One aspect often noted that the shame led parents to hand in their sons to the police. However, the result was often harsh treatment in terms of sentencing and long-term disenchantment with the police and the criminal justice system generally. The overall result of the use of the wanted posters and the harsh sentencing was an increase in mistrust in the police and the judicial system. People felt that they had trusted the police and the criminal justice system by cooperating with the search for those wanted in connection with the riots. However, with the lengthy sentences imposed, this trust had quickly turned to hatred and accusations of racially motivated collective punishment of the Pakistani community in Bradford (Bagguley and Hussain 2008: 137–8).

The British state has a long tradition of severe punishment of those involved in rioting, and the effectivity of the forces of law and order is one of the central questions that Rude (1981: 11) urges us to pose when analyzing collective violence. The tradition of generations of punitive punishment of those involved in riots and the forces of law and order were ruthlessly efficient this time. Whereas in the 1980s the state often found the existing traditional laws of riot difficult to enforce (Joshua and Wallace 1983), the state resorted to the simple expedient of changing the law in the form of the 1986 Public Order Act to make it easier next time. From the perspective of those in favor of this kind of response, the events in Bradford in 2001 were the most significant test so far.

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## Community Cohesion

One of the most enduring legacies of the 2001 riots has been the emergence and of the official discourse and policy of “community cohesion,” sometimes referred to as social cohesion. The 2001 riots triggered a major shift in government public discourse around race, ethnicity, religion, national identity, and citizenship. Implicated in this debate has been a wholesale rejection of the discourse of multiculturalism. This section considers the emergence of this discourse.

Despite the emphasis given to “institutional racism” during the 1990s, it is strikingly absent from the official reports into the 2001 riots. These reports like other instances of contemporary governance have mobilized the discourses of community in support of government goals. While the principal policy responses to the riots of the 1980s were dominated by a “law and order” discourse (Solomos and Rackett 1991), the response to the riots of 2001 rejected this interpretation (Denham 2002: 9). Central to the reports have been themes of “community cohesion” and “ethnic segregation” (Burnett 2004; Kalra 2002; McGhee 2005; Rhodes 2009; Robinson 2005).

The discourse of community cohesion is best thought of as having a variety of origins. The theme of segregation that became central to populist, political, and policy debates emerged from the debates about the causes of the riots. Some of this emerged through the media and in particular the consideration of the situation in Oldham and the discussions about “no-go” areas and similar myths. As the Oldham disturbances took place when parliament was in recess due to the general election, there was no formal debate about them. However, the issue of segregation was introduced into parliamentary debate about the Burnley disorders by David Lidington the Conservative MP for Aylesbury and the then opposition spokesperson on Home Office matters. His question was received favorably by John Denham who suggested that these issues should be addressed at the local level (Hansard 2001: Column 388).

However, the significance of segregation and how to address it was by no means clearly established in the parliamentary debates at the time of the riots. While there was a broad political consensus about the negative features of segregation, there was a striking lack of clarity and reluctance to be specific about policy proposals at this stage.

There was an affinity between populist media reports about ethnic segregation in housing being the “cause” of the riots, some intellectual trends around the importance of community cohesion and social capital for the quality of life in urban neighborhoods, certain themes in the Ouseley Report (2001) into ethnic relations in Bradford, and a striking cross-party consensus on the issue of segregation. The product of this was the emergence of the community cohesion agenda. The Cattle Report in particular highlighted ideas on community cohesion from Canada (Cattle 2001: 69), while the idea about their expression locally in connection with social capital was based upon a discussion by Forrest and Kearns (2001). As Robinson (2005) noted all of this resonated nicely with the New Labour preoccupations with communitarianism.

Consequently, since the 2001 “riots,” there has been a shift away from multiculturalism and ethnic diversity in political debates. This has been replaced by an assimilationism that demands integration reminiscent of the policies of the 1950s and 1960s. Immediately after the Bradford “riot,” a report on “race relations” in Bradford by Ouseley (2001) was published. Although the work and writing on this report was completed before the “riots,” certain themes within it contributed to the agenda of the “riot” reports. In particular the report identified residential segregation as a particular issue facing Bradford. In this sense the report helped to set the agenda

and focus for the subsequent reports that we are principally concerned with here are those by Denham (2002) *Building Cohesive Communities*, which arose from a Ministerial Group on Public Order, coordinated by the Home Office. Closely associated with this was the report by Cantele (2001) *Community Cohesion*, which was produced by an “independent” Community Cohesion Review Team. A tension runs through this report between assertions of “common values” and “valuing difference,” between a static traditionalist conception of “common values” and the dynamic nature of cultural identities, and especially between first- and second-generation South Asians. Cantele avoids analyzing why the riots occurred; it avoids “political” questions and focuses on the “management” of cohesion – achieving cohesion through managerial techniques. The Denham and Cantele reports are thus part of the same administrative process and were concerned with defining the policy agenda in response to the riots from within the specific remit of the Home Office. A common feature of the reports was that they constructed issues in terms that can be “managed.” The “riots” themselves are depoliticized and reduced to criminal justice questions, a feature that they share with policy response to the British inner city “riots” of the 1980s (Keith 1993).

The issue of residential ethnic or racial segregation became central to the reports, media representations, and popular understandings of the causes of the riots (Burnett 2004; Kalra 2002). This binary opposition between “community cohesion” and “segregation” has become the dominant frame through which the riots are now popularly understood with segregation seen as exemplifying a “dysfunctional South Asian Muslim community.” Much of what was and is claimed about ethnic residential segregation in Bradford, Burnley, and Oldham contradicted recent academic research both at the time and subsequently (Phillips et al. 2007; Simpson 2003).

In relation to Bradford, research concluded that “Increasing residential segregation of South Asian communities is a myth” (Simpson 2003: 668). While more neighborhoods (census enumeration districts of between 100 and 200 households) have South Asian majorities, others have become more mixed, and fewer are overwhelmingly White. Overall Simpson found that there were fewer “mono-racial” areas in 2001 than in 1991, while the favored index of segregation was 0.74 in 1991 and 0.75 in 2001 (Simpson 2003: 671). In national terms then Bradford has a relatively high but stable level of overall segregation, but it is not a polarizing city with “ghettoes.”

In summary the reports into the riots of 2001 constructed segregation as pathological, as evidence of a “dysfunctional community” in contrast to the “integrated community” characterized by community cohesion. They present no evidence regarding segregation other than hearsay and do not examine its causes and consequences in any detail. The theme of segregation directs attention away from economic inequalities (McGhee 2005), lets the authorities and especially the police off the hook (Kalra 2002: 22), and effectively shifts the blame for the “riots” and the futile search for ultimate causes onto South Asian communities themselves. It has been an effective exercise in the mobilization of “community cohesion” at the level of discourse for the purpose of depoliticization.

The discourse of segregation and social cohesion has narrated the segregated communities as “the problem.” Whenever the reports discuss South Asian communities, apart from rather generalized and stereotyped discussion of culture and food, they are pathologized, especially in arguing that South Asian communities are in a state of “crisis.” They are repeatedly represented as disintegrating from within, lacking leadership (Clarke 2002: 49) and riven by intergenerational conflict. Cattle, Clarke, Ouseley, and Ritchie all draw attention to the extent which young people’s voices have been largely ignored by decision-makers in the areas where there were disturbances. Some young people complained that the older community and religious leaders who claimed to represent them failed to articulate the experiences of the young (Denham 2002: 14). These themes have become central to official public discourse around the South Asian family in relation to issues such as forced marriages and honor crimes prior to the reports, with their colonialist references to ancient practices.

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## Conclusion

The 2001 riots occurred largely in response to threats of neofascist mobilization. The towns of Bradford, Burnley, and Oldham had superficially similar characteristics: former textile towns still overwhelmingly working class and with substantial South Asian Muslim communities. However, the rioters in each case were rather different. In Oldham both Whites and South Asians were involved in attacks on each other. In Burnley most of the participants were white, while in Bradford they were overwhelmingly of British-Pakistani origin. The patterns of economic and social inequality were contextual factors rather than playing a causal role. In contrast it is more useful to see the riots as the outcome of political process involving multiple collective actors including national politicians, national and local media, the police, and neofascist social movements.

The response of the police and the criminal justice system was also significant especially in relation to the Bradford rioters. The application of the relatively new public order legislation was on an unprecedented scale before and since. Also notable was the use of police video evidence to secure the majority of the convictions and the lengthy sentences typically of 3- to 4-year imprisonment of 300 local men. This chapter has also examined how the discourse of community and related ideas of segregation, community cohesion, and social capital have been deployed in the official reports produced in response to the riots in 2001. In the reports produced in close association with the Home Office, in particular social cohesion was counterposed to the segregated, crisis-ridden South Asian communities. In doing so they created a particular public “official memory” of the 2001 “riots,” one structured by the discourse of community cohesion. This is critically important since as Keith argued in relation to the 1980s: “It is how uprisings or riots are remembered rather than how they actually occurred that dictates policy reaction and future popular mobilisation” (1993: 198).

## Cross-References

- ▶ [Contemporary Ethnic Politics and Violence](#)
- ▶ [Negotiating Ethnic Conflict in Deeply Divided Societies: Political Bargaining and Power Sharing as Institutional Strategies](#)
- ▶ [Religion and Political Mobilization](#)

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# Racialized Identity Under Apartheid in South Africa

# 27

Suryakanthie Chetty

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## Abstract

The apartheid state emphasized the distinct racial identities that were the hallmark of South Africa’s defining population. Racial distinctiveness and, with it, hierarchy had, however, its origins in South Africa’s colonial past and can be traced throughout much of the country’s turbulent history prior to 1948. Even within broad racial categories, there existed further distinctions based on class and affiliation. The line between race and class was itself blurred, and inequalities may be contextualized by ideological as well as socioeconomic and political concerns, a pattern that may be traced long before the rise of the apartheid state. However, there also existed a competing form of identity based on multiracialism. This emphasized unity and was particularly evident in political activism that

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S. Chetty (✉)  
University of South Africa, Pretoria, South Africa  
e-mail: [chetts@unisa.ac.za](mailto:chetts@unisa.ac.za)

agitated for full political equality. The history of racial identity in South Africa has therefore been linked to the tension between the opposing strands of unity and divisiveness.

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**Keywords**

Apartheid · Colonialism · Nationalism · Bantustan · Black consciousness · Segregation

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## Introduction

The ascendance of the National Party under D.F. Malan in the election of 1948 marked the onset of apartheid in South Africa that was to last until 1994. Not simply perceived as a simple dichotomy of white and black, the policies of the apartheid state and the reactions they provoked marked a complex negotiation of race, ethnicity, and national identity. Yet the origins of this lie far earlier than 1948, beginning with the colonial encounter in the seventeenth century.

There are, therefore, certain key periods in South African history that influenced racial identity and ideas of race that would culminate in the fixed notions of race and exclusion that were the hallmarks of the apartheid state. The ideological origins of this state may be located broadly in three features of the South African past – slavery at the Cape under the Dutch East India Company, the requirements of mining capitalism in the late nineteenth century, and the segregation era in the early twentieth century. Simultaneously, notions of race and identity were made and remade for much of the country’s turbulent history and not isolated from international trends. This chapter therefore traces the history of racial identity in South Africa as ultimately expressed under the apartheid state by focusing on the colonial era, the economic impact of mining, the formulation of scientific thought on racial distinction, the segregation era, and, ultimately, the apartheid state.

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## The Colonial Era

The region that was to become South Africa was subject to two successive waves of colonialism – first by the Dutch under the aegis of the Dutch East India Company (VOC) in the mid-seventeenth century and subsequently by the British in the early nineteenth century. It was under the VOC that slaves were imported to the Cape largely from Dutch possessions in Southeast Asia as well as other parts of Africa. Their labor was imperative for a burgeoning settlement that found it difficult to attract waged labor to such a remote outpost, and slaves were used both by the VOC and by the increasing numbers of farmers that stood at the forefront of territorial expansion further inland. Both labor requirements and the status of slaves as property meant that manumission was relatively rare. Those slaves that were freed, however, went on to form a “free black” community who were largely of Asian

origin and tended to embrace Islam rather than Christianity. Also included in the population of the Cape were the peninsula's indigenous inhabitants, the Khoi who – as their pastoralist lifestyle was increasingly curtailed by settler incursion and conflict – were compelled to serve as a laboring underclass (Keegan 1996: 15–20).

Early settlement was characterized by an imbalanced sex ratio which contributed to a fluidity between the various groups with European men fathering children with slave and Khoi women. This was compounded by the Cape's status as a key stopping point on the voyage between Europe and the East that led to periodic influxes of sailors and soldiers. While many of these encounters were temporary, formal marriages did take place. All of this contributed to the growth of a mixed or "Bastard" group. This racial mixing, however, often took place at the lower levels of society, presenting little challenge to class and racial dominance. With the growth of a middle class and the notion of respectability associated with it in the mid-eighteenth century, already existing racial distinctions became increasingly entrenched. During the final years of Dutch control at the Cape, to be considered a free burgher or citizen with all the associated rights and responsibilities, one had to be of European descent whose immediate ancestry was not tainted by slavery. Due to the patriarchal nature of the society where power was held by men, those most affected tended to be male offspring (Keegan 1996: 20–21, 23–24).

When the British assumed control at the Cape, racial hierarchies – and associated discrimination – became, if anything, more entrenched. Both slaves and black residents at the Cape were subject to restrictions on movement, and there was no amelioration in these restrictions for Christian slaves. Under British rule, the various and varied groups that comprised Cape society were organized in a clearly delineated hierarchy that positioned middle-class, white men at the apex. Simultaneously, discrimination also took on a class dimension with the white working class perceived to be an underclass akin to that of "free blacks." This was partly a product of racial prejudice that associated labor with race – since the initiation of slavery at the Cape, labor had become a marker of racial distinction from which respectable whites were exempt (Keegan 1996: 24). Under British rule, slavery also highlighted the contradiction between the infringement on the natural right to liberty and that of private property. British rule was based on an espousal of capitalism, and the preservation of private property was therefore integral to this. Even British liberals argued for gradual emancipation that would allow both for compensation for slave-owners and the inculcation of the roles and responsibilities associated with freedom in slaves (Keegan 1996: 112). The last, in particular, would continue over the next century in relation to extending political equality to black South Africans. Yet, even as "free" labor, the Khoi in particular were subject to legal and administrative controls over their movements. The ostensibly greater liberalism associated with British rule proved little different from their predecessors. The Khoi were subject to labor contracts that tied them to particular employers and places of residence. Movement was governed by the issuing of permits or passes, and those without passes or contracts could be held without trial, subject to corporal punishment, and forcibly contracted to employers. Although their treatment was regulated by the legal system, this system was overwhelming biased in favor of the colonists due to the

assumption that, as the Khoi were lower in the racial hierarchy, their “natural rights” were necessarily circumscribed (Keegan 1996: 54–55).

Even as liberals sought a qualified amelioration of entrenched inequality, racial distinction was hardened by the periodic conflict that arose as a result of white expansion. From the period of Dutch settlement, interactions between the colonists and the indigenous Khoi and San were marked by both cooperation and conflict with an emphasis on the latter over time. The military superiority of the Dutch – often operating outside government control – allowed them to suppress Khoi uprisings based on territorial encroachment, confiscate Khoi cattle, and appropriate Khoi labor. For the hunter-gatherer San, there was implacable hostility to means of subsistence that were irreconcilable. Violence, theft, and forced labor were the precursors to policies that bordered on extermination, and the effect was the confinement of these hunter-gatherer groups to marginalized environments unsuited for agriculture and stock farming (Keegan 1996: 30–33). As European expansion continued unabated, they were to come into conflict with a more formidable foe – the Xhosa. Unlike the nomadic San and seminomadic Khoi, the Xhosa formed settled, stable chiefdoms with strong leadership and were thus able to marshal resources for organized military conflict. While trade occurred between the two groups, conflict was also apparent, and the solution was a process of negotiation rather than the violent dispossession that characterized relations with the San and the Khoi. Yet, inevitably, agreements regarding boundaries were not adhered to, and both groups engaged in periodic and violent warfare (Keegan 1996: 34–35).

Initial British policy at the Cape was built on the exclusion of Africans, both legally and through the use of force if required. This contextualized the promotion of British settlement as exemplified by the arrival of settlers in 1820. Serving as a means of making more British the character of the settlement, advocating the virtues of capitalism and assuming the societal position of a white working class, these settlers were the most visible part of a British policy of both creating and maintaining a white British identity at the settlement as well as racial exclusion. White settlement also served an important strategic and military purpose. The Napoleonic Wars had had an adverse effect on military resources, particularly in the colony, and settlement had the potential to provide a buffer against the depredations of the Xhosa on the eastern frontier. The results of settlement, however, were unexpected. The opportunities at the Cape, both for trade and the acquisition of land, meant that the new settlers were hardly content with the role of a laboring class. Ironically, it was their very advocacy of capitalism that made them less inclined to fulfill the expectations of the colonial administration. A decade later, the ambition of the settlers led to them becoming the key agents of colonial expansion and, associated with it, the seizure by force of African land, thus entrenching racial conflict (Keegan 1996: 61–62, 67–68).

As the nineteenth century progressed, it was again the forces of capitalism that would consolidate racial inequality, and this would reach its zenith with the discovery of valuable mineral resources that would permanently alter the economic, political, and social landscape of Southern Africa.

## Mining and the Criminalization of Race

It was the need to control black labor – first on the diamond mines of Kimberley and then on the Witwatersrand gold mines – that set in motion much of the legislation upon which the apartheid state would later draw. The early years of diamond mining drew in large numbers of black migrant workers from all over southern Africa. The demand for labor and subsequent competition between diggers gave workers an edge, allowing them to engage in short-term contracts and driving up wages. Yet, over time, as rural societies were drawn into a monetized economy, waged labor became less a choice and more a necessity in order to meet increasing demands for lobola (bride price) as well as manufactured goods (Worger 1987: 87–89). In the 1880s, the consolidation of smaller claims and the growth of mining monopolies gave mining interests greater economic and political control which was used to promulgate legislation that served their interests; chief of these was the control of black workers (Worger 1987: 131–132). A key concern was the theft and illicit trade in diamonds, and, while there were limits to the preventative measures that could be taken against white workers, the same did not apply to black labor with legislation controlling the movement of black workers through arbitrary searches, the institution of a pass system, corporal punishment, and a closed compound system. Black workers were subject to raids, arrests, and imprisonment, all of which contributed to the notion of a criminalized black working class and increased the distance between black and white labor (Worger 1987: 134–135).

The nature of the extensive gold deposits on the Witwatersrand – in particular the great depths at which the seams lay and the equipment required to both mine and process the ore – promoted the amalgamation of the gold mining industry as well. It was also the Kimberley mining magnates that had the capital available to exert their dominance on the gold mines as well (Davenport 2013: 181–182). Key to the profitability of gold mining was black labor. Due to the practice of job reservation, skilled categories of work were reserved for white workers, and mines had to offer competitive salaries in order to attract the requisite skilled labor (Davenport 2013: 234). Black workers, however, were confined to unskilled work and thus had little bargaining power. It was, therefore, only through controlling black labor in the form of long-term contracts, the housing of workers in compounds (as in Kimberley), and low rates of remuneration for black workers that the gold mining industry could maintain its profit margin. Workers were thus housed in compounds based on ethnic distinctions and were subject to strict control by their employers (Davenport 2013: 290). Ethnically segregated compounds and job reservation were real obstacles to working-class unity across racial and ethnic lines and emphasized the divisions that would be reinforced through subsequent decades.

For much of its history, then, race and class have been closely intertwined, and it was the convergence of the two that underlay the inequalities that permeated South African society. Yet, even as class served as a marker of racial distinction, races were not homologous entities and were rent with internal distinctions that shaped the way in which racial identity was constructed. It is also important to note that, although

there are broad trends that can be traced in the development of identity over time, identities are a relational category and cannot be easily isolated.

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## Intellectual Underpinnings

Despite its geographical isolation on the southern tip of the African continent, South Africa was part of the networks of empire in the nineteenth and early twentieth centuries and, as such, was not unaffected by the intellectual milieu that revolved around ideas of race. This was compounded by the presence of hunter-gatherer groups which piqued the interest of anthropologists as well as the numerous discoveries of hominid fossils in East and Southern Africa that added complexity and controversy to debates about human origins.

With the rise of the Enlightenment in eighteenth century Europe and the use of reason and the scientific method, there was greater focus on taxonomy and the classification of the natural world. More than mere classification, however, it was an attempt to create a hierarchy that inevitably included race. This incorporated ostensibly scientific and mathematical methods to support pseudoscientific thinking that emphasized difference and racial typology such as phrenology in the nineteenth century (Dubow 2005: 25–29). This was accompanied by growing ethnographic focus on groups such as the “Bushmen” or “Hottentots” that took on an urgent impetus as the transition to a modern state spelled the ultimate demise for “traditional” ways of life (Dubow 2005: 32–35). With the end of the First World War and into the 1920s, the discovery of fossilized remains of hominids culminating in Raymond Dart’s discovery of the Taung child – classified as *Australopithecus africanus* – provided compelling evidence for the antiquity of humankind in Africa and the significance of the continent in the history of human evolution (Dubow 2005: 39–44). In line with these paleoanthropological discoveries, Dart suggested that the hunter-gatherer people of South Africa were themselves remnants of pre-historic human societies, living fossils (Dubow 2005: 46).

Paleoanthropological and anthropological studies in South Africa were thus supportive of Social Darwinian notions of natural selection and, with it, eugenics in the 1920s. Associated with right-wing extremism in the wake of Nazi policies of racial extermination during the Second World War, understandings of eugenics were more complex during the period of segregation in South Africa. There were two contrasting strands of eugenics – the first was based on the notion of “survival of the fittest” and the identification of those considered inferior who were subject to discrimination ranging from isolation to forced sterilization. The second was associated with reform – by improving societal conditions and intervening in areas such as health care, education, and housing, populations could be improved (Dubow 2005: 124). In South Africa this coincided with the increasing urbanization of Africans as a result of the growth of secondary industry and the unsustainability of “native reserves.” The association of black with white in the cities also raised the specter of racial degeneration which was compounded by concerns over the “poor white” population – the weak link in the ideology of racial superiority. This, along

with an ostensible desire to prevent the urban “corruption” of Africans, underpinned racial segregation (Dubow 2005: 168–170). In Natal African urbanization led to the implementation of the “Durban system.” Increasing African urbanization in Durban compounded by the widespread use of “togt” or casual labor led to growing concerns over the control of black labor. This was expressed in the passing of the Native Beer Act in 1908 that sought to control the use of liquor among urban Africans and, with it, the concomitant effects of drunkenness on public order, discipline, and morality. With the Beer Act, the municipality attained a monopoly over the brewing and selling of African beer, creating municipal beerhalls in which the alcohol was consumed. The resulting revenue was then used to fund the administration of Africans in urban areas and led to the creation of a Municipal Native Affairs Department to police Africans in the city. This thus had the effect of making Africans unwittingly complicit in their own subjugation and was a system of administration that would be adapted by the apartheid state (La Hausse 1982: 63–67).

While segregation and racial distinction had been a hallmark of southern Africa since the earliest days of colonization, it was in the wake of the South African War when the foundation was being laid for the new state that segregation came into its own. The Lagden Commission was tasked by Sir Alfred Milner to resolve the “native question,” and its resolution was racial segregation with separate political representation and living spaces demarcated for the races. The Lagden Commission served as a blueprint for subsequent segregation legislation and ideology that progressively removed Africans from equal political participation and relegated them to separate representative structures (Davenport 1978: 332–333). This contextualized the landmark 1913 Land Act that sought to prevent Africans from squatting on white-owned farms and restrict them from purchasing land. Under the terms of the legislation, Africans were permitted to purchase and occupy land only on the demarcated African reserves. The land allocated to the reserves was subject to betterment policies in order to promote agriculture but remained woefully inadequate, even when the original allocation was increased. It served to restrict the aspirations of an African middle class and fostered the system of migrant labor – which served both the interests of mining and a growing secondary industry (Davenport 1978: 334–337). These reserves would later form the core of the homeland or Bantustan system implemented by the apartheid state.

Of just as great concern was the influx of Africans into urban areas. Drawing upon both liberal ideas of social welfare and concerns over racial degeneration and miscegenation, attempts were made to regulate the slum areas that had inevitably arisen in the towns and cities. Underlying this was the belief that the African presence in urban areas was a necessary evil to be tolerated but not condoned. It was a temporary situation designed only to fulfill the needs of labor. The Native (Urban Areas) Act of 1923 allocated racially distinct spaces within urban areas leading to the creation of townships such as Soweto and the forced relocation of racially mixed areas by the apartheid state such as Sophiatown and District Six. Associated with urban segregation was the use of a pass system to regulate African movement in urban areas with concomitant policing that led to arrests for pass violations (Davenport 1978: 339–342).

Yet, even as segregationist fears would later be incorporated into apartheid-era legislation, the Second World War saw dissent over understandings of race that offered the potential for a brief interlude from the racist ideology that would take root in 1948.

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## Afrikaner Identity

While apartheid has simplistically been viewed as white oppression, white society was itself divided by ethnicity and language evident in those of English and Dutch origins, and, even within Afrikaner society, tensions and divisions existed. It was this complex interplay that was ultimately responsible for the ousting of Smuts at the conclusion of the Second World War and the rise of the National Party and, with it, the promulgation of apartheid in 1948.

The transition from Dutch to British rule in the early nineteenth century saw the arrival of successive waves of British settlers who were faced with established Afrikaners. While British settlers were of largely working class origin, they were nonetheless the representatives of Empire and the cultural superiority associated with it. They found themselves confronted with Afrikaners – largely rural and uneducated farmers, distant from the European metropole and with convoluted relationships with indigenous groups that were marked by both cooperation and conflict. The British arrival also posed a quandary for these Afrikaners who, like the new settlers, were colonialists furthering expansion and, at its most positive, adopting a paternalistic attitude to indigenous people. Simultaneously, they sought to identify themselves as a group distinct from the British. An incipient nationalism saw the start of the civilizing mission, not with the onset of British control but with the arrival of VOC official Jan van Riebeeck in 1652 – a date that would acquire an almost mythic status. It is within this context that Afrikaners defined themselves as a separate group rooted firmly in southern Africa, and the term “Afrikaner” highlighted their status as a people of Africa rather than Europe. Yet, even as this nascent identity was being formed, it was placed under threat by British policies that prioritized “Anglicization” in the organs of church, state, and business (Giliomee 2003: 195–197).

The process of Anglicization had a dual effect. The first was the creation of an urbane class of Afrikaners, the “Cape Dutch” or “Anglomen” who were the products of Anglicization and embraced the English virtue of “progress” and, with it, British culture. Other Afrikaners sought to assert their unique cultural identity and history in the face of English hegemony (Giliomee 2003: 198–199). Held in particular disdain by English settlers were rural Afrikaners, viewed as the very antithesis of progress and the Victorian idealization of “improvement.” Increasingly the split between Afrikaners took on a class aspect with the upper echelons favoring an Anglicized identity that would allow them access to the colonial structures of power and lead to their dominance in Afrikaner society as well (Giliomee 2003: 202–203).



The perceived liberal attitude of the British toward the Khoi and the Xhosa precipitated what would become a seminal moment in the construction of an Afrikaner national identity – the Great Trek (Giliomee 2003: 152). Viewed as an assertion of Afrikaner independence, the Great Trek was the migration of Afrikaner groups into the interior. Their braving of the unknown and encounters with hostile groups assumed an almost Biblical status, akin to the Israelites wandering the desert until they reached the Promised Land. The Promised Land would be the independent Boer Republics created in the interior, the bastion of Afrikaner identity – the Zuid Afrikaanse Republiek (ZAR) and the Orange Free State. Due to a migration that was in part a protest against racial equality (albeit a qualified equality), the constitutions of both Boer Republics were unequivocal in their limited notion of citizenship – burghers or citizens were white adult men (Giliomee 2003: 176). Yet, as evident throughout South African history, racial inequality did not translate into exclusion, and Boers or farmers developed a reliance on black labor either through coercion or negotiation. The dominance of the former coupled with Boer expansion contributed to hostility from which the better armed Boers ultimately emerged triumphant (Giliomee 2003: 181–183).

The geographic distance of the independent Boer republics from the Cape Afrikaners was symbolic of a deeper ideological divide with the latter believing that it was only by assimilation with Britain that the future of the Afrikaner would be assured. The distinctions between the two groups, however, would be tested by the discovery of gold on the Witwatersrand and the subsequent conflict this provoked with the British (Giliomee 2003: 239). The two poles of Afrikanerdom were embodied in the figure of Jan Smuts – born at the Cape, studied law at Cambridge University, and eventually gave up his British citizenship to become state attorney of the ZAR on the eve of the Anglo-Boer War (Giliomee 2003: 243). The outbreak of conflict and subsequent British actions in setting up concentration camps and the destruction of farms provoked anti-British sentiment among the Cape Afrikaners, uniting them with their northern kinsmen (Giliomee 2003: 256). The years of bitter conflict that culminated in a hard-won British victory did much to further Afrikaner identity – it would become yet another episode in the mythology of Afrikaner nationalism (Giliomee 2003: 263).

In the aftermath of the war, Alfred Milner, British High Commissioner, pursued a vigorous policy of Anglicization which, in turn, provoked an equally virulent emphasis on Afrikaner identity, culture, and language, particularly evident in the church and schools (Giliomee 2003: 268–269). Smuts provided something of a middle ground – a future South Africa would require the union of the two former British colonies and the two Boer republics and, with it, the reconciliation between English and Afrikaans-speaking white South Africans. For this to be achieved, the nascent country had to maintain her ties with Britain, ideally as a dominion within a commonwealth of nations that would simultaneously allow the country to retain its independence (Giliomee 2003: 277). Smuts' willingness – and desire – to continue to maintain ties with Britain did not go unopposed and was manifest in the rebellion led by prominent Afrikaner generals during the First World War and the opposition in the South African parliament to South Africa's entry into the war in support of the Allies in September 1939.

Internal divisions within Afrikaner society once again became linked to class. The process of modernization and, with it, the transition to commercial agriculture spelt the death knell for many Boer farmers who were ultimately forced into the cities – there to become a laboring underclass but one which was in competition with black workers (Giliomee 2003: 321). In this context, Smuts with his ties to the British symbolized capitalism and, with it, imperial domination. His opposite was J.B.M Hertzog, founder of the National Party, who had distanced himself from Smuts’ (and first Prime Minister, Louis Botha’s) South African Party due to its “capitalist policies.” The “poor white” problem also aroused the attention and empathy of Daniel Francois Malan who was dedicating to elevating the Afrikaner socially and economically while upholding their unique cultural heritage. And, linked to the upliftment of the Afrikaners was the maintenance of racial – and class – divisions with an aspirant black middle class which posed a threat to white economic and political supremacy (Giliomee 2003: 327–328). As Prime Minister, Smuts’ government further alienated white workers when a strike by white workers on the Witwatersrand was crushed by government troops using military weaponry and air strikes (Giliomee 2003: 334–335).

Economic struggles went hand-in-hand with cultural assertion. Language was the first step in asserting Afrikaner identity. As editor of *De Burger*, D.F. Malan did much to dispel the stereotype of the anti-intellectual Afrikaner in his advocacy for Afrikaner independence and the resolution of the “poor white” problem while, simultaneously, condemning imperialism and its supporters. In 1922 – the year of the strike – the newspaper changed its name from the Dutch *De Burger* to the Afrikaans *Die Burger*, symbolic of an Afrikaner identity rooted in South Africa (Giliomee 2003: 374). Afrikaner struggles were given a sense of purpose with the formation of the Afrikaner Broederbond in 1918 dedicated to preserving Afrikaner cultural identity. A decade later, at a meeting of the Broederbond, the Federasie van Afrikaanse Kultuurvereniginge (Federation of Afrikaans Cultural Associations) was formed which comprised all Afrikaner cultural organizations across the country with the aim of promoting the language (Giliomee 2003: 400–401). The formation of Afrikaner identity reached its zenith in 1938 with a reenactment of the Great Trek that mythologized settler expansion and struggle. The event whipped up a frenzy of nationalism as Afrikaners donned the clothing of their Voortrekker ancestors and adopted an anthem, “Die Stem van Suid-Afrika” (The Call of South Africa). While theoretically nonpartisan and holding events at which both Smuts and Hertzog were present, it was Malan who emerged as the voice of Afrikaners (Giliomee 2003: 432–433). The seeds were sown for the division that would come during the Second World War.

The outbreak of war in September 1939 saw a division in the South African parliament with Prime Minister calling for South African neutrality. In this he was opposed by Jan Smuts who advocated South African active involvement in the war as an ally of Britain. The ensuing vote led to victory for Smuts who became the new Prime Minister. The dissent in parliament, however, was symbolic of a division within Afrikaners. The far right had already developed Nazi sympathies with the formation of the South African Christian National Socialist Movement – popularly

known as the Greyshirts – in 1933. After the outbreak of war, one of Hertzog's former ministers, Oswald Pirow, formed Nuwe Orde (New Order). The right-wing organization that had the greatest support, however, was the Ossewabrandwag (OB), which took its inspiration from the celebrations commemorating the centenary of the Great Trek. OB storm troopers or *stormjaers* carried out sabotage within the union for the duration, presenting a perpetual security problem for the state. War measures such as internment of anti-war figures as well as the implementation of rations and military defeats such as that at Tobruk only inflamed right-wing Afrikaner resentment. The anti-war sentiment was conceded to in the form of an oath taken by South African troops to fight beyond the borders of the country. This was symbolized by an orange tab worn on the shoulders of their uniforms. For war supporters, this signified their loyalty, whereas it was considered an imperialist act of treason by the right (Giliomee 2003: 440–443). The ultimate legacy of South African participation in the Second World War, however, was the shift in support for the far right that would ultimately culminate in Smuts's electoral defeat and the accession to power of the National Party under the leadership of D.F. Malan in 1948 (Giliomee 2003: 446).

With the growing agitation for independence in Africa and Asia that followed the Allied victory in 1945 and the insecurity of a white minority population, the National Party advocated the policy of apartheid or the separation between races as a means of maintaining white political and economic supremacy (Giliomee 2003: 496–497). The apartheid state was defined by a system of legislation – the Population Registration Act of 1950 that legally categorized people according to race, the Immorality Act that forbade sexual relations between different race groups, and the Group Areas Act which segregated racial groups in urban areas. The culmination came in the 1960s with the creation of the homeland system where separate geographical areas, considered “independent” Bantustans were established for the various African ethnic groups who would be excluded from any form of citizenship within white South Africa.

The apartheid state was militant and oppressive, privileging white Afrikaner dominance and racial subordination. Yet it did not go unopposed. Liberal protest, black activism, and international condemnation compounded by economic sanctions exerted pressure on the National Party and challenged its stranglehold on power. Initially economically successful due to the utilization of cheap black labor, the middle of the 1970s saw a dramatic drop in economic growth that was precipitated in part by an international oil crisis. Job reservation had an adverse effect on the required skills necessary with a corresponding shortage of black skilled workers and insufficient numbers of white workers to compensate (Giliomee 2003: 597–599). The implementation of economic sanctions exacerbated the situation as did the growing unrest such as the Soweto Uprising of 1976 in reaction to the implementation of Afrikaans as the medium of instruction in black schools. Just as economics had been a significant catalyst in the creation of a particular Afrikaner identity, it now challenged the notion of a unified Afrikaner identity. The 1980s saw the beginning of concessions made to halt the inevitable with Afrikaners' split between the *verkramptes* who resisted change and the more liberal-minded *verligtes*. The ideological difference mirrored an economic one – a hallmark of the historical

divisions in Afrikaner identity: the *verligtes* tended to be more economically affluent and educated than their counterparts, and political change was therefore a pragmatic decision (Giliomee 2003: 549). It was this that would ultimately allow for political change, leading to unbanning of the ANC and the first democratic elections held in 1994.

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## African Identity

Prior to the formation of the Union of South Africa, African political activism was centered on their full political and social inclusion within existing societal structures. The disparate voices found a focus with the formation of the South African Native Congress in 1902. This organization emphasized the loyalty of indigenous Africans to the British Empire and advocated the more inclusive nonracial Cape liberalism as the basis for a new South African state in contrast to the racial policies of the northern provinces and Natal that prioritized white settler concerns over land and labor. In contrast, the Cape system allowed for the theoretical equality and assimilation of other race groups. The South African Native Congress was led by an African intellectual elite that clearly differentiated itself from the greater part of the indigenous population, seeking to both represent and lead this group until full assimilation was achieved (Greenstein 1994: 4–5).

A more ambivalent response to imperial hegemony was evident in the formation of the African Ethiopian churches in the late nineteenth century. Despite clear Christian influences, these religious movements sought emancipation from colonial rule and drew a membership across tribal and ethnic division, a forerunner to the creation of a unified African identity. The formation of a Christian identity distinct from that of the colonizer and settler was also an assertion of indigenous identity, albeit one shaped by Christianity (Greenstein 1994: 5–6).

The creation of the Union of South Africa in 1910 led to a shift in black political activism. The Union had dashed the hopes of the national extension of Cape liberalism and the maintenance of racial political inequality led to a united response on the part of Indians, coloreds, and Africans who appealed unsuccessfully to the British government. Realizing the inefficacy of using white liberals to address their plight, the South African Native Congress (later to be renamed the African National Congress) was formed in 1912. From the outset its membership was envisaged as a national one, drawing members from the four provinces that comprised the union as well as the British protectorates. Its first constitution emphasized the unity of indigenous people, but, as yet, it did not incorporate other race groups (Greenstein 1994: 7–8).

A major obstacle to unity, however, was the presence of “traditional” structures of leadership that colluded with the state as a holdover from the British policy of indirect rule. Traditional leaders or chiefs found themselves caught between functioning as part of the apparatus of state rule on the “native reserves” – symbols of ethnic and racial segregation – and resistance. A further distinction was evident in the urban-rural divide. While the ANC largely represented an urban population,

resistance occurred sporadically in rural areas due to land dispossession and the incorporation of Africans into waged labor in the form of the migrant labor system. Rural movements incorporated indigenous elements as they engaged with the repression of the modern state. Again, this was symbolized by the Ethiopian churches where a group calling themselves the Israelites (based on the Old Testament) resisted the payment of taxes and illegally occupied land in Bulhoek. An attempt to remove them led to increasing tension that culminated in open conflict between the Israelites and the police, leading to the deaths of more than 200 Israelites (Greenstein 1994: 8–9).

The ANC emphasized the unity of Africans across ethnic lines, particularly evident under the presidency of Pixley Seme who drew upon figures significant to the Zulu and Xhosa, for instance. This would mark the pattern for the ANC from then on (Greenstein 1994: 11). During this period, African political interests were represented by the Native Representative Council comprising both whites and Africans who were elected by Africans indirectly through councils, committees, and chiefs. While not a lawmaking body, the NRC could theoretically represent African interests in parliament and was seen as a forerunner of direct parliamentary representation. It was, however, a toothless entity creating a sense of disillusionment and leading to African opposition to it a decade later (Greenstein 1994: 12–13). With the failure of the NRC, however, African political activism became more inclusive, transcending local, ethnic, or traditional identities to espouse a more unified African and, ultimately, South African identity (Greenstein 1994: 14). This would lie at the heart of the radicalization of black nationalist politics evident across the various political organizations in the 1940s.

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## Colored Identity

South Africans termed “colored” were a heterogeneous mix of indigenous Africans, slaves, and white settlers that had come to develop a unique identity, embracing either Christianity or Islam and, like their white counterparts, largely speaking Afrikaans. They occupied an unenviable position in the racial hierarchy, caught in the middle ground between black African and white, and this was reflected in their political activism over the course of the twentieth century. Coloreds – the largest numbers of which were found at the Cape – had had a long and ambivalent history with white South Africans. In many cases their common ancestry and the ability of some individuals to “pass” as white in appearance had blurred the boundaries of race and predisposed some to highlight their distinctiveness from black Africans. This served as a significant obstacle to racial and political solidarity in the wake of the formation of the Union of South Africa in 1910. Even the increasingly discriminatory racial legislation that characterized the new country failed to drum up sufficient support for the political unity advocated by colored political leader Dr. Abdullah Abdurahman, founder of the African Political Organization. Despite their common cause, both African and colored segments of the population would, in the early years of the country, consider themselves distinct based on differences in language,

culture, and the preferential treatment accorded to coloreds in the racial hierarchy, due to the greater ease with which the latter could potentially be assimilated (Simons and Simons 1983: 120–121).

As with the other race groups, the years prior to the outbreak of the Second World War saw a growing radicalization in colored politics led by Cissie Gool – daughter of Abdurahman – who served as president of the newly formed National Liberation League formed at the end of 1935. Agitating for equal political rights, the League looked beyond the colored population to forge ties with other “non-Europeans” in a quest for “national liberation” that cut across racial and ethnic lines (Simons and Simons 1983: 486–488). This stemmed from a realization that the common oppression experienced by the black races of South Africa necessitated a united opposition. The earlier isolated engagement between each racial group (and its political representatives) with the state had proved fruitless. Simultaneously, the heterogeneous mix that comprised the colored population also served as a concrete reminder of the artificiality and constructed nature of racial categories that would later be enforced by notorious pieces of legislation such as the Population Registration Act. On the eve of the Second World War in 1938, as right-wing Afrikaner nationalists were becoming increasingly vociferous, the National Liberation League formed part of a conference comprised of groups with allied interests and proposed the formation of a “Non-European United Front of Africans, Colored and Indians” in common resistance against racial discrimination (Simons and Simons 1983: 489).

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## Indian Identity

From the outset there was a clear class and ethnic distinction within the Indian diaspora in South Africa that would shape the way in which South African Indian identity was articulated. The bulk of the Indian population that arrived in Natal in the mid-nineteenth century was composed of indentured laborers drawn largely from South India. They were soon followed by the Gujarati merchants from the north with a sizeable Muslim population. Indentured labor was the solution to the labor problem in Natal – in particular, the cultivation of sugar. The Zulu kingdom had, at this point, retained its independence, and the Zulu were thus not easily drawn into waged labor. Indentured labor, with its 5-year contracts, also allowed for a greater control of labor, making easier the transition from slavery to waged labor. Moreover, British imperial domination over both India and Natal allowed for the easy movement and control of Indians (Reader’s Digest Illustrated History of South Africa: The Real Story 1995: 222–225).

The difficult conditions and general isolation of indentured laborers led to an alienation from their subcontinental origins. This was in contrast to the merchant Indian class who maintained financial, social, and cultural ties with their ancestral villages. For the indentured laborers then, there was a growing tendency to construct a particularly South Africanized Indian identity. This was evident in the eventual creation of stable family units, the use of organized religion as evident in the construction of temples, and the absence of the caste distinctions that were a

hallmark of Indian society, even as distinctions based on religion, language, and ethnicity were maintained (Freund 1995: 8–9).

A growing Indian population compounded by the economic competition represented by the merchants or traders provoked white settler hostility and discrimination. This was the context of the arrival of M.K. Gandhi in 1893. A year later Gandhi had formed the Natal Indian Congress, a political organization designed to advocate for political equality for the largely merchant class through passive resistance. While the Congress eventually included issues that affected the working class of indentured origin such as opposition to the imposition of a £3 tax, it was the Colonial-Born and Settlers' Indian Association – formed in 1933 – that briefly came to represent the interests of the descendants of indentured laborers who identified strongly with their South African origins (Kuper 1960: 45–47). In the early decades of the twentieth century, however, as Indians found themselves the subject of discriminatory legislation designed to limit them economically and politically, it was the Natal Indian Congress that came to represent their interests. Indian political activists from Natal and the Transvaal would come together to form the South African Indian Congress which would become increasingly radical in the 1940s (Reader's Digest Illustrated History of South Africa: The Real Story 1995: 537).

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## Fighting the Good War

The period leading up to the Second World War was marked by a growing militancy in black nationalist politics. This was evident in the emergence of radical factions within existing political groups – the Nationalist Bloc within the Natal Indian Congress and Transvaal Indian Congress, the ANC Youth League, and the National Liberation League of South Africa that represented colored activists who agitated for “complete social, political and economic equality for non-Europeans with Europeans” (Lewis 1987: 179). Dissatisfied with the way in which the existing black political leadership had campaigned for social, political, and economic reform, the new generation of radicals would find the Second World War the perfect means of highlighting the incongruity of Allied ideals with domestic suppression and agitate for equality based on equal participation in the conflict.

The traditional African leadership such as Mshiyeni ka Dinizulu, Paramount Chief of the Zulu, and Chief Jeremiah Moshesh of the Basotho threw their weight behind the war effort urging their followers to enlist due to the greater threat presented by the Germans to freedom and, on a more pragmatic level, the remuneration of military service. Also evident was the desire to prove their loyalty through war service – that could ultimately culminate in the reward of equal citizenship. Of particular note was the relegation of black men to support or auxiliary services with their concomitant exclusion from combat. It was this that took on a special significance as it precluded them from equal participation in the war, mirroring their secondary status in South African society (Chetty 2012: 53–79).

The Communist Party of South Africa, on the other hand, condemned black support for the war – and for a state that oppressed them. Their stance was to change



with the German invasion of the Soviet Union in 1941, but, nevertheless, the CPSA emphasized equal participation in the war and the use of black soldiers in combat roles. This placed the Union Government – already dealing with the hostility of right-wing Afrikaners – in an untenable position (Chetty 2012: 53–79).

Yet, the setbacks of the war such as the defeat at Tobruk suggested the possibility of reform at home. “Segregation has fallen on evil days” was the oft-quoted phrase from Jan Smuts in 1942. The high number of casualties led to the creation of a dilution policy where black noncombatants were placed in previously all-white units, freeing white men to take up combatant roles. Here, the inequalities became more pronounced as did the resentment of black soldiers. Yet, as the tide of war turned in favor of the Allies, equality receded ever further. Segregation would continue unabated with the formation of Colored Affairs Department to administer coloreds as a separate group as well as the Trading and Occupation of Land (Transvaal and Natal) Restriction Bill in 1943 designed to restrict Indian access to land and alleviate white fears of Indian “penetration” into white areas in Natal (Chetty 2012: 53–79). Thus, while representing a moment of real change, opportunities for racial equality had ultimately been significantly decreased by the end of the war. The war had itself provoked a resurgence of right-wing Afrikaner nationalism that would culminate in Smuts’s electoral defeat and the creation of the apartheid state in 1948.

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## “Non-racialism” Under Apartheid

When Archbishop Desmond Tutu described South Africa as a “rainbow nation” in the wake of the first democratic elections held in South Africa in 1994, he was echoing the sentiment of the Freedom Charter almost 50 years earlier, “. . . South Africa belongs to all who live in it, black and white.” Drawn up in 1955, the Freedom Charter was the expression of the ideology of the South African Congress Alliance composed of the ANC, the South African Indian Congress, the Colored People’s Congress, and the leftist, anti-apartheid, and largely white South African Congress of Democrats. It was an articulation of a multiracial and inclusive identity that would be a hallmark of mainstream black protest politics. The Freedom Charter was the culmination of the expression of a multiracial identity that had begun with the Defiance Campaign in 1952, the large-scale coordinated passive resistance protest against the apartheid state. Through the use of strikes and boycotts, activists courted arrest, demonstrating the militancy that had been in evidence since the 1940s (Reader’s Digest Illustrated History of South Africa: The Real Story 1995: 383–388).

In contrast to the Freedom Charter and the inclusive identity espoused by the Congress Movement, the Pan-Africanist Congress or PAC adopted a more radical approach under the leadership of Robert Sobukwe. Initially a member of the more moderate ANC, Sobukwe was disillusioned with the multiracial nature of the organization and subsequently broke away to form the Pan-Africanist Congress in 1959. Inspired by the ideals of Pan-Africanism – a movement begun by the African diaspora and strengthened with anti-colonial struggles and the creation of new



African states in the wake of decolonization – the PAC promoted African unity across the continent and a disavowal of racial categories with an emphasis on socialism. The defining moment for the PAC came in March 1960 during a protest against the carrying of passes in Sharpeville. The protestors came under police fire resulting in the deaths of 69 people in what infamously became known as the Sharpeville Massacre. Sobukwe was subsequently imprisoned on Robben Island. The unwelcome media attention of the Sharpeville incident caused no small amount of embarrassment to the South African government which took immediate action by issuing a state of emergency and, a month later, banning both the ANC and PAC (the Communist Party of South Africa had already been banned a decade earlier). With the banning, imprisonment, and exile of key black political figures, protest politics entered a period of quiescence that was eventually broken by a new generation of activists (Reader's Digest Illustrated History of South Africa: The Real Story 1995: 398–407).

This decade highlighted the power of the state which began to refine apartheid policy. This led to a privileging of distinct ethnic identities in contrast to the sense of unity that had permeated black nationalism in the preceding decade. It was epitomized by the independent homeland system. Hendrik Verwoerd, the “architect of apartheid,” served as Prime Minister and initiated the Bantustan or independent homeland system envisaged as the means by which Africans (segregated according to their “tribal” or ethnic affiliation) would exercise their political rights. Taking earlier policies of segregation to their extreme, the homeland system meant that Africans could never be considered citizens of white South Africa, and their presence in urban areas and as laborers would be temporary. In all, ten homelands were created for the different ethnic groups, and four of them ultimately attained their independence. The system, however, was an exercise in the theoretical over the practical. The homelands were not economically self-sustaining and served mainly as labor reserves for the dispossessed who were compelled to work in “white” South Africa (Reader's Digest Illustrated History of South Africa: The Real Story 1995: 378–380). Their emphasis, however, on ethnic identity and, with it, division and distinction left a legacy with KwaZulu, for instance. Its leader, Chief Mangosutho Buthelezi, formed the Inkatha Freedom Party that focused on Zulu cultural identity and ultimately challenged the power of the ANC in the region. Buthelezi clearly preferred a federal system of government in 1994, allowing for greater regional autonomy and the maintenance of IFP power. This system was ultimately rejected. The tension between the two groups was manifest in violent conflict between ANC and IFP supporters prior to the first fully democratic elections in 1994 (Reader's Digest Illustrated History of South Africa: The Real Story 1995: 509, 526–527).

The late 1960s and 1970s saw the growth of Black Consciousness which occurred within the milieu of decolonization in Africa, radicalized student politics in America and Europe, and a similar radicalization of student politics in South Africa exemplified by the National Union of South African Students (NUSAS) and the South African Students Organization (SASO), with its largely black membership. Also influential were the remnants of earlier radicalism in the form of the Ethiopian churches as well as the ANC Youth League (Rich 1989: 6). Influenced by the

work of Frantz Fanon, Black Consciousness emphasized a common black identity that sought equality on their own terms without having to concede to white liberals and identifying a sense of black pride. The movement was epitomized by the figure of Steve Biko, founding member of SASO – who would be subsequently killed while held in police custody in Pretoria in 1977. Black Consciousness embraced the adjective “black” as a marker of identity rather than the negatively defined “non-white” favored by state bureaucracy. By utilizing a common identity, the movement hoped to unite the various races in common cause against oppression (Hook 2014: 22–23). For Biko, the aim of Black Consciousness was not merely “integration” into South African society with its hegemonic espousal of European values but the assertion and validation of indigenous belief systems (Hook 2014: 242–243).

The catalyst for the new generation of student radicals was the Bantu Education Act passed in 1953 which was designed to maintain Africans at an education level suitable only for menial labor. Despite a growing realization of the need for skilled African labor, education disparities between race groups remained a source of discontent and resistance to the implementation of Afrikaans as a medium of instruction which broke out in Soweto in 1976, spreading throughout the country. Affiliated to both SASO and the Black Consciousness Movement, violent clashes occurred between students and police. Many of these protestors would go into exile, joining groups such as the ANC and PAC and returning in secret to South Africa to conduct subversive attacks against the apartheid regime. This would mark a growing radicalization and increasing confrontation with the state that characterized the opposition to apartheid in the ensuing decade (Reader’s Digest Illustrated History of South Africa: The Real Story 1995: 446–451).

Even as Africans continued to be marginalized from political participation in white South Africa, the 1980s saw some attempt at cursory reform on the part of the state. This was the Tricameral Parliament which allowed for the establishment of limited representation for coloreds and Indians. Perceived correctly to be window dressing in an attempt to avoid real political change, the system was given little credibility and was opposed by the United Democratic Front (UDF). The UDF continued in the multiracial pattern of protest established with the Congress movement in the 1950s. Also influential – and an acknowledgment of the convergence of race and class – was the involvement of trade unions. With the dawn of a new decade and the unbanning of the ANC, SACP, and PAC in 1990, the UDF’s role became superfluous (Reader’s Digest Illustrated History of South Africa: The Real Story 1995: 474, 477–478, 538).

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## Conclusion

On the eve of the end of apartheid and the first democratic election in 1994, there remained – and continues to remain – the tension that had existed in the formation of racial identity in South Africa from its colonial beginnings. Along with the identification as members of a larger group sharing common aims and aspirations – whether it was the preservation of white minority power, black nationalist protest

politics, or the creation of a unified multiracial nation – there existed a tendency toward fragmentation. This was evident in the assertion of certain racial or ethnic identities that served the needs of special interest groups in the struggle for social, economic, and political power that characterized the history of the country.

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## Abstract

One of the major shifts in scholarship in the twentieth century was to move away from a reliance on the science and popular understanding of “race” to a more critical and nuanced approach that included a focus on ethnic identity and a vocabulary that included racism. These shifts prompted the race-inspired genocide of the Holocaust combined with the growing decolonization politics of the colonized, both those that were colonized as part of a process of occupation and settlement or those that were excluded and marginalized as a result of the racism of hegemonic communities or institutions of those states. The decolonization politics of the mid-twentieth century included those residents in metropolitan economies and societies as a result of what was often a process of forced migration. The struggle for recognition and equity also included those that had existed as preexisting nations within colonies but were now subjugated peoples.

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P. Spoonley (✉)

College of Humanities and Social Sciences, Massey University, Auckland, New Zealand

e-mail: [P.Spoonley@massey.ac.nz](mailto:P.Spoonley@massey.ac.nz)

One of the most important components to these politics of colonization and ongoing marginalization were the presence of stereotypes, the attribution of certain characteristics, typically negative in tone or content, to a whole group of people. As racism has changed in the late twentieth century and through the first decades of the twenty-first century, some stereotypes have remained constant while others have changed or new ones emerged. These stereotypes are invoked and reproduced in a range of settings, including institutions such as the media (new as well as traditional or education, or as an aspect of social commentary and exchange, such as comedy and humor) and as part of humor.

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**Keywords**

Race · Racism · Stereotypes

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## Introduction

An explanation of phenotypical, cultural, and intellectual differences was embodied in the notion of “race” that was part of a (long) period of European expansion and colonization. Popular understanding of what constituted race was underpinned by the “science” of race, including as a justification for exploitation and colonization. These world views were contested by a growing opposition to slavery from the late 1700s, but it was the deployment of arguments about race and the use of these to justify genocide in Europe during World War II that prompted a significant shift: to critique arguments about race and to acknowledge cultural identity (ethnicity) as an alternative.

This period, dating from the late 1940s, paralleled a period in which decolonization politics were more forcefully articulated as subjugated peoples and nations fought for recognition and to contest cultural and economic marginalization. The civil rights movement added another dimension to these politics of resistance. A more critical science of difference and inequality emerged, and common to both, the movements of resistance and social science was a concern with the presence and impacts of racism. There was an interest in the process by which particular categories/groups of people became racialized (defined and problematized as a “race”).

One of the key elements in the product and reproduction of racism is the presence and utilization of stereotypes. Essentially, these are the attribution of characteristics, in a simplistic way, to a group that has been racialized. This attribution or categorization of others is typically couched in negative or hostile terms, and these stereotypes sustain derogatory views of others – and to justify, discrimination and various forms of exclusion. This chapter explores the nature of these stereotypes and uses two institutional settings – the media and education – to explore the nature and impacts of stereotypes and ends with a discussion of comedy and humor. Stereotypes are widely used in such settings and what is – or is not – acceptable is an interesting test of public sentiment and analyses of racism.

Stereotypes remain an important part of the vocabulary and practice of racism. In one sense, they can be relatively innocuous and simply part of the way in which

humans understand and explain their social world in a banal and mildly problematic way. But this characterization tends to undermine their ongoing contribution to popular and political racism, to ignore the impact on those being stereotyped and to resist the perniciousness of contemporary racism.

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## Race as Science

While the idea of “race” is now seen as problematic, at least in academic circles, during a period of European expansion and underpinned by scientists and science of the period, race was a key concept in both explaining phenotypical difference and in justifying the attitudes and actions towards others, essentially the non-European “other” (including Jews). The explorations and expansionism of Europeans from the 1600s onwards brought those explorers and then subsequently colonizers/settlers into contact with people who were physically and culturally different. Race became a core concept in explaining these differences and the “superiority” of the European colonizers and the “inferiority” of those encountered (and therefore their rights to subjugate and enslave). The developing biological sciences helped in this process by providing a scientific justification for these beliefs. The mid-nineteenth century development of eugenics is one of many examples of racial classification and the development of the science of measuring racial difference, and ultimately, resulting in the differential treatment of races. A second element was the appearance of social and economic systems such as slavery which required the absolute subjugation of certain peoples. As the opposition grew to systems such as slavery from the late 1700s, justifications were sought to preserve an economic and social system that depended on the subjugation and exploitation of others. The science of race and the beliefs of elites and hegemonic communities reinforced the key elements in race: that groups could be classified in terms of their phenotypical differences; and that these phenotypical differences reflected innate characteristics between races; that races could be ordered into hierarchies based on how differences in terms of intellect or competence were differentially allocated amongst races according to those doing the allocation (Banton 1978; Miles 1989). Underpinning these beliefs, both scientific and popular, were stereotypes (which will be explained in more detail below) about the perceived nature and key characteristics of groups who were being racialized.

A key moment in relation to the science of racism and the use of race to categorize and justify exclusion and subjugation came in the mid-twentieth century as the full realization of the Holocaust was made clear. The fact that a “modern, advanced” state, in this case Germany, could utilize beliefs about the “superiority” of Aryans and “inferiority” of many others, but especially the Untermenschen – Jews and Romany in particular – in order to justify genocide invited many to revisit beliefs in race. After the end of World War II, international agencies lead a debate about the nature and consequences of beliefs in race. Probably the most significant came from UNESCO who sponsored a series of expert panel meetings in the 1950s and 1960s. A statement noted that race is essentially an arbitrary social classification that then gained a dubious science to underpin these social beliefs. The preexisting science of

race and the Holocaust were based on a “scientifically untenable premise” (Miles 1989: 46). The issue of deciding who is or is not a member of a particular race is problematic and relies on social conventions and beliefs – and characterizations of phenotypical difference. There is now a substantial literature which discounts race as a scientific concept (UNESCO 1975; Banton 1978) and which points to the ideological and political content of the term – and the very destructive consequences of these beliefs.

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## Racism: Reviewing and Rescinding Race

While there had been concerns expressed about both the scientific validity of race and the way in which it was used to denigrate and exploit since the late 1700s and through the 1800s (see Quaker campaigns against slavery), and some of those who were on the receiving end of racism resisted subjugation and denigration in various ways, international understanding and skepticism was muted. For example, the allied countries and their leaders did not accept the stories about Jewish and Romany genocide until the evidence of the death and concentration camps at the end of the war forced a re-evaluation. Through the late 1940s through to the 1970s, scientific communities began to unpack and critique the science of race and populist beliefs about race. This was accompanied by the decolonizing politics of the colonized (cf Fanon 1967; Freire 1968) and the civil rights movement.

Racism, as an increasingly widely used term, was used to signal the presence of ideological beliefs that people can be classified into races and that these racial differences explain physical/intellectual differences and the outcomes of social variation (Miles 1989). In this sense, racism refers to the beliefs about racial difference and typically that these differences signal innate characteristics which translate into hierarchies of superiority and inferiority. It includes a “mix of prejudice, power, ideology, stereotypes, domination, disparities and/or unequal treatment” (Berman and Paradies 2010: 228). In the latter half of the twentieth century, as part of a varied set of decolonizing politics, the connection of racism with colonization and power differentials became an important part of academic and public discourse – and of resistance. Commentators such as Fanon (1967) and Freire (1968) provided a powerful critique of colonialism and what was required to decolonize. Civil rights and Black activists in the United States added to this element, notably in the introduction of concepts such as institutional racism in the late 1960s. This notion, institutional racism, supplemented the existing focus on personal prejudice and the impacts of racism on those targeted and began to stress the structural components and outcomes of racism. Institutional racism “refers to the ways in which groups are differentially treated by institutions as a result of a set of organizational policies and procedures” (Spoonley 1995: 21) whereby certain discriminatory practices are normalized and routinized within the organization (cf Downing and Husband 2005). The institutions referred to typically those that are at the core of states and the allocation of goods, status, and services – education, justice, welfare, housing, employment – and the assumption is that the behaviors of individuals who occupy

positions in those institutions are less significant than the way in which the institution operates to disadvantage particular racial groups. This might involve differential access, or limited access, to resources and services and the emphasis on the norms and expectations of hegemonic ethnic groups to the detriment of indigenous or minority ethnic groups, with the result that life chances and outcomes vary considerably depending on the ethnic group in question. One of the interesting arguments in relation to institutional racism is that those in the institutions might not be racist themselves but that the key factor was that the institution in question contributed to inequity by operating in a racially advantageous or disadvantageous way.

Through the 1970s, the emphasis on racism being a combination of prejudice plus power, and an increasing focus on the structural impacts of racism, guided understanding of racism. And these politics and emphasis began to be seen more widely in academic understanding. For example, Rex and Moore (1967) wrote about housing classes in the UK, to signal the way in which the housing market was determined by racial exclusion. But perhaps the more important shift came in the 1980s when writers like Robert Miles and Stephen Castles linked migration and racism to neo-Marxist arguments about structural disadvantage. A classical Marxism, they argued, was inadequate because of its exclusion of ethnic dynamics in contemporary (or historic) capitalism and the reductionism of economic inequity to class. Miles (1982) argued for the political economy of labor migration which argued that the underlying driver of capitalism was capital accumulation and the need to find more profitable ways of producing and exchanging goods. In post-war capitalist economies, one strategy was to recruit workers from the periphery, often former colonies of the urban-industrial centers of capitalist production. But as Miles went on to point out, not only were these workers a source of waged labor, they brought a different culture and were defined as races that were often problematized. Political and ideological relations were altered as contact and exchange took place in the metropolitan centers of capitalism. In Miles' (1982) terms, relationships between these different groups were "racialized." The migrants are defined as physically and culturally different, that is as "races" that drew upon preexisting notions of inferiority and superiority of these socially constructed races. Moreover, these racialized migrants and their presence were seen as problematic in terms of issues such as contributing to the decline of urban areas, law and order and as a cultural threat. And the class structures and advantage/disadvantage of capitalism was now significantly structured by these racialized relationships, so that the groups racialized were excluded or marginalized in significant ways. Castles et al. (1984) added to this approach, and it was underscored by contributions such as Paul Gilroy's (1987) *There Ain't No Black in the Union Jack* and the attention paid to forms of resistance by those colonized or racialized.

Miles (1982), influenced by Fanon (1967), referred to racialization, or the way in which "relations between people have been structured by the signification of human biological characteristics in such a way as to define and construct differentiated social collectivities" (Miles 1982: 75; see also Murji and Solomos 2005). This, in Fleras's (2014: 73) terms, reflected an important conceptual shift with a focus on the "process of defining, categorizing, and evaluating people and their activities along



racial lines” with the emphasis on the ideological underpinnings (including the deployment of stereotypes) and category construction. In this way, defined groups are constructed by a process of attributing racial significance and problematized in various ways. The significance of this shift is to underline the process of social construction using (largely) negative perceptions and characterizations, and thereby rejecting any suggestion that racism is a “natural outcome of intergroup contact” (Fleras 2014: 74). The social construction of these world views rely on categories and stereotypes, what Goldberg (1993) refers to as “preconceptual primitive terms” that simplify and explain as part of the logic of racism.

These evolving approaches to racism were reflected – and influenced by – activists and writers from those colonized. For example, in New Zealand, these ideas (from Fanon through to more contemporary neo-Marxist approaches) were influential in contributions from the indigenous and subjugated Māori and can be seen in statements such as Donna Awatere’s (1984) *Māori Sovereignty* which provided an interesting analysis of racism and the idea that the sovereignty of the modern state, in this case in New Zealand, could be renegotiated to ensure that indigenous peoples, Māori, could exercise their own (albeit partial) sovereignty. An indigenous scholar, Ranginui Walker (1990), provided a powerful critique in his book, *Ka Whawhai Tonu Matou. Struggle Without End*, in which he linked colonial dispossession and racism with contemporary (highly negative) outcomes for Māori, and argued that both personal and structural racism needed to be confronted. Such approaches continue to remain influential in relation to contemporary understandings of racism in Aotearoa/New Zealand (see, for example, Moewaka Barnes et al. 2013) so that structural racism (in Moewaka Barnes et al. 2013) is seen as being central to both societal and institutional racism with impacts for individuals and groups (notably Māori) in terms of detrimental health outcomes.

The use of the term racism, the process of racializing particular groups, and the critique of institutional racism were central to academic and popular understanding by the second half of the twentieth century. This was accompanied by the recognition that racism could and did take a variety of forms. For example, Fleras and Elliot (1996: 71–83) describe the variety of forms that racism takes, from the everyday and polite versions to more structural and institutionalized forms, and that the targets of racism and the perpetrators of it may equally take a variety of forms. They go on to argue that at its essence, racism is a powerful form of social control whatever its ideological underpinnings, content, or the way in which it is expressed and practiced.

... racism has played and continues to play a formidable role in establishing and maintaining patterns of inequality and control. (Fleras and Elliot 1996: 87)

If racism is now seen in a more nuanced way, it is also true that the extensive scholarship and interest provides some challenges. The term itself, racism, has a variety of definitions and is “seldom defined with any precision or consistency” and it is important to recognize that the term refers to a range of attitudes and behaviors (cf Fleras 2014) to a wide spectrum of contexts (Miles 1989 argued that the nature of

racism was a product of particular contexts and historical trajectories). It is one of the enduring areas of scholarship and of political activism, and as the politics of the USA, or Hungary, or the UK in recent decades remind us, there is still significant currency in negative beliefs and actions directed at a visible or despised other. Despite an extensive literature, ample evidence, and resistance from those who are targeted by racism, beliefs about racial difference and threat can still be mobilized by nationalist and populist leaders. Despite the political and moral power of a description that some person or action is racist, beliefs about race and behavior based on those beliefs remain a potent and deployed explanation for certain constituencies (see Hochschild 2016).

Integral to racism are certain categorizations and beliefs – and central to these are the presence of stereotypes. What follows is a discussion on the nature of stereotypes and how they operate in certain institutional settings.

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## Stereotypes

Hurwitz et al. (1997: 31) define stereotypes as “cognitive structures that contain the perceiver’s knowledge, beliefs, and expectations about human groups.” But this is missing the evaluative or judgmental component in relation to racial categorizations and beliefs. The attribution of characteristics normally embodies a normative component and the attributed characteristics are either negative or positive depending on the group in question (cf Jewell 1993). It might be that stereotypes are neutral or even reflect positive views of others (see Downing and Husband’s 2005: 33 discussions of “white stereotypes of Whiteness”). But stereotypes, especially as an underlying component of racism, embody simplistic, negative categorizations of a racialized other. They are categorizations that are “commonly infused with attitudes of hostility and hatred towards the group in question” (Giddens 1993: 256), thereby underpinning the racism with which such stereotypes are associated. As Fleras and Elliot (1996: 68) note, “stereotyping reflects a universal tendency to reduce a complex phenomena to simple (istic) explanations that are generalized to a wider category without acknowledging individual differences.” As they go on to argue, these uni-dimensional images can be employed to justify “daily violence or structural oppression” and are an extension of social control” (Fleras and Elliot 1996: 69).

There are different disciplinary approaches to an understanding of stereotypes. For psychologists, there is an interest in cognition and the way in which racism is constructed and practised at the individual and/or contextual level (Fiske 2000). In responding to the question, “how have social psychologists approached this patchwork quilt of categorical thoughts, feelings, and behaviour?” (Fiske 2000: 299) in reference to stereotypes and prejudice, she notes that there are three major approaches to prejudice in relation to intra-individual dynamics that derive from earlier studies by contributors such as Adorno et al. (1950):

- (1) Modern or symbolic racism. . . focuses on policy beliefs that all happen to disadvantage minorities. . .
- (2) . . . ambivalent racism . . . notes the tension between ‘pro’-black attitudes (paternalistic pity for the disadvantaged) and ‘anti’-black attitudes (hostility towards the oppositional deviant). . .
- (3) . . . aversive racism focusses on the tension between not wanting to be racist and simultaneous, unconscious cognitions that reflect racism. (Fiske 2000: 301)

All involve stereotyping in some form. The alternative approach, according to Fiske, derives from contextual analyses originating with writers such as Tajfel and Turner (see Tajfel and Turner 1986; Turner 1987). This is normally categorized as social identity theory (SIT) and centers on the argument that “people identify with and value their ingroup, thereby derogating the outgroup. . . [with] both cognitive (categorization) and motivational (self-esteem) foundations” (Fiske 2000: 303), so that there is a tendency to “accentuate differences between categories and minimize differences within categories” (Fiske 2000: 304). It is this tendency towards homogenizing categorized groups that underpins and reinforces stereotypes and “category-confirming information” is privileged (Fiske 2000: 304). Therefore:

People using strong stereotypes neglect ambiguous or neutral information. . . and assimilate others to the stereotype. . . [and] people seem to prefer stereotype-matching information. . . and may ask stereotype-matching questions. . . [and people privilege stereotype information. (Fiske 2000: 307)

Sociologists and others have often taken their lead from psychologists, notably in the connection between attitudes (prejudice) and negative categorizations (stereotypes). For examples, Macionis and Plummer (1998: 329) define stereotype as a “prejudicial, exaggerated description of some category of people.” Here the connection to attitudes and prejudice is explicit. Other sociologists, such as Fleras and Elliot (1996: 68–69) stress the connection between stereotypes and ethnocentrism are “context and consequence” dependent. The interest here is on the presence of stereotypes in institutional practices, such as the media or popular culture (such as ethnic jokes). And the emphasis is on the role that stereotypes play in social control (Fleras 1998: 69). There is still an interest in the role that stereotypes place in prejudicial attitudes but also a strong connection to behavior whether in relation to discriminatory acts or institutional racism. There is some interesting analysis of the role of stereotypes in the practices of employers (McDowell 2008: 59), the visibility/invisibility/hypervisibility of individuals and groups as central to stereotypes (Nagel and Staeheli 2008: 85–87), or victimization stereotypes of Asian women (male controlled, subject to arranged marriages; see Anthias and Yuval-Davis 1992: 125).

One way to test the relationship between stereotypes and the way in which race is refracted by communities is to look at how major public events or disputes are seen through a race lens. Those who take the Implicit Association Test (Nesbit 2016) in the USA show that almost 90% of white Americans display an inherent racialized (positive) bias towards whites. They reflexively and subconsciously associate images of African-Americans with negative (stereotypical) labels and whites with positive descriptors. This is supported by research from the National Opinion

Research Center at the University of Chicago that shows that “many Americans...harbour beliefs about racial and ethnic minorities that are based on racial stereotypes” (Nesbit 2016). It is daunting to realize that more than half of the respondents in the survey rated African-Americans as “less intelligent” than whites, and that this included 30% of the African-Americans answering the survey. In contrast, there are stereotypes about Asian educational performance in the USA. In some research, Asian-Americans were seen in a similar light to Jewish students, specifically in relation to excelling in education while remaining apart from the mainstream as a result of both agency and structural factors (Dhingra 2007: 92), a version of a model-minority stereotype. The latter is an interesting stereotype (how much of it is based on real world educational outcomes as opposed to a simplistic and inaccurate categorization) and it combines negative connotations (“Asian geek” stereotypes) with a begrudging respect.

Stereotypes underpin and contribute to racist categorizations and racialization in a range of ways as the above brief survey indicates. There are also a range of disciplinary emphases, from the role that stereotypes play in social identity theory to the visibility/invisibility of color in different settings. To illustrate the above, a discussion of stereotypes in selected institutional settings is offered.

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## Stereotypes and Education

Educational systems are critical in socializing younger members of society and providing a sense of self, of norms, and roles and acceptability. The transfer of knowledge, both formal and informal, is critical but so is an understanding of how individuals or groups are to be characterized and understood. So a central research and policy/political question is whether stereotypes exist and operate in educational institutions, what form they take, and what impact they might have, especially on those targeted.

To explore these dynamics, American research has looked at the presence of stereotypes in young students and the role that these stereotypes play in identity formation. A study of seventh and eighth-grade African Americans tested the degree to which they endorsed race stereotypes or whether self-perceptions would be moderated by what the researchers called “racial centrality” (Racial centrality is the “extent to which race is a central aspect of an individual’s determination, and the research question concerns the degree to which an individual identifies with a racial group and the relationship between an individual’s self-perceptions and stereotype endorsement). Hence, “for these youth, identity development entails forging an understanding of how race – including the centrality of race for the individual, as well as the meaning ascribed to race by others in the society – is intertwined with personal identity” (Okeke et al. 2009: 2). This draws on earlier research that argued that an awareness of negative stereotypes can negatively impact on the performance of group members, giving rise to stereotype consciousness (McKown and Weinstein 2003). These researchers and others found that both African-American and white middle schoolers were more likely to be aware of race stereotypes, in this case relating to academic performance (whites are smarter than African-Americans) than

fourth graders. In the case of the Okeke et al. (2009) research, they found that a range of influences and factors were relevant (personality, school characteristics, experiences) and that while causality between stereotypes and self-perception is difficult to establish with cross-sectional data, there remains a concern that some youth are more vulnerable to racial stereotypes.

There is evidence to indicate that stereotypes contribute to educational opportunity outcomes, the education opportunity gap, or educational life chances, from the expectations of key educational players or influential others, and the internalization of these stereotypes for those who are characterized in various and often negative ways. By the time students reach higher education, the education opportunity gap is obvious in advanced economies; although this is played out in different ways depending on which group is the focus. A number of American universities began to operate policies to limit the proportion of Asians in certain programs or institutions – because of what were seen as “educational over-achievement.” In this case, stereotypes centered on success (although at times that success was portrayed in negative stereotypes: the Asian “nerd” or “geek” whose only success was educational). Others have focused on the achievement gap that disadvantages African-American and sometimes other groups.

Johnson-Ahorlu (2012), rather than describing the educational outcomes gap between African-American and white Americans as an achievement gap, describes it as an “opportunity gap” to highlight the broad nature of educational inequity and to draw attention to the impacts of racism and stereotypes. She examines the “relationship between racism, stereotypes and the ways in which they hinder academic opportunity” (Johnson-Ahorlu 2012: 635), and she does this by moving away from psychological influences and dynamics and uses Critical Race Theory (CRT). This focusses attention on broader societal influences, dominant discourses (in this case, the role of stereotypes), and accepts that the testimonies of African-Americans (here described as “People of Color”) are valid in their own right as a source of data and as providing details of the lived realities of the victims of racism and stereotypes. This approach to understanding the role of racism and stereotypes in educational outcomes offers a more critical and politically nuanced approach. This can be seen in her definition of stereotypes, with its focus on structural elements:

Stereotypes can be defined as gross generalizations applied to a group of people with some shared characteristics. In terms of African Americans and other People of Color, stereotypes are often used to justify racism and can provide a rationale for racial oppression and marginalization. (Johnson-Ahorlu 2012: 637)

The effect, Johnson-Ahorlu (2012) argues is that low expectations, especially from university staff, limit career options and majors with the result that African-American students experience stereotype threat so that racism was underpinned by stereotypes about educational ability which in turn further contributed to inequitable educational outcomes and opportunities.

The available research indicates that stereotypes are present in educational settings, although they typically do not originate in these settings but rather the

presence and use of stereotypes in an educational institution tends to reflect broader societal influences and origins. The above research provides evidence that stereotypes:

- Play a role in contributing to inter-group educational outcome gaps (or opportunity gaps);
- That they negatively impact on identity and performance and contribute to stereotype consciousness;
- That race stereotypes might be accepted/endorsed by both the hegemonic group and those targeted in stereotypes.

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## Stereotypes and the Media

The media have been critical in the perpetuation of stereotypes and sometimes in their creation (see Mastro 2009 for a review). At times, immigrant and ethnic minorities are invisible in the media (which may sustain some stereotypes by omission) but typically, the media have often played a crucial role in using and reinforcing stereotypes. As Fleras and Elliot (1996: 168) argue, “minorities tend to be associated with ‘race or gender *stereotyping*’” and while there have been improvements in media coverage in recent decades, there is still the tendency to “situate minorities in [the] context of conflict or tragedy,” as “problems” in some sense (from being an economic liability to contributing to law and order issues) or as an “adornment,” as a form of entertainment in stereotypical roles. This is particularly true when it comes to reporting crime, for example, where public perceptions are often influenced by stereotypes that are reproduced by the media (Giddens 1993: 135). Stereotypes about the association of certain racialized groups and crime has an enduring effect (Hjorth 2017). In this sense, the media can be seen as a “racialized institution in that they reflect (embody) and reinforce a dominant culture’s perspective” and that the media (can) “deny or denigrate racialized minorities” (Fleras 2014: 147). The media play a critical role in setting the public and popular agendas.

The recent centrality of debates about immigration provides evidence of the association between often long-standing stereotypes and anti-immigrant views and politics.

The association of restrictionist immigration views (“build the wall!”) towards immigrants from Latin America can be directly correlated with negative media coverage of Mexican immigration (Jimenez 2010: 199). Views about the ways in which Mexican immigrants were believed to contribute to the degradation of local communities, the level of cleanliness, or their behavior in public contributed to stereotypes that then characterized the whole Mexican immigrant community negatively. Existing stereotypes were endorsed and expanded by media coverage that in turn encouraged media attention and the further use of negative stereotypes to characterize a community, in this case Mexican immigrants. (Jimenez 2010: 200, does point out that there were sympathy among others towards immigrants).

Many of the stereotypes that appear in the media remain, in part or in full, from previous periods. In US popular culture, these historical racial stereotypes in relation to African-Americans include the persona or image of Sambo, Jim Crow, Mammy, Aunt Jemimah, Sapphire, and Jezebel (Green *n.d.*). Sambo, for example, is a “simple-minded, docile, black man” which dates from a “defense of slavery” that was widely used in the media and which reinforced popular culture (Green *n.d.*: 3).

Adams-Bass et al. (2014: 368) argue that:

Besides the minstrel-inspired “coons” and “mammies,” additional stereotypical characterizations became staple images of Black females (“tragic mulatto”; “sapphire”; “jezebel”) and males (“Buck”; “Uncle Tom”...). In spite of social advances, there remains within the TV and film industry a practice of presenting negative stereotype images of Black people scripted from early characters predicated on the racial inferiority of Blacks

They go on to examine how these stereotypes inform and influence adolescent views in the USA towards African-Americans looking at the message transfer between the media and youth. Based on their research, they concluded that there were significant age and gender differences in relation to whether the youth respondents identified the media messages as positive or negative. For example, “males were less likely to identify negative media stereotypes but more likely to endorse the negative messages than females,” while younger youth identified more positive media images than older youth (Adams-Bass et al. 2014: 384). Weaver (2011) in discussing Afro-Caribbean comedians in the UK and USA (such as Lenny Henry or Chris Rock) who still employ long-standing racist stereotypes to develop what he calls a reverse semantic effect, or a form of resistance to racist stereotypes. This becomes complicated when a character such as Ali G (Sacha Baron Cohen) is considered, as Weaver (2010) goes on to do. Here there is an inversion of stereotypes, or as Weaver notes, the pretense of a young working class British person from Staines who pretends to a homophobic, sexist, person from an inner-city ghetto in the USA, in this case played by a British Jew who graduated from Cambridge University. It is not unlike other characters such as Alf Garnett in “Til Death Us Do Part” (on British television in the 1960s and 1970s) or Archie Bunker in the American television show “All in the Family” (1970s). Both played racially bigoted individuals and employed a range of stereotypes, both self-directed and at others. There is also the question of how much those targeted by these stereotypes either accept or resist them. One research project (Tukachinsky et al. 2017) examined the effects of television depictions of African-Americans and Latinos on members of the groups. Although the number of African-Americans on US prime time television reached parity with the size (proportion) in the US population, and many of the roles and images had improved, there were still negative portrayals alongside positive ones (Tukachinsky et al. 2017). In comparison, Latinos “are only seen infrequently on television – a pattern that has persisted for decades” (Tukachinsky et al. 2017: 3). Their study concluded that “negative media representations . . . pose a tangible identity threat to ethnic minorities” and that these “micro-level psychological processes [identity threat] may be occurring



on a societal level as well” (Tukachinsky et al. 2017: 19) with concerns that negative stereotyping has implications for well-being and health.

These negative images and stereotypes have not gone uncontested. Ethnic minorities, indigenous nations, and immigrants have resisted the negative imaging of them by the media (Fleras 2014). In destination countries such as Canada, Australia, and New Zealand, the immigrant and ethnic minority communities build social capital and ethnic identities (hyphenated and third space identities), and from this base, will seek to confront, challenge and provide alternative readings in the media. Or they might be confronted by particular incidents which help mobilize activism to context negative media commentaries and images (such as the beating of Rodney King in Los Angeles). Immigrant and ethnic organizations and activists seek to develop a “more positive image of their collective membership to confront negative stereotyping in the media” (Simmons 2010: 171).

The role of the media, in all its manifestations (old and new), continues to play a role in perpetuating stereotypes, either by commission or omission. The media landscape in countries like the USA or the UK has changed in recent decades, and there is a greater awareness of the need for sensitivity and self-reflexivity when it comes to issues of diversity, in this case ethnic. There have been some powerful public commentaries and the media commons (see Eddo-Lodge 2017). But equally, the proliferation of media options and the development of media echo chambers have provided new opportunities for racist commentaries and opinions to be shared on a one-to-many basis – and often without disclosing a source or authorship.

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## Stereotypes and Humor/Satire

One of the problem areas in terms of the articulation and reproduction of stereotypes is the area of humor: what is permissible and what is not? For example, is it acceptable for someone to use stereotypes when telling jokes when the teller is from the particular group that is being characterized in a stereotypical way? Are there stereotypes that are acceptable (and to whom?). These are problematic issues in relation to the use of stereotypes. It may be that there is recognition that a stereotype is part of a joke but that does not mean that the recipient is in agreement (Hay 2001: 72). As Piskorska (2016: 34) notes, joke stereotypes need to be mutually known to individuals but that might not mean that they are endorsed. So what is mutually known and endorsed (accepted) in contrast to what is not accepted, and indeed, might be regarded as deeply offensive?

There is an interesting literature on the role and acceptability of stereotypes in humor. And it is an area that often draws quite differing responses (this or that ethnic group has no sense of humor – it is only a joke!). As Aronson (quoted in Piskorska (2016: 7) notes, a stereotype is most often a set of assumptions about social roles and traits, and Piskorska goes on to explore the stereotypes of Scots as the basis for humor, particularly stereotypes about the perceived meanness (or thriftiness) of Scots. She concludes that such stereotypes rely on being combined with everyday scenarios to give rise to incongruity; they can be augmented to become visibly absurd and given



that meanness is an object of ridicule, it supports a sense of superiority (Piskorska 2016: 31). In support of this, Weaver (2011) argues that racist humor acts as racist rhetoric (that is, it can be convincing) which can also impact on nonhumorous discourse (racist truth or truth claims). An embodied racism (that is racism which relies on an earlier biological racism) can reinforce notions of hierarchy and a sense of order (orderbuilding) as part of humor and the reliance on stereotypes.

There are ways of expressing humor and what constitutes acceptable humor. One of the significant moments in these debates occurred with the publication of the Prophet Muhammad cartoons in Denmark in 2015. As Weaver (2011: Chap. 8) argues, the intent and impact of these cartoons are complex, and he suggests that there are four different readings, including as a criticism of Islamic fundamentalism, as blasphemous, as Islamophobic and racist, or as satire which is a defense required in terms of the freedom of speech. He uses the notion of liquid racism to characterize the complexity of the issues in this case. Similarly, comedians such as Ricky Gervais, Jimmy Carr, Frankie Boyle, Dapper Laughs, Daniel Tosh, and Sarah Silverman (Weaver and Morgan 2017) tell jokes that can be seen as a way of challenging prejudice, while others see them as unacceptable and racist/sexist (objectification, devaluation, and violence).

Offensive humour is political and highlights a connection between our identities, politics and the pleasure of laughter. When people engage in joking about rape or sexual assault. . . there are intended and unintended consequences for society. In contributing to a blurred distinction between a culture of sexual abuse and humour, rape jokes may contribute to the normalisation of such abuse and make it more difficult that it is already for victims of sexual abuse to speak out. (Weaver and Morgan 2017)

Humor often relies on stereotypes – and humorous stereotypes continue to play an important role in popular culture and thinking. But the use of stereotypes as part of comedy or satire, or as part of informal humor in social situations, is highly problematic. Are there stereotypes that are both understood and acceptable? In what circumstances? And does it matter who articulates the stereotypes – and who the audience is. Is it ever acceptable to joke about the Holocaust? Is a joke that relies on a disrespectful stereotype acceptable if the person telling the joke is from the stereotyped community? As Weaver (2011) notes above, even an important example such as the Prophet Muhammad cartoons is open to a range of readings. Often the issue of the use of stereotypes as part of humor is a complex, multidimensional issue.

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## Conclusion

Stereotypes play a key role in racial categorization and the racialization of “other” groups. There are arguments that suggest that stereotypes are part of how humans understand a complex social world, a way of simplifying and making that world understandable. However, stereotypes – as defined here – also involve attributing negative characteristics and behaviors to members of racialized groups, and this

contributes to racist world views and discriminatory behavior. Stereotypes contribute to the social control of others and to denigration and/or exclusion. There are real world consequences to the use of stereotypes as part of the presence of racism.

Since the late 1940s, there has been a shift in the acceptability of race as a conceptual underpinning for understanding people and cultures, and the development of both academic and popular understandings that are critical of the presence of racism. This has impacted on some policy and political agendas. However, the recent turn to an exclusive nationalism in countries ranging from the USA to Hungary to Germany has reinvigorated debates about the racism directed towards an “other,” and has reintroduced questions about the underpinnings of racism, including the reproduction of often long-standing stereotypes.

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# Discussing Contemporary Racial Justice in Academic Spaces: Minimizing Epistemic Exploitation While Neutralizing White Fragility

29

Adele Norris

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## Abstract

In light of contemporary racial justice issues in the United States, the academic classroom can be a precarious environment to engage in intellectually humble dialogue on racial injustice. This chapter expands upon the concept of *epistemic exploitation* raised in Nora Berenstain’s 2016 article, which explains the exploitative and emotionally taxing burden marginalized persons feel when compelled to educate privileged persons about their unearned privilege and the nature of marginalized person’s oppression. I argue that epistemic exploitation is more likely to occur in academic classrooms if white guilt and fragility are not acknowledged and neutralized. My assertion is based on the premise that as racial justice conversations increasingly occur, the need to satisfy white fragility exceeds the need to engage in healthy discussions on racism and white supremacy. Race is, therefore, deemphasized and other social status markers (e.g., gender, class, age, sexuality orientation) are overly emphasized or are used as proxies

A. Norris (✉)

School of Social Sciences, Sociology and Sociology Program, The University of Waikato, Hamilton, New Zealand

e-mail: [adele.norris@waikato.ac.nz](mailto:adele.norris@waikato.ac.nz)

for race. In such cases, colonizing narratives of groups racialized as non-white are perpetuated via colorblind explanations about social problems.

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**Keywords**

Epistemic exploitation · Racial justice · Diversity ideology · Colorblind ideology · White fragility/guilt

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## Introduction

In 1963, a racially contentious time in the United States, James Baldwin published the essay *A Talk to Teachers*. During this time, racism, social inequalities, and stratification were severe and profound (Smith 2017). Given the 2017 neo-Nazi march across the University of Virginia campus and the ongoing gross police brutality against blacks – which spurred a national movement – we are, again, living in a contentious time. The message Baldwin (1963) delivered to educators in his essay is just as relevant today when he says that educators should not make peace with the conspiracies designed to destroy us but rather assume the obligation to teach students to examine society critically and truthfully. In Clint Smith’s (2017) reflection on Baldwin’s essay, Smith implores educators not to fall victim to wanting to create an apolitical space in the classroom. “The very decision to not discuss certain things in your classroom” he says, “is in and of itself, a political decision,” especially when students’ lives are impacted by political decisions every single day (Smith 2017, 3).

It is well documented that explicit and implicit social status markers (race/ethnicity, gender, social class, ability status, and sexual orientation) contribute to barriers that prevent people from engaging in open-minded, intellectually humble dialogue that stimulates a critical consciousness and engagement with the world (Berenstein 2016; Collins 2013; Lorde 1995; Nadan and Stark 2016; Smith 2017). My view, which serves as a pivotal aspect of this discussion, is that social status markers are more important in determining whether one accepts a particular position than is the content of the position itself. I posit that social cues, specifically related to race/ethnicity, trigger implicit biases and are more likely to drive academic discussions of injustices experienced by members of structurally disadvantaged racial groups than the need to unlearn colonizing narratives that are regurgitated within the classroom. For example, Katie Reilly’s (2016) *Time* article, *How Guns on Campus Could Change What Texas Teaches*, draws attention to how gun laws influenced the removal of controversial content from university classrooms. In the wake of the campus-carry law, which allows Texans with concealed handguns license to carry guns on public university campuses, university professors were urged to consider changing their curricula to avoid controversial subjects (Reilly 2016).

Scholars have noted a new trend among racially conscious white individuals, on the one hand, ostensibly advocating for racial inclusion and challenge colorblind ideology, while, on the other hand, maintain white supremacy (Bell and Hartmann

2007; Smith and Mayorga-Gallo 2017). With an increasingly multiracial society that seemingly celebrates efforts of diversity and inclusion, groups racialized as non-white often bear the burden to still prove their oppression (Berenstain 2016) while whiteness remains unquestioned (Smith and Mayorga-Gallo 2017). Berenstain (2016) refers to this process as epistemic exploitation. In an increasingly race-conscious society, expanding our understanding of epistemic exploitation is an important step if we are to advance academic discussions of racism and racial justice. This chapter argues, however, that as a part of deconstructing epistemic exploitation, careful and sustained attention must be used to identify the ways in which “white fragility” and “white guilt” are mobilized to establish a moral equivalence between all racial groups. Effectively a form of “White protectionism,” as Charles Mills (1998) calls it, white people’s claims of emotional injury and victimhood, fueled by the discourses of diversity and colorblind ideology, amplifies the epistemic exploitation of oppressed groups who are called upon to protect the white ego from reflective engagement with unearned privilege.

## Emotional Discomfort and Discussions of Racism

I begin this discussion by first defining epistemic exploitation set forth by Nora Berenstain (2016). Epistemic exploitation occurs when individuals from racially/ethnically subjugated groups are called upon to educate individuals from racially privileged groups on their oppression and to prove that the systems of power that work to oppress them exist (Berenstain 2016). I argue that in order to avoid or limit epistemic exploitation, white guilt and fragility must be accounted for and neutralized. This will be challenging. My claim is grounded in the reality that contemporary racism arises in complex forms where diversity claims are in fact promoted by white individuals. However, many people hold subconscious or unarticulated racist beliefs, often without having considered that these beliefs are racist (such as, for example, the claim that the problem is solely social class based, rather than the possibility of racism). These forms call for innovative pedagogical strategies that examine the underlying beliefs that operate to reject or constrain one’s understanding of institutional and structural racist practices. Essential to this complexity is the widespread belief that society has achieved racial equality. Those who are consistently told that racism is a problem of the past, will have some reason to cease to look for it as an explanation of behaviors and practices in the present. It is not surprising that students would grapple with examining features of modern-day racism, especially when many of them have grown up in a world where words such as *diversity* and *multicultural* are freely embraced and dominate mainstream discourses (Alexander 2012; Collin 2013; Davis 1996; Mohanty 2004; Norris 2017; Pitcher 2011; Smith and Mayorga-Gallo 2017; St. Clair and Kishimoto 2010). The problem arises when this discomfort is ignored and goes unexamined. Failing to examine the causes of our modern discomfort, both to talk and to hear about race and racism, stops us from understanding the extent to which it influences and impedes discussions of racism and racial justice.

There is a growing scholarship on the emotional discomfort stimulated by discussing the nature of racism and racist stereotypes (Boler 1999; Burke 2017; Collins 2013; Ladner 1971; Nadan and Stark 2016; Zajicek 2002). Developing pedagogical strategies that equip students to reflect upon their personal biases is far from new and crosses disciplinary boundaries (Collins 2013; Cooper 2008; Boler 1999; Murphy-Erby et al. 2009; Nadan and Stark 2016). It is imperative students are equipped to engage in healthy discussions of racism, especially as social inequalities deepen and, through corporate media penetration, we are aware that the world is culturally diverse (Nadan and Stark 2016). Taking the stark reality that social inequality is both ubiquitous and is becoming worse as my point of departure, I now move to explicate its implications for the politics of embodied knowledge and emotional labor involved in respecting race-talk in the classroom.

The remainder of the chapter is organized into two parts. First, I situate this discussion in the philosophical context of epistemic exploitation. The extent that academic classrooms can effectively challenge racial hierarchies rather than replicate them rests upon the extent that such spaces can minimize epistemic exploitation while neutralizing white guilt and fragility. In doing so, the theoretical insights presented are supported by my personal experiences as a transnational educator who has taught Introduction to Sociology in two predominately white countries. Thus, this work poses theoretical arguments. Second and relatedly, I review three overlapping themes identified in the literature that often dominate formal classroom settings: (1) white guilt and white fragility, (2) diversity ideology, and (3) colorblind ideology. Each of these are core features inherent to the ubiquity of whiteness that dominate formal settings, which in turn influences the type of scholarly material utilized in classes, how it is delivered, and possibilities for how it is understood.

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## **Impediments to Beneficial Racial Dialogue**

Trayvon Martin, Michael Brown, Eric Garner, Sandra Bland, Walter Scott, Philando Castile, Alton Sterling, Terence Crutcher, and Jordan Edwards are only a few names embedded in the United States discourse on racism and police brutality. The untimely deaths of these African Americans coupled with the mass incarceration of black and brown people launched the widely known social justice movement, Black Lives Matter. Such dismal events are evidence of a growing twenty-first century racial justice problem with centuries old roots. Yet, contemporary understandings of the enormity of racial injustices lag considerably behind the urgency to achieve racial justice. The fight for racial equity has spurred a plethora of discussions; however, these discussions are too often tempered by the need to assuage white discomfort. That is, while communities, activists, and public figures alike are now willing to strongly criticize particular instances of violence against African Americans, fewer are as yet willing to analyze the structural and social features of institutions such as the police. Presumably this “hierarchy of credibility” is determined by the overdetermined ideological conception that police are “protectors” and neutral arbiters of conflict resolution.



## Situating my Social Location and Teaching Introduction to Sociology

As a heterosexual Black woman from rural Mississippi who has taught Introduction to Sociology and other sociology and women studies courses in two predominately white countries, speaking about racism comes fairly naturally. This ease comes in part because of my daily experiences, and I rely heavily on my experiences growing up in the Deep South during the 1980s. I inform my class of my earliest memories of having to learn about racism. Only a minority of students can relate to experiences of racism coupled with having to understand it at the age of five or six, especially during a time many students perceive as post-Civil Rights and therefore post-racial. But most of my comfort comes from having had to engage in hostile environments towards blacks and having hostile teachers most of my life. Such experiences bring with it an understanding and/or expectancy of white hostility and discomfort with discussions of race/racism. However, despite my comfort with delivering material on race/racism, most of my students do not share the same level of comfort hearing or learning about racism.

As with any topic, I am aware of students' engagement and receptiveness. While comfort levels for different topics vary across classrooms and geographic regions, I have recognized that with discussions of race/racism/white supremacy, there is a consistent hostility and discomfort that are more pronounced, which often manifest visibly (e.g., defensive body language, awkwardness) and verbally (e.g., types of questions posed, defensive comments and tone of voice). Albeit unknowingly, these responses work in tandem to gain control of the space and to direct the discussion to more palatable takes on racism or to complete dismissal. These types of responses are powerful and are also evidence that there is an acute lack of understanding of racial injustice and white supremacy despite the plethora of diversity and multi-cultural initiatives. I use this discomfort as evidence a problem exist, and then pose the question: *How can we dismantle a system that we cannot discuss?* While I do not gain everyone's attention, I do get enough students involved to counter classroom discomfort and get the class to a place for those who want to learn will gain some insights and confidence to challenge their peers.

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## White Fragility and White Guilt

Discomfort arises somewhere between acknowledgement of the problem and criticism of those enacting racism. In discussions of race in formal settings, like academic classrooms, emotional discomfort is often elevated to higher levels of importance than difficult and complicated substantive discussions of racism that are beneficial and productive. The concept of "safe space" is mobilized by whiteness to protect the biases and insecurities of white students, teaching assistants and even professors. Robin DiAngelo's (2011), ground breaking work on white fragility, regards these dynamics as a function of whiteness. Consider the lengths public figures feel they must go to separate their criticism of particular police officers from any perceived criticism of the police as an institution, when speaking out



against atrocities. This is the “bad apple” versus the “bad barrel” polemic, as if the two cannot exist simultaneously. The idea that police forces are institutionally racist cannot be broached without causing public discussion to veer away from the issues at hand, to a discussion about what criticisms can and should be uttered publicly. In this way “political correctness” is a slur projected at those seeking to legitimate alternative and oppositional narratives, whereas it is in reality discursive strategies that seek to constrain radical analysis that are politically correct.

Robin DiAngelo (2011) defines whiteness as including three fundamentals: (1) a location of structural advantage and race privilege; (2) a standpoint for which white people look at themselves, at others, and at society; and (3) a set of cultural practices that are usually tied to “othering” of non-white people. Goodman (2011) argues that the limited examination of whiteness is a societal cost connected to the predominant way history is told. Since history is told from the perspective of the dominant group that emphasizes and embellishes the accomplishments of this group, readers receive a partial and distorted view of the past (Baldwin 1963; Collins 2013; Goodman 2011). Poor exposure to an inclusive history, also a function of white supremacy (Baldwin 1963; Woodson 1933), limits and skews the views of different lifestyles, perspectives, and people (Goodman 2011). Consequently, a “whiteness conditioning” develops and impedes the critical interrogation of whiteness and privilege, especially by white students (Goodman 2011; Loewen 2007). Loewen (2007) identifies this issue as the primary reason white students, in particular, leave high school with weak to nonexistent foundations upon which to encounter knowledge about race and social inequalities. If the material is all/primarily told from a particular perspective, discussions will fail to make students leave the classroom thinking critically, which also speaks to the structural inequalities rooted in “diversity” initiatives. Meaning, the structural inequalities in society are maintained by the standard choices of educators regarding subject matter, such that even in classrooms with a diverse range of students from diverse backgrounds, the students do not develop critical approaches to knowledge.

Luft (2009) argues that it is important to first consider the logic of the system for which one plans to impart information or facilitate discussion. This process requires understanding varying levels of power in the classroom setting (Collins 2013). For example, DiAngelo (2011) argues that college courses designed to meet multicultural educational requirements rarely challenge the racial understanding of white students much less address white privilege and white supremacy. Instead the norm is to deliver information using racially coded language such as “urban,” “inner city,” or “disadvantaged” but rarely “white,” “over-advantaged,” or “privileged” (DiAngelo 2011, 55). Content designed to teach cultural competency that does not directly address racism inherently caters to the comfort of white students via the use of palatable language. Researchers note that in educational programs/courses that comprehensively tackle racism and the privileging of whites, a common response among white students is anger, withdrawal, emotional incapacitation, argumentation, and guilt (DiAngelo 2011; Smith and Mayorga-Gallo 2017; Spanierman et al. 2005). DiAngelo locates these reactions within the broader frame of white fragility.

Advanced by Robin DiAngelo (2011), white fragility describes the condition when white people regard racial stress, even minimal, as intolerable. Widespread protection received by white people in social environments in North America insulates them to the point that their expectations for racial comfort are taken-for-granted as a right. Thus, white fragility evokes defensive reactions which include outward demonstrations of emotions (anger, fear, and guilt) and conduct (argumentation, silence, and leaving the stress-inducing situation), which all function to reinstate white racial equilibrium (DiAngelo 2011). In the broadest terms, white fragility, originates from the failure to understand and interrogate whiteness (DiAngelo 2011).

Critical race scholars focusing on whiteness pedagogy explain this discomfort as part of the complexity of white identity wherein *guilt* and *fragility* are often present but rarely confronted (DiAngelo 2011; Yeung et al. 2013). White guilt, as a domain of white identity (Lydacker et al. 2014) is a cognitive reaction of collective and individual awareness of unearned privileges and racism (Iyer et al. 2003; Swim and Miller 1999). Refusal to support ameliorative racial equity policies, cast in the context of white protectionism as unearned and unfair, amplifies white guilt, manifested as fragility, which in turn articulates itself through white projection onto the other. Conceptually, white guilt is a culturally and context-bound expression of guilt more generally: an emotion that combines self-deprecation and shame. Because white guilt is a consequence of systemic oppression and racism, its distinction lies in the process of reflecting on negative events and attributing blame about racial injustice to individuals and not a system of policies, institutions, and cultural norms (Lydacker et al. 2014).

Studies of white guilt are diverse, ranging from understanding the emotional influence on eating disorders, attitudes towards affirmative action, and pedagogical strategies (see, e.g., Iyer et al. 2003; Swim and Miller 1999; Goodman 2011). These studies highlight the value of understanding the benefits and limitations of group-based guilt (white guilt). Largely due to the unmarked but ever present nature of whiteness, white guilt receives little attention in racial and social justice discourses (DiAngelo 2011; Gans 2007; Goodman 2011; Todd and Abrams 2011; Zajicek 2002). Even when white guilt emerges in discussions of racism, some scholars question its effectiveness to bring about social change (Kirabo 2015; Younge 2015).

For example, in the debates surrounding the culture of racism in the United States after the 2015 Charleston church shooting, some have spoken of white guilt as an impediment to social change. Kirabo (2015) argues that an emotional response such as white guilt does not translate to an authentic understanding of contemporary racism and its structural formation. Thus, it is not an effective tool to combat social inequality and address prevalent racial injustices (Kirabo 2015; Younge 2015). The problem with white guilt, according to Kirabo (2015), is that it attempts to diminish the focus aimed at issues integral to marginalized groups and redirect attention to a wasteful plan of apologetics and ineffective assessments.

Since white guilt and fragility are unavoidable, it is important to discuss these modus operandi as integral components with the power to influence and obstruct

valuable discussions on racial justice issues. Thus, a thoughtful understanding of white guilt and white fragility is required. Given the intensity and power of the emotional responses attached to discussions of racism, I argue that having a firm grasp of white fragility/guilt is as important as the content delivered. Individuals who do not learn to process these emotions in a healthy manner are less equipped to properly engage in and process discussions of racism. Moreover, engaging in discussions that facilitate deeper insights into structural processes that engender racial inequalities, is thwarted by the power of white discomfort, which potentially shifts the learning environment into a space where racially marginalized students' experiences would have to be defended or they are called upon to prove how racism is different from any other type of oppression or suffering. This is particularly problematic given that students must learn to thoughtfully navigate the contemporary highly racially charged sociopolitical climate and rhetoric that coexists with the widespread belief in a diverse and a colorblind society.

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### **Logic of Diversity in an Increasingly Multiracial Society**

As stated earlier, it is important to understand contemporary features of racism wherein words such as diversity and inclusion are commonplace and embraced by broader society. Yet, as Smith and Mayorga-Gallo (2017) maintain, diversity ideology is embedded within neoliberal logic. Meaning that neoliberalism is a “governing agenda that included the increased privatisation of government programs and institutions like public schools or even prisons,” and it “also involves an intensifying rhetoric that is grounded in the belief that markets, in and of themselves, are better able than governments to produce, in particular, economic outcomes that are fair, sensible, and good for all” (Cohen 2010, as cited in Smith and Mayorga-Gallo 2017, 897). Smith and Mayorga-Gallo (2017) define diversity ideology as a way whites maintain dominance even in multiracial spaces. It is similar to colorblind racism but differs in that it centers an appreciation and lauding of racial differences. It essentially highlights race to “achieve” colorblindness.

Smith and Mayorga-Gallo's 2017 study analyses the responses of 43 face-to-face interviews with white Millennials in an attempt to understand how whites continue to maintain power, economic apartheid, in a society that is becoming increasingly multiracial. The authors found that educated white Millennials, in fact, adhere to and use diversity ideology to navigate contemporary racial issues. The study found that diversity ideology helped whites move between valuing diversity and maintaining a lack of support for policies that would bring those values to fruition. In such cases, “otherness,” as it pertains to non-white people, became commodified. In this case, diversity was viewed or used as a good to be consumed by whites to fulfill an individual desire or to market themselves as more attractive in the marketplace (Smith and Mayorga-Gallo 2017). The authors found that diversity for most of their white respondents was defined as symbolic representation that may or may not have included racial diversity, with no thought of the ongoing structural impact of various individuals' life chances.

Smith and Mayorga-Gallo (2017) findings provide insight into the gap between diversity ideology and having solid understanding of existing power relations and racial hierarchies. Within the context of diversity ideology, St. Clair and Kishimoto (2010) argue that diversity initiatives can prevent fruitful implementation of college and university course content covering race and ethnic groups/studies in ways that thwarts understanding the white supremacist system that continues to produce racial hierarchies. The integration of race into college settings in the 1960s and 1970s brought about specific challenges to teaching about race (St. Clair and Kishimoto 2010) and to decolonizing school curricula (Cooper 2012; Smith 2012). With the emergence of diversity and multiculturalism in the 1980s, these challenges became more arduous in response to the demand to accommodate multiculturalism in an increasingly privatized and corporatized society (Mohanty 2004; Smith and Mayorga-Gallo 2017; St. Clair and Kishimoto 2010). Ethnicity/race-related courses or topics runs the risk of being compartmentalized in college curricula and are often co-opted and transformed as diversity and multiculturalism requisites that in turn dodge challenging issues including White privilege, institutional racism, social position and oppression (Deckert 2014; Kitossa 2012; St. Clair and Kishimoto 2010).

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## Colorblindness and the Possibility for Social Change

An extensive scholarship exists that expounds upon the workings and the negative implications of colorblindness as well as the recent call to move beyond its early articulation (see, e.g., Alexander 2012; Burke 2017; Bonillia-Silva 2006; Burke 2017; Collins 2006, 2013; Robertson 2015; Smith and Mayorga-Gallo 2017; Vargas 2014). Colorblind discourse hides white privilege behind the mask of meritocracy which renders institutional arrangements that perpetuate racial inequality invisible (Alexander 2012; Bonillia-Silva 2006; Burke 2014/2017; Vargas 2014). Eduardo Bonilla-Silva's (2006), now, classic work examines how colorblind ideology preserves white supremacy. He argues that while not all whites adhere to white supremacy, a majority do in a casual, uncritical fashion, which works to sustain the prevailing racial order. For example, Vargas (2014), in his study of the relationship between racial contestation and colorblind adherence, found that contested whites, individuals who identify racially as white but are perceived by others as non-white, express similar or amplified notions of colorblindness as their non-contested white counterparts. His study suggests that because contested whites find themselves at the margins of whiteness they often seek to legitimate their group membership as white by adhering to colorblindness. Since race and racism are believed to be inconsequential in a supposedly post-racial society, adherents to colorblindness believe the best way to get past racism is to simply stop talking about race. Those who embrace colorblindness believe that talking about race perpetuates the belief that there is a race problem (Bonilla-Silva 2006; Burke 2017; Collins 2013; Vargas 2014). Of course, we should believe there is a race

problem. As evidenced by the gross racism and social inequalities in the United States, which clearly indicates that the country is not a post-racial paradise.

For example, Sarah Maddison (2011) examination of the challenges between black and white relations in Australia revealed that discussions of race/racism are avoided in efforts to circumvent or deny guilt. Yet, such attempts do not erase the existence of racism or guilt. Therefore, Maddison (2011) argues that considerable attention should be devoted to understanding collective guilt and its potential to facilitate meaningful social change (Maddison 2011). For example, investigations of the dimensions of white guilt revealed that it is important to distinguish healthy white guilt from unhealthy white guilt, stating that the former leads to change and transformation while the latter leads to paralysis and inaction (DiAngelo 2011; Maddison 2011; Spanierman et al. 2005). When the focus or concern is on how one *feels* (as a white person) about the issue of race and racism (inward focused), the guilt is deemed unhealthy thereby inhibiting progressive actions towards social justice. Even if one is motivated by white guilt to take a particular action, unhealthy guilt leads to white saviorism wherein white superiority stance/belief remains unquestioned and intact (Finnegan 2013). For example, Amy C. Finnegan (2013) examined young white-middle class North American female attraction to the Kony 2012 political movement, which sought the capture of the leader, Joseph Kony, of the Lord's Resistance Army in Eastern and Central Africa. In her article, *The White Girl's Burden*, she interviewed young white evangelical women participating in the Invisible Children organization. Her study found that many of the young girls/women, ages 14–24, had very little to no knowledge of the history of the African countries affected and the social forces creating the harsh realities, especially the United States' role in constructing the structural violence in that part of the world. Participation in the movement was described as sexy and a mark of individuality. Most of the participants expressed that belonging to something bigger than themselves evoked feelings of specialness. Finnegan (2013, 33) called attention to the remoteness of the conflict as an important source of attraction.

The remoteness of the conflict facilitates an easy, noncontentious form of activism that does not threaten the students' futures. By inspiring them to think beyond themselves, to set bold goals, and to be creative in their efforts to raise awareness and funds for children in eastern and central Africa, the organization offers opportunities for young Americans to feel that their contributions are truly unique and noteworthy. Ultimately, however, Invisible Children also promotes policies that are highly controversial; its state-centric orientation seeks to eliminate the LRA through U.S.-supported military intervention carried out by the Ugandan army.

Finnegan's (2013) study found that the actions taken contributed very little to mitigating the structural violence in the affected areas in central Africa but, instead, perpetuated the exoticization of the *other* and reinforced a white superiority position. Actions (e.g., fundraising, rallies, and visits) were taken with very little examination of whiteness/privilege.

I found the enthusiasm to come to the aid of the *exotic other* is pervasive among many sociology students. However, students' enthusiasm tends to wane when asked

to identify the social forces in their own communities, states, and countries that have contributed to unequal experiences of citizenship today. Thus, unhealthy guilt does not seek to understand whiteness and examine contemporary ways white supremacy is exercised and benefits white individuals. Whereas healthier responses to guilt use guilty feelings to *understand* the sources and outcomes of the injustices in a racist system (outward focused) (Maddison 2011). Actions are then directed to oppose racism and racist/discriminatory policies/practices rather than adopting an “apolitical” stance or becoming ambivalent. Maddison (2011) argues that the personal nature of guilt, when collective, can be a powerful political tool, specifically as a driver of transformative change, if guilt is recognized and processed in ways that are healthy.

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## Epistemic Exploitation

Like white guilt, epistemic exploitation is also physically and emotionally draining, but it lacks the comforts of privilege for which to retreat. Black feminist scholars across different genres have spoken for years about this type of exploitation as an extension of oppression (see, e.g., Cooper 2015; Dotson 2011, 2014; Morrison 1975). Characterized by unrecognized, uncompensated, emotionally taxing, coerced epistemic labor, epistemic exploitation maintains structures of oppression by making the needs and desires of dominant groups central to the interactions all people have in society (Berenstain 2016; Dotson 2014). Formal settings, such as the classroom, can be prime locations where emotional and cognitive labor is exploited. Instead of being an intellectual space used to tackle racism and equip students to reflect and become active participants in creating a just society, formal spaces can be disempowering for individuals from structurally disadvantaged groups. This occurs because individuals within these structurally disadvantaged groups are tacitly (or even explicitly) expected to be the ones who take on the burden of explaining how and why disadvantage has accrued, and the burden of arguing for changes that will ameliorate this burden both for currently existing persons and for future persons (Berenstain 2016). Meanwhile, those who benefit from the status quo are not expected to shoulder this burden.

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## Conclusion

This chapter argues that white guilt and fragility are almost always present, albeit in diverse forms depending on the country in question. It argues that colorblind and diversity ideologies are intricately linked to white fragility/guilt as some type of colorblind stance is likely a strategy deployed to minimize charges of racism. Burke (2017) argues for the need to more deeply examine the mechanisms of contemporary colorblind racism. Because racial dynamics evolve and shift over time and space, so too will the ideologies and discourses that surround them (Burke 2017). Enhancing

our understanding of how white fragility and guilt influence discussions of race/racism is paramount if we are to engage in fruitful discussion of racial justice.

From this basis, I argue that diversity ideology caters to white fragility and guilt in specific ways. The massive appeal to be a part of something that is supposedly inclusive and celebrates differences, but never interrogates whiteness and white supremacy, has worked to strengthen white supremacy, which undergirds unequal life chances and experiences of citizenship. Academic classrooms should be the space where critical thinking about race/racism occurs. If white fragility/guilt is not accounted for and neutralized, academic spaces cannot equip students with the correct knowledge to bring about racial justices. Moreover, even those spaces created to discuss and implement diversity needs becomes another space to placate white guilt and therefore reproduce the same outcomes in the absence of a so-called diversity program. Diversity, in this neo-liberal era, inadvertently caters to the demands of white comfort and individuals racialized as non-white are again called upon to justify their claims and explain what makes racial oppression different from other social ailments experienced by racially advantaged groups such as disability, sexuality, or social class. If change is to occur, white fragility and guilt must be recognized as a prevailing feature preventing critical discussions of racial injustice.

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# Ethnicity, Race, and Black People in Europe **30**

Stephen Small

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## Abstract

This chapter provides a definition and examples of the concepts of ethnicity and race, by describing and explaining the presence and experiences of black people in Western Europe at the present time. And it provides examples of the range of ethnic differences in the white population of Europe at a time of increasing national and populist movements. There are currently just over 7 million black people in the 46 nations of Europe, the majority of whom are born and raised in Europe. The black population reveals a wide range of ethnic differences in terms of religion, language, national origins, family format, gender, as well as in music, film, literature, and food. At the same time, regardless of their ethnic origins, all black people in Europe share three common experiences that result from racial stereotypes and discrimination. These are ambiguous hyper-visibility, entrenched vulnerability, and irrepressible resistance and resilience. It is argued that race, ethnicity, and other variables such as economics and gender are intricately entangled with one another in both populations in ways that make it difficult to predict outcomes for different populations.

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S. Small (✉)

Department of African American Studies, University of California, Berkeley, Berkeley, CA, USA  
e-mail: [small@berkeley.edu](mailto:small@berkeley.edu)

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Race · Ethnicity · Ambiguous hyper-visibility · Entrenched vulnerability · Irrepressible resistance and resilience

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**Introduction**

Europe is currently experiencing a series of intense and enduring problems with increasing demands on its politicians and increasing anxiety and reactions among the general population. At the forefront of these issues is the rising threat to the existence of the Europe Union precipitated by extensive financial and economic worries, anti-globalization movements, the ascendancy of right-wing political parties, the Brexit vote, and the increasing divergence of goals and priorities between Europe and the USA, including a trade war. Donald Trump's unexpected rise to the US Presidency in 2016 – and his erratic, contradictory policies and statements while president – has increased tensions. Politicians and the public are worried about high levels of unemployment and low economic growth, exacerbated by the political precariousness of the Eurozone. Economic austerity has been embraced by several governments with widespread adverse effects, especially for the unemployed and those in poverty. Migration across the Mediterranean is a major issue, too.

Many political groups and individuals are motivated by xenophobia and racism for the pursuit of political advantage or electoral gain. Right-wing and populist movements have dramatically increased their share of the vote in many European nations, and a number of right-wing groups from France, Germany, and the Netherlands met in Koblenz, Germany, in January 2017 to savor the Brexit vote and Donald Trump's victory and to proclaim the year 2017 as the year of far-right reawakening. Since then, they have increased in strength, with the governments of Austria, Italy, and Hungary the most visible. Hostility to Muslims in Europe – and to Islam in the Middle East – is widespread, deeply entangled with other political and economic issues that are worrying non-Muslim populations. Violent atrocities in Paris in November 2015, the horrific attack in Nice in July 2016, and in Germany have raised anxieties tremendously.

In this context, ethnic, cultural, and national differences among whites in Europe have become far more salient, as more and more Europeans at the national level talk about protecting “our own people.” In England, British people don't like white immigrants (like Poles and Romanians) and talk about Britain for “white British.” In Sweden there is antagonism toward Finns, in Germany and Spain toward Romanians, and in Greece toward Albanians and Bulgarians. Nationalist and populist groups assert their wish to keep Austria, Austrian; Denmark, Danish; Britain, British; and Italy, Italian.

One group typically absent from these debates and headlines – with a few exceptions – is black people of African descent. There is very little talk about black people, especially black citizens, even though the vast majority of black people in Europe are citizens and legal residents. Yes, black Europeans appear in the news

in highly stereotypical ways, for example, as illegal immigrants dying in the Mediterranean, black women victims of sex trafficking or drugs, and black men as criminals or thugs. Typically called sub-Saharan Africans, the majority of the black population in Europe traces its origins directly to West, East, and Southern Africa. Most of the rest are from the Caribbean, and South America, themselves the descendants of Africans kidnapped, transported, and enslaved during the several hundred years of the European transatlantic slave trade. Significant numbers of black people have been in Europe only since the 1990s and many others from the 1950s; and small yet symbolically significant black populations – and communities – go back several centuries, for example, in the port city of Liverpool, England. While they are not at the forefront of discussion, a description and assessment of black people in Europe highlights a wide variety of issues of ethnicity and race.

Ethnicity and race are often used popularly as interchangeable terms. Many social scientists – myself included – argue that although they are frequently intertwined in practice, analytically we get greater insights by keeping them separate from one another. But what are race and ethnicity? While there is no clear-cut and universally accepted distinction between the two, the idea of race tends to highlight physical and mental issues, often regarded as permanent and unchanging and always organized hierarchically in terms of superiority and inferiority. Historically, this is how Europeans, who defined themselves as white (and Christian), defined and treated Africans and their descendants (whom they defined as black and barbarian). Racist ideologies that originated and were disseminated in Europe attributed and imposed such beliefs on Africans and established political institutions and labor systems (via slavery, colonialism, and imperialism) to do so. In contrast, ethnicity typically highlights social and cultural issues, usually regarded as variable (you can change your religion, language, music, and food tastes), not always regarded in a hierarchy, and often embraced by different groups. Such ethnic differences – in terms of language, religion, family structures, and political values – have been at the heart of Europe even before Europeans came into contact with Africans (or other peoples across the world). Complicating things further, ethnicity and race almost always operate in ways that intersect with, and are often greatly affected by, other variables, including economics and class, religion, nationality, and especially gender. Issues of ethnicity and race are complex; they are not mutually exclusive and are best regarded as situational, contextual, and contingent. We need to pay attention to these complexities.

In this chapter I describe and assess black people's presence and experiences in Europe today in order to discuss the relationship between ethnic and cultural differences on the one hand and racial differences on the other. In Europe today, we can find fascinating examples of these complexities. Comparison of different types of ethnic, racial, and national differences – including discrimination – raises important questions about the nature of ethnicity, ethnic difference, and ethnic conflict and about the nature of race, racism, and racial conflict. What is the relationship between ethnicity and race? How does cultural difference and nationalism intersect with ethnicity and race? We also see some of the ways in which attention to gender complicates matters even further.

## Racial Discrimination in 1968 and Ethnic Murder in 2016

In England in the late 1960s, a large-scale empirical study took place on racial and ethnic discrimination. The results were published in the book, *Racial Discrimination in England* (Daniel 1968). The study tested the attitudes and behavior of British-born white people toward black immigrants from the Caribbean, Indian immigrants from India, and several white immigrants from Europe. The goal was to assess the extent to which discrimination was based on race, culture, or nation. The study found that while there was some discrimination against European immigrants to England, the most serious discrimination that occurred was racial with most discrimination happening against black and Asian immigrants. This discrimination varied “from the massive to the substantial.” Furthermore, later studies found that the children of white immigrants – who were born, raised, and socialized in England and spoke with English accents – faced no discrimination. They were racially indistinguishable from white British people, while the children of black Caribbean immigrants and Indian immigrants continued to face discrimination like their parents, in education, in jobs, and often in the form of violence (Small 1983). An interesting issue here is that the black Caribbean immigrants to England were culturally very similar to English people – they spoke English as a first language, were mainly Christians, followed football and cricket, and ate similar food. They were racially different but culturally similar (though not identical). Whereas the white immigrants from Europe were racially similar but culturally different (spoke English only as a second language, were often Catholics, ate different food, etc.).

Compare this to the situation in June 2016, when Britain voted by 52–48% (though by a much higher margin in England) to quit the European Union. Leading up to the election, there was a great deal of publically expressed hostility to immigrants – black, Indian, and Middle Eastern. There was also significant hostility toward white immigrants from Europe. Sometimes the hostility to white immigrants met and surpassed the hostility to immigrants of color. For example, not long after the vote, Polish, Bosnian, and Romania immigrants to England discussed the extensive hostility they faced. And shortly after the vote, an ethnically Polish person was murdered outside a Polish cultural center. Complicating the matter further, a small but significant number of British-born black people of Caribbean origin and British-born people with origins in India or Pakistan also expressed hostility to white immigrants and voted in favor of Brexit. By this time the phrase “white British” had emerged, to distinguish white immigrants from white British, while in the 1960s, white invariably meant British and developed in opposition to black and Asian immigrants. So, in the 1960s there was hostility to racially different but culturally similar people (black Caribbeans); and by 2016 it was joined by hostility to racially similar but culturally different people (white immigrants). Racial discrimination against black people in England at this time, in 2016, had not disappeared. Black citizens and immigrants in 2016 still faced widespread discrimination (Small 2018). This was evident in employment, housing, and education (Small 2018). So, things are not so simple.

This entanglement of race and ethnicity, of national and cultural differences, is not just the case in the UK. There are examples in France where there is hostility toward Spanish and Romanians and in Spain, where there is discrimination against Roma and Romanians. In Germany, where there is discrimination against other immigrants from around Europe, such as Poles and Lithuanians. In Sweden, where there is discrimination against Finns. And in Spain and Greece, where there is discrimination against Albanians and Bulgarians. Hostility, discrimination, and violence have also increased toward Jews in several nations, especially in France.

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## **Distinct Ethnic Differences in Black Populations Nationally Across Europe**

The black population of Europe is highly stratified by ethnicity, including language, religion, and family structure, as well as ancestry and national origins. It is also stratified by citizenship and gender. Further cultural differences can be found in music, food, film, literature, art, dance, and performance. How many black people are in Europe, and where are they located? Well, it all depends on how we define Europe – which is not as easy as one might suspect. But let's begin with what is Europe. In 2018 Europe currently has 46 states – with an estimated population of at least 770 million. Several sources, including the United Nations, define Europe as having 51 independent states, including Kazakhstan, Armenia, Azerbaijan, Georgia, and Turkey, but I exclude these five nations because I suspect that they are not considered European by most commentators, including politicians and public. The European Union (EU) currently has 28 nations with more than 505 million people; the UK is in the process of exiting the EU, but that won't happen formally before at least 2019. The Euro zone has 19 nations, all of whom are in the EU. There are currently 26 Schengen nations, which includes 22 nations in the EU and 4 nations outside it (Iceland, Liechtenstein, Norway, and Switzerland). Schengen nations allow passport-free travel across nations, at least on paper.

It also depends on how we define black people and on what kind of data we have on black people. The truth is that we just don't know for sure how many black people there are in Europe. The refusal of most nations in Europe to collect data by race (except the UK and the Republic of Ireland) means that we have no direct nationally collected data. Where numbers exist, they are typically based on “country of origin” of immigrants, with an estimate of the number of native-born children of such immigrants. Hardly an infallible technique. Besides, we know that many black people that settled or lived in Italy, Spain, and Portugal have moved on permanently to England, Germany, or the Netherlands, mainly for economic reasons.

Exactly who is black, is identified as black, and/or chooses to identify as black is unclear. For example, the majority of Africans in France (overwhelmingly from Algeria and Morocco) are not regarded as black and do not identify themselves as black. My definition focuses mainly on black people of African descent and includes those that identify themselves (or are identified by others) as black, African, African-Caribbean, Afro-European, African Americans, or some other national variation and

who trace their origins to Africa and the Americas. Some call themselves “Afropean” or “Afro-European.” I also include people of mixed black and non-black origins, if they define themselves as black (though across Europe, the evidence suggests that the majority of people, with at least one black parent, do not define themselves as black, but as “mixed”).

Bearing these problems in mind, I estimate that there are more than 7 million black people in these 46 nations out of a total population of 770 million people. And I estimate that over 93% of black people in Europe (6,717,000) can be found in just 12 nations (which have a total estimated population of more than 380 million people). These nations are the UK, France, the Netherlands, Belgium, and Portugal; Spain, Italy, and Germany; and Denmark, Norway, Sweden, and the Republic of Ireland. There are almost certainly black people in every other nation in Europe, but we just don’t know how many. In my recent study, I estimated that there were no more than 500,000 (Small 2018). The general numbers of black people in each of these 12 nations are as follows: the UK (2 million), France (2 million), the Netherlands (323,000), Portugal (150,000), Belgium (250,000), Spain (500,000), Italy (325,000), Germany (800,000), Denmark (46,000), Norway (78,000), Sweden (180,000), and Republic of Ireland (65,000). For a total black population in the 12 nations of 6,717,000. If the numbers are correct, then the UK and France have more than 55% of all black people in these 12 nations. But these numbers are misleading; that’s because as many as 700,000 black people in France actually live in the Caribbean – in Martinique and Guadeloupe. These two “*départements*” (administrative districts) are legally and officially France.

It’s highly probable that the majority of black people in these nations are women, as is the case with the gender balance in most nations in Europe, and across the world. And the black population has a higher proportion of young people. However, the relative proportion of men and women in each nation is variable, again as might be expected.

Within these 12 nations, black people are concentrated in a limited number of urban areas – mainly because that is where the jobs were to be found when black people were recruited in significant numbers from the early 1900s or where they were directed as refugees since the 1990s. For example, in England more than 60% of black people live in the Greater London area, with smaller groups in Birmingham and Manchester. In mainland France, the majority of black people live in Paris, with smaller numbers in Lyons and Marseilles and much smaller populations in Bordeaux and Toulouse. In the Netherlands, more than 50% of black people live in four cities – Amsterdam, Rotterdam, The Hague, and Utrecht. In Portugal, they are mainly in Lisbon and in Belgium mainly in Brussels; in Germany, black people are mainly in Berlin, Hamburg, and Frankfurt; in Spain, they are in Barcelona and Madrid. In Italy, most black people can be found in Rome and Milan, in Denmark in Copenhagen, in Norway in Oslo, in Sweden in Stockholm, and in the Irish Republic in Dublin.

What are some of the ethnic, national, and religious backgrounds of black people across Europe? The majority of black people in the UK, France, and the Netherlands have backgrounds from across West Africa and the Caribbean and those in Belgium and Portugal, from other parts of Africa. It seems clear that the vast majority of

people with a Caribbean background live in the UK, France, and the Netherlands. The numbers of people from the Caribbean elsewhere in Europe are tiny. In Spain, there are few people from the Spanish Caribbean, for obvious reasons (including Spain's historically poor economy, fascism, and preference by Spanish-speaking Caribbeans for migration to the USA). In the Irish Republic, most black people are West African, from both English- and French-speaking nations. There are also black people in Europe from many nations in Southern Africa, East Africa, and the Horn of Africa. In Denmark, Norway, and Sweden, the majority of black people are from the Horn of Africa, most arrived as refugees and have been resident in significant numbers for no more than three decades (McIntosh 2014). In Italy, most black people were from the Horn of Africa, until the early twenty-first century, when the number of West Africans rose rapidly and is now a majority. In general, then, the majority of black people across Europe are from Africa or the children or grandchildren of Africans. After that, it is the children and grandchildren of (English-speaking or French-speaking) Caribbeans. There are no nations in which southern Africans are dominant, though they can be found in small numbers in several nations.

All 12 nations have large numbers of native-born black people and significant numbers of black people who are citizens or permanent residents. The exact number in each category is unclear. In the UK, France, Netherlands, Belgium, and Portugal, it seems clear that the majority of black people are native-born and/or citizens. In Germany, native-born black people are probably a majority, but in Spain and Italy, probably not. In Denmark, Norway, Sweden and the Irish Republic, a minority of black people are probably native-born. What is clear is that millions of black people – and probably a very large majority – are citizens or legal residents.

The languages spoken by black people in Europe certainly number in the hundreds. Not surprising given that most black people come from Africa, which itself has more than a thousand languages. European-origin languages are the most common spoken, not only because so many black people were born, raised, and schooled in Europe but also because of the colonial legacy across Africa and the Caribbean. English and French became the national languages in more than 40 nations across Africa, as did Spanish in most of the nations across South America, Portuguese in Brazil, and Dutch in Suriname. English, French, Spanish, and Dutch are spoken widely across the Caribbean. In addition to the legacy of colonial languages, there is also creole and patois. Sometimes called dialects or slang. They are a mixture of European languages and diverse African languages, as some indigenous languages. In Jamaica, they are called "Patois"; in Martinique and Guadeloupe, they are called "creole"; in Curacao and Aruba and Bonaire, it is Papiamentu. These languages have been put to great creative – and political – use in the novels, poems, and other writings of a wide range of black Europeans. They remind us that languages are highly diverse, creative, and flexible. To quote one famous Jamaican poet, folklorist, writer, and educator – Louise Simone Bennett-Coverly – known professionally as "Miss Lou" who ridiculed the British for saying Patois is a dialect and English is a language, when English itself is made up of so many different languages and dialects.



There are significant differences in religion and faith communities in the black population across Europe. Much of this has to do with legacies of colonialism and imperialism, especially with regard to the fact that the vast majority of black people in Europe – as with black people in Africa and across the Americas – are members of several denominations of two mainstream religious communities, that is, Christianity and Islam. The evidence suggests that the majority of black people in Europe are Christians of various denominations. They come from nations in Africa and the Caribbean that were once colonies of European nations and where Christianity was imposed onto the colonial populations. Many are Protestant, and many others Catholic. There are also variations – like Pentecostalism and Evangelicals. These nations include Nigeria, Ivory Coast, Angola, and South Africa; they include Kenya and Uganda. And they include Suriname, Jamaica, Trinidad and Tobago, and Barbados. The majority of black people in England, the Netherlands, Germany, France, Spain, and Portugal are Christian. And the evidence suggests that many are in black-led congregations, because of discrimination in the mainstream congregations.

There are large numbers of black people in Europe that are Muslims. They come from nations like Senegal in West Africa, Somalia and Eritrea in the Horn of Africa, and Angola in Southern Africa. The majority of Africans in Sweden, Norway, Denmark, and Italy are Muslims.

The relationship between the continent of Africa with its diverse racial populations and the racial and religious identities of black people in Europe raises an interesting issue. If you read most of the political debates in Europe about Muslims, they invariably treat Muslims as if they are not black (Scandinavia is the exception). But there are at least several hundred thousand Muslims, who trace their backgrounds to black Africa. The evidence indicates that they face significant discrimination. But are they racially “black”? And do they face racial discrimination because they are black? Or ethnic discrimination because they are Muslim? The answer is not clear. But I suspect that few black people are targeted for violent harassment or discrimination simply because they are Christian. However, we know that Muslims are targeted for attack simply because they are Muslim, which means that many black people are also targeted for discrimination primarily because they are Muslim. And black women that are Muslim occupy a unique intersection that may involve the contempt of white men and the condescension (or pity) of white women. It might be reflected in their names, or in how they dress, or in their interactions with their Mosque. In other words, for those who are black and Muslim, identifiably Muslim to the European gaze, then problems of race and religion – more accurately racism and religious persecution – are likely to befall them.

There are other faith communities in which we find significant numbers of black people. These are what would typically be defined as syncretic religions, that is, that combine elements of Christian and non-Christian faiths and rituals (drawing on religious beliefs that can be traced to many areas in Africa and to Native American beliefs in the Americas). These groups are primarily of Caribbean or South American origins, and they developed as a result of the establishment and growth of state-sanctioned slavery across the Americas by Europeans and their descendants.

Most of the non-Christian elements are associated with African religious, ritual, or cultural practices. This includes Rastafarians and followers of Santeria, Candomblé, and Vodou. Candomblé in Europe traces its origins to northeastern Brazil, Santeria to Cuba, and Vodou to Haiti and Louisiana. The practitioners of each no doubt highlight the differences in belief, faith, and ritual, among them, but as compared to the so-called mainstream Christian communities, these three share more in common with one another, than they do differences.

It is likely that the majority of black people in Europe that are Christians are in multiracial congregations. However, because black people faced discrimination in these multiracial churches – they were denied positions of leadership even when they had equal or superior qualifications to white people – there now exist hundreds of black-led congregations. This is the case in England, Germany, and elsewhere.

It's clear then that there are a wide variety of ethnic differences among black people in Europe in terms of national origins and citizenship. The same is true for family format – in terms of the relative roles of men and women in the family and various forms of single-parent, nuclear, and extended families. There are many differences across cultures in the roles allocated to women and men inside the home and outside in the public sphere and workplace. Adding further complexity is the clear existence – and increasing public visibility of black people that are gay or transgender. They have always been present and active in the black population – fighting for equality and justice for all (El Tayeb 2011). Their visibility was restrained, and their voices mostly silenced, but not any longer. They are increasingly present and active in a range of black social movements and protests, including in Germany, the Netherlands, the UK, and elsewhere (Small 2018).

Space does not allow me to detail the many and fascinating cultural differences among black populations in Europe in the fields of music, food, film, literature, art, dance, and performance. Suffice it to say that there are vast differences. In popular music, there is Hip-Hop, Jazz and Gospel, Reggae, Reggaeton, Calypso and Zouk, Latin Jazz and Samba, or Highlife and Afrobeat. The Montreux Jazz Festival in Switzerland, running for more than 50 years, may be the oldest. No carnival is bigger than the Notting Hill Caribbean Carnival that began in London in 1966. Black music clearly mixes with non-black music forms in creative transformations. There are examples in France and Portugal and in Sweden and Switzerland. In England, black people and non-blacks have been mixing Reggae and Indian music (especially Bhangra) for decades. In France, they have been mixing African and Caribbean music with various influence from Islamic music for decades too. Similar and extensive variations can be found in film, literature, art, dance, and performance. And food. A black European that traces his or her origins to Nigeria may recognize few things about the culture of Tanzania or Kenya or Zimbabwe. Just as a Jamaican may not know the ins and outs of Samba or Merengue. But I suspect that all blacks in Europe are familiar with African American music and reggae music. These two musical forms, for various reasons, are global.

The variety and vitality of black culture is endless – drumming from Ghana; political theater from South Africa; and Ethiopian painting and artwork contrasts markedly with art work from the Democratic Republic of the Congo, Angola, and

Benin. Just go into any major museum in Europe to find a staggering variety of black cultural products. The so-called Benin Bronzes are scattered across museums in the UK (London, Liverpool, and Oxford), Germany (Hamburg, Leiden, Leipzig, and Cologne), Denmark, and elsewhere. Other items are in the *Koninklijk Museum voor Midden-Afrika* (Royal Museum for Central Africa) in Belgium. The largest collection of Egyptology in Europe is found in the *Museo Egizio* (Egyptian Museum) in Turin, Italy. Other museums across the continent possess collections acquired during colonial and imperial rule, including the *Tropenmuseum* (Tropical Museum) and the *Rijksmuseum* (Dutch National Museum) in Amsterdam and the *Museo Antropologica* (Anthropology Museum) in Madrid. See also Copenhagen's Glyptotek and Sweden's ethnology museum.

Finally, there are tens of thousands of community groups, cultural organizations, and centers that are black-led or mainly black. Examples abound in London and Paris, Oslo and Copenhagen, and across Germany, Spain, and Italy (Emejulu and Bassel 2017; Small 2018). And there are political and community organizations and conferences that combat racial discrimination. The work of groups like these can be traced back decades and, in some nations like England, centuries (Adi 2013). It is because of the active work, dedication and commitment of these groups that racism is not far worse in Europe.

Not only is black culture from across Africa and the Americas generated within Europe by black people living in Europe, but each year tens of thousands of performers, writers, filmmakers, and musicians from Africa and the Americas visit to perform and give talks across Europe. Ethnic differences and black culture are highly diverse and hardly surprising given that the continent of Africa has well over a billion people and African-origin people across the Americas numbering perhaps more than 200 million. The African diaspora shares culture with blacks in Europe in a dynamic mix, vibrant, and far-reaching mix (Hine et al. 2009; Clarke and Thomas 2006).

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## Striking Racial Similarities in Black Populations Europe-Wide

The previous section has demonstrated that there are important ethnic and cultural differences within the black population of Europe. They are major and consequential. They can be summarized in the following way. In the UK, France, and the Netherlands, black people are long-time residents, arrived speaking the national language, were primarily Christians, and arrived as citizens. In contrast, in Sweden, Norway, Denmark, and Italy, black people are recent residents (most since 1990s) and did not speak the national language when they arrived, the vast majority are Muslims, and they arrived primarily as refugees. Black people in other nations – like Germany, Belgium, and the Republic of Ireland – reveal contrasting configurations of demographic, national, ethnic, and religious configurations (White 2012; Mazzocchi 2014).

Despite the wide range of ethnic and cultural differences in the black population of Europe, there are at least three striking similarities in their experiences across

these nations. These similarities are racialized, because they impact all people perceived as black (or African) without regard to the major ethnic differences already listed or the nation in which they live. The first similarity is ambiguous hyper-visibility, which means that in all the major media – press, television, film, social media – there is a high visibility of gendered negative images of black people in highly stereotypical arenas. They overwhelmingly appear as subservient, poor, and needy. For example, black men are stereotyped as irresponsible, dangerous, violent, and criminal and black women as irresponsible, or angry, as sex workers and “drug-mules,” or the victims of sex trafficking. Both men and women appear in low-level jobs, among the unemployed, on welfare, in poverty, as criminals, in prison and illegal immigrants. There are very few images of successful or highly achieving black people, which means few or no images of black women chief executives, medical doctors, professors, or lawyers. These images are ambiguous, because it is possible to find what some people call “positive images” of black people. But the success is also in highly stereotypical arenas like music and entertainment business and in sport such as soccer and athletics. Many of these images are of Americans, for example, Oprah Winfrey, Beyonce, Nicki Minaj, and Serena and Venus Williams. They also include people like Usain Bolt and Bob Marley. Many are of European-based black people, like Olympic champions and athletes such as Nafissatou Thiam (Belgium), Kaddi Sagnia (Sweden), Patricia Mamona (Portugal), and Jessica Ennis-Hill (UK). The impression given is that black people are a success, which is highly misleading because except for soccer, only a minuscule number of black people are successful in any of these arenas. Apart from a tiny handful, most black people in these industries occupy subordinate roles (such as backup singers and performers and support staff). At the same time, black people are also subject to hyper-invisibility in the upper echelons of all these arenas of wealth, status, and power (with the exceptions just mentioned).

The second similarity is entrenched vulnerability. Which means that across Europe, black people are over-concentrated in the lower ranks of every major political, economic, and social hierarchy; from political representation, in business, educational and medical occupations; and in the nonprofit sector. And from agriculture and construction to public transport. They are over-concentrated in the ranks of the unemployed, the homeless, and the confines of prisons. They receive wages rather than salaries, do work that requires little or no educational qualifications or specialized training, and in part-time and insecure jobs. Black women (native-born or immigrant) are overrepresented in the so-called caring sector – domestic and public service jobs and in sex work. Black women in nursing are an exception. In general, the economies of southern Europe are poorer than those of Northern Europe. Black people are even worse off there. This is true for black citizens and legal residents as it is for immigrants and refugees. Several authors have argued that black women citizens in the UK, despite having been born and raised in the UK, and despite having the same or superior qualifications to non-blacks, are still at a disadvantage compared to non-blacks. The issue is racism not immigration, they argue.

In politics, for example, at present there are almost 4200 nationally elected politicians in the 12 nations that are the focus of this chapter (there are of course

far more at the city and local level). I identify no more than 23 nationally elected black politicians in this block of 12 nations (around half of 1% (0.50%) of the total). Eighteen of these politicians are in England alone, leaving just 4 black politicians in the remaining 11 nations. This is staggering inequality.

A third similarity can be found in the mobilization of black people around racial identity and in the formation and importance of black and black-led organizations and in multiracial organizations. Protests, demonstrations, boycotts, as well as longer-term activities exist in all nations. The same is true for writers, artists, and film directors. Black women are certainly a majority in many these activities as well as in black women's organizations (Emejulu and Bassel 2017; McEachrane 2014; Virdee 2014; McIntosh 2014; Mazzocchetti 2014). This includes groups like Operation Black Vote and Abasindi black women's organization in England; Afro-femme and Brigade Anti-Negrophobia in France; Plataforma Gueto in Portugal; and Foja Organizacion in Spain. It includes the Black Europe Summer School, New Urban Collective, and Amrit Publishers in the Netherlands, as well as work by Jeanette Ehlers in Denmark, and Fred Kuwornu and Medhin Paolos in Italy.

Also, given how few black people there are in European universities, many black organizations and individuals focus their mobilization and activities around knowledge production outside the academy, both present and past. Central here is the challenge to the largely whitewashed and self-aggrandizing histories of slavery, colonialism, and imperialism produced in schools and universities across the continent. This includes collaborations with some progressive European academics. Knowledge production and collaborations are abundantly clear for the topic of reparations for slavery, a topic almost completely absent from scholarly analysis and completely rejected as a valid topic for consideration by politicians and in the public sphere (Hira 2014; Beckles 2013). At the forefront of these groups and individuals and working across national boundaries is the work of Professor Emejulu Akwugu, one of the co-founders of the annual conference on Black Womanism, Feminism and the Politics of Women of Colour. This conference brings together women and transindividuals – who are professors, writers, poets, and activists – to address the irrepressible intersections of race, gender, religion, and class.

I don't want to suggest that non-blacks do not recognize or act on the many ethnic or cultural differences among black people in Europe. But my main point is that anti-black and anti-African racism is consistently experienced by these populations, regardless of the very real ethnic differences between them and that while variations occur, they do so largely as a result of intersections with other criteria, such as gender, religion, and nationality.

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## Historical Background to Black Presence in Europe

Before we go any further, I suspect that there many readers outside Europe who did not know anything significant about the black population in Europe. They are probably surprised by these facts. And it is not only people outside Europe; many non-black people in Europe often ask “why are there so many Black people in

Europe?” But we could equally ask “why are there so few black people in Europe?” Whether there are many or few depends the criteria of evaluation being deployed. Analytically, I suggest it is far more insightful to ask why are there so few black people in Europe. Why? It is a fact that Europe invaded and colonized Africa; invented, articulated, and disseminated various forms of racism (from biological racism to scientific racism and, later on, from Social Darwinism and eugenics to cultural racism); and did this before all of the current nation-states in the Americas even came into existence. And yet the black population in Europe is currently much less than 1% of the total population of Europe. The numbers in the past have never been greater than a tiny fraction of 1%, as I explain shortly.

There are two narratives about why black people are in Europe. The first and dominant narrative occurs in political and public discourse, and in schools and universities, and highlights how Europe has helped black people. In this narrative Europe is advanced, civilized, Christian, decent, tolerant (and white), and doing the right thing for the poor and needy of the world. It highlights the European empires as being mainly mutually beneficial to those colonizers and colonized, good for everyone in the metropolis and colonies. In this way, it highlights a shared history shared culture, common languages, citizenship, and opportunities in Europe for education, work, residence. This is especially that case in the UK, France, the Netherlands, Portugal, Spain and Belgium, and to some extent Italy and Germany. These were the most intrusive and enduring European colonizers in Africa and the Americas, and it is because of them that there are more Catholics in Latin America than anywhere else on the planet, that Spanish and Portuguese are the dominant languages, and that English is the official language in North America and in more than 25 nations in Africa, just as French is the official language in more than 15 nations in Africa. Relatedly, Sweden, Norway, and Denmark, who historically had limited opportunities to compete with the larger imperial nations, deny any involvement in colonialism (which is not true) and highlight how they have helped refugees, asylum seekers, and victims of sex trafficking to escape war, famine, poverty, and persecution in the underdeveloped nations of Africa and achieve a more prosperous life in Europe (McEachrane 2014). Many other nations in Europe deny any involvement in colonialism at all, though the evidence reveals that they benefitted directly and indirectly in very real economic, cultural, and political ways.

The second narrative occurs in black community organizations, among progressive organizations and some independent writers. It is slowly moving into public discourse, but its advocates have far less resources and traction, for all the obvious reasons, than the dominant discourse. This counter narrative is reflected in the slogan “we are here because you were there” popularized during a labor strike involving many black and Asian women in the UK in the 1970s. The phrase is now common among black people and other immigrants in nations across Europe. In this narrative Europe colonized Africa, creating nations, political, economic, and social systems for their own political and economic benefit, systems that were entirely based on race; kidnapped, transported, and enslaved black people in colonies across the Americas; denied any real opportunity for equality to black people after slavery was legally abolished; maintained white supremacy in the colonies after slavery and

when independence was reluctantly granted in Africa – frequently as a result of sustained anti-colonial struggles – left the colonies with surplus labor; and left African nations with dependency. This narrative is captured in the book by Walter Rodney *How Europe Underdeveloped Africa* and in the article *Discourse on Colonialism* by Aimé Césaire.

Each narrative has elements that appeal to different sections of the European population. The main point that needs to be made here is that for centuries, as Europe plundered Africa, and transported and exploited black labor in the Americas, Africans and other black people allowed into Europe were kept to tiny numbers until the twentieth century. We were prevented from entering Europe in all but the tiniest numbers; denied the opportunity for any significant formal political participation; almost totally excluded from political office and representation; directed into the narrowest, the lowliest, and the most undesirable of jobs; and with miniscule exceptions, prevented from acquiring any formal education. Any positions that involved authority or power over white people were strictly forbidden. The overwhelmingly majority of black men and women brought to Europe – or born there – occupied subordinate and subservient roles.

There is evidence of black people in Europe in Ancient Greece and Rome and in the Roman armies in England. Black men worked as servants, tradesmen, and soldiers in the military and black women as maids, concubines, and prostitutes. Both men and women performed music and dance. We have evidence of tiny numbers, mainly in southern Europe, through the year 1400. Far more black people were forced into Europe after the 1400s, as Europe intruded further and further into Africa and as it colonized more and more of the Americas. They seem to have reached a peak in Spain and Portugal in the 1400s, when a significant proportion of the population of Lisbon was black. Black men were unskilled laborers, and black women were domestics. In Spain, several thousand Africans lived in Andalucía and Valencia. Most of the black people in Spain and Portugal were enslaved. The same is true for the estimated 15,000 black people in England in the 1770s. Tiny numbers of enslaved Africans and African Americans found their way to European nations during slavery. Many involuntarily as the property of their white master-enslaver owners; others voluntarily having escaped slavery or served in European forces against American independence. There were also Africans, mainly men, who went – or were brought – to Europe to study religion or law. Although no census data are available during these periods, it is clear the numbers were a miniscule fraction of 1% of the total European population.

From the early twentieth century, tens of thousands of black people – overwhelmingly men – were actively recruited to fight or work in the military in two world wars. England and France brought the most. Small but significant numbers remained in Europe after the wars. Then with massive war deaths of European men, black people were recruited in hundreds of thousands after the Second World War – to work in Europe. This is the case in the UK, France, the Netherlands, and Portugal. The UK recruited men to work in British Rail and London Transport and women to work in the National Health Service. They

were overwhelmingly in low-level jobs that local white people did not want to do or were available in insufficient numbers. France also recruited thousands of black men, after World War II, especially in the 1960s when they were needed for work in hospitals and post offices. The Netherlands received thousands of black people (and others) leading up to and after the independence of Suriname in the 1970s. Portugal also recruited thousands of black people, mainly from Cape Verde. Thousands more black people arrived during and after the decolonization in Africa, with small but significant numbers going to Portugal, Belgium, and elsewhere. They were joined by students and others. In Germany, there were several thousand Africans resident before German colonies in Africa were confiscated by the allies after World War I (Zimmerman 2010; Rosenhaft and Aitken 2013). And several thousand black children with African American fathers and white German mothers remained in Germany after World War II.

Finally, from the mid-twentieth century, several thousand black students were recruited to Russia and other socialist or communist nations, including Poland, Hungary, East Germany, and Bulgaria, as part of the Cold War efforts to counter the US cultural influence. Many of them studied medicine. The majority of them left after their studies finished, but tiny numbers remained, and their descendants are still resident today.

During these twentieth century arrivals, there were far more men than women, and most women came as dependents, with husbands or fathers. But among those that arrived in England, prior to the 1980s, especially from the Caribbean, large numbers of women arrived independently, seeking work and social mobility there. Many sent remittances back to children and families in the Caribbean, and some eventually brought their children to Britain. There were also significant numbers of women from Cape Verde who arrived independently in Portugal and Italy. At the turn of the twenty-first century, tens of thousands of black people have arrived as refugees; many of whom have experienced horrific journeys, and many of whom have died.

So, let's come back to the question – why so few black people in Europe? If black people were first in Europe in the tens of thousands in the 1400s, 1500s, and 1700s and if European empires – and their descendants in what became the USA – by the early 1900s already controlled territories with hundreds of millions of black people (in the Americas and across Africa), why are the numbers in Europe so small? The short answer is white racism and discrimination. European states systematically kept black people out of Europe. It did not suit the needs or interests of European governments to bring significant numbers of black people to Europe or to allow them to come of their own accord. Even after slavery legally ended, any attempts by black people to move to Europe were systematically obstructed in a range of direct and indirect ways. Those who came did so mainly at the whims of whites – for curiosity and spectacle, or for subordinate economic roles, and always for financial or cultural exploitation. The exception to this pattern are the black people that came to Europe to fight racism, colonialism and imperialism.



## Discussion

It is obvious that the black population across Europe is highly diversified ethnically and culturally. This is evident in language and religion, in national origins and citizenship, and in a wide array of cultural practices involving family, music, film, literature, art, and performance. At the same time, they are a highly racialized population, frequently treated stereotypically, that shares similar experiences of hypervisibility, entrenched vulnerability, and irrepressible social mobilization for equality and justice. The ethnic differences and the racial similarities highly intersect with, and are affected by, other variables, including economics and class, religion, and gender. In this regard, there is a combination of intricate and entangled variables that shape black people's lives, opportunities, and outcomes.

It is self-evident, yet it also needs to be said that ethnic variables are equally complicated in the white population – perhaps more so than in the black population – given the far larger numbers of white people in Europe. There are also many ethnic differences in other populations, that is, the wide array of European residents that trace their origins in the last 100 years to India, Algeria, Turkey, Indonesia, and multiple nations in the Middle East. Clearly there are millions of Europeans (typically self-defined as white) that live in nations other than the ones in which they were born. Migration across nations in Europe has been happening for centuries. There was a dramatic increase in migration across nations within Europe with the formation of what has become the European Union. At present there are around three million EU residents living in the UK. This includes whites from Germany, France, Portugal, and Spain, as well as Poland, Romania, and Hungary. In France, there are many whites from Italy, Spain, and Portugal. A further increase in migration occurred as nations from across what used to be Eastern Europe migrated westwards, after the fall of the Berlin Wall in 1989. There are also significant numbers of other people, many born in Europe, with origins outside Europe. For example, in England there are at least four million people of Asian origin (India, Pakistan, Bangladesh, Malaysia); several million of Turkish origin in Germany; and many more of Turkish origin in the Netherlands, Belgium, and France. Several millions of North African origins (Algeria, Morocco, Tunisia) are in France. They are overwhelmingly concentrated in cities. This is what one well-known analyst has called “super-diversity” (Vertovec 2007). In this context, how are we to approach the issues of ethnicity and race?

While nonspecialists frequently use the terms race and ethnicity interchangeably, most social analysts agree that they should be distinguished for analytical purposes. And it should be recognized that they overlap with many other factors. Historically, in Europe and elsewhere, the idea of race typically indicated a belief in the existence of naturally occurring groups, each exhibiting real and/or imagined biological and mental attributes regarded as fixed and hierarchical. In Europe historically, so-called scientists, philosophers, prominent writers, and politicians developed and articulated theories of race to defend these views. Such as David Hume, Robert Knox, Rudyard Kipling, Thomas Carlyle, and Herbert Spencer; Geoffrey St Hilaire, Georges Buffon, Georges Cuvier, and the Comte de Gobineau; Hegel, Blumenbach and

Ernst Haeckel; Cesare Lombroso and, laying a foundation for all of them, Carl Linnaeus (Hondius 2014). This involved biological racism, social Darwinism, and eugenics.

Such explicit and rigid views of racial difference are no longer commonly expressed by major politicians, but there are concrete examples of right-wing political groups in several nations that are outright racist; the legacy of racist ideas remains pervasive in Europe, and there are still many forms of cultural racism and widely held stereotypes against black people that draw of stereotypes and caricatures (Araújo and Maeso 2015; Wekker 2016). Several nations provide evidence of direct, subtle, and camouflaged racism. The exaggerated and offensive character known as *Zwarte Piet* (black Piet) in the Netherlands is one such example. In this case, tens of thousands of white Dutch people paint their faces black and their lips bright red, every November, and parade in the streets (Essed and Hoving 2014). Historically, the racial category of “black” and “negro” was forced onto Africans from diverse ethnic groups (Nigeria, Cameroun, and Angola) who were kidnapped, transported, and enslaved in the Americas, though they had little in common with one another. At the present time, racial identities are frequently embraced by black people – in the form of organizations and political groups as a form of survival and resistance (Small 2018; Sivanandan 1990). And they are intertwined with ethnic identities.

Ethnicity, in contrast to race, usually highlights a wide range of social and cultural issues; it is typically viewed as something that is highly variable and not necessarily organized in a hierarchy. Many groups, families, and individuals steadfastly embraced these cultural practices. And as mentioned above, ethnic differences – in terms of language, religion, family structures, and political values – have been at the heart of Europe even before Europeans came into contact with Africans (or other peoples across the world). These ethnic differences are ubiquitous across all racial populations in Europe.

It is clear that race and ethnicity are complex phenomena, intertwined and entangled with one another and with many other variables too. They are highly situational, contingent, and contextual. And while I have demonstrated this with regard to the black population, many similar variations, entanglements, and consequences apply to other populations across Europe. Complicating things further, ethnicity and race almost always operate in ways that intersect with, and are often greatly affected by, other variables, including economics and class, religion, nationality, and especially gender. One lesson from this is that it’s difficult to analyze ethnicity independent of its relationship to these other variables. Ethnicity and cultural differences are not factors that unfold or are always played out independently of other variables, like race (and gender). So we need to pay attention to how ethnicity unfolds via other variables. Just as I have done in this chapter.

The cases and incidents mentioned in this chapter provide some examples of how the complex ethnic and national differences with the black population – and the complex ethnic and national differences within the white population – can become deeply entangled in strange and unusual ways. Black people in Europe are highly diversified ethnically but are still frequently treated racially in terms of

discrimination and hostility. The majority of politicians in Europe deny that there is racism or racial discrimination – despite the evidence – because they use an old-fashioned definition of racism, associated with slavery in the Americas, apartheid in South Africa, and with legal racial segregation in the USA. They assume racism only exists when it is explicit, legal, and deliberate. Nothing could be further from the truth. Racism still exists where it is operationalized through indirect and subtle measures, stereotypes, and caricatures.

In ethnic, cultural, and national terms historically, European nations competed with one another as separately as the fingers of a hand. The largest and most intrusive European empires fought with one another over land in Africa, the Caribbean, and North America (and in other parts of the world). They also fought over control of labor populations, trade routes, and access to minerals, raw materials, and spices. They had been in competition with one another well before they ever set foot in Africa or the Americas. So this competition was not new. But in racial terms, during colonialism and imperialism, these nations also worked together like a clenched fist in colonial and imperial goals and operations. They downplayed ethnic differences of language, religious denomination, and others elements, for the common goals of colonialization for political and economic reasons. They signed treaties and made agreements over colonies (Haiti independence); over territories in Africa (e.g., the Berlin Conference 1884); over territories in the Americas (Dutch, French, and British Guiana); and over the confiscation of colonies (the allies after World War I) and decolonial treaties. They agreed with one another that Europeans (whites) were superior in politics, economics, and culture, especially Christianity, and that they should remain superior in any competition with non-Europeans. Because, to paraphrase George Orwell, all European nations are equal, but some nations are more equal than others. For example, Scandinavian nations provided wood to the Netherlands to build slave ships, as well as other materials, as well as cattle for food (Moore 2010). The Netherlands kidnapped and transported hundreds of thousands of Africans to become enslaved in Spanish colonies (Nimako and Willemsen 2011). That is why the British, French, Germans, and Belgians were able to capture and colonize more land in Africa, than other nations, just as the Spanish and Portuguese were able to capture and colonize more land in what became the Americas. There is substantial evidence that Sweden, Denmark, and Norway also sought to capture and colonize territories in these continents, but they could not outcompete the larger European nations (McEachrane 2014).

But that was the past and times have changed. What is the situation today? We see a highly complicated interplay of racial and ethnic factors. We see common patterns of racial discrimination against black people despite ethnic differences. And we see common ethnic discrimination among whites, despite racial similarities. For whites, ethnic differences face competing trends of salience and diminishment. The formation and expansion of the EU was meant to highlight what Europeans share in common and to build and consolidate institutions to achieve these goals. But it has not worked fully.

Why did it not work fully? And why has ethnic discrimination against whites – which was relatively low in Europe in the 1960s – become so much

more salient? The answer can be found by relating ethnic variables to other variables. In the 1960s, when Spanish, Portuguese, and Italians migrated to live and work in the UK, the Netherlands, Belgium, and Germany, the economics of these nations were stronger and they needed labor. Also, importantly the migrants assimilated – learning language and cultural practices – and after 1–2 generations were largely invisible to locals. Even in the 1980s as the EU was further consolidated, assimilation was the major force. This was before globalization had taken off. But since the 1990s, two major things have happened. First, the economics, standard of living, and cost of living are relatively weaker than it was in the past. In some nations there is significant austerity, unemployment, and poverty. And second, globalization allows for the retention of ethnic difference because immigrants use social media, internet, and telephone communications, and cheap airlines have enabled far more back and forth travel by migrants.

So this means that while black people that migrated to live in England since the 1950s, in France since the 1960s, in the Netherlands since the 1970s, and in Portugal and Belgium over similar periods were ethnically similar to local white residents of these nations, they were racially different. And they faced significant discrimination. And while whites that migrated to these nations, in all these periods were ethnically different, they were racially similar. And so they faced far less discrimination. The patterns have become far more complex, and these intricate entanglements continue to unfold.

Black people in Europe face discrimination that can be ethnic or racial, and it is almost always interconnected with other variables like class, gender, or religion. It is not always clear what the basis of discrimination actually is, so we have to pay attention to the context, the situation, and the instance at hand. White immigrants to nations across Europe increasingly face discrimination that is typically called ethnic discrimination or nation-based discrimination. Some people have called such discrimination racial discrimination – because it often is based on what seems to be deep-seated prejudice and hostility; and it results in denying white immigrants access to jobs, housing, and education. It can also lead to violence and murder. But I suggest it is not useful to describe the two types as similarly racist. Prejudice, racism, hostility, and discrimination toward black people – whether from Africa or the Caribbean and Latin America – are based on ideologies, political, economic, and social structures (like slavery, colonial and imperial labor systems, laws, statues, and official practice) that have existed for centuries. It is based on belief systems that were first invented, developed, and implemented with the support (and resources) of kings and queens, presidents and prime ministers, and religious leaders of most Christian and related denominations, along with powerful men and women in educational and other arenas. And racial stereotypes, caricatures, and discrimination that confront black people in Europe today draw directly and heavily on a legacy of these practices from the past. There are few counterparts with such depth, historical longevity, and vehement impact in what is happening to white immigrants to Germany, Austria, and Italy at the present time.

## Conclusion

In this chapter I have described and evaluated black people's presence and experiences in Europe today in order to explore the intricate and multifaceted relationship between ethnic and cultural differences on the one hand and racial differences on the other. I have provided examples from across Europe today that provide fascinating insights into many of these complexities. I have provided some examples of key dimensions of ethnicity and examples of key elements associated with race and racism. And I have provided examples of some of the other variables that interact with ethnicity and race – including religion and gender.

In Europe today race and ethnicity – and their relationship with other variables – have become increasingly intertwined and complex, given the precarious and dire economic circumstances facing the resident populations of most European nations, especially those populations that believe themselves to be the “true (white) residents” of each nation; and given the increasing levels of international migration, it is important to be aware of the complex nature of race and ethnicity. And it is increasingly important to recognize how they interact with other variables such as class, religion, and gender. There is no common pattern for how these variables interact with one another and no easy way to predict such outcomes. Sometimes ethnic difference will be the most salient factor; at other times, it is (perceived) racial difference that is decisive. Sometimes economic factors will play a salient role; at other times it may be religion or gender. Each situation has to be examined closely in order to identify which set of factors is more important than the other in people's day-to-day lives. During European systems of slavery and colonialism, in many instances, Europeans downplayed ethnic differences among themselves, and among Africans, highlighted racial differences between Europeans and Africans, and asserted and highlighted racial similarities among Africans and their descendants. This perspective served the common economic and political interests of different European nations during that long period.

Across Europe today, politicians and often the general (white) public in individual nations are increasingly highlighting ethnic and cultural differences between themselves and white people from other European nations. At present, it is perceived by many politicians and members of the public that highlighting such differences is in their national interest. At the same time, key institutions of the European Union challenge such distinctions and highlight what Europeans share in common. But while emphasizing common origins and ancestry, Christianity, and values such as a belief in civilization, freedom, and democracy, it has been difficult for such advocates to specify how such values are different from those of non-Europeans. And it has been difficult for them to deny that such emphasis has racial – and racist – connotations. In Europe today, whether racial or ethnic differences among black Europeans (and black immigrants) are highlighted or downplayed depends on context and situations. And whether ethnic differences among white Europeans are highlighted or downplayed also depends on context and situation. These complexities – and uncertainty about their outcomes – are highly likely to remain for the foreseeable future.

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## Part IV

# Ethno-nationalism and Power

## Part Introduction

We live on an increasingly globalized and interdependent planet, but sovereign nation-states still operate as the primary units of territorial rule in world affairs. They function as essential constituents of socioeconomic and cultural development. In fact, it is a world of nation-states. And for better or worse, nationalism has been one of the major forces of change in the twentieth century and beyond. The nationalist aspiration certainly hasn't dimmed. In 1945, there were 51 United Nations member states, today there are 193.

We could say that when enough members of a "nation" display sufficient collective awareness to start calling for their political self-determination, they are making a demand for statehood. Of course, that leaves us with the question of what is a "nation." And there the problems begin. To borrow an Ernest Gellner truism, nationalists can agree on the belief that the nation and state should be congruent but little else. Ideas of "nationhood" can include a wide variety of both distinct and imprecise markers that a group might "imagine" themselves to have in common, i.e., race, ethnicity, culture, language, religion, territory, and sentiment, etc., and not necessarily in that order. It is worth pointing out that using the word "imagine" is not to infer illusory but rather to indicate the power of subjective perception in the construction of collective identities. In other words, people who perceive themselves as part of a national community ultimately imagine it. They cannot meet or know everyone in that community, but they do believe that they have things in common that bind them.

That said, nationalism is disconcertingly Janus faced. It has two distinct but sometimes overlapping aspects, namely ethnic and civic. The ethno-national impulse speaks to a shared inheritance based on ethnicity, language, culture, or religion that is closely associated with exclusive forms of national identity believed to be in some ways "natural" or "ineluctable." Countries with deep ethno-national traditions tend to produce *jus sanguinis* (law of blood) types of exclusive citizenship. While countries shaped by more civic traditions are assumed to embrace "people" who accept and are loyal to the state and its institutions, regardless of their origins. They in turn are usually associated with *jus soli* (law of soil) types of inclusive citizenship.

Civic underpinnings are often held up (with some justification) as a “good” form of nationalism devoid of the toxicity of its “evil” twin.

But does the ethnic/civic distinction sufficiently explain why some nation-state formations descend into deadly chauvinistic irredentism and others do not? Digging a little deeper, we find that the relationship between ethno-nationalism and political order is not a simple one. In the twentieth century, the postcolonial world “breech-birthed” newly independent nation-states into convulsions of ethnic disaggregation with the exchange, expulsion, and “cleansing” of local minorities. Evidently, notions of history, nation, and ethnicity have constitutive power with potentially harmful consequences. Messy congruences of political community, ethnic group, and territory produced powerful “othering” based on the belief in a common “us.” Groupings also diverged along elite or mass-led vectors. In fact, conflict over how to define postcolonial identities and resolve past exclusionary injustices still trouble the present.

But what roles do economics and politics play in stoking ethno-national consciousness in multiethnic societies? It is a consideration that takes on ever worrying dimensions in an age of rapacious economic globalization and identity politics. Many livelihoods are becoming more uncertain and precarious. It could be argued that increasingly disruptive inequalities and conflict are perpetuating poverty, emboldening criminality, and deepening shadow economies in many countries. In such circumstances, although sometimes frail, bonds of cultural identity, connection with the past, celebration of tradition, and the mutual support, which underpins these claims for continuity, are sometimes all that can be mustered to counter feelings of deepening frustration and insecurity. Identities and ethnic allegiances can often forge and harden in the face of perceived threats and material insecurity, and the domination of minorities by others. In extremis, cultural expressions of such interethnic identity formations can result in violence.

The extent and frequency of economic, environmental, and conflict-related disruption to forms of sociopolitical organization and the migration of people of one culture to places with very different traditions should give us pause for thought. It complicates matters considerably. Large numbers of the global precariat do not have ready access to alternative livelihoods and forms of support nor do they have receptive channels of communication to voice their concerns. For our febrile times, the internal structures and borders of established civic nation-states may not be as impervious to the ethno-national siren call as might at first appear. It is telling how ubiquitous and pernicious more or less subtle forms of ethno-nationalism have become in the immigration policies of different countries around the world. The processes and impulses that led to the formation and the dominance of the forms of ethno-nationalism in the twentieth century are likely to reproduce in the twenty-first century but not necessarily in quite the same ways.

The chapters in this part explore the power and consequences of ethno-nationalism in its various guises. They range from analyses of ethno-communal conflict in Bosnia by both Adis Maksić and Aleksandra Zdeb, Kenya by Emma Elfvérsson, Sri Lanka by Premakumara de Silva, Farzana Haniffa, and Rohan Bastin, and Sudan by Johan Brosché to reflections on ethnic dynamics in Trinidad and



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Tobago by Ralph Premdas and explorations of ethnicity in relation to cultural wounding and healing in Yanyuwa communities, northern Australia by Amanda Kearney. These chapters and the others in this part provide key insight on the ways in which certain group identities crystallize and communal tensions and conflicts emerge, while offering possible resolutions to such struggles and contestations.

Paul J. Carnegie



# Contemporary Ethnic Politics and Violence 31

Adis Maksic

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## Abstract

This chapter offers a perspective on the relationship between ethnic politics and violence that applies lessons from discourse theory and the recent findings on the role of emotions in human cognition. It proceeds by discussing the intersection between discourse theory and the literature on affective cognition, outlining a discursive-affective analytical framework, and applying it toward an understanding of ethnic politics in Bosnia and Herzegovina. The first part of the chapter analyzes the processes that led to the Bosnian War by exposing the role of nationalist parties in producing emotional polarization that culminated into armed mobilization. It then argues that the War’s emotional legacy decisively shaped contemporary politics in Bosnia and Herzegovina, maintaining deep ethnic cleavages and potential for future violence. By emphasizing the role of nationalist agents and discursively mobilized emotions in producing homogenized ethnic groups primed for armed mobilization, the discussion challenges groupist and rationalist approaches to ethnically framed conflicts.

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A. Maksic (✉)  
International Burch University, Sarajevo, Bosnia and Herzegovina  
e-mail: [adis.maksic@ibu.edu.ba](mailto:adis.maksic@ibu.edu.ba)

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Discourse · Affect · Ethnic nationalism · Ethnic violence · Bosnia-Herzegovina · Bosnian War

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**Introduction**

It was genetically deformed material that embraced Islam. And now, of course, with each successive generation this gene simply becomes concentrated. It gets worse and worse, it simply expresses itself and dictates their style of thinking and behaving, which is rooted in their genes. (Popovic 1993)

The above statement was made in 1993 at the peak of the Bosnian War by Biljana Plavsic, a leading figure in ethno-political mobilization of Bosnian Serbs during the 1990s and one of the most prominent politicians convicted for war crimes by the International Tribunal for the Former Yugoslavia. The statement is notable not only for its depiction of the genetic inferiority of Bosnian Muslims coming from an influential ethno-national leader but also for being spoken from the position of scientific authority, as Plavsic was a distinguished professor of biology at the University of Sarajevo (Halimovic 2009).

Plavsic's depiction of the Bosnian Muslims exemplified a larger theme of biological determinism in Serb nationalist discourse that served to legitimize violence perpetrated against the Muslim ethnic "other." Yet, its most important lesson for understanding ethnically motivated conflicts emerges only after situating it into a temporal context of Plavsic's previous statements that date back to her emergence as a leading politician in mid-1990. With only a cursory glance, the contrast becomes obvious. Prior to the November 1990 elections, Plavsic's Serb Democratic Party (SDS) was in a partnership with Muslim ethno-national Party for Democratic Action (SDA), with the two having joined forces to defeat the incumbent Bosnian communists. At that time, Plavsic and other SDS leaders had only praise for Muslims, depicting them as "good neighbors" and promising a "genuine peace" between the two imagined ethnic nations (Maksic 2017, p.203). While the two parties began to engage into a bitter ethno-political conflict after their joint electoral victory, there is no evidence of a single instance of SDS leaders describing Muslims as a lower race until the onset of the Bosnian War in the spring of 1992. Considering the Bosnian tradition of "common life" between Serbs, Croats, and Muslims that routinely blurred and transgressed ethnic boundaries, such language was socially unacceptable and politically costly at the time.

The events would show that the tradition could not indefinitely serve as a bulwark against polarizing ethnic politics, as it eventually gave way to brutal violence between the people who once shared a "common life." Yet, when it comes to understanding ethnically motivated violence, peacetime traditions are no less important than the wartime rivalries. They invite us to depart not from an account of fixed preferences and long-standing animosities, but from an examination of the political processes that transform peacetime sensibilities into polarizing hostilities conducive

for armed mobilization. In the Bosnian case, this involves an understanding of how the sensibilities of Serb masses evolved in a span of a year and a half to allow Biljana Plavsic to publicly describe former “good neighbors” as a despised lower race. For it is the emergence of a social environment in which the branding of an ethnic category as morally inferior is permitted that usually precedes armed mobilization. This environment is not an enduring feature of any social field, but is constituted through political dynamics that are shaped more by leading politicians than the pre-existing sentiments of the popular masses.

The following pages offer a perspective about how such an environment is created, ethnicity elevated into the politically most relevant social cleavage, and people belonging to different ethnic categories primed for violence against one another. The perspective is developed by applying the lessons from discourse theory and the recent findings about human cognition toward enriching our understandings of ethnically motivated conflicts. The focus is on the developments that culminated in the 1992–1995 Bosnian War, as well as the dynamics of postwar ethnic rivalries. The case of Bosnia-Herzegovina (BiH) will illustrate the ways through which conflicts may leave a durable legacy of ethnic polarization and the potential for future violence, thus offering wider lessons for understanding contemporary post-conflict ethnic politics.

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## Discourse, Ethnicity, and Violence

In recent years, a considerable wealth of literature has challenged commonplace understandings of ethnic violence as clashes of well-bounded ethnic groups with incompatible political interests. This challenge is motivated in part by indicators that only relatively small segments of “ethnic masses” actually participate in criminal violence and sometimes with motives that may have little to do with ethnic politics. Mueller (2000) thus finds that, during the Yugoslav Wars, the murderous core was not made up of ordinary citizens, but of thugs and hooligans that politicians recruited for the job. In the case of Rwandan genocide, the same author observes that many Hutus hid and protected their Tutsi neighbors and that 98% of male Hutus over the age of 13 were not among the killers. The groupist framework is also challenged by the data from the case of Northern Ireland that points to high levels of “intergroup killings.” Fearon and Latin (2000) estimate that 22% of the killings committed by Ulster loyalists were against other Protestants, either in feuds or because the victims were accused of being informers.

These and similar findings invite us to trace the emergence of an environment in which small minorities engage in crimes and atrocities in the name of ethnicity unopposed by majorities. This involves shifts and lurches in the dominant modes of understandings that at specific times and places produce widespread toleration of violence as an instrument in dealing with the ethnic other. The question becomes not why or how Serbs engaged in the genocidal slaughter of Bosnia’s Muslims, or why the Hutus sought to exterminate the Tutsis, but how the majority of Serbs and Hutus came to either legitimize or remain silent amid the atrocities committed in the name

of their ethnic nations by murderous gangs, military units, and violence-prone individuals.

One perspective is offered by institutionalists, who emphasize the role of institutions in reifying ethnic differentiation. Autonomously from the pre-existing social cleavages, such reification serves as a resource for leaders to “create a competitive dynamic that increases the likelihood of spiraling aggression” (Lieberman and Singh 2012). In BiH, for instance, career and employment prospects have been tied to an individual’s ethnic background through the so-called “ethnic key” policy designed to maintain equal ethno-national balance in governmental bureaucracies. At a time when the Yugoslav state began to disintegrate in the 1990s amid ethno-political rivalries, ethnicity acquired added significance and commanded loyalties. As Ignatieff (1993, p.42) puts it, the institutional collapse raised new, existential questions not directly linked to one’s actual ethnic sentiments: “will the local Croat policeman protect me if I am a Serb? Will I keep my job in the soap factory if my new boss is a Serb or a Muslim?”

Other scholars focus on the sociological dimension. Bhavani (2006) thus examines the emergence of violence-promoting “ethnic norms.” Bhavani observes that in Cambodia the Khmer Rouge made use of the pre-existing norm of “honor” to shame those who refused to be involved in the killings. In the Rwandan case, the Hutu *génocidaires* made appeals for Hutu unity against the Tutsi threat, imparting a moral and social obligation to eliminate the Tutsi “cockroaches.” In both cases, those who sympathized with the ethnic other or who were reluctant to participate would put their own lives in danger, leading to a progressively higher level of compliance and, consequently, greater overlap between an ethnic category and murderous behavior.

Obershall (2000) examines the question from the cognitive side and speaks of “cognitive frames” or mental structures that connect events, people, and groups into narratives that make sense of the social world and can be shared with others. In the Yugoslav case, he observes the transformation from a normal frame to a crisis frame. The latter was grounded in the memories of historical suffering at the hands of the ethnic other, most notably the atrocities that occurred during World War II. While the Yugoslav communist regime sought to eliminate this crisis frame during “normal times,” it continued to simmer in the memories of those who lived through the events, the families of victims, and among some religious and intellectual leaders. During the ethnopolitical rivalries in the early 1990s, this cognitive disposition was activated and amplified by ethno-nationalist leaders to produce fears and animosities able to override the “normal frame” and legitimize aggression.

Beyond this, some scholars have sought to identify psychological factors at the individual level. Kreadie and Monroe (2002), for instance, have conducted interviews with perpetrators of violence against civilians during the Lebanese Civil War. While the specific motives varied between interviewees, all felt that they had been forced into violent acts by the threatening “other.” The fighters on both sides identified their ethno-religious group as a victim of unfair political arrangements, which was an indicator of both an existential threat to their group and moral bankruptcy of the other. As the authors point out, for some interviewees “genocide and ethnic violence were akin to a process of extermination of vermin, and killing

human beings became analogous to killing cockroaches that infest a home” (p.32). For many others who shared such an interpretation but did not directly participate in criminal violence, removal of the “infection” would not feel very criminal at all.

While institutional factors, psychological approaches, and sociological concepts such as “ethnic norms” all offer avenues for advancing our understandings of ethnically motivated violence, an approach chosen here argues that their most valuable lessons can be unified under a framework of critical discourse analysis. The framework departs from an understanding of language as an intersubjective field that assigns meanings to the world and generates social realities autonomously from any external, objective realities. When it comes to ethnicity, this approach recognizes that no ethnic identity exists independent of discourses on ethnicity that differentiate people according to the particular criteria of decent. Beyond this, particular understandings of ethnic “self” and “other” are produced through discourses that narrate ethnic histories and assign moral virtues to differentiated ethnic groups. When narrated by ethno-nationalists, these discourses typically open up into descriptions of friendly nations with whom the self should ally and the threatening and morally profane foes against whom one has obligation to mobilize in defense. Applied to the discussion above, such discourses served to legitimize atrocities committed during the Lebanese Civil War, produce violence-promoting “ethnic norms” in Rwanda, and activate and amplify cognitive “crisis frames” in the former Yugoslavia.

Moreover, a discursive approach recognizes that official ethnic categorizations, density of social ties, or cultural commonalities may not be reflected in the actual self-understandings of the people who fall into a single ethnic category. Rather than assuming the existence of a self-conscious group, a discursive analytical approach seeks to explain the power of nationalist discourse to generate such consciousness, increase levels of group solidarity, or “groupness” and create correspondence between an ethnic category and a palpable group (Brubaker and Cooper 2000). It is also well-suited to expose nuances of the relationship between political rivalries and violence by recognizing the “ethnic” attribute in “ethnic violence” as an interpretative frame and an inherently political action, rather than an objective description. What this approach brings to light are the heterogeneous dynamics and motives involved in the making of diverse cases of violence that are often casually given a common, “ethnic” attribute.

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### **Toward a Discursive-Affective Analytics of “Ethnic Violence”**

The above section has illuminated the power of discourse to generate modes of understanding conducive for violence waged in the name of ethnic nations. It has also raised new questions about the cognitive mechanisms through which such understandings are produced at particular times and places. Do people rationally assess competing discourse, only to conclude that it is in their interest to follow calls for mobilization against the ethnic “other”? How does discourse generate motivations to commit savagery against former friends and neighbors, even in the absence of an obvious material gain? Do nationalist discourses merely mobilize fear and

hatred of the ethnic other that has been lurking underneath in times of the peacetime pleasantries, waiting for a “right” moment to erupt, or do they invent such emotions? Have many Bosnian Serbs approved of Biljana Plavsic’s 1993 statement because they always believed at some level that Muslims were biologically flawed?

A search for answers takes us to the recent advances in the studies of human cognition that challenge commonplace image of a unified, stable, and rational subject. One such challenge is offered by psychologist Drew Westen (2007), whose study of political partisans has problematized the distinction between reason and emotions. Westen’s team asked the partisans to comment on a series of slides displaying contradictory statements, while the functional magnetic imaging technology (fMRI) measured their brain activity. The partisans had a hard time finding contradictions made by their favored candidate but quickly identified those made by rival politicians. The findings suggested that positive emotional associations toward favorite candidates shaped the perceptions of the statements by overriding the rational distress of logical contradictions. Westen concludes that when reason and emotions collide in politics, emotions carry the day.

A study by neuroscientist Antonio Damasio (2005) arrives at a similar conclusion. He argues that emotions and gut feelings participate even in those activities that seem exclusively rational, such as the cost-benefit analyses. It appears that instinctive sensibilities and bodily feelings associated with particular situations through experience, which Damasio terms “somatic markers,” operate subconsciously in any cost-benefit deliberations. These sensibilities first highlight some options and eliminate others before deliberative reasoning takes over. A related argument is made by psychologist Daniel Kahneman (2011) who thinks of two systems involved in human cognition. System 1 refers to fast, split-second impulsive thinking, while system 2 is that of conscious, analytical deliberations. The affective reaction of system 1 has the effect of shaping, or “priming,” the rationality of system 2.

In what specific ways is this research relevant for our attempts to understand ethnic nationalism and violence? Most generally, it invites us to explore the generative powers of nationalist discourse by going beyond the level of a conscious subject. The analysis of meaning-making shifts from a search for some objectivized “common sense” meanings to an interpretative exploration of emotions and sensibilities that create many diverse perceptions and interpretations of a single predicament. The task, then, is not so much to identify objective political conditions that compel a rational individual or group to mobilize for ethnic violence, but to develop a rigorous interpretative insight into the discursively engineered affective experiences that legitimize and drive violent acts.

When it comes to the diachronic discourse analysis, its task shifts to exploring how discourses generate affective sensibilities of new types and intensities across time. This requires that we drop the assumption of a fixed ethnic subject with a stable cognitive-affective makeup in favor of a departure point that sees the generation of subjectivities as fluid and situational. The approach recognizes the constitution of affects in relation to discursive action as a difference maker between peace and war. When Serb nationalists spoke of Muslims as “good neighbors” prior to the Bosnian

War, for example, the interpretative frame corresponded to popular sentiments formed during nearly half a century of common Yugoslav experience. While these sentiments gradually weakened as ethno-political rivalries escalated, it was the ethnically framed destruction and bloodshed of the Bosnian War that created angers and animosities of such intensities that could make Biljana Plavsic's racist statement resonate as a scientific fact.

What roles does this entanglement of discourse and affect leave for historical factors, which are so frequently emphasized in mainstream understandings? Historical events matter not as sources of deterministic structures that compel future behavior, but as discursive resources for assembling emotionally resonant narratives. Sectarian violence in Lebanon during the nineteenth century, intercommunal atrocities in BiH during World War II, or long-standing land distribution issues between the Tutsi and the Hutu did not cause wars in the late twentieth century. Yet, they left emotionally salient collective memories that nationalist agents could discursively map onto contemporary political developments, reinforce popular dictums of "history repeating itself," and produce disturbing perceptions of existential threat.

The analytical focus on multidirectional discursive-affective processes outlined in this section can help us understand not only past violence but also cognitive and social machinations of contemporary ethno-political rivalries. In postwar BiH, for example, the polarizing affective intensities have subsided to make genetic racism, such as that of Biljana Plavsic, once again unacceptable in mainstream political discourse. Yet, the war has left a legacy of deep ethnic cleavages, institutionally reified through complicated consociational arrangements, which provide resources for ethno-nationalists to continuously revive wartime sentiments and ambitions and, hence, maintain high levels of ethnic groupness. The rest of the chapter applies the discursive-affective approach to give an account of both the path to the Bosnian War and its legacy in the country's contemporary ethnic politics.

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## **Ethnic Nationalism, Affect, and Descent into War in Bosnia-Herzegovina**

In present-day BiH, ethnicity seems to represent a natural axis of belonging. Ethnic lines are deep, territorially enshrined, and easily visible in daily practices. Considering the ubiquitous presence of ethnic markers, one could easily reduce the causes of the Bosnian War to a simple clash of its ethnic groups. Yet, a closer look reveals that, as late as the first half of 1990, 2 years prior to the War, the social landscape looked quite different. Yugoslav national sentiments were widespread, social ties routinely and densely transgressed ethnic boundaries, and there were few signs of ethnic dissent and no ethnically motivated unrest on any collective scale.

All too often, commonplace analyses disregard this evidence as having no sustenance beyond the repressive power of Yugoslav communist authoritarianism. Such exclusion maintains historical continuity required for explaining the conflict in terms of long-standing ethnic animosities. Yet, a more nuanced approach tells a



different story, the one with indicators that the Yugoslav era not only repressed pre-existing ethnic self-expressions but also generated new, genuinely felt national self-understandings on a socially significant scale. The opinion polls, for instance, indicate that different modes of understandings reigned in early 1990. A March 1990 found that only 16% believed that ethnic parties would have a significant influence on future developments (Sarac 1990). Another poll conducted a month later found that only 23.6% of Muslims and 19.8% of Serbs believed that religion was important when choosing a marriage partner (Carić 1990). A census conducted a year later, in April 1991, showed that 5.54% Bosnians, or a quarter of a million people, wrote in “Yugoslav” as their nation despite it not being offered as one of the acknowledged categories (“Stanovništvo Bosne i Hercegovine po popisima 1879–1991”). Moreover, at a time of ethno-political rivalry that pushed BiH to the brink of violence, the largest public gatherings were peace rallies that expressed desires for survival of Yugoslavia or preservation of “common life” in BiH.

Rather than selectively searching for long-standing animosities, these observations beg a different question – how did social and political environment *change* to produce mass sentiments of new types and intensities? The processes in need of explanation are those that resulted in nationalist messages acquiring such emotional resonance to overpower Yugoslav sentiments and delegitimize meanings Bosnians had been internalizing for nearly half a century of communist rule. This did not come automatically with the end of the single-party regime that came in the spring of 1990. What did flow directly from the transition, however, was the emergence of three ethno-national political parties, SDA, SDS, and Croatian Democratic Union (HDZ), that would actively work on transforming the society. The hallmarks of this agency have been visible in the dominant modes of understandings of Bosnians ever since and, as such, deserve analytical attention.

Looking back from the perspective of contemporary BiH, it may seem surprising that in 1990 a Muslim, Serb, and Croat ethnic party recognized each other as political partners, rather than rivals. As SDA, SDS, and HDZ launched their campaign for the November 1990 elections, their discourses merged into an echo of messages that would jointly serve to intensify ethnic sentiments and create palpable ethnic groups. In recognition to the presence of powerful alternative solidarities, the three parties focused on defeating their common rivals that stood in the way of ethnic homogenization – the incumbent communist and the nonethnic but widely popular reformist party. The first step was the creation of sharper cultural differentiations. The parties organized new social practices through which Bosnians could be sensitized to cultural differentiation, such as numerous ethnic literature and poetry nights, celebrations of ethnic holidays, and observances of religious traditions. In the words of the party leader Radovan Karadzic, SDS was “teaching Serbs to be Serbs” (Toal and Maksic 2014). SDA and HDZ only applauded this pedagogy, as it created the “other” in opposition to which they could promote a Muslim and Croat cultural self.

Yet, there was also a duality in the three campaign discourses, driven by developments outside of BiH. By mid-1990, Yugoslav constitutional order came

into jeopardy amid nationalist rivalries between the governments of neighboring Croatia and Serbia. In the summer of 1990, first instances of disorder were occurring in Serb-majority areas of Croatia, as local officials unilaterally declared Serb autonomous regions, and armed loyalists placed barricades on roads to prevent the nationalist Croatian government from imposing its writ (Flegar and Rebac 2010). Considering that BiH was a site of most atrocities in World War II, the previous time the two nationalisms led to mass violence, these developments were generating a spillover of anxiety into BiH. For the 1990 nationalists, the availability of this emotional resource was a major framing opportunity. Hence, each of the three revisited historical suffering at the hands of the ethnic other, drew parallels between the political moment of 1990 and that of half a century earlier, and portrayed itself as the only guardian that could prevent past tragedies from repeating. Somewhat paradoxically, this threat discourse coexisted with the portrayal of national parties as the only genuine representatives of the three ethnic groups and as harbingers of a more genuine peace than that experienced in communist Yugoslavia.

BiH's nationalist discourses, then, were originally structured to simultaneously generate pride in ethnic cultures, intensify anxieties of existential danger, and promise peaceful resolutions. Despite logical tensions, this structure found affective correspondence in BiH's social realities at a time, marked by a diversity of sensibilities and solidarities. While SDA, SDS, and HDZ adjusted to these realities to achieve a convincing victory in the November 1990 elections, once in power the three parties began to use newfound institutional capabilities to transform them. The three worked together to naturalize and enshrine ethnicity by changing names of towns and streets, building monuments to ethnic heroes, and officially institutionalizing ethno-religious holidays.

Beyond this, however, it was becoming apparent that there was little about which the parties could agree. The dangerous incompatibility of their ethno-national agendas, which had been obscured by cultural revivals, now came to the forefront. The primary line of confrontation was the future of BiH amid the accelerating processes of Yugoslav disintegration. SDA and HDZ took a firm stance that, in case of Croatian secession, the Bosnian republic would not remain in what was left of Yugoslavia. According to SDS, remaining in any Yugoslavia, and consequently in state union with Serbia, was a national imperative of Bosnian Serbs. With Croatia declaring independence in the summer of 1991, and full-scale war in Croatia erupting in the aftermath, these conflicting definitions of ethno-national interest were set on a collision course.

In the discourses of the three parties, "national interests" were part of wider, affectively intense narratives that portrayed the political moment as a matter of national survival. While the cultural revival of pre-election period increased the visibility of boundaries between the ethnic self and other, these narratives inscribed the binaries with moralizing descriptions. For each, existential threats and ill intent lied behind the agenda of the other. In SDA's interpretation, SDS desired to split up or absorb BiH into greater Serbia, in order to establish domination over non-Serbs. This malicious intent had a long tradition, as evidenced in World War II-era atrocities

that Serb Chetniks committed against Muslims. In SDS's narration, Muslims pursued integrity of BiH only to cover up the true intent of establishing an Islamic state in which Serbs would be second-class citizens, in the same manner as they were when subjugated to Islamic rule during the five-century-old Ottoman occupation of Serbia (Maksic 2017, p.181).

As Yugoslav disintegration progressed throughout 1991, the threat discourses would become progressively more frequent. By the fall of 1991, the increasingly polarizing discursive-affective environment allowed SDS to mobilize many ethnic Serbs for the activities that began fragmenting the Bosnian institutional framework. SDS began to unilaterally join adjacent Serb-majority municipalities and other Serb-majority areas into Serb autonomous regions and form a Serb-only parliament that it declared superior to the parliament of BiH. Along with the affective imperative that produced mass commitments, this was made possible by access to superior weaponry of the Yugoslav People's Army (JNA), which had sided behind a Serb nationalist cause. On January 9, 1992, SDS leadership declared these areas as belonging to the nascent Serb Republic of Bosnia-Herzegovina, a predecessor of today's Republika Srpska, and there was little the official BiH government could do to stop it.

While SDS had territorial control in much of the Republic, the BiH government emerged on the winning side of the battle for international recognition. In late November 1991, the Badinter Arbitration Committee, set up by the European Economic Community, declared Yugoslavia in the process of dissolution and internal boundaries between its republics as boundaries subject to international law (Pellet 1992). The BiH declaration of independence would be recognized, provided that it happened after a successful independence referendum. The BiH government, minus its SDS members, met this condition by holding a successful independence referendum on February 29 and March 1, 1992. The results showed that 62% of the electorate voted for independence, despite the referendum being boycotted by most Bosnian Serbs (Shoup 1992, p.28). Consistent with its ethnicized understanding, SDS framed the referendum as merely a plebiscite of the Croat and Muslim ethnic nations.

In the meanwhile, the Party's leaders adjusted to the new situation by leaving open the possibility that an independent BiH could be acceptable as a loose union of ethnic cantons and engaged in internationally mediated negotiations on internal restructuring of the state. It was the failure of these negotiations and recognition of independent BiH by major international actors that triggered the Bosnian War. With the European Community and the United States recognizing BiH on April 6 and 7, 1992, the only instrument left at SDS's disposal was armed mobilization of the Serb population that had been primed for an existential fight and equipped with superior weaponry (Binder 1992). Indeed, the consistent and widespread violence that characterized the Bosnian War would begin amid the international recognition of BiH, as Serb nationalist forces began a campaign to capture contested, ethnically mixed areas and cleanse them of non-Serbs. These activities would ensure that independent BiH was a state without most of its population and territory.

The Bosnian War, then, came not as a spontaneous clash of ethnic masses, but as continuation of politics by other, violent means. The preconditions were set over the previous 2 years through nationalist activism that would create new perceptions, self-understandings, and, ultimately, palpable ethnic groups primed for armed mobilization. This initially took form of cultural revival and the “good neighbors” frame, which signaled a nonantagonistic but essential difference between Bosnians of different ethnic backgrounds, and later evolved into antagonistic narratives of existential threat. These narratives contextually acquired affective momentum that the political leaders would channel toward armed mobilization. The Bosnian War came at cost of nearly 100,000 lives, hundreds of thousands were displaced, and the country’s infrastructure was thoroughly destroyed (Sito-Susic and Robinson 2013). This mass suffering, most often interpreted to be at the hands of the ethnic other, also served to legitimize the prewar threat narratives of the three national parties and take the associated affective intensities to new peaks. With animosities intensifying into hatreds, and anxieties into fears, Plavsic’s statement of racial superiority would find emotional affirmation.

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## Contemporary Nonwar in Bosnia-Herzegovina

In the fall of 1995, after 3.5-year-long bloodshed, the warring parties ended the Bosnian War by signing the Dayton Peace Accords. The compromise deal internally restructured the country by establishing two ethno-territorial autonomous entities, the Serb-majority Republika Srpska and the Bosniak-Croat Federation of Bosnia-Herzegovina (FBiH). Beyond the territorial solutions, the Dayton Accords also created complex consociational institutions designed to ensure that none of the three constituent ethnicities could make decisions without the consent of the other two. Hence, the collective Head of State is a three-member presidency that makes decisions by consensus, while the decisions of a bicameral parliament must receive consent of the House of the People, a chamber that has an equal number of Bosniak, Serb, and Croat members (The Europa World Year Book 2003).

At first glance, the Bosnian example appears to show that consociational/federal arrangements are able to reverse ethnic antagonisms and produce a functional state. In the years since the signing of the Dayton Accords, the country has shown signs of undoing the results of ethno-political rivalries that began in 1990 and culminated in the War. The guns have fallen silent, refugees allowed to return to their homes, and the infrastructure largely rebuilt. State institutions were able to make decisions that brought the country closer to NATO membership and integration into the European Union. Indeed, many analysts have declared BiH as a success story, which it appears to be when compared with some other post-Communist conflicts that have been frozen or simmering without a peace deal, such as those in Nagorno-Karabakh, the Republic of Georgia, and Transnistria.

Yet, in many ways, Bosnia’s society has not moved beyond the conflict years of the 1990s. The Dayton Accords were able to stop the War only with the force of the 60,000-strong NATO-led Implementation Force (Baumann et al. 2012). Much of the

country's progress in establishing a relatively stable institutional framework came not from domestic actors but through coercive measures passed by the Office High Representative, an international body established at Dayton to oversee the civilian implementation of the Accords (Szewczyk 2010). Most importantly, the structure of political discourse has not been transformed to generate affective commonalities that would unify the former warring parties into a single social field. To be sure, ethnic animosities have been reduced with the silencing of guns and the development of economic and cultural ties. However, one thing that the Dayton Accords have not been able to create is common narratives that would bridge the discursive polarization of the 1990s. The divisive nationalist discourses have not only survived the War, but are now invested with its powerful emotional legacy.

Indeed, ethnic nationalism has continued to dominate Bosnian public discourse to the present day. Its generative power is different today, however, from that of the prewar rivalry involving SDA, SDS, and HDZ. The nationalisms of 1991 and 1992 were situated within the transformative context marked by the collapse of the Yugoslav order and institutional fluidities. In contrast, the postwar ethnic nationalisms are occurring within the internationally protected security and institutional framework. The force of Bosnia's international overseers serves as an assurance that the spiral of political rivalry would be held back before it reaches collective mobilization and threatens the Dayton order. No such assurances existed in 1992.

In what ways, then, do the competing postwar nationalist discourses create realities so crucial for Bosnia's current predicament? Most generally, they mobilize divisive emotional memories, revive unachieved wartime ambitions, and generate perceptions that the country remains contested despite the Dayton compromise. When mobilized, the affectively salient memories of the War produce experiences on different sides of wartime divides that are of similarly high intensities but opposing types. Since there is a significant overlap between these lines and ethnic categories, such mobilization amplifies the affective ties that elevate levels of ethnic solidarity. Moreover, considering the role of affect in human cognition, it has power to sideline other issues that may be more pressing for everyday life but appeal more to rational than emotional parts of the brain. The painful memories of a lost loved one, of a childhood spent in refugee camps, and of cold winter days spent in trenches, the stories of heroism, and savage brutality all serve to create affective distraction away from contemporary daily struggles with low wages, corrupt officials, and other social injustices.

While the protagonists of these discourses are well aware of the mechanisms in place to ensure against action that would unravel the established order, the postwar nationalist engineering is useful for a different purpose. Nearly a quarter of a century after the War, the discursive mobilization of wartime emotions still wins elections. This is not for the lack of pressing issues affecting the livelihoods of Bosnians of all ethnic backgrounds. BiH is near the bottom of the list of European countries in terms of the GDP per capita, adjusted for purchasing power parity (GDP per capita, current prices 2018). At the same time, it has one of the highest rates of corruption (Transparency International 2017). Nonetheless, the successful reproduction of

ethnic animosities has incentivized political parties to offer emotional outlets in the form of a bold response to the other side and revival of wartime objectives that the Dayton deal has left unfulfilled. This structure has prevented the Bosnian political discourse from normalizing into the debates between the positions on the left-right political spectrum typical of stable democracies.

It is not surprising that the ethno-national parties formed in 1990, and for whom identity politics is *raison d'être*, have been among the main beneficiaries of postwar discursive antagonisms. They have helped SDA and HDZ remain in power in FBiH for the vast majority of the postwar period. SDS kept its dominant position in Republika Srpska until 2006, losing it to the Union of Independent Social Democrats (SNSD) only after the latter outbid SDS's nationalism by launching the idea of Republika Srpska independence referendum (Maksic 2009).

What, then, is the performative structure of these rival discourses? An answer to this question can help us better understand the current Bosnian predicament and possibilities for future violence, as well as offer lessons exportable to other cases of post-conflict state-building. The discourses are structured around two related areas of contested meaning. One refers to the competing narratives about the character of the 1992–1995 War, while the other addresses the current situation and future prospects. While both mobilize the polarizing emotional resources of the War, the dangers of the latter appear to be more direct insofar as it disputes the legitimacy of the institutional order that brought peace to BiH in 1995.

Some of the conflicting narratives are a continuation of those established by nationalist parties in the early 1990s. While the Dayton Accords created a mutually agreed institutional framework, they testify that the modes of understanding that led to the War have remained to the present day. This continuity is particularly evident in the opposing narratives between major parties in Republika Srpska and those performed by Bosniak and civic-oriented parties. The latter have continued the romanticized description of the Bosnian homeland, while the former seek to empty it of meaning beyond that of a toponym artificially turned into a state. In contrast to the prewar period, the contemporary frames are now invested with powerful emotions stemming from the War. The evidence of suffering at the hands of the other is no longer only in the narrated collective memory, but is also present in living memory of most Bosnians. The struggle for BiH is now much more than about protecting the republic from menacing neighbors, as it also preserves the legacy of the thousands who have fought and died for it.

The new geopolitical unit created during the War, Republika Srpska, has become a new rhetorical commonplace invested with polarizing emotions. The Bosniak and civic-oriented parties occasionally depict Republika Srpska as a “genocidal creation,” having been created on multiethnic territory from which non-Serbs have been expelled (SDP: *Vladajuća koalicija je slagala građane da je mehanizam koordinacije usaglašen* 2016). For SDS, SNSD, and other major Serb parties, Republika Srpska is a homeland created by the will of the Serb people in order to ensure national survival. Much like BiH is for the Bosniaks, Republika Srpska is built on lives of thousands of soldiers, and its preservation ensures that their sacrifice would not be in vain.

It is no surprise that the current leader of Republika Srpska and SNSD, Milorad Dodik, owes his political ascent to rhetoric that placed him into the slot of a champion of Serb nationalist cause, rather than any policy decisions. Dodik has occupied this slot since 2006, a year when he became the first leading politician to openly advocate the idea of Republika Srpska independence referendum. During the 2006 election campaign, Dodik's rhetorical escalation found legitimization in the discourse of a rival Bosniak politician. The then-candidate for a Bosniak member of BiH presidency, Haris Silajdzic, campaigned under the slogan 100% BiH, which insinuated BiH without entities. Despite inability by either to fulfill the fantasies they vividly depicted, the dynamic of rival but mutually reinforcing discourses, not unlike that of the prewar nationalist rivalries, propelled both to electoral victory. Since then, Milorad Dodik has regularly revisited the theme of Republika Srpska's independence, while portraying BiH as a "rotten" country bound for eventual collapse (Dodik: BiH se raspada 2012). As this invited reciprocal response from the Bosniak and civic parties, the space was reduced for themes that focused not on the violent past or future fantasies, but on the present-day livelihoods.

Indeed, the discursive space of post-Dayton BiH is inundated with contestation over the meaning of BiH and Republika Srpska and conflicting narratives about the character of the Bosnian War. These discourses branch out into numerous conflicting story lines about individual events, political personalities, and the role of international actors and organizations. They also open up to renewed flirtation with unachieved wartime aims. Some of the major structures of this contention are outlined in the two tables below (Tables 1 and 2).

How, then, have the Bosnians from different sides of the wartime divides managed to peacefully interact for over two decades, sharing workplaces, developing friendship, and forming other social and economic ties? Indeed, the lived experiences speak of the relations quite different than the nationalist imaginaries and large-scale depictions of the menacing collective other. This tension has been addressed with differentiation between ethnic nations as a collective imaginary and their individual members. While many Serbs think of the Bosniak politics in terms of an existential threat and vice versa, this does not stop individual Bosniaks or Serbs to be commendable people of virtuous character. In everyday exchange, Bosnians have coped with the apparent contradiction by avoiding the divisive topics, adding humor to wartime memories, and framing the divisions as a product of self-interested politicians or outside agitators who had set ordinary people at odds. Dodik himself has occasionally echoed these frames by calling Bosniaks good people victimized by their own leaders and national politics (Dodik Bez dijaloza BiH je neodrziva 2017).

Indeed, this discursive compensation has created ruptures in the wartime divides, stabilizing daily interactions and creating cooperation necessary for the functioning of common institutions. BiH seems to have made strides from the time when Biljana Plavsic depicted the Bosnian Muslims as genetically inferior. Yet, at the same time, the elections are won by politicians who most effectively mobilize the emotional legacy of that time and offer promises that would unravel the existing order. Despite



**Table 1** Narratives about character of the Bosnian War

Topic	Frames by Bosniak and civic parties	Frames by major Serb parties
General description of the war	External aggression by Serbia and Montenegro to ethically partition a democratic and civic sovereign Bosnian state, aided by collaborating Serb nationalists from within BiH. The project was to create “greater Serbia” in which non-Serbs would be second-rate citizens	Classic civil war between historically incompatible ethnic groups whom the international community attempted to force within a single state. Serbs were defending themselves from attempt by Muslims to create an Islamic republic
Srebrenica massacre	Genocide, evidence that Republika Srpska is a genocidal creation	Atrocities happened, but not genocide. Revenge attack for previous atrocities against Serbs. Numbers grossly exaggerated and events fabricated in order to demonize Serbs
Roles of Radovan Karadzic and Ratko Mladic	Despised war criminals directly responsible for genocide, ethnic cleansing, and loss of tens of thousands of innocent lives	Defenders of Serb nation unjustly accused by the enemies. Mladic is seen as hero general. Karadzic is seen as hero leader by some, but a corrupt politician by others
Siege of Sarajevo	Urbicide by a savage Serb army that killed thousands of innocent Sarajevans and destroyed much of the cosmopolitan city	Not even a siege. Serbs only defended their neighborhoods and suburbs. The destruction and casualties grossly exaggerated. Some massacres committed by Bosniaks against their own people in order to blame Serbs
Presence of Islamist fighters	Islamist fighters brought foreign, non-Bosniak traditions but were accepted as assistance in stopping the genocide. There were only a few hundreds of them, and they had no impact on the character of the war	Proof of religious character of the War. Serbs were fighting against the jihadists, just as Israel and Western powers had been doing in the Middle East. Thousands of fighters came, with full blessings of Bosniak leaders
Role of the Hague Tribunal	Made necessary verdicts that helped discover truth about the war. Yet, politics corrupted the court. Sentences were too lenient, especially on officials from Serbia. The charge of genocide should have applied to more places than only to Srebrenica	Political court set up by Western powers to demonize Serbs. Crimes against Serbs left unpunished. Court promoted new divisions, rather than reconciliation

the ruptures, the war aims continue to command mobilizational power. In the current configuration of political opportunities and constraints, this is mobilization to the ballot boxes. Should new configuration arise, armed mobilization remains a real possibility. Rather than peace, perhaps a more accurate depiction of this predicament may be nonwar.



**Table 2** The current predicament and actions to be taken

Topic	Frames by Bosniak and civic parties	Frames by major Serb parties
Bosnia-Herzegovina as created in the Dayton peace accords	Internal divisions into entities cemented ethnic cleansing. Yet, the state is accepted and embraced as another instantiation of a thousand-year-old continuity of Bosnia, this time with independence and international subjectivity	Serbs do not desire any form of Bosnia. Yet, the Dayton Accords recognized Republika Srpska as an entity without which no decisions could be made. Bosnia is nothing else than a union of its entities. As such, it is acceptable as a compromise solution
What is BiH?	Dear homeland with a long and rich heritage. All its ethnic groups are also at the same time Bosnians, with their common way of life. BiH has historically exemplified coexistence and tolerance between different ethnicities and religions, but Serbia and Croatia have stirred chaos in order to divide it among themselves	BiH is an artificial creation, while its three ethnic communities are national. As such, it is doomed to dysfunction and eventual collapse along ethnic lines. Serbs are forced into the framework of BiH against their national will
What is Republika Srpska?	Despised genocidal creation. In contrast to the long and rich history of BiH, Republika Srpska created in the 1990s through ethnic cleansing of non-Serbs	Dear homeland. Expression of the will of the Serb people who created it to defend themselves. Republika Srpska assures survival of Serbs within a threatening environment
Description of the "other"	Serb politics are aggressive and barbarous, desiring to establish domination against non-Serbs. This has historical roots, as seen in both the Bosnian War and Cetnik atrocities against Muslims during World War II	Bosniak politics aim to impose an Islamic way of life and relegate Serbs to second-rate citizens. This has deep historical roots, as seen in the treatment of Christians during the Ottoman rule
Institutions formed by high representative	The Dayton accords provide a legal basis for the Office of High Representative. All decisions and institutions made by high representatives are binding	High representatives have been abusing their powers. The institutions they created are illegitimate, and BiH should revert only to those explicitly provided at Dayton. The Court of BiH and the BiH Prosecutor's Office have been particularly anti-Serb, and as such RS is under no obligation to obey them
Referendum as a political instrument	BiH is a state, and any referendum affecting the whole country could only occur at the level of BiH. Entities have no right to secession	Referendums demonstrate "will of the people." BiH is not a single nation but a union of three ethnic nations. Therefore, Serbs will 1 day exercise their national right to self-determination by means of an independence referendum in Republika Srpska

*(continued)*

**Table 2** (continued)

Topic	Frames by Bosniak and civic parties	Frames by major Serb parties
Desired scenario	BiH without entities	Independent Republika Srpska
Possibility of a new war	Attempt at secession of RS would lead to bloodshed. Bosnian integrity will be defended. The idea of RS independence is warmongering	BiH will fall apart naturally, and separation will happen peacefully. Bosniaks desire to destroy RS, but RS has capacities to defend itself

## Conclusion

The previous pages have offered a path toward advancing our understanding of the relationship between ethnic nationalism and violence by outlining a discursive-affective analytical framework and applying it to the Bosnian case. The discussion has departed from recognition that discourses produce subjectivities, emotional predispositions, and behavioral imperatives. It has brought together historical, cultural, and contingent situational factors and traced the interaction of both structure and agency. The case was made that violence happens not as some automatic consequence of objective conditions, but with the emergence of dominant modes of understandings that see ethnicity as a primary axis of identification and violence as a permissible instrument for dealing with the threatening other.

The chapter has also argued that once these understandings are in place, they do not produce murderous masses. Rather, they desensitize ethnic majorities to the suffering of the perceived other, creating conditions in which small minorities commit ethnically framed crimes with impunity. In one such condition, a survivor of one of the massacres against Bosniaks in the Prijedor area interviewed for this chapter lost a father. As he recalled, one person from the armed unit that entered his village was committing murders, another one seemed indifferent, while the face of the third was red in shame (Music 2018). It was not an enduring historical condition that drove one to murder, another one to stand by unconcerned, and the dissenter to remain silent. Rather, the condition emerged with evolution of sensibilities, itself driven by a radical change in the dominant portrayals of the other from “good neighbors” to the genetically malformed race. Indeed, the Bosnian case teaches us that talking is doing.

## Cross-References

- ▶ [Ethno-nationalism and Political Conflict in Bosnia \(Europe\)](#)
- ▶ [Ethno-Cultural Symbolism and Group Identity](#)
- ▶ [Ethno-nationalism and Political Conflict in Bosnia \(Europe\)](#)
- ▶ [Historical Memory and Ethnic Myths](#)

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## Abstract

Militias of various kinds, such as pro-government militias, paramilitaries, vigilantes, death squads, and civil defense forces, are common features of many civil conflicts around the world. They are also prevalent in “ethnic conflicts.” Ethnic mobilization into militias, where recruitment into such armed groups takes place across ethnic divides, constitutes an important facet of many ethnic conflicts. From Serbian pro-state militia forces during the breakup of Yugoslavia, to the “Arab” Janjaweed fighters in Sudan, to Pashtun Achekvai militias in Afghanistan, and to Kurdish Village Guards in Turkey, pro-government militias mobilized and recruited along ethnic lines are common. This chapter provides an overview of some of the literature on militias in ethnic conflict. It highlights and draws distinctions between specific conceptualizations and categories of militia forces, such as “ethnic militias” and “ethnic pro-government militias” as well as sub-categories of the latter, such as “ethnic defectors” and “rival militias.” It highlights some common approaches to theorizing the mobilization of ethnic militias. It then covers some empirical research into their impact on conflict dynamics.

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A. Thomson (✉)  
Queens University of Belfast, Belfast, UK  
e-mail: [a.f.thomson@qub.ac.uk](mailto:a.f.thomson@qub.ac.uk)

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**Introduction**

Until relatively recently most studies on civil wars have focused on governments and insurgent groups, largely leaving out analysis of extra-dyadic actors such as pro-government militias, civil militias, vigilante forces, and paramilitary groups (Ferguson 2017; Carey et al. 2013). In a similar fashion, most empirical studies have tended to conceptualize “ethnic conflict” in relation to the ethnic characteristics of warring parties such as the government or rebel forces (Cederman et al. 2013). For example, Wucherpfennig and colleagues (2012) identify conflicts as “ethnic” based on ethnic cleavages and insurgent recruitment from ethnic groups vis-à-vis the government. Wimmer et al. (2009) also theorize the relationship between ethnicity and violent conflict with reference to ethnically exclusionary politics and ethno-political configurations of power between those ethnic groups in control of the incumbent government and the mobilization of excluded groups into insurgent factions. Moreover, many studies have analyzed how the ethnic composition of both states and insurgent groups affects dynamics such as recruitment, intensity of violence, and the duration of conflict (Eck 2009; Montalvo and Reynal-Querol 2005; Wucherpfennig et al. 2012). Until recently, less attention has been paid to the role of militias, pro-state armed forces, and similar vigilante groups in ethnic disputes.

However, ethnic nationalism, the politicization and polarization of identities, and ethnic mobilization have contributed to the emergence of armed militia groups within many conflicts. Ethnic militias and ethnic pro-government militias have arisen as extra-dyadic or third actors in many civil wars around the world. Such actors have taken on various roles or functions such as counterinsurgent forces, protecting ethnic minorities, community policing, defending the interests of ethnic groups and/or political parties, among others. From Serbian pro-state militia forces during the breakup of Yugoslavia, “Arab” Janjaweed and Murahaleen fighters in Sudan, Pashtun Achekvai militias in Afghanistan, Kurdish Peshmerga in Iraq, Mende Kamajor civilian defense forces in Sierra Leone, to Rwandan Hutu Interahamwe militias, ethnic militias and ethnic pro-government militias are a common feature of civil conflicts. In addition, according to Raleigh (2016) and Francis (2005), within civil conflicts across Africa, such actors have become increasingly prevalent and violent phenomena over the last few decades.

This chapter understands “ethnic conflict” as civil war characterized by the ethnic composition of warring parties and the extent to which those warring parties’ objectives represent ethnic group interests. In so doing, this chapter largely avoids debates over whether or not (and how) ethnicity is linked to civil war onset as well central debates on whether or not “ethnic conflict” is an appropriate description of certain intrastate wars (e.g., Eck 2009; Kaufmann 1996; Gilley 2004). It focuses primarily on political violence in civil war rather than low-intensity forms

of inter-ethnic violence in which militias might play a role, such as in riots or violence and intimidation during elections. This chapter reviews some of the existing research into militias in ethnic conflict. It highlights specific conceptualizations and categories of militia forces, such as “ethnic militias” and “ethnic pro-government militias.” It further points to subcategories of the latter that recent scholarship has identified, such as “ethnic defectors” and “rival militias.” It starts by examining militia forces more generally or those not necessarily affiliated with one or more ethnic groupings. It very briefly highlights some prominent theories of the mobilization of militias. It then turns to the ethnic composition and mobilization of militia forces. Looking more in-depth at a few examples of “ethnic militias” and “ethnic pro-government militias” helps describe these types of ethnic militia actors, their relation to the state and insurgents, and their activities within ethnic conflict. In other words, this chapter will cover what ethnic militias are, some different types of militias, why they emerge, and what they do. It then moves on to some of the theorized effects of the presence of such actors in ethnic conflicts. Finally, it identifies some areas for future research in the conclusion.

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## Militias and Pro-government Militias

There has been a plethora of terms used for a vast array of militia-type actors, including “civil militia,” “vigilantes,” “paramilitaries,” “civil defense forces,” “death squads,” and “irregular forces,” among many others, both inside and outside of civil war. Most terms correspond to very specific types of actors, and definitions emphasize differences in the roles they undertake, their recruitment base, modes of organization, targets, and their relationship to the state and relations with insurgents. Circumnavigating the wide variety of actors and associated terms can also be difficult because the contexts in which these forces operate, and therefore some of their fundamental features, vary significantly (Raleigh 2016; Schuberth 2015; Mazzei 2009; Campbell 2002). In addition, the “politics of naming” has obstructed agreement over different categories and their definitions. The term “warlord,” for example, conjures negative connotations (MacKinlay 2000).

Many authors have settled on the term “civil militias” to encapsulate a variety of non-state armed organizations in civil wars with a diverse range of functions, activities, and objectives (Francis 2005; Bertrand 2004; Tar 2005; Raleigh 2016). Civil militias may have various possible relationships with the state and corresponding activities, ranging from waging insurgency or a separatist movement against the state, to conducting vigilante community defense, to operating as predatory criminal enterprises, to reinforcing state counterinsurgent efforts. However, a large body of recent research has concentrated more specifically on “pro-government militias” (PGMs). In their introduction of the first comprehensive database on such actors, Carey et al. (2013) defined PGMs as organized armed groups with some level of organization that are aligned with the incumbent government or subregional government institutions, but not identified as being part of the “official” armed

forces. PGMs are distinct from civil militias in that the PGMs are specifically pro-state or pro-government actors and usually anti-insurgent in nature. Yet, a review of the PGM database reveals that PGM is also a heterogeneous category. For example, civilian defense forces, death squads, and paramilitaries often differ in whether they have a direct (semi-official) or an indirect (unofficial) relationship with the state, the strength of that relationship, their area of operation, their targets, and operational parameters (see Carey and Mitchell 2017; Carey et al. 2013; Böhmelt and Clayton 2018; Clayton and Thomson 2016).

Many studies have linked the emergence of both civil militias and PGMs in civil wars to state weakness. For instance, many analysts place weak state control or governance as a necessary precondition for the emergence of civil militias (Francis 2005; Meagher 2012; Allen 1999). In the absence of strong state institutions, militia forces fill in the gaps serving as local vigilante security forces, counterinsurgents, or armed groups in defense of local interests and often operate as opportunistic predators conducting extortionate roadblocks or looting local resources. Similarly, others argue that governments often have little choice in delegating violence to PGMs where government presence is limited and where PGM forces offer a cheaper, more readily available fighting force compared to the official armed forces. The state weakness thesis, however, falls short in explaining the emergence of militias and PGMs in the context of strong states, among other areas. Often juxtaposed against this explanation of what states *cannot* do are approaches that emphasize what the state *won't* do. Many scholars posit that states mobilize or support PGMs, and death squad actors in particular, as a plausibly deniable mechanism to disavow responsibility for targeting civilians or other “dirty war” tactics (Campbell 2002; Carey et al. 2015). Both these sets of explanations reside on a state-militia relational perspective.

Others have provided more long-term structural explanations for the emergence of militia forces. Ahram (2011), for example, has traced militia actors to the historical development of states and military institutions. In a similar fashion, Mason and Krane (1989) adopt a political economy approach, linking death squad actors and repressive tendencies to broader global and local political-economic trends. Other authors understand PGMs as emerging within the contexts of capitalist expansion and development, connecting these actors to large business interests (Sprague-Silgado 2018; Hristov 2014; Sprague 2012; Lasslett 2014). Hristov (2009, 2014), for example, analyzes the emergence and role of paramilitary groups in Colombia within systems of violent capital accumulation.

Finally, some commentators argue in favor of actor-centric explanations emphasizing the autonomous mobilization of militia forces and their interaction with insurgent groups. For example, many have examined how local communities and/or powerful leaders mobilize armed organizations for opportunistic and predatory reasons, such as “warlords,” and often develop local vigilante governance structures in pursuit of power and legitimacy (e.g., Reno 1998; Hills 1997; Jackson 2003; MacKinlay 2000). Others, such as Barter (2013) and Fumerton and Remijnse (2004), focus on local or community mobilization of civilian self-defense militias (a type of PGM) in response to insurgent violence. Communities faced with violent rebel groups may organize themselves for the protection of their own villages or



towns. For example, in Peru some towns mobilized *Comites de Autodefensa* to protect themselves from predatory attacks by the Sendero Luminoso insurgency. Similarly, in Banda Aceh, in Indonesia, many ethnic minority enclaves formed militia groups in response to separatist insurgent forces. In these cases, both “warlord” mobilization and community formation of civilian defense forces and militia organizations formed from the “bottom-up,” rather than in “top-down” state-led initiatives.

This very brief overview of some prominent theories explaining the rise of militias and PGMs has not yet included, more specifically, why militias often recruit along ethnic lines nor on how militias operate in the context of ethnic conflict. While the politicization of ethnic divisions or identity-based grievances is often a device used for militia mobilization (see below), this occurs within broader complex and shifting ideological, political, and economic contexts. The above contexts and factors may play a significant role in the emergence of militia groups, regardless of whether such forces were recruited along ethnic divisions or not.

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## Ethnicity, Ethnic Conflict, and Militias

How the saliency of ethnicity and ethnic mobilization aid in the formation of militias and pro-government militias specifically (rather than insurgents) has been explored in various contexts. For instance, the literature on ethnic conflict has sought to provide better understandings of ethnic mobilization into armed groups more generally, which does offer significant insight into the emergence of ethnic militias and PGMs. Ethnicity and other shared forms of identity have provided the basis for recruitment into armed organizations. Ethnicity has often formed a powerful marker of identification between in-groups and out-groups, and, under certain circumstances, ethnic politicization can lead to polarization (Sambanis and Shayo 2013; Horowitz 1985). Within emerging inter-ethnic security dilemmas, armed group mobilization across ethnic divisions can accelerate (Rose 2000; Posen 1993). In incipient conflict, ethnicity can provide a stronger or more powerful basis for recruitment into armed organizations than others, such as ideology (Eck 2009; Cederman et al. 2010, 2013). Recruitment along ethnic lines helps to overcome collective action problems, lowers potential coordination costs, and can help more easily identify common interests or goals (Eck 2009). Insurgents and militias alike often use identity-based cleavages or politicize ethnicity for recruitment, tactical, and political purposes. While much research on ethnic mobilization into armed groups has focused primarily on insurgents, many scholars point to how this applies to recruitment into militia forces as much as it does to anti-state rebels (e.g., Magid and Schon 2018; Alden et al. 2011; Ikelegbe 2005).

Some analysts have referred to “ethnic militia” (sometimes “community militias”) to identify civil militia forces mobilized along ethnic lines and that uphold specific ethnic group goals in ethno-political struggles. Ethnic militia are irregular or non-state armed actors composed of primarily one ethnic grouping that defend the security and interests of their kin against multiple competing ethnic factions in the

context of weak, factionalized, or indifferent state representation (Guichaoua 2010; Agbu 2004). In other words, ethnic militias recruit exclusively from within a single ethnic group, are comprised of members from certain villages or areas, provide security for their co-ethnics, and contend for power and resources among other competing ethnic groups. Such groups are often compared to “warlords” or local power brokers who exert a modicum of control over territory, people, and/or resources (e.g., Reno 1998; Hills 1997). These militias usually provide vigilante policing functions and alternative government structures either within their own ethnic enclaves or externally to protect their interests against rival criminal bands. Crucially, in this conception, ethnic militias are not necessarily identified as pro-state or anti-state but instead often have a contentious relationship to the state in the pursuit of ethnic group objectives (Ikelegbe 2005).

The term “ethnic militia” is usually, but not exclusively, used to refer to militia factions in countries in Africa experiencing ethnic fractionalization and polarization. Guichaoua (2010), for example, argues that such groups are “idiosyncratic” to some countries across Africa and constitute “hybrid creatures made of culturally-based reformist insurgencies, armed wings of political parties, but also. . .extra-legal governance agencies.” One example includes the Oduduwa People’s Congress (OPC) in Nigeria, a Yoruba nationalist association that emerged within the context of weak state presence and spiraling intergroup struggles for political domination, resources, and representation (Guichaoua 2010; Ikelegbe 2005; Agbu 2004; Akinyele 2001). Similar organizations in Nigeria include Ijaw Youth Council or the Arewa People’s Council. The OPC constituted an ethnic movement at the forefront of the Nigerian ethno-political landscape representing Yoruba peoples in the southwest of the country, claiming a huge membership of 4.2 million people with various factions and youth wings (Ikelegbe 2005). From its beginnings in the 1990s, it has had a nationalist orientation and militant approach in the promotion of Yoruba collective interests, intragroup policing, defense against other ethnic group militants, and in its assertion of Yoruba rights. Its militarized wing has primarily been involved in clashes and retaliatory actions with other ethnic militias or groups in the defense or advancement of Yoruba interests. However, the OPC also had nationalist goals of self-determination, leading to violent conflict with the Nigerian government, which has only just stopped short of insurgency. The Nigerian government, in turn, has outlawed the group. Thus, the OPC, as an “ethnic militia,” has had multiple functions in the representation of Yoruba ethnic minorities in fractionalized and polarized ethno-politic struggles in Nigeria. Its status as a “militia” refers to its militant characteristics and autonomous nature whereupon it has not necessarily been identified as strictly anti-state or pro-state.

In contrast to research into ethnic militias, with its broad focus on various ethnically mobilized armed formations including insurgent separatist groups, recent empirically oriented scholarship has begun to examine the ethnic composition and ties of pro-government militias (PGMs). Magid and Schon (2018) have recently coded PGM databases according to PGM ethnic composition and their relations to the state and insurgent factions. Carey et al.’s (2013) PGM database also codes for “ethnic” membership, identifying 95 PGM groups with an identity-based recruitment platform. An ethnic PGM can be defined as a non-state armed group

that is pro-government in some fashion, but that is not identified as a part of the official armed forces, and is recruited along ethnic lines in order to uphold ethnic goals. Ethnic PGMs recruit exclusively from a single ethnic group or from a collection of ethnic groups that have some shared identity. Recruiting from specific ethnic groupings into pro-state militia forces is common across the world. For example, the Uzbek Junbesh-e-Milli in Afghanistan is composed almost entirely of recruits from the Uzbek community. Ethnic PGMs often include recruits from transnational ethnic diaspora or ethnic kin from neighboring states. They can also link with armed factions from other countries. For instance, the Army for the Liberation of Rwanda often crosses the border into the DRC in cooperation with fellow Hutu Congolese. Ethnic PGMs uphold certain ethnic goals or objectives. These objectives vary across groups but might include defending ethnic group access to resources, maintaining a dominant position in a political or economic hierarchy, or defending certain sections of the civilian population.

Building on existing literature, empirical research on ethnic pro-state militias tend to divide ethnic PGMs into “defector PGMs” and “rival PGMs.” This provides a theoretically informed categorization of ethnic PGMs. These categories based on PGMs’ relationship to both the state and insurgent groups with respect to ethnic mobilization and ethnic bonds form the basis for theorizing some of the effects of particular types of ethnic PGM in civil war. After briefly outlining these distinct sets of ethnic PGM, this chapter then touches on some of the short-term and long-term effects on conflict dynamics that these types of ethnic PGMs can have.

## **Defector PGMs**

Defector PGMs “share an ethnic tie with the anti-government local population” (Magid and Schon 2018). They are composed of defected individuals from an excluded or anti-government ethnic civilian population or from an ethnic insurgent group. According to Kalyvas (2008, 1045), ethnic defection is a process whereby individuals or groups turn against their co-ethnic insurgent population that ostensibly represent the interests of their ethnic group and end up fighting alongside the government against their own ethnic kin. In essence, ethnic defectors “switch sides” against their own ethnic cohort to collaborate with the government, usually in a counterinsurgent role. This helps to demonstrate that ethnic allegiances, and in some cases identities, are not primordial or static but can change during the course of conflict (see Kalyvas 2008).

Ethnic defectors may have multiple incentives to collaborate with the government against their ethnic brethren. This can include gaining patronage and access to resources, aligning with a more powerful group or “winning side,” or to gain security from insurgent groups that prey on civilian populations. The process of ethnic defection can occur from the “top-down” whereby the state encourages defection into anti-insurgent militias. The mobilization or co-optation of ethnic defectors is a common counterinsurgency strategy designed to use the local knowledge, language and cultural skills, and ethnic ties in order to overcome the “identification problem”

(Kalyvas 2008; Lyall 2010; Staniland 2012). States seek to gain tactical advantages by promoting ethnic defection to further their counterinsurgent cause. For example, the Russian military actively encouraged defection of Chechen rebels and civilians from Chechen communities into counterinsurgent paramilitary forces known as *Kadyrovsky* in order to identify, denounce, arrest, or issue threats against those who had joined or supported Chechen rebel groups (Lyall 2010; Staniland 2012). On other occasions this process can occur from the “bottom-up” whereby segments of a community, ethnic faction, or tribal group defect autonomously from an insurgency, often in response to security concerns or unfavorable power relations, which governments then later support (e.g., Barter 2013). For example, the Sunni Awakening in Iraq involved a series of Sunni tribal groups’ defection due to rifts with foreign elements of the anti-occupation insurgency and Al-Qaeda. Once defection caught momentum, the US Army capitalized to create a “Sons of Iraq” militia program (Clayton and Thomson 2014). In these cases, ethnic or other identity-based affiliations facilitated defection through kinship networks such as tribes or clan-based shifting of allegiances.

One prominent example of such ethnic defector PGMs includes the Kurdish Village Guards and their collaboration with the Turkish government against the Kurdish ethno-nationalist insurgent PKK (Kurdish Worker’s Party). The Turkish government systematically encouraged Kurdish civilian collaboration, often by appealing to labels such as “loyal Kurds” as an identity, and established a Kurdish village guard militia system in 1985 to “defend” their communities from the Kurdish PKK (Belge 2011; Gurcan 2015; Biberman 2018). The Turkish government provided salaries, weapons, and other materials to willing conscripts. Rather than individual applicants, however, recruitment usually occurred through informal deals between state authorities and clan leaders, enticed by higher-than-average salaries and joining a stronger side (see Belge 2011). The Turkish government and armed forces aimed at utilizing ethnic defectors’ local knowledge to identify PKK insurgent members living in or around their communities. The Turkish government also used ethnic defection as a method to tie the Kurdish identity to the Turkish state, thereby limiting the PKK’s appeal to the Kurdish identity as a platform for ethno-nationalist mobilization or recruitment into the PKK. Other examples of ethnic defector militias include Kashmiri Muslim fighters joining the Indian armed forces in their campaign to control and suppress Muslim separatists in Kashmir. Another example includes how French colonial authorities managed to garner loyalty of Muslim Algerians, organized into Harkis militias, to fight on their side against an anti-colonial ethno-nationalist FLN (*Front de Liberation Nationale*) which appealed to a native Muslim Algerian ethnic identity against non-Muslims as the basis of its insurgency.

## Rival PGMs

Rival PGMs, on the other hand, constitute ethnic PGMs that defend governments dominated by certain ethnic group(s) against other rival ethnic groups. Rival PGMs

are usually comprised of individuals or groups that hail from the same or similar ethnic grouping as the government. They are usually co-ethnics with those in power. They also operate in the context of ethno-political power imbalances in aiding the incumbent government to preserve ethnically exclusionary power where one or more ethnic groups dominate the government. As part of a broader strategy and “logic of ethno-political exclusion” (Cederman et al. 2013; Wucherpfennig et al. 2012; Roessler 2011), ruling factions often turn to loyal co-ethnic militia forces to defend their dominant positions or to provide for “coup-proofing.” Similarly, ethnically based political parties often turn to tribal leaders or “big men” (possibly “warlords”) from their own or similar ethnic groupings as a way to mobilize support for the regime and to defend against other rival ethnic groups, ultimately to ensure their group’s grip on power and mitigate power challenges (see Roessler 2011). Alternatively, in the context of the presence of multiple warring ethnic groups, rival PGMs can be members of ethnic groups that simply share similar goals to that of the government. The process of ethnic mobilization into rival PGMs can be a “top-down” state-led initiative whereby states seek to exploit existing divisions and co-opt certain ethnic factions that are loyal to the state, or a “bottom-up” process in response to inter-ethnic security dilemma, or some combination of both. Rival PGMs, and especially those that share ethnicity or ethnic grouping with the government, often have incentives to defend the government and these ethno-political imbalances as they benefit in the associated power, prestige, and spoils of the remaining loyal to the regime. Systems of patronage and other benefits help solidify rival PGM commitment to defending the government and favorable configurations of ethno-political power.

One example of rival PGM mobilization includes how the “Arab”-dominated Sudanese government in the north of the country relied on a variety of rival PGMs in its overlapping counterinsurgency campaigns against “African” ethnic insurgents. Examples include the Popular People’s Front and Murahaleen, which fought against the Sudan People’s Liberation Army/Movement (SPLA/M) during the second Sudanese civil war (1983–2005), as well as the Janjaweed which combatted the Sudan Liberation Movement (SLA) and Justice and Equality Movement (JEM) in the Darfur conflict (2003–2011). After the 1989 coup that brought the National Islamic Front party to power, the government leveraged Arab-Muslim militias by appealing to common Arab-Muslim identity among “Arab” peoples primarily in the northern half of Sudan, such as the Baggara, as well as via Islamist political and popular mobilization platforms (e.g., Jihad) (Idris 2005). Many rival militias mobilized autonomously in response to perceived threats to their ethnic group and access to resources and to defend their status as an in-group within an “Arab”-dominated state. “Arab” militias such as the Murahaleen and Popular Defense Forces in the second Sudanese civil war and the Janjaweed in Darfur became militia forces fighting on behalf of the “Arab”-dominated government of Sudan and simultaneously defending their own ethnic groups’ interests (Tar 2005). They operated along exclusionary ethnic lines, violently attacking “African” civilians and those believed to be sympathetic to the insurgent SPLA/M causes, and participated in the displacement of opposing groups as well as engaged in looting, slave driving, and burning down entire villages.

The Sudanese government supported these co-ethnic rival PGMs for a variety of reasons. State weakness in hard-to-reach contested areas was significant (Tar 2005). In order to protect the interests and security of co-ethnic “Arab” tribes and to counter the advances of “African” insurgent groups, the government of Sudan has long supported Arab tribal militias in order to extend influence into rural areas and the contested boundaries between the northern and southern territories of the country. For example, the government supported Murahaleen incursions into Dinka-held territory in order to maintain or advance control of remote regions of Sudan and to jockey for access to resources (Johnson 2003, 44–49, 83). Another major rationale for creating and/or supporting rival PGMs was that the Sudanese Armed Forces were composed of conscripts from a variety of ethnic groups and tribal affiliations who were often reluctant to commit violence against their perceived ethnic kin in the insurgent southern regions (Idris 2005, 88; Tar 2005, 150). Rival PGMs that comprised of groups co-ethnic to the government were seen as more loyal to the state and more willing to exercise violence on its behalf than the official military armed forces.

Other examples of rival PGMs include the Filipino government support for various Christian militias, such as the Ilagas, to fight against Muslim separatist insurgent groups in Mindanao in the 1970s. More recently, in the early 2000s, with the Ivory Coast (Côte d’Ivoire) divided between an insurgent Muslim majority in the north and a government led by majority Christians in the south, “death squad” style actors mobilized among the President Laurent Gbagbo’s ethnic Bede (sometimes “Bete”) group targeted Muslim northerners and other minority ethnic groups deemed a threat to Bede (or Christian) rule. In addition, in Syria, the Assad regime has deployed co-ethnic Alawite militias to protect the regime against growing civil unrest and opposition to the state.

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## Ethnic PGMs and Their Effects on Conflict Dynamics

While recent research has made significant headway in understanding ethnic mobilization into militias and their roles in ethnic conflicts, much less has yet investigated the effects of ethnic militias and PGMs on conflict dynamics. Researchers have sought to investigate how militias and PGMs more generally, or those not necessarily mobilized along ethnic lines, affect conflict dynamics such as the intensity of violence, targets, and types of violence. For example, some have argued that PGMs that are unofficially or informally linked to the state tend to exhibit higher levels of violence against civilians (Carey et al. 2015; Mitchell et al. 2014; Ferguson 2017). This research has so far largely excluded how ethnicity or ethnic relationships impact these dynamics. On the other hand, research into ethnic conflicts tends to focus on how ethnic mobilization affects the onset of conflict (Cederman and Girardin 2007; Montalvo and Reynal-Querol 2010; Cederman et al. 2010). Select few have begun to focus on how ethnic mobilization affects dynamics of violence. For example, Eck (2009) argued that the ethnic mobilization of warring parties can lead to quicker escalation and more intense fighting than non-ethnically based

mobilization. Fewer studies have addressed how the ethnic makeup of militia forces influences such processes in conflict. It is worth keeping in mind, though, that the contexts in which militias operate are influenced by a variety of shifting political, economic, and ideological factors. It is difficult to isolate exactly how ethnicity, ethnic recruitment, or ethnic relationships play a role in militia violence outside of a broader understanding of the complex conditions in which they are operating. However, among the few studies that do exist in this area point to the potential powerful effects that ethnic mobilization into both defector PGMs and rival PGMs might have, but more research is needed.

Defector PGMs, for example, can offer states certain tactical advantages in counterinsurgency settings, affecting government targeting of its enemies and civilians. States often harness ethnic defection in efforts to undermine insurgencies by making use of the defectors' knowledge of the local people and terrain, their language, and their extended ethnic ties in order to more effectively overcome the "identification problem" (Staniland 2012; Lyall 2010). Since ethnic defectors hail from insurgent populations, they are privy to and can tap into local information better than state forces (who are not co-ethnic to the insurgent population). This is particularly the case when defectors are turned insurgents. Lyall (2010), for example, highlighted how Chechen defector PGMs, *Kadyrovsky*, many of which had previously operated for the insurgency, provided Russian counterinsurgents distinct advantages in identifying and locating Chechen rebels. Harnessing ethnic defection can aid in reducing the propensity for state indiscriminate or collective ethnic targeting, which is more likely where the government is unable to identify who the insurgents are (Kalyvas 2006; Fjelde and Hultman 2014). Defector PGMs can therefore help improve the selectivity of state violence and thereby facilitate lower collective ethnic civilian targeting. Some studies have argued that harnessing defector PGMs has aided in the reduction of state violence against civilians and certain ethnic groups in this manner and/or can help improve state capacities, especially in occasions of mass defection (Peic 2014). For example, the US military use of turned Sunni insurgents in the Sons of Iraq militia program had an effect on the US military ability to identify and target insurgents as well as drive a wedge between the insurgents and local civilian populations in Anbar province (Clayton and Thomson 2014, 2016). In addition to this, militia forces themselves recruited from the same ethnic group as the insurgents or excluded minority populations might be less apt to indiscriminately target co-ethnic civilians. Defector PGMs are not likely to challenge their own ethnic kin with extreme violence (Stanton 2015).

However, insurgents may respond to ethnic defectors with force, prompting intra-ethnic violence and insurgent civilian targeting. The mobilization of a PGM force from ethnic populations that are traditionally associated with or supportive of insurgents threatens insurgents in a number of ways. The formation of defector PGMs can undermine intra-ethnic cohesion, challenge the "legitimacy" of ethnically mobilized insurgents as the main representative of excluded ethnic groups, threaten insurgent access to a co-ethnic recruitment pool, and help undermine support for the insurgents among local populations (Lyall 2010; Souleimanov et al. 2018). Insurgents therefore often seek to deter defection, to punish those that have defected,



and to re-establish their control and dominance within their own ethnic enclaves (Kalyvas 1999; Staniland 2012; Lyall 2010). Where ethnic defection takes place, insurgents often target their own ethnic brethren for their “betrayal” against their groups’ objectives. For example, Lilja and Hultman (2011) observed that insurgent intra-ethnic violence and violence against co-ethnic civilian groups in Sri Lanka were often associated with targeting defectors. The emergence of Tamil militia forces such as the Eelam People’s Democratic Party and other “citizen volunteer forces” among the Tamil population represented a challenge to the insurgent groups’ (such as Liberation Tigers of Tamil Eelam LTTE) control over the co-ethnic (i.e., Tamil) civilian population, prompting insurgent retaliation against them and civilian groups that supported the defector PGMs.

This set of dynamics of insurgent reactions can apply to both ethnic mobilization of defector PGMs and the non-ethnic defection of civilian groups or insurgent factions against an insurgency. For example, Clayton and Thomson (2016) show that insurgents often react violently to such challenges among civilian populations and the formation of anti-insurgent civilian defense forces (see also Kalyvas 1999). Further research might better and more systematically address how the saliency of ethnicity and strength of ethnic bonds could either reinforce insurgent violent punishment of ethnic defection or weaken it (see Kalyvas 2008; Souleimanov et al. 2018). For instance, as suggested above, insurgents may not want to violently clash with their co-ethnics and seek different mechanisms to avoid defection (Stanton 2015). Indeed, Lyall (2010) demonstrates that ethnic ties between insurgents and defectors actually helped produce lower levels of insurgent violence overall in Chechnya. This finding is at odds with those looking at similar dynamics in non-ethnic conflict settings, a difference that the ethnic dimension might help to explain (e.g., Clayton and Thomson 2016). Other research has shown that ethnic defection can carry with it more significant implications for those “defecting.” For example, the PKK labeled Kurdish Village Guard members in Turkey as “traitors” to Kurdish nationalism for their cooperation with Turkish counterinsurgency efforts and they were subsequently reluctant to publicly identify as members of the Village Guard (Gurcan 2015; Belge 2011). More research is needed to explore exactly how ethnicity plays a role in these dynamics.

Rival PGMs, on the other hand, tend to be associated with higher levels of violence and higher levels of indiscriminate civilian targeting and human rights violations. For example, Magid and Schon (2018) find that, in countries in Africa at least, rival ethnic militias that are highly committed to the defense of a particular regime tend to exhibit higher levels of civilian abuse than other types of ethnically mobilized PGMs. There are many reasons why rival PGMs might be more apt to target civilians. Firstly, in distinction to defector PGMs, since rival PGMs are not from the same ethnic group(s) or communities as insurgent forces, rival PGMs do not possess intimate knowledge of their “enemies.” This can lead to higher chances of indiscriminate targeting of civilians by both state patrons and the PGM itself (Kalyvas 2006). Secondly, targeting enemy civilians is often understood as a way to weaken opposition and therefore is much more likely where actors use ethnic affiliations to identify potential targets (Fjelde and Hultman 2014). Thirdly, since rival PGMs are mobilized or co-opted to defend the



incumbent regime and maintain ethno-political power hierarchies, the mobilization of rival PGMs can serve to further polarize ethnic divisions, intensifying cleavages and inter-ethnic violent conflict (Roessler 2016; Sambanis and Shayo 2013). For example, the Sudanese government's support for "Arab" militias against neighboring "African" groups was fundamental to the polarization of ethnic division between the "Arab" north and the "African" south as well as the escalation of violence and civilian victimization on both sides.

Similarly, while not necessarily positing a causal relationship between the rise of rival militias and genocidal violence, it is clear that Hutu militias, such as the Interahamwe, played a major role in the Rwandan government-backed genocide of Tutsi minorities in 1994. The emergence of the Interahamwe Hutu militias was part of the defense of Hutu dominance in the government of Rwanda. Originating from the youth wing of the then ruling political party, the MRND, Interahamwe Hutu militias, and other party militias, such as the Impuzamugambi, were prominent in maintaining ethno-exclusionary power configurations and pivotal in the increasing inter-ethnic tensions between Hutu and Tutsi in the buildup to genocide. Following the RPF invasion of Kigali in 1990 from Uganda, and the initiation of the Rwandan civil war, the Interahamwe organization accelerated pro-Hutu and anti-Tutsi propaganda via the RTL radio stations. This aided in the increasing politicization of ethnic identities and inter-ethnic polarization between Hutu and Tutsi. When President Habyarimana was killed (his plane was shot down), the Rwandan Army, the organized bands of Interahamwe militias and other party militias, and civilian collaborators quickly set about the extermination of Tutsis and political moderates, killing an estimated 900,000 people in 100 days. Sections of the government directly supported militia forces in the perpetuation and perpetration of inter-ethnic violence, and militia groups were noted to have actively collaborated with the official armed forces in the genocide. The militias, in turn, encouraged and enforced civilian participation in the mass killings.

While some of these short-term effects of ethnic militias and PGMs are relatively clear, empirical research is only beginning to focus on how the presence of ethnic PGMs could have long-term effects such as on the intractability of conflict, conflict duration, and on peace negotiations. Recent research suggests that, again, the use of PGMs generally (i.e., non-ethnic militias) can contribute to longer-lasting civil conflict (Aliyev 2017, 2019). The presence of extra-dyadic actors can complicate negotiations by adding veto players (e.g., Cunningham 2006), serve as the basis for continued rivalries between the PGMs and insurgents, since PGMs are usually anti-insurgent (Phillips 2015), and where excluded from negotiations, they can potentially give way to spoiler problems or conditions of "partial peace" (Nilsson 2008). Similarly, significant research has gone into showing that ethnic conflicts tend to be more intractable and durable than non-ethnic violence, primarily due to hardening of ethno-political identities and polarization between groups and the ways in which ethnic mobilization enables the continuation of ethnic exclusion from power (Kaufmann 1996; Montalvo and Reynal-Querol 2010; Wucherpfennig et al. 2012). There are therefore good reasons to think that the rise of ethnic PGMs could significantly affect long-term conflict outcomes. However, further research is needed

to demonstrate how the ethnic composition or affiliations of PGMs might have such specific effects.

Abbs et al. ([forthcoming](#)) find evidence that rival PGMs serve to extend conflicts. This is due to a number of factors. They argue that in the long-run rival PGMs entrench ethnic divisions and polarization (also see Montalvo and Reynal-Querol 2010). Spiraling inter-ethnic competition can harden ethnic identities and enhance intragroup cohesion on both sides of a conflict (Kaufmann 1996). Alden et al. (2011) also note the particular difficulties in demobilizing militias in the context of the “politicization of ethnic cleavages” owing to strengthened identity-based grievances and group interests. Similarly, while militia mobilization along ethnic lines helps to solidify ethnic divisions, it also improves insurgent’s ability to recruit from those ethnic groups excluded from power (Cederman et al. 2010), making peaceful resolutions more difficult to reach and harder for the conflict to dissipate. For example, in Sudan the continued presence and state support for “Arab” militias helped intensify and harden ethnic divisions between the north and the south, which has, in turn, sustained conflict (Idris 2005).

In addition to this, if a state is unable to control rival militias, continued militia violence might exacerbate inter-ethnic security tensions and credible commitment problems during government-rebel peace processes. Continued insurgent-militia rivalries and violence may send a signal that neither the government nor the militias are fully committed to finding a peaceful solution to conflict (see Phillips 2015; Young 2003). For instance, continued “Arab” militia violence in Sudan served to undermine various ceasefires and peace agreements between the government of Sudan and rebel groups (Bartrop 2011, 55; Abbs et al. [forthcoming](#)). In one case, on 8 April 2004, continued Janjaweed violence in Darfur led to United Nations Security Council Resolution 1564 aimed at punishing the Sudanese government for non-compliance with a ceasefire between the government and rebels.

Finally, rival PGMs, because they receive state patronage and share in the benefits of ethno-political power, are most likely going to be resistant to changes that undermine or alter their privileged positions (Cederman et al. 2013). More generally, peace can pose an existential threat to PGMs and their member’s access to more secure livelihoods, lucrative sources of income, and power. Ethnic PGMs, much like non-ethnic groups, may have incentives to “spoil” peace processes (e.g., Pearlman 2009; Staniland 2012). In summary, preliminary theoretical and empirical evidence points to some of the potential long-term consequences of rival PGMs on conflict duration. Further research could delve much deeper into how the ethnic composition and ties of militias could have consequences for various other long-term conflict dynamics and outcomes.

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## Conclusions

This chapter has only begun to scratch the surface of the collection of existing work on ethnic conflict and militias. It has pointed to how most researchers have focused on militia-type forces without examining how ethnicity or inter-ethnic tensions form

the basis for their mobilization or alternatively how scholars have analyzed ethnic mobilization and ethnic conflict more broadly, primarily analyzing the ethnic composition and goals of states and insurgents. It then turned to recent scholarship that has already begun to systematically examine ethnic militias and ethnic pro-state forces, theorize how ethnicity is linked to the formation of such groups, and address some of their possible effects on conflict dynamics. There also exists a very rich and diverse case-study literature on various conflicts around the world that emphasize the central role that ethnic militias and PGMs play. For example, many analyses focus on ethnic militias and ethnic PGMs in African states. Collectively this literature has pointed to the diverse roles that militias have played in ethnic conflicts; their historical development; why people join such forces; their activities and relations to the government, rebels, and other ethnic groups; and some of their effects on human rights violations, intensity of violence, and their targets, among other central conflict dynamics.

Yet, much more research is needed into various areas of how ethnic mobilization into militia groups is connected to conflict dynamics and outcomes, as well as to the prospects for peace. For example, while the presence of militias more generally have been demonstrated to affect conflict duration and cessation, and ethnic mobilization has been argued to affect similar conflict outcomes, empirically inclined research has yet to pinpoint the long-term effects of ethnic mobilization into PGMs. Does ethnic mobilization into militias and ethnic relationships affect the course of violence or peace, or is it primarily other aspects of conflict? What role might ethnically motivated armed pro-state groups, or their individual members, have in conflict transformation and overcoming violence? There are many unanswered questions about militias in ethnic conflict.

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# Evolution of Palestinian Civil Society and the Role of Nationalism, Occupation, and Religion

# 33

Yaser Alashqar

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## Abstract

This chapter examines the development of Palestinian civil society and its relationship to nationalism, occupation and religion in the wider Israeli-Palestinian context. The study identifies and analyzes the three phases of Palestinian society development which are social formations prior to the creation of the State of Israel in Palestine in 1948, the emergence of civil society structures in the 1970s and 1980s including nationalist and Islamist grassroots organizations, and the engagement of nationalist civil society with the Palestinian national movement during the first Palestinian Intifada (uprising of 1987–1993).

Y. Alashqar (✉)

Trinity College Dublin (the University of Dublin), Dublin, Ireland

e-mail: [alashqay@tcd.ie](mailto:alashqay@tcd.ie)

The main argument in this chapter is that the Palestinian social structures emerged historically in the three key phases and have been influenced in recent history by critical realities and forces including nationalism, occupation and the role of religion in society. The examination of this central argument is informed by research and secondary sources. The main analytical findings suggest that the defining characteristics of the three development phases of Palestinian civil society include elitism, conflict with Zionism, revival of Palestinian nationalism, emergence of an Islamization agenda in the civil society sphere, and the conflicting nature of the social formation process in the 1970s and 1980s in the Palestinian territories under Israeli occupation. For clarity, it is important to point out that this chapter does not address the transformation of Palestinian civil society post-Oslo peace process in 1993 as previous research has covered this transformational process.

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**Keywords**

Palestine · Civil society · Zionism · Conflict · Nationalism · Occupation · Religion

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**Introduction**

This chapter focuses on the development of Palestinian civil society and examines its relationship to nationalism, occupation and religion in the context of the wider struggle for Palestine. In particular, three key phases of Palestinian civil society formation and engagement are identified and discussed, namely: phase 1 concerning the emergence of Palestinian social structures prior to the creation of Israel in 1948 in response to Zionism and its attempts to create a Jewish state in Palestine, phase 2 concerning service provision and alternative structures under Israeli military rule in the 1970s and early 1980s including the formation of secular and nationalist local organizations and Islamist social structures, phase 3 concerning the engagement of secular and nationalist grassroots organizations in supporting the political struggle for self-determination in the first Palestinian Intifada. This study does not focus on Palestinian civil society transformations post Oslo peace process in 1993 since this particular aspect has been extensively addressed in previous studies and research (Alashqar 2018).

The overall argument in this chapter is that formal social structures in the Palestinian case emerged historically in three key phases and have been influenced in recent history by key realities and forces including nationalism, occupation and the role of religion in society. In the following sections, the three key phases of the development of Palestinian civil society are explored and examined. The chapter ends with an analysis of the defining characteristics of these phases. The first phase concerning the nature and development of Palestinian civil society during Ottoman and British rule and before the creation of the State of Israel in Palestine in 1948 is discussed in the next section.



## Phase 1: Civil Society Prior to 1948

Social activities and structures existed in Palestine during the historical Ottoman period and British rule of the country from 1917 until the establishment of the State of Israel in 1948.

During that time, the rural nature of Palestinian society and prominent clans dominated the social structures in Gaza and the West Bank, especially in Jerusalem where these elite families and their politics came into the national scene during the era of British control of Palestine. These influential families included, for example, the Husseinis, the Nashashibis, and the Khaldis in Jerusalem and the Shawas in Gaza. Palestinian communities were rural and 80% of the population depended on farming and agriculture for their income and livelihood (Rigby 2010, 13). Therefore, as Sara Roy argues, institutional development in Palestine at that time was mainly in response to immediate needs and not a “strategy of social development” (Roy 2001, 229).

As a result, the powerful families acted on behalf of the population and their needs and they, in the process, represented the Palestinian community. Moreover, based on their status and power, not only did they see themselves as the rightful and legitimate representatives of the Palestinian indigenous populations but also as “natural intermediaries between local society and the dominant external authority” during both Ottoman and British periods in Palestine, as Rashid Khalidi points out (Khalidi 2001, 22). This combined role of civil society and political representation, assumed by the notable families as the main components of Palestinian traditional and social structures prior to 1948, derived its power and legitimacy from deeper roots in Palestinian society beyond issues of access and influence. According to Yehoshua Porath,

This elite drew its authority from traditional prestige factors such as religious status (filling religious posts, belonging to the *Ashraf* [i.e. notables], possession of landed property and long-standing family claims to positions in the Ottoman administration, along with a consciousness of noble origin. . . . It thus needed no popular democratic confirmation of its status. (Porath 1974, 283)

These urban social actors and their local rural clients constituted the main features of the Palestinian social life before 1917 and during the Ottoman era in Palestine. However, with the arrival of massive numbers of Jewish immigrants from Europe between the 1920s and the 1940s and the advancement of the Jewish Zionist project during British rule of Palestine, these influential social players entered into the national framework and contributed to the early formation of the Palestinian national movement. Following the Balfour Declaration in 1917 and the stated British commitment to facilitating the goal of the Jewish Zionist movement in establishing a Jewish state in Palestine, the sense of nationalism increased among the Palestinian elites and they voiced their opposition to Zionism. Hence, a significant section of the Palestinian leadership worked to preserve Christian and Muslim unity among the Palestinian population and established joint organizations to support the national movement and strengthen its social foundations. Therefore, the process of creating

associational infrastructures had been closely linked to the threat of Zionism and its quest of colonizing Palestine with British support. In his focused study of that particular period, Porath elaborates further:

The resurgence of nationalist feeling throughout the country in the wake of the 1929 riots led to the awakening of the various associations previously dormant. Several attempts were also made at that time to widen the organizational framework. In both Ramallah and Ramleh—two towns in which the leaders of opposition (Bulus Shihadah and Sheikh Sulayman al-Taji Al-Faruqi) had considerable influence—Muslim-Christian Associations were set up, and the one in Ramleh even began to show signs of activity. . . . [Nonetheless] this organizational character suited the traditional social structure and the accepted status of the local elite. (Porath 1974, 280–282)

Though it played an important role in national and social revival, the dividing politics of notables and their differences over power issues and effective approaches to address Britain and influence its support for Zionism proved destructive and undermined any real possibility of building strong social and national institutions. For example, some of the notables wanted to engage Britain and convince it through diplomacy and dialogue of the Palestinian demands for self-determination, and still some others sought to fight British and Zionist forces and achieve national liberation through armed struggles. Discussing this polarized state of affairs, Khalidi provides a critical account:

Although the Palestinians were able to present a united front to their foes and for many years after World War I, the internal divisions among the elite eventually surfaced, ably exploited by the British, with their vast experience of dividing colonized societies in order to rule them more effectively. They were exploited as well by the Zionists, whose intelligence services presumably engaged in undercover activities among the [Palestinian] Arabs in these years that have yet to be fully elucidated. (Khalidi 2001, 24)

In *Popular Resistance in Palestine*, Mazin Qumsiyeh reflects further on the negative impact of these divisions and differences among the social and political elites on the entire Palestinian project of statehood and independence. The national struggle for freedom and self-determination, points out Qumsiyeh, was “hampered by quarrels between the Husseini and Nashashibi factions and the elites’ isolation from the interest of most Palestinians” (Qumsiyeh 2011, 229).

This, in fact, was the historical context in which Palestinian social players and structures had existed and evolved in political and national terms until 1948 and the establishment of Israel.

In 1948, the Palestinians people were shattered by the *Nakba* (i.e., Catastrophe) and its disastrous consequences on their lives, existence, and society. The *Nakba* refers to the destruction of hundreds of Palestinian towns and villages and the expulsion of 700,000 Palestinians in 1948 as a result of the creation of the State of Israel in Palestine, and Zionist massacres during that time. In the period between 1948 and the mid-1960s, the Palestinians seemed to have “disappeared from the political map as an independent actor, and indeed as a people” (Khalidi 1997, 178). Also, a new system of foreign rule was imposed on them by their Arab neighboring

states. The Egyptian authorities took control of Gaza and the West bank came under Jordanian rule following the 1948 tragedy. In Gaza, the Egyptian government banned any political organizations and restricted associational activities, stressing the temporary political status of the Gaza Strip (Roy 2001, 229).

The Nakba, however, reinforced and sustained preexisting elements of the Palestinian identity. "The shared events of 1948 thus brought the Palestinians closer together in terms of their collective consciousness, even as they were physically dispersed all over the Middle East and beyond" (Khalidi 1997, 22). It was this collective identity and consciousness as an oppressed people with a national and just cause that led to the re-emergence of Palestinian nationalism in the mid-1960s. These developments put the Palestinians back on the "political map" of the Middle East and beyond. The reformation of the national movement had been enhanced by a new middle class leadership in exile, which organized political structures like Fatah and the Palestine Liberation Organization (PLO) and excluded the elitist leaders who had failed during British rule and the 1948 Nakba (Khalidi 1997, 27). The PLO represented different nationalist factions and Fatah became the largest and leading faction in this political structure. In the context of liberation and nationalist politics, the PLO-Fatah became the major Palestinian political force in exile from the mid-1960s onwards. It also gained a vast popular support and allegiance from the Palestinian diaspora and refugees inside and outside Palestine.

The subsequent two major phases of Palestinian civil society development in the context of Israeli occupation, revival of Palestinian nationalism, and the role of religion from the 1970s to the early 1990s are examined in the next section.

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## **Phase 2: Civil Society and National Structures Under Israeli Occupation (1970s–1980s)**

The creation of the State of Israel resulted in the annexation of approximately 78% of historical Palestine and the displacement of more than three quarters of a million people who fled to the West Bank and Gaza. Also, seeking safety from the Israeli atrocities of 1948 and the subsequent 1967 War, thousands of Palestinian people crossed the borders into Jordan, Lebanon, and Syria and have stayed in these countries as refugees until this present time. The United Nations Works and Relief Agency (UNWRA) has been providing humanitarian services to Palestinian displaced persons and refugees outside Palestine and in particular inside the Gaza Strip and the West Bank including East Jerusalem. These areas are also recognized by the UN as the "occupied Palestinian territories" since Israel expanded its state and occupied them illegally during the 1967 War. The UN Security Council responded by issuing 242 Resolution that called for the Israeli occupying power to respect international law and for the "withdrawal of Israeli armed forces from territories occupied in the recent conflict." Furthermore, it called for "achieving a just settlement of the refugee problem" (UN 1967).

At the Palestinian level, the relationship between the PLO and Palestinian grassroots organizations developed in significant terms following the Arab-Israeli

War of 1967 and Israeli military occupation of Gaza and the West Bank. Since the re-emergence of the national movement in the early 1960s, Palestinian nationalist leaders focused on achieving the liberation of Palestine through Arab power and nationalism, and the creation of a democratic secular state in all of Palestine. However, the 1967 War and the military victory of Israel over the Egyptian, Syrian and Jordanian joint forces, and Israeli occupation of the remainder of Palestine (i.e., Gaza and the West Bank including East Jerusalem), led the Palestinians to lose confidence in the ability of the neighboring Arab countries to deliver national liberation. The 1967 War forced the Palestinian people and their national leadership to realize that Arab leaders were unable to bring about change and that the time had come for the Palestinian leadership to make their own strategy and begin to build their own independent structures (Qumsiyeh 2011, 130).

### **Changing Political Framework and Institutional Growth**

By the early 1970s, the goal was no longer concerned with the achievement of the total liberation of Palestine through Arab nationalism and the creation of a secular democratic state in all of Palestine. Instead, the national movement, led by the PLO, was willing now to build a national authority and Palestinian entity on any part of Palestine that Israel might withdraw from. The occupied territories of Gaza and the West Bank represented the overall base and foundation for the possibility of creating a Palestinian self-rule government on the homeland soil as an initial step on the way of gradual and complete independence. The key objective was to build a Palestinian independent state alongside the State of Israel. This represented the emerging and new political framework from the early 1970s onwards. As a result, most of these existing and newly formed local organizations inside the territories supported the PLO project of state-building in Gaza and the West Bank during this critical phase.

In his study and examination of the Palestinian national movement from 1949 to 1993, Yezid Sayigh remarks that the PLO had wanted to create a “‘revolutionary authority’ with a defined territory and international relations” based on the Chinese and Vietnamese experiences of national liberation. The long-term goal was about achieving statehood (Sayigh 1997, 152). Examining further the relationship between this nationalist thinking and, in his own words, the emerging “statist framework” and how it had contributed to the growth of associational life in Gaza and the West Bank in the 1970s, Sayigh argues:

Increasingly, the institutional initiative was being taken at grassroots level and by a new generation of activists. . . . A key element in their emergence as a distinct force was the establishment of three universities in the West Bank in 1972–1975. . . . The social and economic transformations in the occupied territories were not uniform in their impact, nor led to similar political results. Yet, they were sufficient to allow the PLO to redirect the political engagement and nationalist identification of significant sectors of the population towards its own, statist framework. . . . It was within this context that all the guerrilla groups sought allies and constituencies in the occupied territories, determinedly retaining political and operational control in their own hands all the while. (Sayigh 1997, 468–470)

Israeli military control, the banning of political parties inside Gaza and the West Bank, and the exile status of the PLO, represented major factors for the nationalist groups to penetrate the institutional sphere in the territories and use it as a platform for political expression during this historical phase. In this context, given their inability to organize openly, various political factions had employed the trade unions, social and professional organizations, student unions, and other grassroots organizations as key arenas for political competition, mobilization and recruitment (Rigby 2010, 49). The usefulness and significance of these social networks extended beyond political influence and competition. They would “shield the military apparatus” of factions, gather intelligence about the enemy, analyze the intelligence, and send their assessment to the “appropriate bodies” in political organizations (Sayigh 1997, 474). Therefore, not only did grassroots groups provide social services to the local population in the occupied territories, but they also represented a means of political resistance (Roy 2001, 229).

### Inside and Outside Conflictual Relations

During this key phase of civil society development, tensions at times developed between local associations and the leadership of the PLO outside the territories as Fatah worked to seek and fund allies within particular social circles such as women and the trade union and student groupings and excluded other social players from political and financial support inside Gaza and the West Bank. This included the Palestinian Communist Party and their popular grassroots organizations which Fatah distrusted and viewed with suspicion. In this context, the PLO/Fatah leadership on the outside created, for instance, a division in the trade union movement in 1981, channeling the *Sumud* (steadfastness and resilience) funds to its own supporters and client associations (Rigby 2010, 49).

Another notable example of such conflictual relations between the national leadership on the outside and social forces on the inside is that the PLO/Fatah ranks in exile focused mainly on sustaining their political “statist framework” through popular organizations as a vehicle for Palestinian self-determination and also as a challenge to Israeli power in the occupied territories. However, some social groups and their young professional leaders who were educated in the West and enjoyed independent sources of funding, disagreed with the PLO statist strategy in the institutional sphere, and saw it as an organizational tool to co-opt, and not to mobilize the wider social base. In this context, they argued that the PLO viewed the local population as passive and target audience to be co-opted through the *Sumud* funds and service provision. Therefore, these professional and social representatives sought active participation from all sectors of society as a form of both political action and collective empowerment. This represented a sharp contrast with the PLO statist approach and the role of the local constituencies in implementing political strategies as they perceived it, and caused further tensions between these popular organizations on the inside and the mainstream leadership outside the occupied territories (Sayigh 1997, 611–612).

## **Social Organizations: Alternative Power and Political Representations**

By aligning generally with the national movement and the PLO as the main political and powerful actor within the Palestinian situation (albeit in exile), the Palestinian nationalist local organizations found themselves in a very delicate and unique position. On the one hand, their declared goal was to support the Palestinian people through social and community services, but, on the other hand, they willingly entered into the core politics of the conflict by being part of the Palestinian struggle and the national movement. This required these grassroots groups to provide leadership in the occupied territories, given that the PLO was operating from outside Palestine. Local leaders, therefore, had no alternative but to embark on this combined socio-political role in the complexities of the conflict. In other words, removing themselves from the political struggle would have meant a fundamental disconnection with the community and the context in which they existed, and perhaps a loss of legitimacy.

Moreover, because of the lack of Palestinian government structures in occupied Palestinian territories and Israeli unwillingness to address the needs of the occupied population, Palestinian grassroots and nationalist organizations were determined during this phase to fill the organizational and institutional gap that the Israeli government had ironically created in the occupied territories. Building social and economic infrastructures in Gaza and the West Bank was not a priority from the perspective of the Israeli policy for reasons relating to the prevention of both Palestinian economic development, which may compete with Israel, and national independence (Sayigh 1997, 608). Through academic research and personal observation in the region, Andrew Rigby provides an analysis of this situation:

In a somewhat paradoxical manner, the absence of certain state services created the institutional space for the development of alternative, Palestinian “quasi-state” organizations and agencies. Through the provision of much needed services and facilities, such grass-roots organizations gained the allegiance of the majority of the Palestinian population, and as such constituted the nucleus of an alternative structure of authority and power to rival that of Israeli military government. (Rigby 1991, 6)

Therefore, not only did the social and popular movement with its nationalist component become coherent during this period of civil society development, but it also emerged as a legitimate representative for Palestinian alternative social and political infrastructures outside of Israeli domination throughout the 1970s and the 1980s. However, with the outbreak of the popular Intifada in 1987, these powerful grassroots organizations embarked on a direct resistance role in support of the broader Palestinian struggle for national independence. Furthermore, boosting the PLO statist framework of the early 1970s and their goal of creating a national authority in Gaza and the West Bank as discussed earlier, the Intifada established further “the inside,” the occupied territories, as the center of gravity of Palestinian politics, rather than “the outside,” the Palestinian diaspora, where it had been located

for many decades (Khalidi 1997, 200). However, before examining the third phase of civil society development during the Intifada, the following section examines the emergence of Islamist grassroots organizations in the 1980s in the occupied Palestinian territories. This helps to analyze the second phase of Palestinian civil society development in a more comprehensive and critical manner.

### **Civil Society: Islamist Framework**

The formation of Islamist informal institutions in the occupied territories was connected to two ideological and political forces: the Muslim Brotherhood (MB) and later the Islamist Resistance Movement (Hamas). As the MB expanded in Egypt in the 1940s, they turned their attention to Palestine as an essential cause for Muslims and also because of its prominent religious status as a holy land in Islam. Their aim was to extend their presence and influence in their neighboring and significant Palestinian constituency. Since it was founded in the late 1920s, and especially between the 1950s and 1980s, the MB had been mainly concerned with the *Nahada* (renaissance) of Muslim societies by returning them to the true path of Islam as a precondition for liberation from colonialism and oppression. In other words, liberating the “soul” was an essential prerequisite for freeing the “homeland” from the point of view of the MB. Therefore, as Sara Roy points out, the MB chose to focus on preparing the “liberation generation through proselytizing and religious education” towards achieving renaissance (Roy 2011, 22). Hence, nationalism and politics of national liberation contradicted their reformation strategy.

It was within this ideological framework and philosophy that members of the MB and a small number of Palestinian individuals who joined them during their study in Egypt began to arrive in Gaza and the West Bank in the 1970s and put this religious revival strategy into practice. As discussed before, this was a time when Palestinian nationalist grassroots groups and secular politics had been dominant. Ahmed Yassin, who was a Palestinian refugee and a member of the MB and later became the leader of Hamas, played a key role in establishing the institutional framework for the Islamic transformation in Palestinian territories, and particularly in Gaza where he enjoyed greater freedom to organize. In order to achieve their goal and in line with the MB thinking, Yassin decided not to engage in any resistance or nationalist activities against Israeli military occupation. Instead, he and his supporters directed their attention and efforts towards grassroots communities and services to secure a social base and win public support for their Islamic revivalism project. Israel, on the other hand, was pleased to see an alternative and a challenger for the PLO emerging in the Palestinian territories and believed it would weaken its Palestinian nationalist and secular enemy. Studying the early formation of Hamas, Beverley Milton-Edwards and Stephen Farrell point out:

Throughout the 1970s and 1980s Yassin and his followers assiduously set about building ever expanding networks of mosques, charitable institutions, schools, kindergartens and other social welfare projects-seeds planted early with a view to later harvesting hearts and



minds and souls. It was not until the eruption of the first Palestinian Intifada in December 1987 that Yassin formed Hamas, to capitalize on the spontaneous outburst of street-level protest against Israeli occupation (Milton-Edwards and Farrell 2010, 10).

The overall coordinating body of these newly established local networks and organizations in Gaza was Al-Mujamma' Al-Islami (Islamic Centre), which Yassin built with Israeli permission in 1978. The leaders of the Mujamma' saw secular nationalists as a threat to their reformation agendas and Islamization of Palestinian society. Hence, professional associations and other local institutions that traditionally aligned with the PLO became battlegrounds between the followers of the Mujamma' and the supporters of the national movement (Milton-Edwards and Farrell 2010, 44). Nonetheless, in the overall context of Israeli military occupation and oppression, the Islamic movement and its effective grassroots networks, proved their vitality to the Palestinian community by providing essential services to local people and addressing their immediate needs with a good degree of coherence and organization.

The Mujamma' and its civilian structures throughout the Gaza Strip provided free medical care and employed social workers who provided loans and financial assistance for students to pursue their education in school and university and allocated welfare assistance to thousands of poor families and their children (Milton-Edwards and Farrell 2010, 10). In this context, the Islamist associations in Gaza "provided islands of normality and stability" in a socio-political situation of chaos, dispossession, trauma, dislocation, and pain (Roy 2011, 5). This was the overall context in which Hamas and their grassroots networks emerged and came to play a significant role in the Palestinian situation in later years and especially after the year 2000 and the collapse of the Oslo peace process between Israel and the Palestinians.

The third phase of Palestinian civil society development concerning the engagement of the secular and nationalist social structures in the Palestinian national struggle, represented now by the Intifada, against Israeli military occupation is examined in the following section.

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### **Phase 3: Intifada Struggle and Civil Society Engagement (1987–1993)**

The popular Intifada came about as a response to Israeli military control of Palestinian land and people. International peace plans to resolve the conflict had failed as they continue to do so today. This is largely because Israel has consistently refused to allow Palestinians to have complete independence and full national rights. In *Palestinian Children and Israeli State Violence*, James Graff and Mohamed Abdoell point out that the Intifada was aimed at "breaking Palestinian dependence on Israel and securing the national and individual rights of Palestinians." Therefore, according to Graff and Abdoell, "Palestinian children who are old enough to understand what military occupation means, want the Israelis to leave." Hence, they had been active in confronting and harassing Israeli soldiers and settlers. They were also major



targets for the Israeli army and settler attacks (Graff and Abdolell 1991). Israeli settlers are armed and living illegally, contrary to international law, in settlements and houses built on Palestinian land in the occupied territories.

The Palestinian human rights organization Al-Haq presents a critical account of the root causes of the Intifada:

The popular uprising by the Palestinians in the Occupied Territories should have come as a surprise to no one. The uprising has primarily been an act of collective anger, a reaction to twenty years of expropriation, disenfranchisement, oppression and frustration. In the light of the continued failure on the part of the international community to protect the population living under the occupation and to safeguard their rights, it also reflects a loss of confidence in the political will and ability in other states to carry out their responsibilities under international law. (Al-Haq 1988, 4)

Furthermore, in *The Politics of Dispossession: The Struggle for Palestinian Self-Determination*, Edward Said remarks that what made the Intifada unusual is that the adversaries have unusual histories and what they dispute is “perhaps the most unusual piece of territory in history: Palestine, a land drenched in historical, religious, political and cultural significance” (Said 1994).

## Popular Committees: Civil Society and National Initiative

As discussed earlier, because of the external presence of the PLO and the existence of the Israeli armed forces inside the Palestinian territories, civil society groups and activists became an important part of the national leadership which sought to protect the Palestinian population and maintain the Intifada. Therefore, a stronger and more combined structure of local civil society and nationalist movement was formed during the uprising. This consisted mainly of what was called the “popular committees.” The committees were responsible for supporting the Intifada struggle and maintaining the evolving infrastructure for Palestinian independence. The overall political objective was to achieve a Palestinian independent state alongside the State of Israel.

The popular committees and their nationalist role consisted of the following (Rigby 1991, 22–23):

1. **Strike Forces:** Their main function was to defend the Intifada activities especially in intense situations involving Israeli troops and settlers. They also ensured that the instructions of the Intifada leaders for public protests and strikes were implemented and Israeli spies were punished.
2. **Women’s Committees:** The female members of these committees were responsible for specific areas in the struggle. They promoted, for instance, local economy by producing home-made products and clothes, selling them in small shops they themselves managed. They also held regular meetings with women coming from different neighborhoods to discuss the progress of the Intifada and related developments. They paid regular visits to villages and small

towns, offering basic healthcare and adult literacy classes. Their activities also included demonstrating solidarity with bereaved families and the injured and newly released political prisoners. In certain circumstances, according to Andrew Rigby, the women organized themselves into “snatch squads” to rescue youths from the hands of Israeli soldiers through chaos and confusion set up for the soldiers (Rigby 1991, 22).

3. **Guard Committees:** The Guard committees were formed to protect Palestinian property and growing institutions from armed settlers and street criminals. Their main function was to create a degree of local security and protection for communities living through the Intifada.
4. **Popular Education Committees:** Because of the regular Israeli closure of Palestinian schools in the Intifada, the task of these committees was to provide “home-based education” for young boys and girls (Rigby 1991, 23). Teachers and tutors were the driving force behind this education campaign.
5. **Food and Supply Committees:** Their responsibility was to identify the humanitarian needs of the local population and deliver food supplies especially to areas and residents who were under curfew and severely lacked foods.
6. **Medical Committees:** Providing medical treatment to the injured resulting from confrontations with the Israeli army and supplying general medical services to people was the core of their assigned role.
7. **Committees for Self-sufficiency:** Members of these committees worked to ensure that the local community was not a consuming market for Israeli goods. As Rigby noticed, they suggested local methods that encouraged families to do home-economy and showed people how to achieve self-sufficiency by growing their own vegetables, food, and rearing chickens (Rigby 1991, 23).
8. **Social Reform Committees:** The primary function of these committees was to design and facilitate a “community-based conflict resolution service” for resolving disputes at both community and individual levels. Rigby indicated that the reason for these activities was to “replace the Israeli courts” in the occupied territories, which many Palestinians refused to recognize during the Intifada (Rigby 1991, 23).
9. **Committees to Confront the Tax:** The aim of these committees was to expel Israeli tax collectors who came with the Israeli troops during their invasions of towns and villages.
10. **Merchants’ Committees:** Recognizing the strength of the business sector, the Merchants’ committees focused on engaging local shop-owners and small businesses in the national initiatives of the Intifada. This included participating in public and general strikes.
11. **Information Committees:** The Information Committees coordinated media sources in Gaza and the West Bank. They had worked with local journalists and international news agencies to report the Intifada events and their political purpose. In addition, supporting and substituting Palestinian journalists who were illegally arrested by the Israeli army constituted an important part of their role.

## Deeper Understanding of Popular Committees

The previous section provides a clear idea about the functions and the joint structures of civil society and political leadership, which had developed during this critical phase of the Intifada. The experience of the popular committees suggests that it had connected well with the various sectors in Palestinian society. Most importantly, the committees responded effectively to immediate community needs and offered tangible solidarity to bereaved families, the injured, political prisoners, and those in refugee camps among others. This initiative was very effective because the popular committees had been, above all, made up of and driven by local civil society groups and political activists. They drew on both people's experiences and skills and their unshakable commitment to the Palestinian cause.

Also, the presence of political organizations in the committees had certainly granted them further credibility and support but, overall, relying on the human resources and expertise available in the indigenous community had contributed to a greater sense of unity and cooperation between all sections of Palestinian society. In effect, by joining the popular committees and playing a significant leading role in their activities, local organizations had to deal with two challenges: supporting the Intifada and the struggle for liberation as well as sustaining the culture of service provision which they initiated in phase 2. Discussing these crucial challenges and subsequent outcomes, Uda Olabarria Walker points out:

From 1987–1990, the [nationalist and secular] grassroots organizations served as the driving and organizing force behind the popular committees of the intifada while continuing to provide services for the Palestinian community. Throughout this period, many organizations became more formalized and moved into professional civil society spheres including research centres, human rights organizations and advocacy groups. (Walker 2005)

However, some key challenges emerged in this important phase of civil society development. Firstly, while there is credible evidence that indicates the popular committees proved to be of importance to the community and offered valuable support to groups and families involved in the political struggle of the Intifada, the degree of coordination between these socio-political structures was not always effective. For example, at times when the Strike Forces in Gaza declared a public strike throughout Gaza and the West Bank, the strike would only be observed in certain places and not in all Palestinian areas. Rigby also observes that “consistency and standardization” were difficult to achieve within the structure of the popular committees (Rigby 1991, 23).

Secondly, narrow political affiliation to factions also constituted a problematic issue that occasionally presented challenges to the popular committees and left them vulnerable to factional loyalty and divisions. Nonetheless, there was an advantage to dual membership of factions and local popular committees. Available information indicates that the committees flourished and grew bigger in size and effort in areas where a political faction operated prior to the Intifada and a pre-existing system of grassroots networks was active (Rigby 1991, 23).

Thirdly, the military response of the Israeli government to the 1987 Intifada and to political and civil society developments in the Palestinian territories resulted in further intimidation and repressive measures including deportations and long prison sentences without trial for many members of the popular committees and nationalist grassroots organizations (Al-Haq 1988, 145). However, with the signing of the Oslo Peace Agreement between Palestinian and Israeli leaders in 1993, secular and nationalist civil society organizations experienced significant transformations and organizational changes. Moreover, their direct and active role in the Palestinian national movement and the political struggle against Israeli military occupation came to an end. Nonetheless, the three key phases of civil society development in the Palestinian case have defined the historical and present foundations of the Palestinian social sector, and this evolution has been influenced by the key realities and forces of nationalism, occupation, and religion. The following section analyzes the key characteristics of these phases.

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## Critical Reflections

Firstly, Palestinian social formation prior to 1948 was influenced by the role of the elites and their dominance over social and political life in Palestinian society. As discussed earlier, their power in civil society was derived from family status, land ownership, positions of power in the Ottoman administration, patronage, and client dealings. The divisions among the elite representatives and their factions within a wider dangerous conflict involving the British and Zionist forces, and the Palestinians, reflected negatively on social and political transformations in Palestine and contributed to the Palestinian Nakba and failure in 1948. Moreover, the local elites focused on protecting their power and position during that period and did not possess a vision for building representative institutions and effective social structures. Therefore, elitism and conflict with Zionism represent the key characteristics in the first phase of Palestinian civil society development prior to 1948 and the creation of Israel in Palestine.

Secondly, the reformation and development of nationalist social structures during the second phase in the 1970s and early 1980s came about to revive Palestinian nationalism following the shattering effects of the 1948 Nakba and to respond to Israeli occupation of Gaza and the West Bank in 1967 by means of service provision and institutional development. The nationalist grassroots organizations acted not only as service providers but also as engaged actors of institutional and political resistance towards Israeli military occupation throughout the 1970s and the 1980s. Therefore, the politicization of the nationalist social sphere and its alliance with the national movement became one of the major defining characteristics of the third phase of civil society development in the Palestinian case.

Thirdly, the emergence of Islamist social structures in the second phase of Palestinian civil society development was closely linked to the Islamization agenda and promoting the role of religion in the occupied territories. Similar to Palestinian nationalists who saw civil society as an important arena for political mobilization

and nationalism in the context of challenging Israeli military occupation and seeking statehood, Palestinian Islamists equally perceived local associations and the broader field of civil society as a major area for Islamization campaigns and the achievement of religious revival in Palestinian society in the 1980s. Islamist forces historically, and until the beginning of the first Intifada, believed that secularism and nationalism represented corrupt influences. Therefore, religious reforms constituted the main priority for their social and civil society engagement.

Fourthly, as a community-based national liberation process, the Intifada provided means and channels of civil society empowerment and collective participation among people inside Gaza and the West Bank. Moreover, it created a significant degree of legitimacy and acceptance in society for social structure representations and their leading position in the national movement and wider society during the third phase of civil society development. This, for example, explains the goal of Israeli policy which focused on banning nationalist local organizations and arresting its leaders during the Intifada as discussed previously, in an attempt to break the close relationship between civil society forces and Palestinian nationalism.

Finally, civil society transformation in the second and third phases from the 1970s to the early 1990s was neither coherent nor unified. It experienced internal conflicts and power struggles among Palestinian nationalist forces and between the nationalist and religious actors. The emergence of Islamist civil society rivals and subsequent fighting between Islamist and nationalist forces in the occupied territories during the 1980s are examples in point. These social and political divisions are still affecting Palestinian society and weakening the Palestinian national struggle against Israeli occupation. Since the late 1980s, Hamas has based its political philosophy on Islamic revival and the use of armed struggle against the State of Israel as an occupying power. In other words, Hamas strategically combines nationalism with religion. Unlike Hamas, the PLO-Fatah signed the Oslo Peace Agreement with Israel in 1993 and its political programme has accepted negotiations with Israel and diplomatic engagement as a formula to end the conflict and achieve Palestinian statehood. Fatah, therefore, continues to combine politics with nationalism. These ideological and political differences, which have strong roots in civil society foundations in previous decades, continue to define the Palestinian social and political arenas in the present situation in Gaza and the West Bank.

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## Conclusion

This chapter focused on Palestinian civil society formations and examined its relationship to nationalism, occupation and religion in the wider struggle for Palestine. The overall argument is that formal social structures in the Palestinian case emerged historically in three critical phases and have been influenced by key realities and forces involving nationalism, occupation, and the role of religion in society.

To examine this argument, the analysis identified the three key phases in Palestinian civil society development and engagement. The examination of the first phase focused on the emergence of social structures before the creation of Israel in 1948 in

response to Zionism and its attempts to create a Jewish state in Palestine. The analysis of the second phase addressed Israeli occupation of Gaza and the West Bank since 1967 and the revival of Palestinian nationalism, and its impact on the development of nationalist civil society structures under Israeli military rule in the 1970s and 1980s. The analysis of the second phase also examined the emergence of Islamist social structures and their relationship to the religious revival agenda in the occupied Palestinian territories. The examination of the third phase focused on the role of secular and nationalist civil society formations and the engagement in political struggle for self-determination in the first Palestinian Intifada (1987–1993). Supporting examples included the formation of popular committees and the participation of nationalist grassroots organizations in the Palestinian struggle for self-determination and statehood in Gaza and the West Bank.

The chapter concluded by examining some of the key and defining characteristics in the three phases of civil society development in the Palestinian context. These characteristics have included (a) the elitist nature of civil society representations during the Ottoman and British era, and the conflict with Zionism in Palestine; (b) the formation of nationalist social structures in the occupied territories as a reflection of nationalist revival in the Palestinian political arena and in response to Israeli occupation; (c) the emergence of Islamist local associations as a result of an Islamization agenda; (d) the active engagement of nationalist grassroots organizations and their strong alliance with the Palestinian national movement during the Intifada; and (e) the conflictual nature of social formation processes in the Palestinian context and under Israeli occupation including the continuing divisions between Islamist and nationalist approaches in the Palestinian political and social arenas.

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# Ethno-nationalism and Political Conflict in Bosnia (Europe)

# 34

Aleksandra Zdeb

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## Abstract

Already in the medieval period, Bosnia and Herzegovina took on a specific multicultural and multiethnic shape that has been formed and strengthened throughout the following centuries. The unique composition of the country that consists of three groups, Bošniaks, Croats, and Serbs, should not only be enumerated among the elements that influenced the 1992–1995 war but also defined the post-conflict processes of state and peace building. This means that ethnicity and nationalism remain the main elements that define Bosnian politics, its political arena, and, inevitably, political conflict. This chapter aims at showing the ethnicized reality of the Bosnian state from three interconnected perspectives: historical, institutional, and, last but not least, cultural one oriented toward political parties. Consequently, the first one briefly introduces formation of the groups and relations between them; the subsequent two focus on the postwar politics and explain the specifics of power-sharing institutions and political parties. It shows that, in Bosnia and Herzegovina, the ethnicity versus political conflict equation comprises another variable – power-sharing (or, in other words, classical consociationalism) which should be seen not only as a conflict management tool but also a building block of the post-conflict system.

A. Zdeb (✉)

Centre for Southeast European Studies of the University of Graz, University of Graz, Graz, Austria  
e-mail: [aleksandra.zdeb@edu.uni-graz.at](mailto:aleksandra.zdeb@edu.uni-graz.at); [ola.zdeb@gmail.com](mailto:ola.zdeb@gmail.com)



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Bosnia and Herzegovina · Consociationalism · Political parties in Bosnia and Herzegovina · Political system of Bosnia and Herzegovina · Situational definition of ethnicity

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**Introduction**

Ethno-nationalism and conflict can be merged together in one specific term – ethnic conflict. Leaving aside the question whether either ethnicity itself or special configurations of ethnic groups trigger ethnic conflicts, one can without a doubt define some conflicts as ethnic, and it should be emphasized that they are a very specific kind. It is enough to look at an extreme form of them – armed conflicts: wars concentrated on national liberation or ethnic autonomy constituted only one-fifth of the conflicts which took place between the Congress of Vienna and the Treaty of Versailles. In the twentieth century, their share increased to 45%, with a peak of 75% since the end of the Cold War (Wimmer et al. 2009: 316). However, as Ted Gurr observes (2000: 275–276), the eruption of ethnic problems in the early 1990s was in fact the culmination of a long-term general trend of increasing communal-based protests and rebellion that began in the 1950s and simply peaked after the end of the Cold War.

Yet, conflict does not have to be violent. The most reliable definition of an ethnic conflict was provided by Stefan Wolff (2013:11) who describes them as “a form of group conflict in which at least one of the parties involved interprets the conflict, its causes, and potential remedies along an actually existing or perceived discriminating ethno-national divide; it involves at least one party that is organized around the distinct ethno-national identity of its members.” In this spirit, Judith Nagata (1974) offers a situational definition of ethnicity: circumstances define the way in which a particular person would present themselves. Especially in multiethnic states, people may perceive their place of birth, lineage, aspects of their tradition, and culture as fundamental for their existence.

Thus, they assign “primordial” meanings to these features – perceiving them as fundamental or even organic – similar in their nature to kinship ties. When cultural features are perceived in this way, they are “primordialized” – so the “primordialism” of ethnicity depends on the situation (relations) and is not rooted in its nature – what actors see as primordial, scholars should define as constructed (Fenton 2007: 104–106). This “situational ethnicity” model is based on actors’ perception of ethnic identity, which has its own meaning for social actions of the people concerned, but clearly is contained in the social situation in which the interaction is taking place (Mitchell 1974: 21). It is then obvious that ethnic identity, once mobilized, may become a powerful source of activity – for an individual human being, but also for the whole group, it is potentially a “total identity” which may be involved in all aspects of social life (Fenton 2007: 135) and be used as a convenient tool for political movement to press claims on government (Horowitz 2000: 81) and politicians to gain as well as preserve power.

Hence, once woken up, ethnicity is not easily forgotten, and it becomes an important part of everyday politics as a source of suspicion instead of trust, polarization instead of accommodation, and repressions instead of tolerance (Diamond and Plattner 1994: xix). Bosnia and Herzegovina (terms Bosnia and Herzegovina, Bosnia, and BiH will be used interchangeably), in a historical as well as contemporary perspective, exemplify all the main aspects in which situationally understood ethnicity could be seen throughout the history of social relations where ethnicity was rather a tool chosen to shape them, the institutional structure of the state created to settle the conflict, as well as its political arena and politics founded on the idea of ethno-nationalism. The chapter shows what does ethnicity and divisions mean for a society and its development when it becomes the dominant point of reference and is inextricably linked to politics.

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### **Ethnicized History of BiH**

Already in the medieval period, Bosnia took on a specific cultural and spiritual profile among the South Slavs as it was positioned between two blocks: the East and West Roman Empires. Lying on the periphery of each, neither had a sufficiently intense influence upon it to achieve its radical assimilation; thus, the whole spiritual and material culture of medieval Bosnia had a bifocal development – it was also at the basis of the multiform cultural parallelism that has characterized BiH throughout history – in the Middle Ages the cultures of Western and Eastern Christendom coexisted, enriched each other, and were themselves enriched by the relics of autochthonous tradition, Catholic, Orthodox and Bosnian Churches, Cyrillic, Greek, Latin, Glagolitic scripts, and Bosancica (Lovrenović 2001:45–6).

With time, BiH became a classic example of a borderland, a space where cultures, traditions, and religions have merged, forcing its inhabitants to constantly define their identity and its boundaries in contact with the “important” others (Dąbrowska-Partyka 2004: 63). In consequence, medieval Bosnia triggered development of multiple confessions on its territory: the Catholic Church in the North, West and, since the 1340s, in central Bosnia as well as, the Orthodox Church in the South and East from the beginning of the fifteenth century. Yet, its mountainous character made it also a natural breeding ground for heretical religious practices like a schismatic Bosnian Church which gradually gained an important position in political life, while with the Ottoman conquest, the confessional map of BiH changed, and Islam began to gain a foothold (Hoare 2007: 41; Lovrenović 2001: 49; Donia and Fine 2011: 37).

Nevertheless, it was only in the context of the Ottoman all-embracing confessionalism that complex cultural identities emerged: Muslim-Bośniak in which Turkish-Islamic culture dominated; Serbian-Orthodox linked to the Byzantine religious tradition; Catholic-Croatian shaped by Western Christian traditions, and later the Sephardic-Jewish of the communities exiled from Spain at the end of the fifteenth century (Lovrenović 2001: 108). Ethnically and religiously diverse population of BiH has not always been divided into three separate and rigid categories of Muslims

(Bošniaks), Serbs, and Croats. Rather, successive generations have interpreted their identities according to their own geographic, political, social, and cultural circumstances, while BiH's contemporary social structure is a product of its medieval statehood and the Ottoman, Austro-Hungarian, and Yugoslav periods of rule (Hoare 2007: 28, 33) during which particular communities had more privileged position than others.

Moreover, the process of nation-state consolidation that took place throughout Europe in the nineteenth and early twentieth centuries, to some extent, bypassed BiH. Since the fourteenth century, the region passed from under the control of one multinational empire to another, retaining many social and economic traces of its Ottoman origins until the Communists entirely eliminated the old social order – prior to this, BiH was never an independent state yet retained its identity and boundaries (Burg and Shoup 1999: 18). As a consequence of all these circumstances and developments, instead of one dominant nation, three ethnic groups, described by the 1995 Constitution as constituent peoples – Bošniaks, Croats, and Serbs – evolved on the basis of a strong confessional cleavage which had triggered subsequent cultural differences. According to the 1948 figures, there were 44,7% Serbs, 23,9% Croats, and 30,9% Muslims (Ramet 1992: 177); according to the census in 1991, 43,7% Muslims, 31,3% Serbs, and 17,3% Croats (Ramet 1992: 259); and according to the last, 2013 census, 50,11% Bošniaks (Muslims), 30,78% Serbs, and 15,43% Croats (Al Jazeera 2016). Yet, a serious ethnic rivalry between them started only after 1918 (Donia and Fine 2011: 20), and the earliest moment when it is possible to identify hatred based on ethnicity is with the raise of romantic nationalism in the nineteenth century (Andjelić 2003: 8–9).

Despite the dominant discourse, the three main ethnic groups of BiH have never constituted homogenous entities. There have been other powerful cross-cutting cleavages beside ethnicity: class, education, and geographic location which were mixed with the ethnic one but also remained significant factors in producing antagonistic relations. For example, during the 1992–1995 war, additional divisions emerged inside groups since some people did not follow the mainstream politics (Donia and Fine 2011: 17). Through the ages, there were two crucial dichotomies that defined social relations on the territory of contemporary BiH: between land-owners and dependent peasants (the first ones were mostly Muslims and the second ones mostly Christians) and between urban and rural worlds. Until the nineteenth century, cities were predominantly Muslim, with the percentage of other communities increasing with the beginning of the nineteenth century (McCarthy 1994: 60–2). Then cities became centers of mixed ethnic and religious structures, but still each religious community lived in a separate segment of the city (mahala) with limited mutual contact (Bataković 2001: 67).

Nevertheless, between the World War II and 1991, roughly 40% of urban marriages were mixed, and over 20% of urban Bosnians declared themselves “Yugoslav” or “other” in censuses, refusing to define themselves in ethnic terms. Also, six of Bosnia's ten largest urban centers in 1991 had no majority ethnicity, and the four that did (Tuzla, Bihać, Brčko, and Bijeljina) had Muslim majorities under 60%, which made the ethno-national categories hybrid and fluid. Villages, on the

other hand, tended to be more conservative and mostly made up of people who all belonged to a single ethnicity (Fine 2002: 13). With the urbanization of the whole country, bigger villages and cities became “Bosnian pots,” while the rural areas, despite the modernization that took place in BiH, remained the same (Grandits 2009: 34). While urban centers created multiethnic, civic communities that cut across religious differences with a shared sense of urban belonging, it was the pure ethno-religious character of the villages that imposed its stamp on the national movements, ensuring they would be unable to bridge the religious divide (Hoare 2007: 57; Lovrenović 2001: 52–3).

The semi-exclusiveness of each religious community coexisted with interreligious good neighborliness in urban centers, but rural society was characterized neither by hostility nor by true multiethnicity (Lovrenović 2001: 56). In 1989, as Neven Andjelić writes, images of a unified BiH were present only in Sarajevo and in other larger centers; the countryside and smaller communities were on their way to support the ethnic leaders and had become the basis for ethnic politics and nationalism (Andjelić 2003: 105). According to Robert Donia and John Fine (2011: 35), a military ethos, which created a fertile ground for the nationalist propaganda and recruitment, was deeply rooted among the rural inhabitants, especially in East Herzegovina. In consequence, when in the 1990s the war broke out in Yugoslavia, it was commonly seen as a problem created by “papci,” people from rural backgrounds with “peasant mentalities.” In fact, the whole conflict was seen as the legacy of the past – many of the areas that saw severe ethnic cleansing in 1991 were the sites of similar massacres during WWII – Bosnian politicians spoke of Četniks and Ustaša villages and regions as if place and political identity were coterminous and predetermined. Yet, Bosnian nationalist parties were led by urban professionals, not rural leaders, so the division rural-urban itself is not enough to explain the level of hostility between all groups (Toal and Dahlman 2011: 14–15).

As Noel Malcolm argues, it is true that during the course of Bosnian history, there had been hatred and hostility, but these were largely based on economy, not ethnicity or religion, as the relations between local Christian peasantry and Muslim landowners are usually described. Also, while there was substantial intra-BiH violence during the World War II, two major cases of religious or ethnic hatred in the more distant Bosnian history – during the First and Second World Wars – were triggered from *outside* the country (Malcolm 2011: 39–40). This point has been underlined by John Fine, who claims “toleration has marked Bosnia’s entire history, except when foreigners or locals stirred up by foreign governments have incited the Bosnians to other paths” (Toal and Dahlman 2011: 48). Neven Andjelić (2003: 6–7) is also clear when he says “one cannot completely dismiss the existence of animosity between different ethnic communities, but there was far more coexistence, mutual understanding and tolerance than suppressed hatred or open confrontations. [...] two worlds existed: one was a world of hatred toward others, while the other was of love, or tolerance at least, towards the rest of the society.”

This image was also confirmed by Ivan Lovrenović (1999: 99–100), who claims that “the Bosnian paradigm of unity in diversity” has created a situation in which mutual differences between cultures led to cultural isolation on the one hand but

acceptance of those differences on the other. Dealing with cultural differences was part of people's most immediate experience of social life outside the confines of their home, and it was therefore an essential part of their identity (Bringa 1993: 87) in both a positive and a negative sense. Consequently, two terms – neighboring relations (*komšijski odnosi*) and common life (*zajednički život*) – both meaning ways of recognizing, respecting, and accommodating differences for further harmonious coexistence, instead of a transcendence of ethnic or cultural differences, have been developed throughout centuries. For the post-WWII Bosnian, it meant growing up in a multicultural and multireligious environment where cultural pluralism was intrinsic to the social order, while the terms *komšiluk* and *došluk*, of which there are many examples in folk memory, should be perceived as a ground-roots negation of division and particularization (Lovrenović 2001: 100).

Yet, it was not enough to prevent Bosnia and Herzegovina from falling into a violent, armed conflict in the 1990s. By the end of the 1980s, the Bosnian Communist regime, as the Yugoslav one, was crumbling. It started with intra-party tensions that resulted in the differentiation and democratization of its structures with no ethnic dimensions, but by the end of the decade, after a long period of destabilization, the explosion of nationalism in Serbia and Croatia triggered events in BiH. In effect, the republic became a “political battleground,” but as Andjelić observes: “as long as the highest institutions of the system remained undivided on ethnic issues, inter-ethnic relations were secured” (Andjelić 2003: 69–72; Hoare 2007: 341–2). In result of the armed conflict, the country was largely destroyed, hundred thousand people were killed, and half of the citizens of the country were forced to leave their homes (Ramet 2002: 206–8). As Burg and Shoup (1999: 17) say, the horror of the 1992–1995 war shows that Bosnian society was deliberately destroyed and replaced by a war of all against all. The ease with which this was accomplished was the product of the interaction between external forces, the breakup of Yugoslavia, Bosnian society itself with its deep ethnic, regional, and class cleavages, and Bosnian history (Toal and Dahlman 2011: 75).

The war has had a dominant effect on the structure of the postwar country, the importance of group identity and its goals. Despite the fact that for centuries the Bosnian “identity” question took the shape of both extremes – ethnic hatred and peaceful coexistence – and local identities were more or less flexible, they have become more rigid in the post-conflict environment with groups separating themselves from each other (Nation-building BiH 2011) and presenting somehow contrasting attitudes toward the common state. In BiH, differences were constantly encountered and negotiated in public spaces, and out of this mixing came distinctive habits of tolerance, a culture of borrowing and hybridity that was distinctively Bosnian. Nevertheless, the last war reflected contradictory traditions of conflict and accommodation that have characterized intergroup relations in the state for centuries. For most of its history, Bosnian society had been deeply segmented, with Muslims, Serbs, and Croats organized into distinct communities, where the balance between conflict and cooperation depended heavily on external factors (Burg and Shoup 1999: 16). Nowadays, after more than 20 years since the end of the armed conflict, BiH remains a deeply divided society with three groups divided

along a dominant ethnic cleavage, and a clearly weaker, re-crystallizing fourth group, rooted in pan-ethnic Bosnian identity and situated on the left side of the political scene.

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## Power-Sharing Institutions of BiH

In consequence of the 1992–1995 war, Bosnia and Herzegovina arose as a territorially, politically, and socially segregated country – a deeply divided society, with Bošniaks, Serbs, and Croats as its main groups, and only a brief experience of independence before 1992. The armed conflict itself ended with the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina – better known as the Dayton Peace Agreement (DPA) – on November 21, 1995, at the Dayton air force base in Ohio, which formalized a process that had its roots in earlier initiatives attempting to mediate between the parties (Chandler 2000: 39). Yet, it was hardly a blueprint for a sustainable state. The predominant subject of negotiations was an agreement on the map (Toal and Dahlman 2011: 155, 157), while its implementation offered the parties the opportunity to continue their conflict by other means (Daalder 2000: 161).

Territorially, it attempted to bridge the divergent interests of the three ethnic communities, with strict facts on the ground and the principle of the “Contact Group plan” for the 51–49% division between the Croats and the Bošniaks, on the one hand, and the Serbs, on the other. Politically, the agreement endeavored to reconcile Serb and Croat demands for Bosnia’s partition along ethnic lines with the Bosnian Muslim demand for the preservation of Bosnia’s integrity and the restoration of its ethnic balance; thus, the product of the negotiations was a delicate compromise which affirmed Bosnia’s unity but also foresaw the country’s division into two legal entities, the Croat-Muslim Federation of BiH and Republika Srpska (Tzifakis 2007: 87).

The Accord was to be something more than cessation of hostilities; among its goals were also sustainable peace, reversal of ethnic cleansing, and the development of a Constitution – “not just a peace treaty but a sort of operation manual for the entire post-conflict reconstruction process” (Haynes 2008: 4–5). It contained provisions dealing with military aspects of the peace settlements, regional stabilization, elections, human rights, refugee and displaced persons, and the new constitutional order and defined the role and responsibility of international military and civilian agencies to assist in its implementation (Daalder 2000: 137–8) – it was a document designed to create a new country (Lyon 2006: 50), while the majority of annexes to the DPA were related to the political project of democratizing Bosnia and of “reconstructing a society” (Chandler 2000: 43). Despite the fact that it represented an effective instrument for bringing the Bosnian conflict to an end (Morrison 2009: 9) and establishing at least a negative peace in a war-torn country, it has been criticized for not being capable of restoring a political system which would allow for the establishment of a functioning democratic state, lasting peace, and stability (Mansfield 2003: 2055; Koneska 2017: 37).

The two predominant features of the post-Dayton state building and political system imposed in BiH have been a consociational arrangement (Lijphart 1969, 1977) at the level of the joint state institutions and an asymmetric multinational federalism which can be considered to be a supplement or even an aspect of the consociational structure (Bieber 2006b: 46). In this manner power sharing (or rather a classic corporate consociationalism which places primary importance on ethnicity) has become the essence of the postwar constitution (Chandler 2000: 67; Bose 2002: 216). In fact, one might argue the DPA represents plural consociational settlements within the boundaries of a single state – the sovereign consociation of the state of BiH, and the regional consociations of the entities (Weller and Wolff 2006: 4), while also taking into consideration cantons and some municipalities. The implementation of consociational arrangements has been justified for three reasons: first, it is a paradigmatically divided society; secondly, even before the war, the religious and ethnic divisions of the society were recognized and institutionalized in different guises similar to consociational mechanisms (as the previous part shows); and thirdly, during and after the war, the ethnic cleavages among the social segments not only widened but have been territorialized and politically institutionalized (Kasapović 2005: 7–8).

The institutional setup created in BiH after the 1992–1995 was not a novelty to this region. As noted by Soeren Keil (2013: 129): “although Bosnian history is characterized by change, there are also important continuities,” also Sumantra Bose (2002: 68) claims that the institutional framework of BiH and one of its entities, the Federation of BiH, were copied from the confederal, consociational model of the last 20 years of Yugoslavia. In the same spirit, Florian Bieber underlines that “much of the institutional development since Dayton does not constitute an abrogation from the institutional legacy of Bosnia and Herzegovina,” e.g., the concepts of reserved seats or ethnic key (Bieber 2006: 23; Seizović 2005: 257) linked to the concepts of ethnicity and consensus developed throughout the centuries (Banović 2008: 70). On the other hand, it is also fully justified to claim that the postwar power-sharing structures had also reproduced the mechanisms that fostered political deadlock, collapse of the constitutional systems, and war on the territory of Yugoslavia (Hayden 2005: 252).

Given the consociational and federal nature of the Bosnian state, it is difficult to classify its political system as either parliamentary or presidential – yet it is usually defined as a mixed system with presidential elements (direct election of the president who can also dissolve the Parliament but, on the other hand, with both legislative and executive branches of government cooperating in a manner typical for parliamentary systems) (Sahadžić 2011: 24). Nevertheless, almost all aspects of BiH’s governing scheme are to be perceived through the lenses of its ethnicized power-sharing model, and this includes the classic division of powers into legislative, executive, and judiciary branches represented by a bicameral Parliamentary Assembly, dual executive, and the Constitutional Court.

According to Art. IV of the constitution, the legislative branch is represented by a bicameral Parliamentary Assembly (Parlamentarna skupština) which consists of a 42-member House of Peoples (Dom naroda) and a 15-member House of



Representatives (Predstavnički dom) elected for a 4-year term (2-year till 2002) and based on two principles: of ethno-territorial representation and equality (legislative powers) of the chambers (Saračević 2011: 236). The executive branch is divided between two institutions: the Presidency of BiH (Predsjedništvo Bosne i Hercegovine) and Council of Ministers (Vijeće ministara) (Constitution BiH: Art. V), with more important functions envisaged for the first one, defined as the head of the state. Last but not least, there is also an independent judiciary, which is not really regulated by the federal constitution, with an exception for an institution crucial in federal states – the Constitutional Court of BiH (Constitution BiH: Art. VI). Initially, the judiciary system, with an exception for the federal Constitutional Court, was located at the level of entities – only after the reforms in 2000 were the Court of BiH and the Prosecutor's Office of BiH created at the federal level (Smailagić and Keranović 2011: 301).

Beside those regular elements of a modern political system, the DPA's annex IV established in BiH a constitutional system that includes all four consociational elements at various levels of governance: a grand coalition government in the form of a presidency and a council of ministers, both composed following a strict quota; group autonomy in the form of two federal units called entities, the Serb-dominated Republika Srpska and the Federation of Bosnia and Herzegovina; a system of representation that at times exceeds the needs of proportionality by prescribing parity; and a complex system of veto powers that allows each group to halt legislation in the national parliament (Merdzanovic 2016: 7).

According to Nina Caspersen (2004: 572) the DPA introduced into BiH elements of both consociational (visibly prevailing) and integrative models of conflict management, as the Accord was filled with elements of both, partition and reintegration. Yet, although some of the provisions of the DPA could be read as attempts to introduce integrative elements (e.g., the importance of the return of refugees in order to restore the multiethnic composition of certain regions), generally the Accords opted for consociationalism (Touquet and Vermeersch 2008: 269). More significant examples of integrative measures were introduced in Bosnia later, in the form of an election law focused on creating incentives for cross-ethnic appeals and voting, while the peace mission experimented with introducing integrative power sharing in the RS and FBiH (2000). In order to increase the chances of Milorad Dodik (SNSD), it prescribed preferential voting for electing the president of the RS, but, given the demographic data, there was no incentive to campaign for votes from members of other ethnic groups, and the more radical candidate won. It could be even said that the preferential voting system was counterproductive because voters understood that this new procedure would support moderate candidates and weaken the ethno-nationalist ones, so they closed ranks behind SDS.

In the second attempt, the Provisional Election Commission, dominated by the OSCE mission, introduced new rules for delegating Croat representatives in the House of Peoples in the Federation. Until then, the members of the Cantonal Assemblies could vote only for delegates from their own ethnic group, but according to the new rules, all members of the Cantonal Assemblies could decide on the complete candidate list. Consequently, due to the demographic balance in the



FBiH, Bošniaks as well as “others” would elect the Croat delegates, making Croat candidates dependent on support by non-Croat representatives and only hardening the already flame-raking pre-election campaign of the HDZ. Thus, the attempts to introduce integrative power sharing did not reduce but rather heightened the tensions (Gromes 2006: 26) while the system has remained almost purely consociational.

Between 1995 and 2002, power-sharing existed at the state level between all three constituent nations – i.e., Serbs, Bošniaks, and Croats – and in the FBiH between Croats and Bošniaks, but the system was fundamentally changed in 2002 when the OHR imposed far-reaching constitutional amendments in both entities, guaranteeing legal equality to all constituent peoples throughout the Bosnian territory (Belloni and Deane 2005: 235–6). Even though the “constituent peoples” decision marked a significant step forward in recognizing the equal constitutional position of all constituent peoples, it did nothing to improve the position of the non-constituent population of BiH (ICG 2002; Mujkić et al. 2008:13; Sahadžić 2011: 35). Since then, the primary focus of the constitutional reform in BiH has been the discriminatory status of the “others” – the political rights of the non-constituent population (e.g., ethnic and national minorities) (Banović and Gavrić 2010: 163) and, in consequence, implementation of the European Court of Human Rights’ (ECtHR) decision in the case *Sejdić and Finci v. Bosnia and Herzegovina* from 2009 (and *Azra Zornic* in 2014 as well as *Ilijaz Pilav* in 2016). The BiH Constitution labels Bošniaks, Croats, and Serbs as “constituent peoples,” meaning they, solely, have the right to run for the Presidency and be appointed to the House of Peoples of the Parliamentary Assembly of BiH. The “others,” or the people who do not identify with these three groups (but also a Serb from the FBiH or Bošniak/Croat from the RS), do not have the right to run for either of these posts (Hodžić and Stojanović 2011a: 8, b: 23).

Twenty years after the signing of the DPA, the Bosnian political system is criticized for a number of shortcomings. Political decision-making is described as being in a deadlock (Trnka 2009); also, the pattern of elections where hard-line nationalists of each side have been elected into office has largely survived (Belloni 2007). Much of the criticism is also directed at institutional matters: several state institutions appear to be ethnically discriminatory (Bochsler 2012: 66); there is a predetermination of positions for the three constituent peoples and enforcement of ethnic identity along with the tension between the weak institutions at the state level and the extensive autonomy of the entities (McEvoy 2015: 114). The federal level remains handicapped by a weak executive, a parliamentary decision-making process in which there are multiple veto points, limited competencies that are often shared with other levels of government with no clear hierarchy of functions or enforcement capacity at state-level, an inadequate public administration in terms of both quality and quantity, and continued reliance on international intervention in day-to-day governance (FPI 2007: 27–8). In fact, the DPA not only failed to remedy the deep ethnic divides but to some extent intensified them (Guss and Siroky 2012: 310).

Yet, the DPA created also a complex political structure composed of 1 state, 2 entities, 3 peoples, 4 million citizens, and 5 layers of governance led by 14 prime ministers and governments, making Bosnia the state with the highest number of

presidents, prime ministers, and ministers in the entire world (Belloni 2007: 44; Tzifakis 2007: 85). Moreover, Brendan O’Leary describes Bosnia as a “complex consociation” where, in addition to the four elements of consociation originally set out by Lijphart, the settlement includes an important role for international actors as well as cross-border or confederal relationships (and sometimes institutions) for the groups with their kin in other states (McEvoy 2015: 114). What is more, by continuously intervening in the political system, the external actors affected its internal and long-term dynamics – how the different consociational institutions relate to and interact with each other. These interventions altered the incentive structures for political behavior and created a new kind of consociational system, identified as an “imposed consociation” (Merdzanovic 2016: 3). This situation has been also redefined by political actors who are to use those ethnicity-based institutions.

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### Fragmented Political Elites of BiH

The classic left-right approach to understanding politics and political parties fails to adequately grasp the reality of Bosnian party system (Pugh and Cobble 2001: 45–46). Since it is extremely fragmented, with only few parties having a base in both entities or in more than one community, it has been described as a complex party system with three subsystems dominated by “ethnic parties” of which representation of ethnic interests is a central feature (Kapidzić 2015: 40, 46). It is also defined more by electoral competition among parties that represent a single ethnic group rather than explicit electoral competition between parties representing different ethnic groups. In result they have no incentive to create party programs that can appeal beyond their own ethnic bloc and may, in fact, be punished for doing so. Despite having similar programs, parties are able to compete with each other due to their strong personalization and orientation around strong leaders – in the end they almost do not realize their political programs. Also the tendency to split is both cause and effect of personalization – relatively low barriers to entry in elections mean that intra-party challengers have a good chance of gaining representation and therefore power by creating a new party. Thus, emerging party leaders who might push for a less leader-based structure instead leave to form their own parties on a similar model (Hulsey 2015: 521).

Consequently, the party system has been divided into four groups of parties, which are further split between three communities. On the one end are “extremely national parties” that advocate a change of the status quo, usually secession, threaten other nations, and endorse the use of force and then the “established national parties” that have engaged in a higher degree of cooperation with each other and largely operate within the status quo, even if they might favor fundamental changes to the existing system. The next category groups together “moderate parties” and includes parties that have a stronger commitment to cross-national cooperation and emphasizes a not exclusively identity-based political agenda. At the same time, these parties have a well-defined commitment to only one community with at best token

inclusion of others. The final category includes “nonnational parties” which do not have a group-specific program and potentially appeal to more than one group (Bieber 2006b: 103–4).

Even though the segmentation of politics along ethnic lines remains its main characteristic, the parties themselves went through some changes. What the first ruling parties, SDA (Stranka demokratske akcije, Party of Democratic Action), HDZ (Hrvatska demokratska zajednica BiH, Croatian democratic union of BiH), and SDS (Srpska demokratska stranka, Serbian Democratic Party), had in common was that the respective ruling ethno-nationalist party controlled almost all spheres of society during and right after the war: the armed forces, militias, police, secret services, courts, the most important media, the distribution of humanitarian aid and flats, and the economy, including the payment system (through “payment bureaus”) and the black market (Gromes 2006: 6). Despite the continuing influence of the national parties and their attempts to constrain political pluralism and consolidate respective ethnic groups by underlying the need for political unity, their monopolistic hold on the electorate has declined around the years 2004–2006 due to changes in their policy and leadership (Bieber 2006b: 105–6), as well as strong international pressure and control. The resurgence of two challenging parties, SNSD (Savez nezavisnih socijaldemokrata, Alliance of Independent Social Democrats) and SBiH (Stranka za Bosnu i Hercegovinu, Party for Bosnia and Herzegovina), coincide with a nationalist turn in both of them. Reacting to international pressures, SDS and SDA moderated their stances, which created opportunities for SNSD and SBiH to take over their position and electorate, but it was possible only through their radicalization (Hulsey 2010: 1136–7).

Yet, after the collapse of the 2006 constitutional reform package, the challenger parties have been strengthening their position. In a way that reminds the worst, postwar days, the post-2006 era was characterized by the conscious usage of noncooperation as a strategic device, directed at the internationals and the domestic audience alike. The 2014 state level elections revealed not only a victory of nationalist parties but to some extent a massive return to the voting patterns from the 1990s. Thus, for the party system, there is a visible continuity from the 1990 and first elections (Sedo 2010: 89), but the main feature of the ethnic blocks has become their fragmentation and growing visibility of intra-ethnic outbidding.

In the Serb block, the dominance of SDS established before the war was broken by the combination of international efforts to cut financing for the party and ban party leaders and the emergency of new party – SNSD and its charismatic leader Dodik who was held up as a moderate Serb politician. The 2006 attempted constitutional reforms provided a political opening for Dodik to shift to the radical right and took over SDS position. In the Bośniak camp, SDA has been the main actor with strong SBiH as the main challenger, but SDA was never as suppressed by the OHR as SDS was, so SBiH has not supplanted SDA in the way that SNSD has supplanted SDS. The bipolar situation was changed in 2010 when SBB (Savez za bolju budućnost, Union for a Better Future of BiH) joined the race and ultimately the governing coalition. The more important split within the Bośniak electoral corpus is however the one between the traditional Bośniak parties SDA and SBiH and SDP

(Socijaldemokratska Partija Bosne i Hercegovine, Social Democratic Party of Bosnia) – the main nonethnic party.

Because of the role played by HDZ in Croatia, its financial dominance in the block, and the size of the Croat population in Bosnia, Croats have been the most “stable” and coherent group. Only few viable parties emerged after the war, and most have been splinter parties from the dominant HDZ, advocating a stronger support for the Bosnian state and seeking votes among Bosnian Croats, who had been marginalized in the HDZ by the dominant Herzegovinian stream (Bieber 2006b: 42). The main split happened in 2006 inside HDZ BiH and resulted in creation of HDZ 1990 – the change was triggered by a personal rivalry inside the party. Thus, even though smaller parties existed since the end of the war, the real intra-ethnic division happened only in 2006. Interestingly enough, it was at the same time that Željko Komšić of the multinational SDP won the Croat seat in BiH’s presidency (Merdzanovic 2016: 8). Nevertheless, being aware of their fragile situation of the smallest constituent nation, Croatian parties from time to time try to build all-Croat agreements in an attempt to constrain the intra-ethnic competition: the Fojnica Declaration (Fojnicka deklaracija), the Kreševo Declaration (Kreševska deklaracija), but also the 2010 Mostar Agreement (Mostarski sporazum) between HDZ and HDZ1990.

Beside the three ethnic blocks, a nonnational (or multinational) block has also continued to exist since the prewar period. Among those parties, SDP has had a unique position – it combines broad electoral success with serious efforts to field candidates of more than one ethnicity – that’s why it might be considered as a major nonethnic party, but it should be underlined that it receives a vast majority of votes from Bošniaks who has become its major target. By contrast, the Socialist Party of Republika Srpska (SPRS) is not easily categorized. It was one of the main parties to evolve out of the League of Communists of Yugoslavia; its policies are more ideological in their left-wing content (on pensions, education, and health services) and relatively moderate on the nationalist issue (Pugh and Cobble 2001: 33–4). John Hulsey (2010: 1133, 1135) adds here also People’s Party for Work and Betterment (Naša stranka radom za boljitak, NSRzB) and Liberal Democratic Party (Liberalno Demokratska Stranka, LDS); recent elections brought into light two new ones: Democratic Front (Demokratska fronta, DF) and Our Party (Naša stranka, NS). Some explanations of the poor support for multiethnic parties blame consociational aspects of Bosnia’s system, particularly the proportionality principle, and the mono-ethnic constituencies carved out by Bosnia’s consociational system show greater support for multiethnic parties. Thus, it looks like while the long-term effect of consociationalism may be to solidify the role of ethnicity in politics, in Bosnia today the presence of ethnically homogenous electoral contexts is creating space for less nationalist parties.

The experience of war only strengthened the division into homogenous sub-electorates and position of the national parties – their dominance during the post-conflict period has been primarily explained by, first, territorial homogenization and the constitutional system that effectively segmented the electorates of the different communities. Second, with two exceptions of SDP and DF, no significant

cross-ethnic campaigning has taken place in the postwar electoral races. In spite of the fact that for more than 20 years that have passed since the end of the war, the actors' constellation has not really changed – the system is still dominated by the same national parties: SDA, HDZ, and the only successful challenger – SNSD that replaced, in 2006, SDS.

There is a differentiation over time in regard to parties' orientations and their fluctuation between the moderate and national identifications visible in the cases of SDS, HDZ BiH, SNSD, or SBiH. Nevertheless, the Serb political elite has been consequently focused on weakening the federal level and preserving their position and power on the territory of the RS without sharing it with other groups. This is why it is against the transfers of competences to the state level, and territorial rearrangement of BiH is of their biggest concerns seen as violation of the "Dayton order" (Banović and Gavrić 2010: 170). Both, SNSD since 2006 and SDS, reject the demands to weaken the federal consociational democracy to the benefit of the majority, since, from their perspective, realization of such a program would lead to unitarization and majoritization by the Bošniaks (Gromes 2010: 369). The pro-autonomy behavior is a common trait shared in BiH by Serbs and Croats. The policies of the HDZ (while HDZ 1990 is not far from this picture) center on lobbying for more autonomy for Croats, but among Croats different politics has always been represented by Croats from Posavina – here, Croats never fought with Bošniaks and have felt abandoned by the Croats from the rest of the country and by their kin state, but first and foremost by HDZ. It was in West Herzegovina where Croats have always been a radicalized ethnic majority oriented toward Dalmatia and Croatia – a policy best represented by HDZ that dominated the contemporary Croat discourse in BiH (Pejanović 2002: 118). The Bosniak block has always been the most diverse when it comes to the popular support for political parties, but SDA, SBiH, and SDP share the same view on Bosnia and have similar ideas for its improvements – they have continued to seek the building of a state without the entities agreeing that BiH should become a regionalized country, but they offer different solutions on how to reach that point though (Banović and Gavrić 2010: 1690). While SDA and SDP argue for gradual centralization and abolition of entities, SBiH wants a completely new constitutional negotiations under the US-American leadership, the so-called Dayton II (Keil 2013: 148).

The post-Dayton era has been characterized by a continuing friction between politicians from the three main ethnic groups who have "used the DPA not to build peace, but to continue the pursuit of their war aims" (Morrison 2009: 8). Personal rivalry has become a more frequent reason for party splits than program conflicts with a highly limited intra-party democracy (Sedo 2010: 88), nontransparent methods of funding, and absence of clear policies regarding fundamental problems of the country. As education of "professional politicians" and experts does not really exist (Friedrich-Ebert-Stiftung 2005: 21) and power remains personalized and based on informal connections, political legitimacy is derived from political actors' ability to nourish the clientele on which their power rests – everything in the country is patronage-based (Ornert and Hewitt 2006: 8). Political parties operate and are organized more like Mafia than like modern political parties, but all these elements

could be treated as examples of patriarchal values transferred into politics from the sacral sphere (Fejzić-Čengić 2009: 197).

Yet, this situation on the political scene does not come out of nowhere. The armed conflict emphasized also one of the crucial problems of the region: lack of the culture of political compromise that dominated the political arena after the conflict. Since the first democratic elections in Bosnia and Herzegovina in 1991, politics has been characterized by ethno-politics rather than interest-based politics. The result is that political competition for voters has been warped with the role of voters reduced to cyphers in an ethnic census. While the specific leaders and parties change from time to time, the content of the rhetoric employed by victorious politicians has not changed (Hulsey and Mujkić 2010: 144).

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## Conclusions

As the previous sections show, history of Bosnia and Herzegovina has been marked by periods of hatred and conflict, as well as cooperation and peaceful coexistence between its groups. Also, it is difficult to determine if the fact that the three constituent nations still live together is to be blamed for the instability and fragility of the country nowadays. Nevertheless, there are two elements that, in the postwar period, have been dominated by ethnicity – political institutions and political parties – so the whole political process. While, in the case of institutions, it was difficult to avoid given the fact that Bosnia is a post-conflict, divided society, the corporate character of the consociational model further enhanced the omnipotence of ethnicity in everyday life. Yet, it was the choice of political elites (only to some extent constrained by the institutional system in which they operate), leaders, and their parties that eventually combined ethnicity with politics and, in effect, political conflict.

The DPA brought about a measure of peace between the three warring parties but at the same time left in power the same political groups and parties that had started the war – it was a compromise, but it had its costs. The ethnic leaders who had manipulated ethnic tensions beforehand continued to maintain the divisions afterward, exploiting the recovery process for their own interests. Not only they took over economic resources but also merged party interests with those of “their” nations. As a result of their stay in power, three problems could be indicated that plague BiH today: political party patronage networks, corruption, and lack of transparency.

Federal values of equality, justice, and diversity have not yet become a part of Bosnian political culture (Keil 2013: 134), and consociationalism is understood more as a mechanism that provides autonomy than shared responsibilities. While in the prewar years the parties engaged in a flawed attempt of “power sharing,” the cooperation after the Dayton Peace Accords amounted largely to a division of power. Each main party largely respected the “right” of the other nationalist parties to govern their respective nation, and cooperation, if required by the institutions, was limited to a division of access to state assets and resources (Bieber 2001: 5). It is then understandable that political parties are cited as the most corrupt segment of society in the majority of opinion polls – in 2010 that was the answer of 75% respondents (Blagovcanin 2012: 82–3).

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## Abstract

The chapter highlights the challenges to resolve and/or transform ethnic conflicts and bring peace to ethnically divided societies through peacebuilding activities. Using examples of ethnic civil wars in Africa, the chapter discusses some of the more common ways used in the attempts to resolve or transform these types of armed conflicts, focusing on consociational democracy and regional autonomy formulas.

## Keywords

Ethnic conflicts · Civil war · Conflict resolution · Peacebuilding · Power sharing

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S. L. C. Aguilar (✉)  
Sao Paulo State University (UNESP), Marilia, São Paulo, Brazil  
e-mail: [sergio.aguilar@unesp.br](mailto:sergio.aguilar@unesp.br)

## Introduction

Conflicts are seen as a complex phenomenon. Contemporary conflicts involve a multiplicity of actors (both state and private) in large conflict structures where the scope of public authority is limited. In numerous intrastate conflicts, ethnic components are central to these dynamics, especially (but not exclusively) in Africa, some of which extend over a long period of time and are considered intractable. When transnational actors are present and interlinked through ethnic groups, a conflict within one country can potentially spread to its neighbors and, in some cases, develop into a regional conflict system.

The presence of diverse ethnic groups in a specific country or region is a secular characteristic of Africa that intensifies social divisions and tensions. An ethnic division of power is the result of colonial practices that favored one ethnic group over another, for example, in Rwanda and Uganda. Overlapping ethnic populations remain as a potential source of conflict either through covert support for rebel groups or direct military intervention, such as in the Democratic Republic of Congo (DRC) (see Horowitz 1985).

Numerous conflicts are connected through ethnic manipulation, since it is a fundamental requirement to achieve and/or maintain power. Policies that exacerbate ethnic categories inflate and politicize the significance of ethnicity and “serve to disguise the struggle over the more fundamental matters of power and resources.” In Central Africa, Belgian administrations introduced ethnic identity cards, dividing population into Hutu, Tutsi, or Twa, politicizing ethnicity (Taras and Ganguly 2016, p. 214).

Deeply rooted historical violence and animosity between ethnic groups generate fear, distrust, and violence at all levels. Fear of extermination by adversaries has led to the formation of armed groups, some of which conduct preemptive attacks in the name of self-defense, including against government forces when deemed necessary. Therefore, the nature of conflicts has both ethnic and military dimensions.

According to Denny and Walter (2014, p. 200), “almost half of the remaining civil wars (all of which are fought for control of government) are started by rebel groups with a different ethnicity from the government (33 of 73 cases, or 45%).”

The diffusion of military violence by regional identity and ethnic factors is a common feature of conflicts in African regions and takes place in variety of ways, such as feelings of insecurity provoked by conflict in a neighboring country; solidarity with a similar ethnic group in a neighboring country; grievances between ethnic majorities and minorities within one country or region, often linked to a political inability to manage multiethnic societies; struggles for secession; and mobilization of ethnic or identity groups by charismatic leaders, among others. Furthermore, ethnic civil wars normally take longer to resolve than nonethnic civil wars (see Lake and Rothchild 1996; Weiner 1992; Salehyan and Gleditsch 2006).

This chapter aims to present a range of considerations regarding ethnic conflicts, using examples in Africa. Beginning with the most important concepts, it describes the various characteristics of ethnicity in civil wars. It then moves on to discuss some

of the more common ways these types of conflicts are resolved or transformed within the scope of peacebuilding activities.

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## Concepts

Ethnicity is defined in various ways. Cederman et al. (2010, p. 98) define it as “any subjectively experienced sense of commonality based on the belief in common ancestry and shared culture.” Thus, it is tied to culture. The literature generally agrees that ethnicity involves individuals identifying with one another based on shared characteristics such as appearance, language, religion, or traditions (Nagel 1994; Horowitz 1985).

Conflict and violence often occur together. There is conflict without violence when its causes are addressed in an appropriate and timely manner. However, this chapter refers to conflict in the sense of violent (armed) conflict, which appears when inconsistencies between the goals of different groups or individuals lead to violent behavior and hatred or when hatred already exists between groups due to historical factors, in which case even the smallest contradiction can generate violence.

Cederman et al. (2010, p. 102) consider rebel groups to have strong ties with an ethnic group if it articulates ethno-nationalist objectives and recruits on the “basis of ethnic affiliation.”

Ethnic wars are classified as “conflicts over ethno-national self-determination, the ethnic balance of power in government, ethno regional autonomy, ethnic and racial discrimination (whether alleged or real), and language and other cultural rights”; all other aims are defined as nonethnic” (Denny and Walter 2014, p. 201).

Ethnic wars engage “non-state actors, singled minded groups lacking the full panoply of interests and linkages that often moderate the behavior of governments” (Wedgwood 2001, p. 5). Ethnic divisions are condition for mass violence; however alone they do not furnish an adequate explanation for armed violence, i.e., it is necessary their connection with other factors.

Transborder ethnic groups are those whose fractions are indigenous to more than one state. Transborder ethnic groups are abundant in Africa and arose from the colonial partition of the continent. According to Onah (2015, p. 86), “it is now an acknowledged fact that this partition was arbitrary, with the frontiers of the new African territories neither reflecting the limits of natural regions, nor the regions of separate ethnic groups.” Consequently, “many ethnic groups were divided in such a way that fractions of the same ethnic group fell into the territorial possessions of different colonizing powers, each part subsequently being administered separately from the other.”

On these areas, conflicts normally lie in the overlapping of ethnic and religious as well as porous borders.

Taras and Ganguly (2016, p. 223) highlighted that “the northeastern border of the DRC with Uganda and Sudan has represented an ethnic powder keg.” Civil conflict in one country inevitably to spill over into another and “one country’s confrontation between government and rebel armies swiftly becomes the entire region’s dispute.”

Conflicts also lie in the inflammation of ethnic tensions by political, military, and economic networks (AI 2005). When ethnic transborder groups are barred from the commanding heights of the economy and politics of the countries in which they live, “the tendency is always for them to see the larger ethnic group as the alternative, hence their increased attachment to the group and solidarity with other fractions in the other countries” (Onah 2015, p. 90). This type of exclusion led the Tauregs to fight for their own country, the Azawad. In the Great Lakes, Tutsis and Hutus have been seeking power for decades. Moreover, in the absence of a credible political process and in an environment of political uncertainty, ethnic communities turn to armed groups as local guarantors of security. This is the characteristic feature of the Mayi-Mayi groups in the DRC. Thereto, in some cases, national and provincial political leaders deliberately incited local conflicts in order to obtain or demonstrate power for personal gains (IPI 2017).

According to Onah (2015), there are different ways in which intrastate conflicts arise and develop. For example, one way that intrastate conflicts can arise is through hostile relations between the state and transborder peoples, including fractions of transborder ethnic groups falling within its borders. This form of conflict can emanate from either the state or from the ethnic group. In Mali, the long-standing problem of the Tuareg, an ethnic group partitioned across borders, has led to numerous revolts emanating from the group itself, including the present conflict. The conflict in Cote d’Ivoire put the Dioula transborder ethnic group at the center of its war, involving ethnic and identity issues.

The concept of *Ivoirité*, referring to the purported intrinsic characteristics of an indigenous Ivorian, became part of the political and social lexicon of the country. It was promoted by President Bedie to restrict the rights of foreign workers in the country, further exacerbating ethnic and regional divisions in Cote D’Ivoire (Woods 2003). When the concept was drummed up to discredit Alassane Ouattara, a northern politician and a Dioula, preventing him from running for elections, the New Forces, a Dioula rebel group, took up arms in 2002 (Onah 2015). In the DRC, the Tutsi ethnic group (*Banyamulenge*) formed the Alliance of Democratic Forces for the Liberation of Congo-Zaire (ADFL-CZ) to confront President Mobutu and, later, would also form the Rally for Democracy (RCD) that confronted President Kabila (Onah 2015).

Intrastate conflicts can also arise from hostilities between a fraction of transborder ethnic groups and other ethnic groups living in the country, such as the fight between Hutus and Tutsis within the DRC. Moreover, hostility can also lead to conflicts between two states, where one has ties to transborder ethnic groups on the land of the other. In Liberia, throughout the period of the second Liberian civil war, “the Liberian government continued threatening to take the war back to Guinea, which it accused of sponsoring the rebels” (Onah 2015, p. 89). In the DRC, the hostility between Tutsi and Hutu ethnic groups led to Rwanda and Uganda invading Congolese territory in 1996 and 1998 to fight Hutu armed groups, who were allegedly being sheltered by the DRC government. After withdrawing at the end of 2002, Rwanda and Uganda continued to assist rebel proxies in eastern DRC (Onah 2015).

The problems between Sudan and Chad can be directly traced to the Zaghawa ethnic group, people who live in Sudan, Chad, and the Central African Republic

(CAR) and share a common border in the Darfur region. After Idriss Déby, a Zaghawa, took power in Chad (in December 1990), some dynamics began to operate around Zaghawa ethnicity such as a mixture of political intrigue, active support of his kin beyond the borders, political support in neighboring countries (Sudanese support to Déby, Déby support to Bozize in the CAR, etc.), and demands of “equality and justice.” There is also evidence that violence in the CAR in May 2013 was carried out by Zaghawa rebels from the CAR and Chad (Onah 2015).

Empirical analyses have found that rebel victory is less likely to occur in identity-based civil wars fought along ethnic and religious lines (De Rouen and Sobek 2004; Mason et al. 1999) and that conflicts between different ethnic groups are more violent than others (Denny and Walter 2014). Conflicts founded on ethnic divisions may lead to dehumanization, entailing ethnic cleansing or symbolic violence intended to terrorize unwanted residents. In these contexts, ethnic cleansing can be used by political actors as a strategy to make certain geographic areas more defensible or to shore up their control during conflict.

Although some authors separate the concepts of conflict management, containment, and settlement (Ramsbotham et al. 2011), this chapter uses the term “management” to cover a wide range of conflict handling mechanisms, including preventive action, peacekeeping activity (containment/alleviation of intensity), and agreements (settlement/peace-making). Conflict resolution implies that a conflict is solvable and highlights a comprehensive sense that all its deep-rooted sources are treated (Azar 1991). Conflict transformation, on the other hand, goes beyond resolution and implies “a deep transformation in the institutions and discourses that reproduce violence, as well as in the conflict parties themselves and their relationships” (Azar 1991, pp. 31–32). Consequently, transformation applies a comprehensive and long-term approach to social change in situations of violence and necessitates the involvement of all actors present in the conflict.

In these terms, peacekeeping deals with ethnicity in the short term, while peacebuilding aims for conflict transformation instead. As such the latter addresses more long-term activities. This is because the main aim of conflict transformation is to deeply alter conflicting parties’ relationships in order to avoid the reoccurrence of violence. It highlights constructive and destructive agents of change (at the global, regional, and state levels, as well as in the context of conflicting parties, elites, or individuals) and in doing so can be used as a theoretical framework, showing external actors how to move on from the conflict (see Lederach 2003). Transforming conflict means putting an end to structural violence and achieving long-lasting peace or positive in the Galtung (1996) sense that the mere absence of violence is negative peace and positive peace means a stable social equilibrium in which the surfacing of new disputes does not escalate into violence and war.

Thus, the main objective of conflict transformation is comprehensive analysis that results in appropriate intervention by outside mediators, peacekeepers, peacebuilders, etc., to rebuild and transform structures and social relationships. If a conflict runs along ethnic lines, this issue should be prioritized during peacekeeping/peacebuilding activities.

## Ethnicity and Civil Wars

There are states that face power struggles between ethnically and ideologically diverse groups. The existing literature on civil war addresses ethnic groups and attempts to explain whether a state's ethnic characteristics make a country more or less likely to experience civil war and why some ethnic groups are motivated to launch rebel movements while others are not (Horowitz 1985; Fearon and Laitin 2003; Cederman et al. 2010). Thus, numerous arguments connecting ethnicity and rebel movements have been raised, among them: common language and cultural ties favor cohesion; the geographic concentration of ethnic groups makes it easier for rebel movements to extract resources and evade repression; and ethnic cross-border movements can offer financing and support to rebel groups, such as recruits, popular support, and a safe haven (Gates 2002; Humphreys 2005).

In the CAR, poor leadership and governance, and neglect, led to ethnicity and religion becoming a point of leverage during both the 1980s and the crisis of 2013–2014. The conflict is also connected to successive governments' irresponsible and unaccountable administration of extensive mineral deposits in the country. In South Sudan, the violence in 2013 was linked to societal polarization along ethnic lines. The new country was made up of 64 tribes with no national vision, cohesion, or identity. The government, including the army – the Sudan People's Liberation Army (SPLA) – remained separated by ethnicity (UN A/69/968–S/2015/490 2015). When a political crisis occurred at the head of the government in 2013, violence quickly spread throughout the country.

According to Denny and Walter (2014, p. 202), “collective violence – such as rebellion – requires motivation and opportunity.” Moreover, “civil wars so often separate along ethnic lines because grievances, opportunity, and bargaining problems tend to fall disproportionately along ethnic lines, making mobilization easier and more probable.”

Ethnic groups' grievances are more likely to be a conflict driver when political power has historically been divided along ethnic lines (Denny and Walter 2014). Politics of exclusion provide a related set of conflict drivers. When one set of ethnic interests dominates power to the exclusion of others, minorities that are oppressed, scapegoated, violently targeted, or politically exploited by elites are more incentivized to organize a rebellion (UN. A/69/968–S/2015/490 2015). Ethnic conflict is particularly likely when ethnic groups suffer from (perceived) relative deprivation (Gurr 2000) or horizontal inequalities (see Stewart 2002; Cederman et al. 2011). According to Cederman et al. (2011, p. 482), “the perception of injustice generates grievances that serve as a formidable tool of recruitment.”

The ethnic distribution of Hutus and Tutsis has been manipulated by Rwandan, Burundian, Ugandan, and Congolese elites for their own ends since independence. In former Zaire, President Mobutu earned the loyalty of the *Banyamulenge* (the name given to the ethnic Tutsi concentrated on the DRC High Plateau of South Kivu, close to the Burundi-Congo-Rwanda border) by alternating between threatening to deport them and allowing them participation in political and economic life (Thom 1999).



The *Banyarwandas* – Rwandan colonials or nationals who emigrated to the DRC between the end of World War I and 1960 acquired Congolese citizenship at independence from Belgium in 1960, which was revoked in 1981 (Nest et al. 2006). In Uganda, *Banyarwanda* refugees were deprived of social independence and faced great internal prejudice even after they had allied with elements of the National Resistance Army (NRA) against President Obote (Golooba-Mutebi 2008). In Rwanda, the massacre of Tutsi politicians and civilians carried out by the Rwandan Army between December 1963 and January 1964 was repeated in 1994. The denial of citizenship to the *Banyarwanda* community is one of the sources of conflict in the DRC. The Tutsi-speaking groups (*Banyamulenge*) of the DRC-Kivu region have never had their position within Congolese society recognized (Rukundwa 2004).

In Burundi, between 1962 and 1966, conflicts were mainly due to political competition for power on the basis of ethnicity between the Tutsi and the Hutu. During the next period (1966–1993), conflicts revolved around monopolized state power control and oppression of the majority Hutu and minority Twa by minority Tutsi. This ethnic division led to massacres in 1972 and 1973, during which nearly 300,000 people lost their lives, and a protracted civil war (1993–2004) (Berahino 2011).

Motivations arise in various ways. In ethnically divided countries, natural resources can provide an additional motive and opportunity to help groups collectively overcome their problems by providing the necessary financial means for them to do so. Thus, besides generating grievances, natural resources may provide incentives – immediate material benefits or promises of future rewards – that encourage collective action to overcome common problems and facilitating the mobilization of ethnic groups (Wegenast and Basedau 2014). Furthermore, “ethnic groups may use commodities concentrated in their territory as a means by which to seek secession” (Wegenast and Basedau 2014, p. 438). Conflict is also likely to last longer when a group has access to natural resources (Buhaug et al. 2009). Conflicts in the CAR, the DRC, and South Sudan all involve natural resources, despite also being described as ethnic conflicts.

Ethnic groups are also more likely to be able to rebel because they are more accustomed to living in concentrated or geographically peripheral areas (Denny and Walter 2014). Country borders reflect how far leaders have extended their domestic powers in terms of providing goods and services to the people. However, in reality, leaders in some countries such as the DRC, the CAR, and South Sudan only genuinely extend power into certain specific areas of the territory. In some cases, such as Somalia, governments do not extend their control beyond the capital.

Vulnerability to conflict in peripheral areas can also increase in response to localized factors, such as when the local population interacts with ethnic minorities that are excluded from the political process (Buhaug et al. 2008). In Uganda, armed groups were created according to ethnic lines. The Allied Democratic Forces (ADF) were formed in the late 1990s by Muslim Ugandans who merged with the remnants of the National Army for the Liberation of Uganda (NALU) and received support from the Sudanese government and Ugandan ethnic groups that were hostile to the



local government (West 2015). In the DRC, the hesitant approach of the government “to extending effective state authority to deal with the ethnic tensions and economic rivalries among ethnic communities still puts large numbers of civilians at risk in the eastern Congo” (Doss 2011, p. 21).

Ethnic groups are likely to display more grievances against the state, have an easier time organizing support and mobilizing a movement, and face more difficult-to-resolve bargaining problems than groups organized along other lines. According to the bargaining theory, parties choose to resolve their disputes through violence when the core of the dispute is not mutually perceived to be divisible; agreements on the groups’ relative strength and the likely outcome of war do not exist; and parties are not able to enforce the terms of a settlement, if it exists (Denny and Walter 2014). According to the authors, it is due to three factors: “the ways in which political power has historically been divided; leaders’ ease of mobilizing support to demand change; and the relatively non-fluid nature of ethnic identity.” Consequently, “members of ethnic groups will have greater incentives and opportunities to fight the government than members of other types of groups” (Denny and Walter 2014, p. 207).

In ethnically divided states, a trigger (also called a precipitant, facilitating or igniting factor) is seen as the immediate cause of violence. A trigger could be an economic or political crisis with ethnic undertones, the real or imagined fears of an ethnic group regarding its security and even survival, or a specific event. The assassination of Rwandan President Habyarimana and Burundian President Ntaryamira, in April 1994, triggered genocide in Rwanda, which in turn triggered a regional conflict system in the Great Lakes. Regional conflict systems are characterized “by their complexity of actors, causes, structural conditions and dynamics” (Ansorg 2011, p. 175), and are formed of “sets of violent conflicts – each originating in a particular state or sub-region – that form mutually reinforcing linkages with each other throughout a broader region” (idem, p. 179).

The first consequence of the Rwandan genocide was a large refugee flow which added new dynamics and increased old ones present in the region. However, whether such flows always result in regional conflict systems is associated with other factors, such as changes to ethnic and social structures, and the growth of instability impacting states, governments, and other ethnic communities (Lischer 2005; Weiner 1992).

When groups migrate along ethnic lines or when political power in a state is divided along ethnic lines, they are more likely to present grievances against that state (Cederman et al. 2013; Cederman et al. 2010). Oppositional groups of a given country usually utilize their ethnic links on the other side of the international border to obtain sanctuary, base of operations, and support (Suhrke and Noble 1977; Salehyan 2007). When refugees share ethnic kinship with a politically marginalized group or a rebel organization of the host country and the influx is large, the spread of conflict is more likely (Lischer 2005; Salehyan and Gleditsch 2006; Salehyan 2007).

In the Great Lakes, refugees from Burundi, the DRC, Rwanda, and Uganda sought shelter within similar ethnic groups in neighboring countries. Rwandan

Hutu refugees upset the precarious balance of power in the DRC-South Kivu province populated by *Banyamulenge*. When Ugandan troops withdrew from the DRC-Ituri region, in 2003, refugees from the DRC, mainly Hema and Lendu people who have close relationships with the Ugandan ethnic groups, fled to Uganda (Nest et al. 2006). In South Sudan, it is common that the movement of internally displaced peoples (IDPs) takes place according to their ethnic groups gaining or losing control of certain areas, according to an UNMISS former official interviewed by the author in June 2018.

IDPs also affect ethnic conflicts. IDPs may harbor strong grievances and experience traumatic situations, which increases the salience of ethnic identities and encourages engagement in violence as a way of changing their situation. Consequently, they are particularly likely to provide support, recruits, and logistical bases to rebels from the same ethnic groups (Cederman et al. 2010).

Both IDPs and refugees are more willing to engage with rebels when they share a common history, e.g., Tutsi and Hutu in the Great Lakes region. Ethnicity facilitates IDPs' and refugees' mobilization of rebel groups by generating shared loyalties and obligations among co-ethnics (Bohnet et al. 2016). Movements and settlements established according to ethnicities provide the context in which interactions fuel ethnic conflicts (see Weidmann 2009).

Despite the process of conflict regionalization being historically rooted, the present regional conflict system in the Great Lakes was catalyzed by the 1994 genocide in Rwanda. The subsequent flow of refugees into different countries caused tensions and changed dynamics in an entire region. Within this process, groups were formed and later disappeared, transborder activities of armed groups increased, and alliances were both established and broken over the following decades.

During and after the 1994 genocide in Rwanda, Hutus fled to the DRC provinces of North Kivu and South Kivu and formed alliances with the DRC-Hutus and Mayi-Mayi groups against the DRC-Tutsis. Rwandan armed groups *Ex-Forces Armées Rwandaises* (ex-FAR) and *Interahamwe* – a Hutu paramilitary organization and wing of the ruling party of Rwanda – became collectively known as the *Armée pour la Libération du Rwanda* (ALIR), the main group composed of Hutus operating in the DRC. The group received support from the DRC government and operated in close cooperation with the *Forces Armées Congolaises* (FAC) and Burundian *Forces pour la Défense de la Démocratie* (FDD), armed wing of the *Conseil National pour la Défense de la Démocratie* (CNDD). The Burundian armed groups *Forces for the Defence of Democracy* (FDD) and *Forces Nationales pour la Libération* (FNL) also extended their presence in the DRC. The FDD – an armed wing of the *Conseil National pour la Défense de la Démocratie* (CNDD) – fought alongside the Congolese armed forces in the province of Katanga and undertook joint operations with ALIR and Mayi-Mayi groups in South Kivu (UN, S/2002/341 2002) and became a political party in 2005 (Alusala 2005). The FNL was a “Rwasa faction” of the *Parti pour la Libération du Peuple Hutu* (PALIPEHUTU), which established bases in east DRC and alliances with *Interahamwe* and Mayi-Mayi groups. In 2008, PALIPEHUTU leaders signed an agreement and changed its name to FNL, deleting the ethnic element (Mulamula 2011).

The Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL) was formed by a coalition of Rwandan, Ugandan, Burundian, and Congolese dissidents who toppled President Mobutu and brought Laurent Kabila to power in the First Congo War (1996–1997) (AI 1998). In August 1998, the Rally for Congolese Democracy (RCD) was formed by Uganda and Rwanda, composed of former ADFL members, including many *Banyamulenge*. The group continued to be the primary Tutsi force that also aligned with Burundi (SAIIA 1999).

In the Ituri region, a branch of the RCD split into the *Union des Patriotes Congolaises* (UPC), a Hema militia, and the *Front Nationalise et Intégratif* (FNI), a Lendu armed group. The growing hegemony of the UPC in the town of Bunia and part of Ituri led the Ugandan government to support the formation of the Front for Integration and Peace in Ituri (FIPI), a coalition between three ethnically based political parties created in December 2002, which shared the objective of dismantling the UPC (AI 2005). New tensions within the UPC and the FNI resulted in the formation of the *Force de Résistance Patriotique en Ituri* (FRPI), a Southern Lendu group, and the *Parti pour l'Unité et la Sauvegarde de l'Intégrité du Congo* (PUSIC), a Southern Hema group (Oga 2009).

The FDLR, the primary remnant of a Rwandan Hutu rebel group in the eastern DRC, was formed in September 2000 to oppose Tutsi rule and influence in the region. The group was composed of former members of the *Interahamwe* and backed by President Kabila, who used the group as a proxy force against the Rwandan army which was operating within the DRC. In 2002, FDLR units moved into the Kivus and continuously attacked Tutsi forces in both eastern DRC and Rwandan territory (ICG 2003).

The *Congrès National pour la Défense du Peuple* (CNDP), a Tutsi political armed militia established in the Kivu region in December 2006, also engaged in the armed conflict against the DRC government (HRW 2007). In 2012, former CNDP soldiers formed the March 23 Movement, also known as the Congolese Revolutionary Army, sponsored by the Rwandan government. The group faced the FAC and Intervention Brigade of UN Organization Stabilization Mission in the DRC (MONUSCO) and surrendered in November 2013.

Flows of refugees and IDPs can affect land-related issues, including water, pastoral areas, etc. When people move from their homes and cross borders due to conflict, they often alter patterns of land access where they resettle. If these movements are associated with ethnic groups, land disputes can become the heart of conflicts at community, state, and regional levels. The question is worsened when it is manipulated by elites for political purposes.

In the Congo, Hema and Lendu claims to land and grazing rights were not the main source of conflict. However, Belgian colonial rule had favored the Hema, and after the fall of Mobutu's regime, "Lendu began to fear that their land rights would be eroded by increased Hema ambitions" (Taras and Ganguly 2016, p. 223). In Rwanda, unequal access to land was one of the causes of the 1994 genocide. The complex process of interactions between different types of environmental scarcities, demographic pressure, inequitable access to and shortage of land resources, resource depletion or degradation, and distribution of ranches and fields in productive wet

valleys to men of influence or to rural relatives of the elites resulted in a cycle of poverty and dissatisfaction with the state. During the process, the rhetoric of the rich (*abakire*, in *Kinyarwanda language*) versus the poor (*abakene*, in *Kinyarwanda language*) developed in the 1980s shifted to Hutu versus Tutsi in the 1990s (Gasana 2002).

In the Sahel region, several structural conditions shape a large number of conflicts related to land use. A mix of “agricultural encroachment on productive key resources for pastoralism and on livestock corridors, obstructing the necessary mobility of herders and animals,” “political vacuum that led rural actors to follow opportunistic strategies to claim ownership of land and natural resources,” and lack of trust in government institutions (Benjaminsen et al. 2012, p. 109), combined with the nomadic nature of ethnic groups and climatic or environmental conditions, led to numerous land-use conflicts in that region.

In South Sudan, it is the Bari-Mundari groups who dispute land rights (and authority). The presently contested border between Sudan and South Sudan is the same border that the two communities have been disputing since 2009 (Justin and Vries 2017).

In the Sudan-CAR borderland, large groups of heavily armed poachers enter from the former to plunder wildlife resources of the latter. The Sudan/South Sudan borders have not been completely demarcated and have therefore become the scene of military campaigns against Nubba people, as well as cross-border cattle theft (Angsthelm et al. 2013). In the DRC-CAR-South Sudan borderland, armed bands of cattle herders cross the borders to pasture their herds. These cases often result in clashes with the local population, e.g., in the South Sudan Western Equatoria province, the Arrow Boys groups fight against cattle keepers (ICG 2016).

Moreover, security dynamics closely connected to ethnicity commonly led to the eruption of violence in areas that the conflict had not previously reached. In the DRC,

South of the city of Beni in North Kivu, tensions between the Nande and Hutu ethnic groups have given rise to an alliance of Mai Mai groups that have committed violence against the population and attacked government forces. Ethnic violence between the Twa and Luba populations has reignited, with violence on the border of South Kivu and Tanganyika provinces. (IPI 2017, p. 2)

Numerous ethnic conflicts present the following common characteristics:

1. Ethnic interests that dominate national interests in politics.
2. Ethnic interests crossing borders and generating dynamics of loyalty and adherence (or not) to state rules.
3. Use of citizenship as a claim for rights.
4. Political-social alienation between capitals and the periphery where sociopolitical disintegration is present.
5. Ethnic communities employing security and economic survival tactics/strategies.

6. Economic factors fueling the war, involving both internal and external actors' own interests.
7. Involvement of leaders (government and armed groups) in trade and resource exploitation or their support and provision of security on an ethnic basis.
8. Manipulation of ethnic rivalries for particular interests (mainly economic and political).
9. The practice of numerous illegal activities and crimes such as occupation of lucrative locations, extortion, parallel administrative structures, forced labor, sexual exploitation, etc.
10. Government providing benefits to ethnic kins or partisans in order to guarantee loyalties.
11. State security forces structured along ethnic lines.
12. Use of insurrection by armed groups' leaders as a way of accessing posts and privileges.
13. Transnationalization of ethnic conflict due to the perceived insecurity of ethnic groups.
14. Elements of a group's historical memory or fear of physical insecurity.
15. Real or perceived discrimination, inequalities, or inequities.
16. Forced migration.
17. Loss of land rights.

If ethnicity is at the center of conflict, it must also be at the center of any peace effort, i.e., ethnical impact on the conflict must have priority when addressing ethnic wars.

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## **Ethnic Conflicts and Peacebuilding**

Johan Galtung (1978) proposed a conflict analysis model in which a conflict can be viewed as a triangle whose sides are represented by A (attitudes), B (behaviors), and C (contradictions). In ethnic conflicts, contradiction would be defined by the parties' negative relationship, i.e., incompatibilities. Attitude includes the parties' perception and non-perception of themselves and each other. In violent conflicts, strongly negative perceptions developed by the parties often include humiliating stereotypes of each other. Behavior in violent conflicts involves threats, coercion, and/or destructive attacks.

Conflict resolution belongs to the field of behavior and contradiction. When a conflict is settled, the behavior of parties turn to nonviolent actions and incompatibility is eliminated. Transformation belongs to the attitudinal side of the triangle, in the sense that it changes perceptions in the long term. It involves reconciliation, public policies, and programs that permit constituent ethnic groups to live together. Such efforts are usually connected to strong governance in building trust between ethnic groups, engendering a sense of respect of rights in general, and to political leaders' commitment to social justice, among others, all leading to the establishment of a political system operating according to the principles of democracy and the Rule of Law.

The concept of peacebuilding presented in the Boutros Galhi' Agenda for Peace was related to "the construction of a new environment should be viewed as the counterpart of preventive diplomacy, which seeks to avoid the breakdown of peaceful conditions" (UN 1992, para 57). Thus, the aim of peacebuilding is to promote positive peace. To these ends it must address the "root causes" of a conflict, which are frequently complex and hard to identify and understand. If peacebuilding activities intend to remove the root causes of a conflict, its aim is to transform the conflict and not just to find ways to resolve disputes. In this sense, peacebuilding entails a broad gamut of activities in security, humanitarian, economic, political, and societal areas and must be programmed as medium- to long-term arrangements. Whether it is implemented in countries facing ongoing armed conflict or in the aftermath of civil war, activities should be carried out (and normally are carried out) by external actors in conjunction with local actors (state officials and civil society) in a process encompassing concrete efforts on all parts (projects and programs).

However, ethnic conflicts have shown that permanent solutions are difficult and nearly impossible. Thus, prevailing idea is that success is most likely through prevention. Notwithstanding, in practice it has been shown that international community intervention is more likely to occur once an armed conflict has already been initiated, rather than through preventive diplomacy or preventive deployment. It leads to the management of deep violent ethnic conflict, which is commonly conducted through peacekeeping operations (PKOs). These operations prioritize the protection of civilians within its mandates including the use of all necessary means to prevent or halt civilian victimization and widespread abuses.

Nevertheless, in African examples, some PKOs that were intended as short-term interventions have become long-term, some of which present minor results that indicate a possible resolution of conflict. In the DRC, the deployment of PKOs has been ongoing for almost 20 years, since the creation of MONUC in 1999. In the CAR, international interventions are approaching 20 years, encompassing the UN Mission in the CAR (MINURCA) (1998–2000), the United Nations Mission in the CAR and Chad (MINURCAT) (2007–2010), and the UN Multidimensional Integrated Stabilization Mission in the CAR (MINUSCA), from September 2014 to date. These were interspersed by other missions such as the UN Integrated Peacebuilding Office in the Central African Republic (BINUCA) and the African-led International Support Mission in the Central African Republic (MISCA) (see UN, DPKO 2018). Despite the long presence of PKOs, these conflicts (among others) have not yet been "resolved," which would create the right conditions to actually implement transformative activities. Nevertheless, peacebuilding is being carried out in conjunction with peacekeeping and peacemaking activities.

When ethnicity in deeply divided societies is at the heart of conflict, it cannot be separated from politics. Existing literature and practices present various strategies for managing or eliminating ethnic differences. Any negotiated solution to disputes between a dissatisfied ethnic group and the government often requires political reform.

In civil wars fought between ethnic factions, the partition of the state into ethnically homogenous regions and the installation of a government system

according to the model of consociational democracy, a governmental type of power sharing overlaps with the concept of consociationalism developed by Lijphart (1969), is one way of building a new country.

Power sharing was tested in numerous countries in Africa, such as Burundi, Djibouti, the DRC, and South Africa, where the main focus was to assure ethnic groups' representation at all levels of government.

Institutional structures that are typically set on consociational democracies in ethnically divided societies include segmental (regional) autonomy, a government formed by a coalition of political elites, proportional representation in government, and the "mutual minority veto" allowing each group to block legislation they deem "threatening" to its ethnicity (Rice 2017; Merdzanovic 2015).

Agreements that impose a structural form of consociational democracy can end ethnic war by offering power sharing to rebels, if and when parties' leaders can convince each other that they will honor the terms of the agreement. Indeed, power sharing formulas can be viewed as a healthy tool to "resolve" this type of conflict.

Lijphart (1969) determined several factors that were favorable to creating a successful consociational democracy in a divided society, such as the presence of an external threat, a tradition of elite accommodation, geographical concentration of factions of equal size, and overarching and crosscutting loyalties to the state. According to Rice (2017), when these preconditions are absent, it increases the chance of the failure.

Thus, the consociational formula can be ineffective in the long term as it can perpetuate ethnic differences. Due to a lack of overarching state loyalties and the absence of cooperation among political elites, combined with geographical divisions in the state and the legitimization of ethnic homogeneity as consequence of movements during civil war, ethnic nationalism and secessionist politics are rooted and legitimized within the state (Rice 2017). A pattern of voting for candidates and parties according to ethnic divisions in conjunction with the consociational model can practically paralyze central institutions and prevent the state from advancing economically and politically (Merdzanovic 2015).

Regional autonomy is another approach used to build multiethnic societies and bring together groups that formerly fought. It is a less restrictive form of power sharing in which ethnic groups have autonomy in regions they have predominantly settled themselves. These arrangements can come from federal arrangements and grant access to executive power without "veto power."

Scholars have different visions regarding the formulas and effects of "resolving" conflicts in deeply divided societies. While some argue that regional autonomy reduces the likelihood of recurring conflict (Lijphart 1985; Gurr 2000), others view this model as an ineffective model of conflict resolution (Snyder 2000; Roeder 2007), and that decentralization along ethnic lines can reinforce divisive ethnic identities and pressure on the state and increase secessionist groups' mobilization (e.g., Brancati 2009).

Both formulas, power sharing and regional autonomy, also rely on the commitment of leaders (government and ethnic groups) to respect all rights for all citizens and not institutionalize ethnic divisions (Cederman et al. 2013). Notwithstanding, in



ethnically divided countries, where ethnic politics are in place and where groups gather around ethnic identity, commitment is commonly problematic. In the short term, this happens because of distrust, and in the long term because of the high possibility of groups establishing patterns of behavior in accordance with their ethnicity, e.g., voting for ethnicity-based parties or perpetuating ethnical divisions (Rice 2017; Merdzanovic 2015).

Simonsen (2005) argues that peace processes in ethnic conflicts have to build legitimate institutions that lead to social stability through a “transformative movement,” addressing the sensitivity of conflict patterns. This implies attempts to reduce the salience of ethnic divisions by creating institutions that provide proportional ethnic representation in the aftermath of war without accentuating ethnicity in politics, i.e., not institutionalizing ethnic divisions as usually occurs in the power sharing model.

Thereby, transformation should be based on reconciliation and ethnic inclusion, as part of long-term peacebuilding strategies. Simonsen (2005) highlights that inclusive policies, whether based on group rights, autonomy, inclusion, or democracy, constitute the safest path to peace and that reducing the prominence of ethnicity is possible when integrated into mechanisms employed for peacebuilding in a post-conflict situation. The author presents two main entry points for reducing the political salience of ethnicity in post-conflict societies: the promotion of cleavages that crosscut ethnic ones, in which conflicting interests are recognized and shared by someone of a different ethnicity, and the behavior of political elites competing for political support, focusing on ways to encourage elites to transcend ethnic boundaries.

Damaged relationships between ethnic groups can be difficult to remedy due to the memories of what occurred during war, which can negatively affect attempts to build a consociational system (Rice 2017). It can lead nations to construct a “nation identity” instead of “ethnic identities.” The case of Tanzania demonstrates that fostering a national identity in a country with many ethnic groups can dismantle the strength of these groups’ political identity and can prevent elites from manipulating ethnic interest. Consequently, no group is strong enough to significantly impact the policy and politics of the government (Erickson 2012).

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## Conclusion

Ethnicity is the center of many armed conflicts around the world. Contemporary conflicts are often composed of various interacting actors and relationships, which give them complex characteristics and, in some cases, a protracted and intractable nature. Ethnic conflicts often are part of complex dynamics that link invasions, plunder of resources, politicized ethnic cleavages with high political tensions, refugee and IDP flows, political instability, territorial ambitions (normally due to land scarcity and population pressure), support of rebel groups, and transborder movements. Such conflicts underline key actors’ lack of desire for peace, in a context in which ordinary people are both the targets and the main victims.



In Africa, transborder ethnic groups have often been involved in many of the conflicts. However, conflicts are more deeply connected to failed state systems than to these groups, e.g., lack of democracy in the sense of good governance and justice.

Ethnic lines of division and exclusion and lack of services and facilities, among many other factors, have led to ethnic groups becoming more prone to subversion. Competition between ethnic groups for the control of state power coupled with scarce resources has generated a cycle of violence that has been proven to be complex and difficult to resolve.

Thus, the state must change in order to take care of collective interests above individual ones. Thereby, ethnic conflicts' transformation encompasses a wide variety of activities, which range from political and economic to societal and security reforms to improve civil society. Such transformation should be carried out based on policies that permit reconciliation, inclusiveness, respect of rights, and that have a direct impact on ethnic groups and their regions. However, when violence is protracted, it can lead to an impossible coexistence. Ethnic identity overlaps with any attempt to build a national identity and also undermines attempts to transform the state and its society.

Peacebuilding aims to transform conflicts and its activities should be thought of long-term activities. Under the attempts to "transform" ethnic conflicts, consociationalism and regional autonomy are more likely to be accepted by ethnic leaders as it gives to them guarantees of power and autonomy. However, these formulas are normally challenged by ethnic patterns, which can perpetuate divisions and paralyze states.

In sum, ethnic identities are dynamic identities which become exacerbated during times of conflict, when mobilization along ethnic lines increases. While resolution tools attempt to alleviate the causes of ethnic conflicts, transformation processes need to address root causes in order to diminish the salience of ethnicity. However, ethnic conflicts are often complex and so are attempts to solve them. Thus, the challenges are enormous to really transform such conflicts and create the conditions for people of different ethnicities to live peacefully.

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## Cross-References

- ▶ [Ethnicity and Cultural Rights in Tibet](#)
- ▶ [Identity and Conflict in Northern Ireland](#)
- ▶ [Patterns and Drivers of Communal Conflict in Kenya](#)

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# Ethnicity and Violence in Sri Lanka: An Ethnohistorical Narrative

# 36

Premakumara de Silva, Farzana Haniffa, and Rohan Bastin

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## Abstract

The ethnicity and violence in Sri Lanka have many root causes and consequences that are closely interconnected. Given the nature and the complexity of root causes and consequences of these highly contested concepts, it should not be treated as a part of linear historical processes where one event led to another. Sri Lanka presents case of how intersecting not only ethnicity and violence but also religion, caste, class, linguistic, and cultural mosaics have been and might be billeted within the borders of a nation-state. However, state building in Sri Lanka has been riddled with paradoxes. The curious notion of numerically dominant ethnic group, Sinhala manifesting a “minority complex” or anxieties about minority groups, Tamil and Muslims, is evident in the rise of Sinhala Buddhist nationalism during the nineteenth and the twentieth century of the country. Since state building has often meant

P. de Silva (✉) · F. Haniffa

Department of Sociology, University of Colombo, Colombo, Sri Lanka

e-mail: [prema@soc.cmb.ac.lk](mailto:prema@soc.cmb.ac.lk); [prema112@hotmail.com](mailto:prema112@hotmail.com); [ffhaniffa@gmail.com](mailto:ffhaniffa@gmail.com)

R. Bastin

School of Humanities and Social Sciences, Deakin University, Geelong, VIC, Australia

e-mail: [rohan.bastin@deakin.edu.au](mailto:rohan.bastin@deakin.edu.au)

centralization and a single ethnic group dominating the symbolic framework of the nation, there has been the tendency by minority groups such as Tamil and Muslims who have felt marginalized by the process to reinvent new collective ethnic identities. Moreover, cultural-religious minorities have responded to such hegemonic state-building process through mobilization of both non-violence and violent means. A complicated coming together of anti-minority sentiment at the level of the state, permissive politics that made violence a possibility, and the utilizing of this permissive violent politics for working out various class and caste enmities resulted in an extremely difficult political time for Sri Lanka in the 1980s. However, the central narrative through which the prevalence of violence was understood was the ethnic conflict. This paper too shall lay out the important historical moments where disadvantages toward minorities were institutionalized at state level while calling attention to ways in which ethnic politics were utilized for a multiplicity of ends.

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**Keywords**

Sri Lanka · Ethnicity · Violence · War and Peace

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**Introduction**

Ethnicity and violence in Sri Lanka are understood in Sri Lanka using two primary frameworks. In the first instance, given that Sri Lanka experienced a violent conflict primarily based on the politicization of ethnic difference and the claim for a separate state on the basis of ethnicity, we have retraced the historical antecedents to the ethnic conflict to the manner in which first Sinhala nationalism and later sustained minority marginalization were institutionalized into the state. Secondly we have traced the manner in which the cultivated nationalism of the state and majoritarian politics created the possibility for mobilizing violence within communities based on ethnic difference for different political and economic needs. This second form of violence often played out along class cleavages as well and was instrumentalized in the service of a variety of political interests that were not merely ethnic.

In the early 1980s, Sri Lankan scholarship shifted to the study of the nature of violence in Sri Lankan society. Understanding communal violence was considered a matter of increasing urgency as outbreaks of violence between ethnic minority groups and the majority Sinhala became more and more frequent. Concomitantly the insurgent activity in the north of the Island also became more prominent. The violence provoked several anthropologists into analyses of the underlying political, economic, and ideological factors of ethno-religious violence (e.g., Obeyesekere 1984; Gunasinghe 1986; Tambiah 1986, 1992; Kapferer 1988; Rogers 1987; Spencer 1990; Roberts 1994; Abeysekara 2002; Ismail 2005, and more recently Udalgama and de Silva 2014; Haniffa 2016; Nagaraj and Haniffa 2018; Venugopal 2018). Further, given the escalation of the conflict since 1983, the question of ethno-religious nationalism and violence has informed most anthropological and sociological work on Sri Lanka. Today the emphasis has shifted to understanding processes of postwar reconciliation and, to an extent, the reemergence of violence targeting minority communities – this time Evangelical Christians and Muslim communities in the country.

## Historical Emergence of Ethnic Identities

Though Sri Lanka entered its period of political independence from Britain with a strong pluralist orientation, ethnic thinking had been developed through colonial experiments with ethnic representation in the early 1900s, and with increasing state centralization, ethnicity became a dominant category in the postcolonial period. In response to the majoritarian politics and violence, the Tamil minority responded by demands for self-determination either within or outside the existing bounds of the nation-state. Since state building has often meant centralization and a single ethnic group dominating the symbolic framework of the nation, there has been a tendency by minority groups such as Tamil and Muslims who have felt marginalized by the process to reinvent new collective ethnic identities. Moreover, cultural-religious minorities have responded to such hegemonic state-building process through mobilization of both non-violence and violent means. For example, segments of the moderate Tamil elites dug their heels in for a political battle that culminated in a demand for a separate state in the north and east of Sri Lanka, where Tamils constitute a majority and the less privileged Tamil youth minority groups and castes were mobilized into armed factions such as the Liberation Tigers of Tamil Eelam (LTTE). In relation to the Muslims, Haniffa has argued that the success of the religious reform movements can also be traced to Muslims' feeling of marginalization within the majoritarian polity and, more specifically, to the wartime polarization of the Sinhala and Tamil communities (Haniffa 2013). Research into the internal politics within Sri Lanka's minoritized communities was sometimes submerged in the overarching narrative of Sinhala state enmity toward the Tamil ethnic group as a whole. Brian Pfaffenberger points out the manner in which the northern politicians themselves overemphasized Sinhala Tamil enmity to detract from the prevalence of caste politics in their own communities in Jaffna (Pfaffenberger 1990). A complicated coming together of anti-minority sentiment at the level of the state, permissive politics that made violence a possibility, and the utilizing of this permissive violent politics for working out various class and caste enmities resulted in an extremely difficult political time for Sri Lanka in the 1980s. However, the central narrative through which the prevalence of violence was understood was the ethnic conflict. This paper too shall lay out the important historical moments where disadvantages toward minorities were institutionalized at state level while calling attention to ways in which ethnic politics were utilized for a multiplicity of ends. Further, the war – the most sustained period of ethnic violence in the country since independence – requires its own framing.

From independence in 1948 to the beginning of the civil war in 1983, Tamil demands changed from peaceful attempts to gain language equality to violent demands for a distinct Tamil nation and complete secession from Sri Lanka. Arguably, it is the cultivation of the cultural and political hegemony of the Sinhala Buddhists in an increasingly centralized nation-state that has been the greatest irritant to the ethnic minorities including Muslim. The failure of the Tamil leadership's attempts to work through government institutions and the Sinhala majority governments' repeated failure to respect attempts at non-violent protest have led to the violent means eventually used by the Liberation Tigers of Tamil Eelam.

## **Ethnicization of the Sri Lankan State and the Emergence of the Ethnic War: Colonial Impact**

The efforts of the colonial rulers to manage the problem of ethnicity and pluralism in the colony fall roughly into two phases. In the first phase, they were influenced by their own objectives as the imperial power ruling the country. In this phase the governing institutions that were established beginning with the Legislative Council in 1833 following the Colebrook Commission cautiously provided for the participation of the Ceylonese in stages and in a very limited way and introduction of 'new game of politics' (see Scott 1999, 2000). The British colonial government nominated Ceylonese members to represent their communities. Among other British colonial officials and Burgher community (descendent from Portuguese and Dutch), the first Legislative Council contained three Ceylonese members one from each of the three communities Sinhala, Tamil, and Muslim who were nominated by colonial government to represent their "Communities." In 1889 with the increase in the number of members in the Legislative Council, there were three colonial officials, a "Low country" Sinhalese, a "Kandyan" Sinhalese, a Tamil, a Muslim, and a Burgher.

The colonial government therefore recognized the principle which came to be described as "communal representation." This form of communal representation paid little regard to the size of each community, and the representatives did not enjoy any effective decision-making power and performed only the limited function of debating official policies and actions, agitating for reforms and in the process speaking for their communities. But this regime of communal representation created its own political environment. The colonial rulers were defining the roles for the different communities in a manner that gave them a sense of equality in their relations with each other.

This perception contributed to the approach that was taken later in drafting the Donoughmore Constitution (1928) and the Soulbury Constitution (1945). It was an approach which favored a unitary state. Both constitutions designed by the British constitution makers placed their faith in the "orthodox" forms of democratic, territorial representation with universal adult franchise and hoped that this would produce the social and economic changes that will achieve the desired outcomes. Meanwhile some weightage to the minorities in the demarcation of electorates and the executive committee system was expected to ensure adequate participation by the minorities in the tasks of government. The political discourse and the search for constitutional solutions in the period 1923–1945 took place within this ideological framework.

The political question for the period was posed in terms of how "minorities" could gain a fair share of political power in a state which from the beginning was conceived in unitary terms. The arrangements had to accommodate the demands of the minorities without violating the basic principle of democracy, that of majority rule. The framework of a unitary state and majority rule in a democratic polity narrowed the options that were available. The Kandyan Sinhalese advocated a federal type of government as the answer to their problems and made proposals to the Donoughmore Commission in 1928. The party which proposed a federal solution, although an influential group, was not the sole representative of the Kandyans. There were many Kandyans who were in the main-stream of politics with the "low-country" Sinhalese who did not subscribe to these



proposals. Over a brief period of time, the Kandyan federalist discourse faded away from the political scene even as the Tamils moved toward federalism. For a variety of reasons, ethnicity-, religion-, and language-related issues dominated the debate. Federal demand began to appear at the time as the Sinhala ethnocultural identity was beginning to assert itself from the 1930s onward, and the system was failing to work for the Tamils.

The experience under the Donoughmore Constitution during the period preceding independence provided lessons which went unheeded. The democratic representation with a unitary state would not suffice to prevent a Sinhala majority from emerging and acting unilaterally without reference to the minorities. Notwithstanding the lessons of the Donoughmore Constitution, the Tamils continued to place reliance on constitutional arrangements that would increase their representation such as the fifty-fifty formula. The fifty-fifty formula proposed by the Tamil Congress to the Soulbury Commission in 1945 sought to increase representation in a manner which prevented the Sinhalese from being in a clear majority in the democratically elected legislature. This demand was seen by the British constitution makers as an unacceptable perversion of democracy. Eventually there was to be no compromise on the basic tenets of the British ideology of parliamentary democracy and the concept of a secular nation-state which should rise above ethnicity, religion, and caste. The constitution recommended by the Soulbury Commission embodied these principles while providing one fundamental safeguard for the minorities by adding the section that denied Parliament the power to make any laws “rendering persons of any community or religion liable to disabilities or restrictions to which persons of other communities are not liable or confer upon any persons of any community or religion any privileges or advantages which are not conferred on persons of other communities or religions” (Soulbury Commission Report, 52).

During this entire period preceding independence, the agitations of the Tamil and the responses of the Sinhala majority were essentially contained within this ideology of British democracy and that too within one part of it. Tamils were content as yet to adopt a pragmatic approach to the problems they faced and to eschew any new ideological positions which went beyond the political paradigm which had evolved during colonial rule. The few voices that spoke of the federal system as appropriate to the Sri Lankan situation, such as that of S.W.R.D. Bandaranaike during the early part of his political career in the 1920s, were too far outside the mainstream to carry any serious weight. The Tamils themselves were critical of the federal idea; particularly the Jaffna Youth Congress was critical of the federal idea.

What then were the forces that made them abandon their pragmatic position and what led to the rise of the new Tamil ideologies which replaced it? To answer it, we need to examine some of the turning points or historical conjunctures in the relations between the political leadership of the two communities and the turning points or conjunctures which drove them apart and hardened the ethnonationalist ideologies of each. One such early turning point came with the constitutional reforms of 1923. The reforms enlarged the elected representation in the Legislative Council. The main political disagreements between the Sinhalese and Tamils centered on the issues of sharing this representation. The Tamil demanded an arrangement whereby one Tamil representative would be elected for the Western Province, a demand that was

opposed by the Sinhala politicians. Up to this time, the Ceylon National Congress had been the organization in which both Tamil and Sinhala politicians acted together in campaigning for constitutional reforms. It was a partnership in which the Tamils participated as one of the two major communities in the country. These developments following the 1923 reforms led to the split in the Ceylon National Congress and the formation of a separate political organization to represent the Tamils. The response of the Tamil party was to suggest the fifty-fifty formula, a remedy that was worse than the disease and only served to outrage the majority. Nevertheless, as the tensions between the two communities grew, the inequities of untrammelled majority rule in a society which contained a mix of ethnic groups, some of whom were small minorities, were slowly becoming evident. The term “tyranny of the majority” was freely used by the Tamil spokesmen to pinpoint this flaw which was inherent in the system. But the problems of “majoritarian” democracy were not clearly conceptualized, and the options that were available had not yet been identified and clearly articulated.

However, at the time Sri Lanka became independent, a somewhat fragile and uneasy compromise had been reached within the framework of the constitution that had been inspired by the ideology of British democracy. The “Sinhala Only” ideology and Tamil federalism had still not entered the political arena in its uncompromising form. Maintaining this fragile balance and building on it was a formidable challenge to both the Sinhala and Tamil leadership. The acceptance of a new balance required continuous attention and adjustment on the part of both Sinhalese and Tamils to each other’s sensitivities that had developed over a long history of coexistence and conflict and that could react sharply to the latent implications of words and actions. There were two ideological responses to this situation. The Sinhala Buddhist ideology became increasingly exclusive and began to attack the pluralistic elements in the Sri Lankan society that had developed during the colonial period (see Sivathamby 1987; Spencer 1990; Tambiah 1992; Obeyesekere 1995; Robert 1994; Jeganathan and Ismail 1995; Jayawardene 1984; Robert 2010; Spencer et al. 2015; Tambiah 1996; Seneviratne 1999; de Silva 2013). It perceived these elements as obstructions on the path of the Sinhala Buddhist revival (see Bond 1988; Gombrich and Obeyesekere 1988). It veered more explicitly toward a Sinhala Only position.

The second was the Tamil response. Tamil politicians who broke away from the Tamil Congress made a decisive break with the mainstream Tamil politics that had prevailed up to that time. The breakaway group established the Federal Party which sought a federal solution to the problem with regional autonomy for the Tamil speaking Northern and Eastern Provinces. These two ideological developments, the “Sinhala Only” and the Federal idea were independent of each other. The “Sinhala Only” stance was not a reaction at this stage to the formation of the Federal Party nor was the establishment of the Federal Party a response specifically to the rising of Sinhala Buddhist nationalism. The Federal Party came in the wake of disagreements within the Tamil congress on the policy of collaboration with the government. The breakaway was precipitated by the disenfranchisement of the Indian Tamils who were brought to the country under the British plantation economy. The three objectives of the FP were regional autonomy for the Northern and

Eastern provinces, restoration of the franchise for the Indian Tamils, and action to stop colonization in the north and east. It was taken for granted that Tamil and Sinhala were the official languages of the country. The immediate objectives in the Sinhala Buddhist agenda were action to make Sinhala the only official language of the state. The take-over of denominational schools and employment in the public service on the basis of religion and ethnicity and key appointments in the public service to be reserved for Sinhala Buddhists were considered necessary to redress the historical imbalances and remove the disadvantages suffered by the Buddhists in the Colonial governmentalities.

The later development and strategies adopted by the Federal Party to find some form of accommodation with the Sinhala majority, from the Bandaranaike-Chelvanayagam pact to the Senanayake-Chelvanayagam pact and the District Councils under the Jayawardene government, are also fully consistent with the interpretation that Tamils were seeking some form of regional autonomy. The FP's attempts to project an economically viable and self-reliant Tamil region in their election propaganda did not seem to be convincing to the large majority of Tamils. What dramatically transformed this situation were the actions of the Sinhala majority in the 1953–1956 period and the ideology which inspired these actions. The shift of Tamil support from Tamil Congress to the Federal Party occurred swiftly within this time span and coincides clearly with the events during that period. To declare Sinhala the sole official language and burst out in widespread ethnic violence in 1958 against Tamils who were residing outside of the north and east. The lesson that the Tamils did learn from the violence of 1958 was that Sri Lanka state essentially functioned as a Sinhala state and did not or could not act impartially to protect the life and property of the Tamils in areas where the Sinhalese were in a majority.

As the twentieth century progressed and more of the population became enfranchised, the Tamils began to see their political dominance fade. However, they remained dominant in the universities and the business sector. The Tamil domination would later be used as a major justification for the Sinhalese preferential policies, which attempted to reverse these positions. Therefore, the colonial circumstance laid the groundwork for the eventual Sinhalese domination and cannot be ignored as one of the preconditions leading to the secessionist movement.

### **The “Ethnic Riot” as a Political Instrument of Majoritarianism**

Today Sri Lanka is considered a country emerging from a long protracted ethnic conflict. The conflict between the state and Tamil militants fighting for a separate political unit – first a federal state and then a full nation-state, based on ethnic identity – defined life in Sri Lanka for three decades. In many ways ethnic animosity and violence are widely understood in the literature – and as outlined above – as drawing from the newly formed Ceylonese state's assertion of a Sinhala Buddhist national identity and resistance posed to it principally by minority Tamils.

Ethnic identity politics in the country needs to be understood as undergirding the entire political system that Sri Lanka inherited from its Colonial years.

Animosity against ethnic others have long defined ethnic relations in Sri Lanka. However, their deterioration to the level of perpetrating violence in the name of ethnic difference happens almost always through the sophisticated coordination of and coming together of various political and economic interests. Also, as stated earlier, the politicization of ethnic difference is also something that has been endemic to the Sinhalization of the Sri Lankan nation-state.

The ethnic “riot” where organized violence was perpetrated against a community identified as an ethnic religious or political minority, where the attackers were generally identified as Sinhalese and mobilized by the idea of their ethnic group being under threat, was almost always carried out in a highly organized manner. While there are documented outbreaks of ethnic violence in Chilaw in 1897 and countrywide in 1915, this paper will deal principally with the violence that takes place in the aftermath of independence and the Sinhala and later Tamil nationalism that is produced as a result of the consolidation of the postcolonial nation-state. The incidents that were carried out against the members of the Tamil community in various locales are well documented. The violence in the aftermath of the passing of Sinhala Only legislation in 1956 in Galoya, the countrywide violence against Tamils in 1958 that saw retaliation in the north and east, the postelection violence of 1977 where upcountry Tamils were targeted in large numbers, and the violence of July 1983 now known as the Black July Pogrom have all been understood as moments in a trajectory of intensifying ethnic violence against Tamils that ultimately led to the emergence of the Liberation Tigers of Tamil Eelam. That particular narrative of the emergence of Tamil nationalism can perhaps be questioned. However, targeting minority communities for organized violence has been possible due to the ethnicized nature of postindependence electoral political mobilization in the country. Further the manner in which politicians and others with vested interests have consistently placed at a slow boil the ethnic animosities inevitable in a plural polity has made the ethnic “riot” into a political tool that can and has been brought out at different moments in the country’s history. The violence was generally against Tamil communities in different parts of the country with violence in 1977 and 1983 taking place throughout the country. When the war was ongoing, there were few such conflagrations in the south. However, in the aftermath of the war, there have now been three such events against Muslims.

## **The Ethnic Riot in Contemporary Sri Lankan History**

This section will take a closer look at the manner in which ethnic violence manifested itself on the ground at different political moments in Sri Lanka after independence from British rule. As outlined in the earlier sections, struggles about political representation language use and citizenship defined Sri Lanka’s postcolonial political landscape. From 1958 onward, these struggles were accompanied by periodic outbreaks of violence. These violent events eventually culminated in the countrywide riots of 1983 sometimes referred to as Black July or the anti-Tamil pogrom (see Gunasinghe 1986).

Each of the violent events that have been called “riots,” the countrywide violence of 1977 and 1983, and the more localized violence against Tamils in 1956 in Gal Oya and in 1981 and Muslims in 1976, 1982, and 2001 can also be characterized in those terms. There have been numerous other smaller conflagrations including the new round of violence against Muslims that takes on a similar hue – the violence in Aluthgama and Beruwela in 2014 and the violence in Kandy (Digana and Theldeniya in 2018). In these events there is an instrumentalization of the country’s politics and the ideologies cultivated by such politics at the ground level by ground level actors for very specific ground level advantages. The ethnic riot then always was and continues to be mobilized not just in relation to national level political preoccupations but to give expression to local level hostilities and ethnic competitiveness in business trade and politics. Additionally there has been a constant spate of violence against Christian communities during the war years and after. For instance, there is violence against Evangelical Christian churches, and the very presence of Evangelicals engaged in what has long been perceived as “unethical conversions” in the local discourse has resulted in community endorsed attacks at which monks, village elders, and the police are seen to be colluding (Mahadev 2018).

The following are some of the pivotal moments of anti-minority violence in independent Ceylon and Sri Lanka.

### 1958

Tarzie Vittachchi, a veteran journalist took it upon himself to document what he called “Emergency 58, the story of the Ceylon race riots.”

In a small book which earned him the wrath of the then government, Vittachchi outlines the manner in which the “ethnic riot” arguably the first of its kind with a national reach in postindependence Sri Lanka, inflamed the Island for close to one month. In his recounting of the violence, Vittachchi stresses economic issues, the cultivation of ethnic animosity for political ends, local political leaders mobilizing their supporters – usually local thugs – to gain favor, and minor political advantage utilizing prevailing tensions as inciting the local manifestation of violence. Vittachchi also points to the prevailing demoralization of the police in the face of the violence due to the lack of political support for maintaining law and order (Vittachchi 1958).

The 1958 riots broke out in May that year and were most intense in the districts of Colombo, Jaffna, Anuradhapura, Polonnaruwa, Batticaloa, and Kurunegala. Vittachchi provides a detailed account of the outbreak of violence against Tamils in Polonnaruwa, Anuradhapura, and Colombo and the retaliations by Tamil mobs against Sinhalese in Jaffna and Batticaloa.

This violence was the result of the increasing political tensions that were unleashed by the passing of legislation in 1956 to make Sinhala the country’s sole national language. The legislation was passed despite the fact that a significant segment of the country’s population had no knowledge of this language and entire sections of the country had not been speaking this language. The passing of the legislation was a very active assertion of the fact that one section of the population

had a greater entitlement to the largess of the state than did the section of the population that did not speak this language. As Vittachchi describes, the cultivation of ethnic sentiment for political ends that was carried out without any clear appreciation of the consequences came to roost in the violence that was unleashed. There was also a deterioration in the government's control of law and order – many illegal acts, in the form of the obstruction of peaceful protests through thuggery and damage of property by mobs, were not responded to. The retaliations in the south to the Sri protests in the north – where a Sinhala letter was assigned for vehicle registration numbers amidst prevailing tensions over language – were permitted to take place through the government taking no action to stop or halt the protestors. These circumstances were understood by Vittachchi as setting the stage for the violence.

The Tamil Federal Party organized a countrywide protest in response to the passing of “Sinhala Only.” Subsequently Prime Minister Bandaranaike entered into a pact with S.J.V. Chelvanayagam the leader of the Federal Party. The pact called for greater autonomy and recognition for Tamils in the country. There was also recognition for the need to use Tamil as the administrative language in the north and east. However, in the face of countrywide protests against the Bandaranaike-Chelvanayagam pact (the BC pact as it continues to be known) and the presence of 200 Buddhist Monks protesting on his lawn, Bandaranaike reneged on his agreement.

The passing of Sinhala Only resulted in increased ethnic tensions throughout the country and breakout of violence in the Gal Oya area of the eastern province where new Sinhala settlements had been formed. In the following 2 years, there were several other related occurrences signaling ethnic animosity and a deteriorating law and order situation. For instance, the settlement of Tamil families displaced from Trincomalee due to the expansion of the harbor were planned in Padaviya a place thought by its people to be predominantly Sinhala. The settlement of persons was stopped repeatedly by local political actors with no significant response from the authorities. Additionally, as stated above there was protest against the implementation of the Sinhala language “Sri” symbol on car licence plates in the north. The imposition of the Sinhala letter was seen by many as incendiary in a context where there was such tension related to language and there were protests in the north. The protestors would paint over the Sinhala letter Sri with tar and replace it with the Tamil letter. Retaliatory attacks in the south took the form of tarring any and all signage containing Tamil lettering causing substantial damage to businesses.

There was also trade union action and meetings that deteriorated into outbreaks of violence that were not handled with adequate seriousness by the authorities. The context of ethnic tensions and the selective response of the law and order mechanisms laid the groundwork according to Vittachchi that brought about the violence of 1958.

Vittachchi alludes to the organized nature of the violence of 1958 particularly in the Polonnaruwa district in the following way. He connects it to the resistance to Tamil settlements in the area of Padaviya where community members whom he describes as Sinhalese laborers led by a monk and a gang of Sinhalese squatters go

and camp out on the areas allocated for the settlement of Tamils. According to Vittachchi:

The ministry could or would do nothing to counter this forcible occupation. Once again, the government by inaction gave its tacit sanction to a fait accompli carried out deliberately and openly by people who seemed to be confident of being able to flout authority with impunity. . . . Their political bosses now decided to use these shock troops to stage demonstrations against the Tamils bound for the Vavuniya convention. (Vittachchi, 34–35)

Violence breaks out in Polonnaruwa through thugs attacking the train that brought in those traveling to attend the annual Federal Party convention in Vavuniya. The violence in Polonnaruwa continues to escalate and spread and wreaks havoc on the country for several weeks. The prime minister is late to react in any meaningful way and avoids declaring an emergency until nearly 7 days have passed after the outbreak of violence. The violence continues even while the emergency is in place and many people are killed by the rioters and the military that were deployed to control them. Vittachchi documents the events in several areas and points to the role played by rumor in the attacks. Vittachchi describes them as tit for tat attacks based on rumors that were rarely verified. Even after the military brings the situation under control, ethnic or racial tensions (in Vittachchi's words) persist, and sporadic violence continues for some time. Vittachchi also describes the manner in which the Prime Minister (of whom he is very critical) mishandled the situation at every level and permitted the deterioration of civil liberties to a dangerous extent. Not only did the law and order officials feel compelled to neglect their duties the government muzzled the press and under emergency regulations permitted the burial of bodies without an inquiry. Vittachchi laments not just the deterioration of ethnic relations but also the suspension of democratic norms. It is also telling that Vittachchi concludes his documentation of 58 by asking the question "Have the Sinhalese and the Tamils reached the parting of the ways?"

The next large-scale event of communal violence occurs in 1976 and, interestingly, takes place not against the Tamils but against Muslims in the context of prevailing tensions between the Muslim trading communities and landowners in the Puttalam district and the less economically privileged Sinhala communities in the areas surrounding Puttalam town.

### **Puttalam in 1976**

The political economic context of the 1970s was heavily shaped by the UF government – a coalition between the SLFP and the Left parties that soundly defeated the UNP in the general elections of 1970. The UF won on the promise of establishing socialist economic policies in the long term and a commitment to reinstating the food subsidy dismantled by the previous government. However, a mere 8 months into power, compelled to confront serious balance of payment issues that had haunted the previous government, it resorted to unwelcome economic measures. The UF was unable to sustain the belief of the electorate and had to face a violent youth insurrection spearheaded by some sections that had supported the regime's electoral victory.

The insurrection, which was controlled through very repressive measures by the state, institutionalized police and armed-force aggression. Further, the state of emergency that was declared to deal with the uprising was maintained virtually for the entire duration of the regime's time in power. When Puttalam happened 5 years later, the shooting orders for the massacre in the mosque as well as the declaration of curfew until 10 February were done under emergency regulations.

Sri Lanka's first autochthonous constitution (1972) rendered Buddhism the state religion, enshrined Sinhala as the official language and Tamil as a language requiring translation, and did away with minority rights provisions through section 29 of the 1947–1948 constitution (Wilson 1975, 115).

Ethnic tensions were heightened by the new constitution. SJV Chelvanayagam leader of the TULF resigned from his seat compelling the government to hold an election for which he campaigned on a rejection of the republican constitution. The government delayed the election by 2 years, but Chelvanayagam nevertheless won a resounding victory which he understood as the Tamil electorate rejecting the Sinhala government's ethnic politics. The government's increasingly authoritarian and anti-democratic actions included taking over of newspapers, and the extension of its term in office by 2 additional years by utilizing its overwhelming majority in the constituent assembly eroded public confidence but also entrenched executive power (De Silva 1981, 546). De Silva also claims that the institutionalization of unicameral legislature, a powerful executive with insufficient checks on the exercise of its powers, and the doing away with of judicial review of legislation were measures that would institutionalize the authoritarianism of Sri Lanka's state for the long term. The National State Assembly as the vehicle of the sovereignty of the people was entrenched through the rejection of judicial review (De Silva 1981, 546). The above is the background within which the violence in Puttalam in 1976 and the country-wide anti-Tamil postelection violence occurred.

In Puttalam in 1976 there were sustained Sinhala Muslim tensions, and episodes of violence took place over a period of 2 months. The incident is seen as significant to the UNP election victory of 1977. Sinhala Muslim relations in Puttalam in the 1970s deteriorated with the influx of Sinhalese settlers from the south and Sinhala factory workers from Colombo (Brun 2008).

In early January 1976, an altercation between a *nattami* and a Sinhalese bus conductor whom he brushed against when unloading goods led to a general fracas with the Muslim *nattamis*. The staff at the bus depot, virtually all Sinhalese, went on a flash strike demanding the bus stand be moved away from the Muslim-dominated town center, a demand the government agent promptly conceded to.

The moving of the bus stand, which came while the NCGE Grade Ten O level exams were on going, led to tensions that appear to have persisted until the outbreak of massive violence on 2 February 1976.

The violence in Puttalam town included the police opening fire into the Puttalam Jumma mosque and killing 8 persons and the burning of over 225 houses and businesses, with 6 deaths (all Muslim). The groups of persons who attacked the shops were guided by a local Buddhist monk. When tensions were high, rumors were rampant of Sinhalese attacking Muslims and Muslims attacking Sinhalese.



Muslims also felt victimized by the police (who claimed that Muslims had fired from the mosque and compelled the police to fire in turn.) and later by the state response to the event. There have been two attempts at documenting the violence (Scott (unpublished n.d.); Nagaraj and Haniffa 2018). The findings of both sets of investigations outline the many ethnic fault lines that existed in Puttalam at the time and point to the possibility that economic enmity, ethnic animosity, and political expediency were paramount in terms of what occurred. Commentators have also documented the fact that the UNP capitalized on the violence in Puttalam for the 1977 election and managed to redirect the vote that Muslim politician Badiuddeen Mahmood had managed to direct toward the Sri Lanka Freedom party back to the UNP (Nagaraj and Haniffa 2018).

According to De Silva, the regime's handling of the insurgency of 1971 entrenched the powers of the police and armed forces and set the stage for the increasing authoritarianism of the regime in the face of eroding public legitimacy. The violent suppression of the rebellion was made possible by bringing in emergency regulations. De Silva claims that the emergency regulations were in place for far longer than was warranted by the incidents of 1971. They seem to have been used to control perceived Tamil opposition against the State in 1975 and then early the next year to quell what seems to have been perceived as opposition by Muslim groups in Puttalam.

There has so far not been an attempt to substantially integrate the investigations into the anti-Tamil violence and the anti-Muslim incidents into one narrative regarding the political use of ethnic violence. It is essential that this is done.

The continuing mobilization of hate sentiment against the Tamils by the Sinhala political elites and the cultivation of a victim mentality among the Tamils by their own politicians speaking against the problematic politics of the Sinhala politicians lead to further violence in the future. By 1977 for instance, the perpetration of violence and the locations of violence based on ethnicity were of a more intense and protracted order than that of 1958.

The UNP had won the general elections of 1977 by a landslide. Following the election victory, there was widespread violence in the country originating in postelection violence in Jaffna. The almost 1-month-long period of violence that followed, to which the state response was minimal, mainly targeted upcountry Tamils. It was a time that was seen by many –mainly Tamil minority politicians speaking in parliament – as a time where anti-minority sentiment intensified in the country. In the north, militancy by young Tamils directed against the state was growing, and significant violent incidents began to be reported. Pivotal moments in the escalation of Tamil militancy, such as the murder of Alfred Duraiappah and the killing of Inspector Bastiampillai, the first act of violence for which the rebel group the Liberation Tigers of Tamil Eelam (LTTE) claimed responsibility, occurred during the mid-1970s.

While the UNP won the elections on a platform accepting that the Tamils had legitimate grievances, it was soon clear that the UNP leader J.R. Jayawardena lacked the foresight to anticipate what measures may be required to resolve the issue. J.R. did not anticipate the escalation of Tamil nationalist militancy and was not in

any way interested in accommodating what he saw as Tamil recalcitrance. The anti-Tamil violence after the elections of 1977 lasted over a month and was a further reflection of the state's chosen mode of engagement with and management of ethnic tensions and minority demands.

Jayawardena's speech in parliament 2 days after violence broke out in Jaffna called attention to the fact that it was the language of the Tamil leadership and the actions of unruly Tamils that brought about the violence.

Jayawardena was attributing the violence to the rhetoric of the Tamil leadership and its anticipation of violent action against the state. "If you want a fight let there be a fight." This treatment of the issue by Jayawardena is a further reflection of the lack of responsibility taken by the government to address the law and order situation and the manner in which the state had not only ethnicised its own response to post election violence but in fact utilized such violence to make a political point or "to teach the Tamils a lesson." There were many such "uses" for ethnic political violence in Sri Lanka.

At the insistence of the leader of the opposition A. Amirthalingam, M.C. Sansoni a former chief justice was appointed to a one-man commission to investigate the violence of 1977. The Sansoni commission report recounts that the state did little to halt the violence – by not immediately declaring an emergency for instance – and that there was evidence of the police colluding in carrying out the violence. Although the postelection violence of 1977 erupted in Jaffna, it spread throughout the country, and as already stated, many of its victims were upcountry Tamils. Echoing Jayawardena's words referenced above, the Sansoni report faults of Tamil politicians for their "duplicity" of asking for a peaceful settlement while threatening the dawn of militant violence in the pursuit of separation attributes the breaking out of violence to their rhetoric.

1975 to 1983 saw significant political conflagrations in Sri Lanka targeting both the Muslim and Tamil minorities. Researchers have mainly looked at the anti-Tamil violence as part of the narrative of the ethnic conflict, but it is important that the origin of attacks on Muslims too is looked into as part of this same narrative.

### **The Violence of 1981**

The nature of anti-minority sentiment in the country in the late 1970s and early 1980s must be clearly understood in order to appreciate the background to the violence in Galle in 1982. The manner in which such outbreaks of violence against minorities were normalized by various representatives of the state is an especially important factor.

The UNP proposed the District Development Councils as a way of addressing the grievances of the Tamil people. In June 1981, local elections were held in the north to elect members of the newly established district development councils. The Tamil United Liberation Front TULF had decided to participate and work in the councils. In doing so, TULF continued to work toward autonomy for the Tamil areas. The militant groups, however, opposed working within the existing political framework. They viewed participation in the elections as compromising the objective of a separate state. Shortly before the elections, the leading candidate of the

UNP, Dr. Thiagarajah, was assassinated as he left a political rally. Violence broke out immediately after. When elections were held a few days later, concomitant charges of voting irregularities and mishandling of ballots created the nation's first election scandal since the introduction of universal suffrage 50 years earlier.

This was also the time of increasing militant activity that the Jayawardena government was determined to quell. Emergency rule was imposed on Jaffna after the murder of Police Inspector Guruswamy in 1979. In July 1979 the draconian prevention of Terrorism Act is introduced. On 4 June 1981 on the eve of the DDC elections, the militants killed four policemen. The police went on a rampage of retaliation in Jaffna destroying property. Bandarage sees the destruction of the Jaffna public library and the burning of its 95,000 volumes as part of this retaliatory wave. In August 1981, ethnic violence erupts in the Ampara District, the south-western towns, and hill country and upcountry Tamils again, as in 1977, become the targets of Sinhala thugs' "anger." Many have seen these violent events as leading up to the conflagration of July 1983 as episodes in the continuous narrative of the deterioration of ethnic relations between Sinhalese and Tamils. This narrativization has tended to miss ethnic violence that has targeted Muslims. Current research reveals at least two such events as having occurred during the difficult years from the mid-1970s that culminate in July 1983.

1982 in Galle: Violence erupted in Galle in July 1982. The violence – between Sinhalese and Muslims – began on July 26 and continued till the 31st. The 6 days of violence resulted in two deaths and millions of rupees in property damage. The rioting spread from Galle town to suburban areas with small Muslim concentrations and had eventually to be controlled with the intervention of the military. The government declared an island-wide emergency, and curfew was imposed within the limits of the Galle municipality. There were limits imposed on news coverage of the incident at the national level by the government "in an effort to prevent the incident from spreading to other parts of the country" (Daily Mirror, Thursday, August 5. "Curfew in Galle Lifted").

There was a one person commission appointed to look into the violence. However, this report that the Muslim community representatives considered to be biased was never released. The Alles report was accessed and commented upon by George Scott. The Alles report refers to the incident as a confrontation between two rival gangs. It suggests some commensurability between the organized actions of the Sinhala and Muslim groups (Scott 1989).

Scott's narrative traces the underlying cause of the riots to economic rivalry between the Muslim traders and the up and coming Vahumpura business people in the Galle Bazaar who Scott identifies as having possibly instigated and provided the (costly) petrol for the arson to the Sinhala thugs. Scott states that while the Sinhala higher caste Goyigama and Karawa traders were arguably in greater economic ascendancy in Galle at the time, and were as powerful a set of competitors, the Muslims were an easier target. Muslim "difference" as well as what was seen as Muslim's manipulation of local authorities and power structures through bribes and other modes of informal patronage/exchange according to Scott may have motivated such anger. While all business engagements regardless of ethnicity probably entailed

some amount of similar patronage, Muslims were considered much more adept at this and were thought to wield greater influence due to their wealth. To this date stereotypes regarding Muslims-using-bribery-to-get-things-done abound.

Both Alles as referenced in Scott and Scott's own narrative reference the fact that the Muslims were the landowners and that it was also a property dispute. In a manner similar to the case of Justice Sansoni, Alles too reports the incidents of police failure but blames the Muslim leadership for instigating the violence through their own poor judgment (Scott 1989).

In both state-sponsored narratives – by Sansoni and by Alles (as reported in Scott) – the “anger of the Sinhalese” through which the violence occurred is rendered legitimate through calling attention to the recalcitrant and irresponsible behavior of the Tamil and Muslim minority leadership. This way of holding all those with a similar ethnic identity responsible for the political (and in the case of Galle economic) actions of a few enables state support for ethnic violence. These victim-blaming narratives appear in relation to most “riots” that have been documented.

With regard to state culpability, Scott references the following in the Alles report. “Alles cites as secondary immediate causes the corrupt collusion of some of the higher police officers in this attempt, their incompetence in dealing with the initial stages of the conflict, and the depleted state of police and army personnel and equipment prior to the outbreak”(Scott, 26).

A report on the violence produced by Muslims of Galle vehemently opposed the violence being framed as sparked off by personal animosities. They consistently stressed the targeting of Muslims by widespread groups of armed and equipped Sinhalese. They also drew attention to the fact that the trigger event that was being talked of occurred 1 month prior to the outbreak of widespread violence. They state that this time lag seems to indicate that the attacks were planned. They accused the police and prominent local Sinhala business interests of colluding in the attacks. (The report asked, if this was indeed the result of a personal animosity, “why were people in other areas attacked? Why were mosques attacked? Why were unconnected people's property robbed?”)

### **1983 July**

The ethnic violence of July 1983 while arguably the culmination of a long trajectory of events by which the Sri Lankan leadership has managed ethnic tensions has become emblematic in the Social Science literature as the defining moment of the ethnic conflict and of Sri Lanka descending into violence (Jeganathan 1997). It has been used as a marker of the moment when the Sri Lankan government's conflict with the separatist Liberation Tigers of Tamil Eelam (LTTE) was born. The event was of great significance. Countrywide violence lasted several weeks and saw hundreds of deaths and thousands displaced and set in motion the exodus of large numbers of Tamils from the island and fed the burgeoning militant movements. Arguably the extent of the violence and the hate displayed against Tamils by Sinhala mobs was similar to that which happened in 1958–1977. One element that was different was that there was a disappearance of class privilege. In earlier instances those who were attacked were poorer persons and small businesses. But in 1983 no

such distinction was maintained. The government response followed an established pattern of blaming the victims for the violence. “The Sinhalese lost their patience” or there was a “Naxalit plot.” In fact, the government’s response in the aftermath of violence was to proscribe the Marxist political party the Janatha Vimukthi Peramuna.

The militancy grew in the aftermath of 1983 with high numbers of recruitment and substantial attacks. The country saw 30 plus years of brutal conflict. The conflict led to the further marginalization of minority ethnic groups with Tamils being especially targeted at checkpoints in the larger town at times when the violence in the theater of war in the north and east was at its height. The war years also saw the LTTE targeting civilians outside the war zone through suicide bombings of nonmilitary targets. The LTTE also carried out specially targeted assassinations of both Sinhala leaders and Tamil leaders with a political orientation that was different from theirs. They also assassinated members of other militant groups that had differing ideologies. The manner in which the choices of Tamil nationalist politicians and the militancy devastated the Sri Lankan Tamil community remains to be written. Currently the discourse of Tamil nationalism is understood chiefly as emerging from the harassment of Tamils by the Sinhala identified state. The work of Sumathy and Thiranagama and the reports produced by UTHR(J) are exceptions to this narrative (Sumathy 2016; Thiranagama 2011, Reports by UTHR(J)).

The institutionalization of the draconian prevention of terrorism act (PTA) in 1981 and the 6th amendment to the constitution where propagating the idea of a separate state was considered a criminal offence were also set in place further marginalizing Tamil political activity and polarizing the ethnic groups in the country. The polarization that saw its beginnings with the Sinhala Only legislation of the 1950s culminated in a gruesome war based on ethnicity that lasted over 30 years. The LTTE asserted themselves to be the sole representatives of the Tamil people and developed into one of the most feared and sophisticated armed groups in the world. They developed the suicide bomber as a major weapon and wrought a fearsome war throughout the north and east for several decades.

In the south, the state was compelled to invest heavily in the military, and joining was seen as a lucrative career move for many from depressed and marginalized Sinhala communities. The figure of the Sinhala war hero or Ranaviruwa was popularized as a means of ensuring recruits for the military and maintaining morale in a context where over the years the government troops suffered heavy casualties.

Demonizing and dehumanizing of the other became standard practice within the country with Tamil visibility becoming less and less. Tamil festivals were no longer celebrated in the south with the same pomp and pageantry as prior to 1983, and Tamil artists and musicians virtually disappeared (Jeganathan 2000). Checkpoint culture became the norm with the cities of Colombo and Kandy and larger towns everywhere marked by the ubiquitous presence of the military. Harassment of ethnic Tamils at checkpoints was common practice, and people were compelled to carry identification documents wherever they went. Being Tamil in the south of Sri Lanka became dangerous for many. There was a time during the Rajapaksa regime when Tamils traveling in to Colombo from out of town were required to report at police stations.

## Postwar Violence: Ethnicity and Violence in Sri Lanka Today

This section will look at the manner in which ethnic polarization operates in Sri Lanka's postwar climate. Sri Lanka's ethnic war ended rather brutally in May 2009. The armed forces of the government of Sri Lanka forged an all-out attack on LTTE positions, and the war ended with an enormous civilian death toll. The LTTE's own using of civilians as cover for their military activities and the government's refusal to respect civilian presence in the areas that it attacked have marked the end of the war. The government of Sri Lanka and the Sri Lankan military are under international scrutiny for alleged human rights violations and the perpetration of war crimes for what happened during the final weeks of the war (International Crisis Group 2010). Given this polarization and the sanitized coverage that the last weeks of the war received in the south through the Sinhala language media, there was little awareness or opposition among Sinhalese to the horrendous loss of life during the final months (Haniffa and Samuel 2016). The cultivation of a postwar Sinhala supremacist ideology of the government in power having liberated the country from terrorism has had some longevity in the country and still informs political platforms of a set of political actors with dynastic ambitions.

Ethnic relations at the end of the war were unprecedented in the country's history (see Bastin & de Silva 2017). The Rajapaksa regime that prided itself on winning the war exploited the victory for political purposes cultivating a particular Sinhala supremacy that supported the longevity of the regime. The Rajapaksas capitalized on the war victory and thereby cultivated a narrative of ethnic superiority that understood the Tamils as a community as vanquished and as having been taught a lesson. In the aftermath of the war, when the LTTE was no longer the principle enemy against whom Sinhala nationalism could define and explain itself, there emerged a Buddhist monk-led movement that was at pains to create and consolidate a new enemy around whom popular ethnic sentiment might again be mobilized (Haniffa 2016).

Anti-Muslim sentiment was cultivated in postwar Sri Lanka principally through the Bodu Bala Sena (BBS) organization and later by many others that adopted sections of its model including the Ravana Balakaya, Sinhala Ravaya, Sinha Le, and the Mahason Balakaya. As already well documented, the BBS's activities were unprecedented in the history of the island, and their discourse created a wider conversation among Sinhala society in the south about Muslims in which Muslims themselves could play no part (Haniffa 2016). The cultivation of the anti-Muslim sentiment was such that by 2018 when the 2nd large event of anti-Muslim violence took place in the Kandy district, the populace was primed for an attack of this nature. The first event took place in Aluthgama and Beruwela in 2014 (Haniffa et al. 2014). Ethnic violence in this event had taken on an added religious dimension as well.

In the aftermath of the war, especially in 2012, the BBS appeared as significant actor on the Sri Lankan political landscape. Housed initially in a multistory high-rise building owned by the Buddhist Cultural Center and with their mode of transportation being large SUVs that were similar to those used by government ministers, the

BBS looked as if it was well funded and had friends in high places. They also seemed to operate with impunity, and there was no opposition to the new mode in which they engaged with the public – large public meetings with thousands of devotees where the order was to speak about how the Muslims were the country's latest threat.

The cultivation of hate sentiment against Muslims was done by the Bodu Bala Sena with such planning and precisions, and with sophisticated use of social media by the second or third year of their activity, the spread of the ideology had lost some of its urgency and had sedimented. Today anti-Muslim sentiment operates at the level of truisms among the Sinhala population across geographical areas and is available for mobilization at very short notice.

The mobilization of anti-Muslim sentiment toward the perpetration of violence occurred in two major incidents in the country in June 2014 and in March 2018. There were slightly less widespread incidents in November 2017 in Gintota and in February 2018 in Ampara. In most of these incidents, in addition to the sedimented anti-Muslim sentiment, there is a trigger event or immediate cause. In the case of Aluthgama, it was an altercation between the driver of a van in which a Buddhist monk was traveling and three Muslims. Muslims were accused of beating up the van driver – sometimes the story was spun to indicate that it was the monk that was assaulted. In the Kandy event, the altercation was between a speeding Sinhala van driver and three drunken Muslim youths in a three-wheeler. They were in competition, and the three-wheeler drivers were angry that they were not permitted to overtake the van. There is a fight at a petrol station, and one of the Muslim young men hits the Sinhala man on the head with a chair. They leave shortly. However, later, the young Sinhala man who is hit on the head collapses and dies of his injuries several days later. Violence breaks out the day of his funeral. In both instances, there is a presence of monks and other actors well known to spearhead anti-Muslim agitation at the location.

Documentation of the events reveal that there is an element of organizing that is evident in and around the event as well as the mobilization through roumer of local interlocutors. There is also a careful avoidance of physical violence against individuals, and the ire is directed at property. There is a provision of makeshift weaponry, information regarding the location of houses businesses, and mosques, and the clear targeting of those to attack. Those who benefitted from the attack include competing businesses, minor politicians in the area, as well as national level politicians who can benefit from distractions. The Muslim community as a whole is thereby held back in terms of their economic development due to the destruction of the property. In the case of Kandy, many of the attackers who were mobilized locally were youth and seemed to be under the age of 30.

Muslim businesses and homes are attacked systematically. Some retaliatory attacks against Sinhala businesses are recorded as well, but these are scattered. While there was evidence of government collusion in the attacks in 2014, it is less apparent in 2018. However, what seems clear is that there are many that reap advantages from the violence, and funding is being provided to various individuals and groups to maintain offices and a social media presence to sustain the spread of anti-Muslim sentiment.

Moreover, the Easter Sunday terrorist attacks by a local extremist Islamist group called National Thowheed Jamath (NTJ) have drastically changed Sri Lanka's social and political spheres. Muslim community of the country came under surveillance as well as virulent hate speech. Islamophobic propaganda reached a new height and communal tensions swayed the Island in the period following Easter Attacks. The key issues Sri Lanka is facing in the aftermath of Easter Attacks are the continued threat of global terrorism and the increasingly influential ultra-nationalist Sinhala Buddhist forces and ideology – Islamophobia and polarization on ethnic and religious lines.

Our sense of both ethnicity and ethnic relations in Sri Lankan history is one where a principle of dynamic relations is paramount, especially as these relate to the Sinhala Buddhist polity and to Tamil-speaking minorities. To that end, Sri Lanka's Muslim communities are not a single community descended from Arabs or any other specific group. They are not Tamils simply because they speak Tamil any more than the Sinhalese are Sinhalese simply because they speak Sinhala. Instead, they reflect in their diversity the richness of the island's history in the commerce and associated movement and upheaval of Indian Ocean trade over the last couple of millennia. The starting point for accommodation must not, therefore, be the roots of Muslim ethnicity but the fact of Muslim ethnicity in all of its historical richness (see Bastin and de Silva 2019; McGilvray 2008).

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## Conclusion

This chapter has attempted to closely look at the manner in which ethnic violence manifested itself on the ground at different political moments in Sri Lanka after independence from British rule. As outlined in the chapter, struggles about political representation language use and citizenship defined Sri Lanka's postcolonial political landscape. From 1958 onward, these struggles were accompanied by periodic outbreaks of violence. These violent events eventually culminated in the country-wide riots of 1983 sometimes referred to as Black July or the anti-Tamil pogrom. It is a critical moment in a trajectory of intensifying ethnic violence against Tamils and badly mishandled political moments by both the Sinhala and Tamil leadership that ultimately led to the emergence of the Liberation Tigers of Tamil Eelam. Sri Lanka's ethnic war ended rather brutally in May 2009. The armed forces of the government of Sri Lanka forged an all-out attack on LTTE positions, and the war ended with an enormous civilian death toll. In the aftermath of the war, when the LTTE was no longer the principle enemy against whom Sinhala nationalism could define and explain itself, there emerged a Buddhist monk-led movement that was at pains to create and consolidate a new enemy around whom popular ethnic sentiment might again be mobilized.

Failure to arrive at a collective identity common to all ethnicities can be seen as one main reason for the outbreak of violence in Sri Lanka. Tensions are inevitable, especially in a country where rich ethnic diversity is present that creates minority and majority groups. The establishment of ethno-nationalists organizations before,



during, and after the ethnic war itself illustrates the failure to arrive at a collective national identity even 10 years after the end of brutal violence. It is also clear that the end of the war has not given rise to any positive repercussions in terms of addressing root causes of the ethnic tensions in Sri Lanka.

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# Ethno-communal Conflict in Sudan and South Sudan

# 37

Johan Brosché

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## Abstract

This chapter analyzes ethno-communal conflicts in Sudan and South Sudan, which gained independence in 2011. In these two countries, ethno-communal rivalries have primarily manifested in three different types of violent conflicts: communal conflicts, rebel-rebel fighting, and civil wars. The study consists of three core parts. First, the chapter provides some empirical information about center-periphery relations (in both Sudan and South Sudan, elites in the center enjoy outmost political and economic power, while other regions are severely marginalized) and the major violent conflicts in the two countries. Second, the chapter focuses on ethno-communal conflicts in Sudan's westernmost region, Darfur. This section illustrates that an intricate web of ethno-communal conflicts exist in Darfur. It also emphasizes the importance of land and examines the government's role in these different conflicts. Third, the chapter studies the

J. Brosché (✉)

Department of Peace- and Conflict Research, Uppsala University, Uppsala, Sweden

e-mail: [Johan.Brosche@pcr.uu.se](mailto:Johan.Brosche@pcr.uu.se)

civil war that has devastated South Sudan since December 2013. It shows that legacies from Sudan's North-South war (particularly the Sudanese government's strategy of divide-and-rule) are important for how the war in South Sudan has manifested.

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**Keywords**

Sudan · South Sudan · Darfur · Conflict complexity · Communal conflict · Civil war · Conflict interlinkages

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## Introduction

Located in northeast Africa, separated from the Arabian Peninsula by the Red Sea, and split in half by the Nile River, Sudan occupies a particularly conflict-torn region of the world. Although all parts of Sudan are ethnically heterogeneous, Muslims with an Arab culture primarily inhabit the north, while an African identification is more common in the south, and its inhabitants generally follow Christianity or animist religions. Yet, this simplified dichotomy disguises a wide variety of ethnic groups living in both the north and the south (Johnson 2006). On 9 July 2011, Sudan split, and South Sudan became independent after Africa's longest war, and this chapter analyzes ethno-communal conflicts in both Sudan and South Sudan (Fig. 1). In this chapter, Sudan generally refers to the united country before it split, and the text will clearly indicate when referring to Sudan after the division. Furthermore, South Sudan refers to the independent country and Southern Sudan to this part of Sudan before the split.

Ethno-communal rivalries have been a central part of Sudan's history for a long time and resulted in different violent, and non-violent, conflicts. This chapter focuses on violent conflicts. Violent ethno-communal conflicts in Sudan have manifested in primarily three different types of conflict:



**Fig. 1** Map of Sudan and South Sudan

First, *communal conflicts*, which here means conflicts between non-formally organized non-state groups organized along a shared communal identification that engage in fighting over issues like scarce resources and political influence. In Sudan, these conflicts, typically, pit farmer against herders or take place between various pastoralist groups. Both Darfur (Sudan's westernmost region) and South Sudan have experienced numerous violent conflicts of this type.

Second, *rebel-rebel conflicts*, comprising fighting between rebel groups with different ethno-communal support bases. Many opposition movements have split along ethnic lines, and this category captures violence between such factions.

Third, ethno-communal rivalries can also constitute a central part of *civil wars* where rebel groups fight against the government.

These different types of conflicts are intertwined, and this chapter elucidates different interlinkages between these conflicts. While this chapter emphasizes the ethno-communal component of these various conflicts, it is important to remember that all these types of conflicts are complex and caused by a multiple set of political, economic, and environmental (to name just a few) factors.

The analysis consists of three sections. First, to situate the ethno-communal conflicts, the chapter provides some empirical information focusing on center-periphery relations and violent conflicts in Sudan and South Sudan. Second, the focus is on Darfur and probing how different types of ethno-communal conflicts have combined into the disastrous situation that has shattered Darfur for the last 15 years. Third, the chapter focuses on the civil war that has devastated South Sudan since December 2013. This part starts with analyzing some of the roots to this war, and thereafter it examines how the war has manifested (often along ethno-communal lines). The chapter ends with some conclusions.

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## Center-Periphery Dynamics and Civil Wars in Sudan

Sudan is very heterogeneous when it comes to ethnicity, language, and religion. This diversity is, however, not reflected in the leadership of the country (Thomas 2009). Instead, Sudan is characterized by unequal power relations where the elites at the center retain a privileged position and people living in peripheral areas are marginalized (El-Tom 2009). These elites have ruled Sudan in ways that have reinforced the existing power inequities between the center and the disparate ethnic communities at the margin. Elites originating from the Nile Valley, north of Khartoum, have controlled the reigns of political power since Sudan's independence in 1956. At times, unstable parliamentary governments have ruled Sudan, and at other times, military regimes have governed the country. Yet, regardless of the type of government, the elites from the Nile Valley have been at the country's helm, controlling the channels of power, blocking access to power for other groups, and strongly dominating the national political scene (el-Din 2007; Hassan 2009). The central elites in Khartoum also dominate Sudan's economy, and resources from peripheral areas are taken to Khartoum (de Waal 2007).

The elites utterly dominating Sudanese politics do not constitute a united group but contain different factions that compete for power (de Waal 2007). While often fighting each other fiercely, the various elites in Khartoum have since independence endorsed efforts to create a national Sudanese identity around Islam and Arabism (Sørbo and Ahmed 2013). While these elites attempt to endorse an Arab-Islamic project that portrays Sudan as an outright Islamic and Arabic country, it often excludes both Muslims and people with legitimate claims to an Arab identity. The prime purpose of this ideology is thus to promote the interest of the riverine elites (El-Tom 2009). Nevertheless, this project has strongly favored the Arab religion, ethnicity, and culture that dominate in northern Sudan over the African religious and cultural identity more prevalent in the south (Deng 1995). Since 1989, the National Congress Party (NCP), until 1998 called the National Islamic Front (NIF), has dominated the center. In a key historical event, this party took power in Sudan through a military coup on 30 June 1989. The coup placed Omar al-Bashir as Sudan's President, a position that he still holds 30 years later. As head of state, President Bashir oversees a cadre of elite officials, and his political power is primarily derived from close ties with the military (Temin and Murphy 2011).

For the marginalized peripheral groups, the paralyzing domination enjoyed by the center of Sudan has had devastating effects. Not only have these groups been the prime victims for Sudan's wars, they have also been subject to hardships due to the inadequate distribution of essential services and resources, such as roads, education, healthcare, food, and housing. The political and economic domination of the center has caused frustration among the people in the marginalized areas. This resentment is evident among resistance movements in various regions of Sudan that all have redistribution of power from the center to the regions as a fundamental part of their political agenda (Mohamed 2007).

Sudan's unequal center-periphery relations have been a key driver for the numerous civil wars that have shattered Sudan for decades. The antagonism against the regime in Khartoum has been particularly strong in Southern Sudan. The North-South tensions partly originate from the colonial period. Between 1821 and 1885, Sudan was part of the Ottoman Empire and called Turco-Egyptian Sudan. During this period, the colonialists used Southern Sudan (one third of Sudan) only to collect slaves. Under British colonial rule (1898–1956), Sudan was called Anglo-Egyptian Sudan, and despite being part of the same country, the south and the north were ruled as different entities, which created an intricate situation. Since independence, consecutive governments in Khartoum have exacerbated north-south divisions (Jok 2007). Sudan has been embroiled in a north-south war for long periods since its independence. The initial period of conflict was from 1962 to 1972 and then again from 1983 when Sudan People's Liberation Movement/Army (SPLM/A) took up arms against the regime in Khartoum. In January 2005, this war ended after 22 years of fighting – and an estimated two million casualties – through the signing of the Comprehensive Peace Agreement (CPA). The CPA stipulated that Southern Sudan should be an autonomous part of Sudan until a referendum in 2011 should decide the region's final status (Johnson 2006). In January 2011, close to 99% voted for independence, and the world's newest nation was born 6 months later (Rolandsen and Daly 2016). In relation

to South Sudan's secession, a new rebel group called SPLM/A-North launched an insurgency in South Kordofan and Blue Nile, two states located in Sudan but close to the border with South Sudan. Besides these intrastate conflicts, Sudan and South Sudan also fought each other in a relatively brief interstate conflict over oil resources and demarcation of the contested border in 2012 (UCDP 2018).

The Government of South Sudan, which has ruled South Sudan since 2005, shares several characteristics with its counterpart in Sudan. The regime in Juba (the capital of South Sudan) is primarily made up of former SPLM/A rebels, which means that both governments largely consist of military men (Brosché and Höglund 2016). A core aspect of SPLM/A's political program was ending marginalization. Yet, even though SPLM/A has been in power for over a decade, South Sudan remains characterized by an imbalanced periphery-center relation where most of the resources are allocated to Juba, leaving other parts of South Sudan deprived. Hence, both Sudan and South Sudan are deeply unequal where elites at the center have a privileged position, while people on the peripheries suffer from enduring poverty and prevailing violence (Thomas 2015).

Since its independence, the Republic of South Sudan has experienced numerous rebellions where different insurgent groups have challenged the government. These rebellions were relatively minor during the first 2.5 years after independence. In December 2013, however, a full-fledged civil war emerged in South Sudan (Brosché and Höglund 2016). The intense fighting has caused tens of thousands of fatalities, and more than four million – over a third of South Sudan's population – have been displaced. Around two million have fled to bordering countries, and about two million remains internally displaced in South Sudan. In August 2015, the warring parties signed a peace agreement, but this did not stop the fighting. The belligerents signed a new peace deal in the end of July 2018 (UN News 2018). However, at the time of writing, August 2018, it remains unclear if this agreement will succeed to bring peace to South Sudan. The third section elaborates on the history and dynamics of ethno-communal conflict in South Sudan. First, the next section will cover developments in Darfur, which in some regards have intertwined with the development of the North-South divide.

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## **Darfur: An Intricate Web of Ethno-communal Conflicts**

In 2003, as negotiations to end the North-South war were ongoing, a new civil war started in Sudan when Darfurian insurgents launched a rebellion against the regime in Khartoum. After more than 15 years of fighting, this conflict is still active, and the United Nations estimates that it has killed more than 300,000. Darfur came on the international radar after the Sudanese government answered to the rebellion with a counterinsurgency that involved extensive human rights violations. However, Darfur has experienced violent conflicts, primarily over scarce resources such as land, for several decades. The pages below illustrate some of the core dynamics of Darfur's different ethno-communal conflicts and some of their inherent intricacy.



## Land and Identity in Darfur

Media often portrays the conflict in Darfur as a conflict between Africans and Arabs. Such a description is unsophisticated. There are around 40–90 ethnic groups in Darfur (Flint and de Waal 2008), and dividing them along an Arab-African line constitutes an oversimplification. In fact, the division between Arabs and Africans (or non-Arabs) is not based on language, skin color, religion (all Darfur's communities are Muslim), culture, or way of life. Instead, its basis is claims to an Arab identity, which is vital for those who adhere to it (Tubiana 2007). The distinction between Arab and Africans is also fairly new. In fact, Darfurians customarily referred to people by using their tribal identity, such as Zaghawa or Misseria. However, in the 1970s, the Fur – the largest community in Darfur that has given the region its name Dar Fur (homeland of the Fur) and one of several “African” groups – increasingly started to refer to themselves as Africans, which contributed to create the highly polarized and political Arab-African dichotomy (Mamdani 2009). Hence, although concealing the complexity of the situation, the distinction is important for some of the dynamics in Darfur.

An essential element of Darfur's various conflicts is land. Not only is land crucial for livelihood; it is also vital for identity, collective action, and political representation. In fact, land is so important that it often is inseparable from political power (Unruh and Abdul-Jalil 2014). The traditional tenure system in Darfur divides the region in different *Dars* (homelands), and each *Dar* consists of smaller land units called *Hawakir* (*Hakura* in singular). This system – created during the Fur sultanate that ruled the region from the seventeenth century until the British destroyed it in 1916 – remains important until today. Each *Dar* is normally associated with a major ethnic group but also includes groups from smaller communities. This system favors larger communities over smaller. For example, while the large cattle-herding (*Baggara*) Arab groups in Southern Darfur had their own *Dar*, the smaller camel-herding (*Abbala*) Arab groups (mainly from North and Western Darfur) were left without any *Dar* (Tubiana 2007; Unruh and Abdul-Jalil 2014). This had grave consequences for Darfur's future. In fact, landless *Abbala* Arab communities largely see their involvement in the war in Darfur as part of a 250-year-old quest for land (Flint and de Waal 2008).

In Darfur, there exist two principal competing narratives over land. The Arab/pastoralist narrative accentuates injustices regarding land that dates back to the Fur sultanate but is ongoing today. The rival sedentary narrative emphasizes that the system of *Dar* and *Hakura* is crucial for the administration of land in Darfur. Furthermore, *Dars* and *Hawakir* constitute crucial parts of the communal memory. This narrative also holds that Arab pastoralists, and the government, attempt to conquer their historical land (Unruh and Abdul-Jalil 2014). When reflecting on these narratives, one should keep in mind that they disguise a lot of complexity. For instance, not all Arab communities are pastoralists, and it exists important non-Arab groups (like the Zaghawa) that primarily are herders. Moreover, some pastoralists see herding as a crucial component of their identity (and perceive their nomadic culture being under threat), but other pastoralists prefer settlement as it would increase opportunities for their children to access education. Land remains critical for both positions, as pastoralism requires grazing pastures and settlement land for cultivation (Flint 2010).



## Communal Conflicts in Darfur

During the last decades, Darfur's communities have fought each other fiercely. This constitutes a sharp contrast to a long tradition of relatively tranquil inter-communal relations. In fact, an effective system to settle disputes between Darfur's communities had resulted in a situation where nomads and farmers had managed to coexist in relative peace for centuries (Burr and Collins 2008). In the mid-1980s, however, both farming and herding activities were gradually expanding. At the time, Darfur had experienced significant population growth, and many traditional migratory routes for herders had disappeared. This caused the interactions between pastoralists and agriculturalists to become increasingly contentious (Abdul-Jalil and Unruh 2013; Unruh and Abdul-Jalil 2014).

Furthermore, the Sudanese government introduced policies that manipulated ethnicity in their (and their regional allies) interest (ICG 2004). As part of this strategy, the government took an increasingly partial position in Darfur and favored some groups over others. This bias contributed to intensifying communal conflicts in Darfur. Not only did this partiality increase the grievances among non-favored groups; it also undermined local institutions, most importantly the *Judiya* (a customary system for traditional justice and reconciliation). Traditionally, the government has a facilitator role in *Judiya*, but the current regime has interfered extensively with this system to promote its own interests. The government's intrusion has undermined this crucial institution (Tubiana et al. 2012; Brosché 2014). Together, the increased herder-farmer tensions and the government's exceedingly partial policies deteriorated inter-communal relations in Darfur. Previously, communal conflicts in Darfur had been sporadic and at a low level of violence, but the conflicts that emerged in the late 1980s were persistent and extraordinarily fierce (ICG 2004).

To get an overview of these conflicts, this chapter uses the Uppsala Conflict Data Program's (UCDP) non-state conflict dataset (Sundberg et al. 2012). The table below summarizes the violent communal conflicts recorded by UCDP for the 1989–2017 period. The table shows ethnic identification, main livelihood, and active years (for UCDP a conflict is active if it has caused at least 25 fatalities in a calendar year). When interpreting this data, it is important to remember that ethnicity is fluid, livelihood often mixed, and data on number of deaths are often hard to confirm. Hence, the table constitutes a summary, rather than a complete delineation, of violent communal conflicts in Darfur (Table 1).

The table shows that UCDP has recorded 21 communal conflicts in Darfur, causing between 7,300 and 8,500 fatalities, from 1989 to 2017. Given estimations of 300,000 killed in Darfur since 2003, this seems like a low figure. Much of the violence in Darfur, however, are part of other UCDP categories like one-sided violence (deliberate targeting of civilians) and state-based violence (UCDP 2018). In addition, while UCDP only includes direct deaths, i.e., people killed in combat, the 300,000 estimation includes both direct and indirect deaths (such as fatalities from conflict-related diseases and starvation). Two thirds of the conflicts stood between pastoralists group, while one third pitted farmers against herders. Regarding the Arab-African dichotomy, 13 of the 21 conflicts stood between groups that both

**Table 1** Violent Communal Conflicts in Darfur, 1989–2017 (coded by UCDP)

Communities	Ethnicity	Main livelihood	Active years	Estimated deaths
Salamat/Beni Halba-Fur	Arab-African	Cattle herders and farmers-farmers	1989	1500
Baggara Arabs-Fur	Arab-African	Cattle herders-farmers	1989, 1990	500–900
Reizegat Abbala-Zaghawa	Arab-African	Camel herders-camel herders	1996, 2017	191
Reizegat, Awlad Rashid, Beni Halba-Masalit	Arab-African	Camel herders-farmers	1995, 1998, 1999	340
Awlad Zeid Arabs-Zaghawa	Arab-African	Camel herders-camel herders	2001	70
Rizeigat Baggara-Maaliya	Arab-Arab	Cattle herders-cattle herders	2002, 2004, 2013, 2014, 2015, 2016, 2017	1093–1214
Hotiya Baggara-Newiba, Mahariba, and Mahamid	Arab-Arab	Cattle herders-camel herders	2005	210–260
Reizegat Baggara-Habbaniya	Arab-Arab	Cattle herders-cattle herders	2006, 2015	348
Reizegat Abbala-Tarjem	Arab-Arab	Camel herders-cattle herders	2007	380
Misseria-Reizegat Abbala	Arab-Arab	Camel herders-camel herders	2008, 2009, 2010, 2012, 2015	760
Maaliya-Zaghawa	Arab-African	Cattle herders-camel herders	2008	40–50
Habbaniya-Falata (and Salamat)	Arab-Arab	Cattle herders-cattle herders	2007, 2008, 2009	230
Beni Halba-Gimir	Arab-Arab	Cattle herders-cattle herders	2013	164–221
Beni Hussein-Reizegat Abbala	Arab-Arab	Cattle herders-camel herders	2013, 2014	387–915
Hamar-Ma'aliya	Arab-Arab	Farmers-cattle herders	2013, 2014	90–94
Misseria-Salamat Baggara	Arab-Arab	Camel herders-cattle herders	2013, 2014, 2017	516–811
Falata-Salamat Baggara	Arab-Arab	Cattle herders-cattle herders	2015, 2016	290
Al-Zayadia-Berti	Arab-African	Camel herders-farmers	2015	127
Masalit-Reizegat Baggara	African-Arab	Farmers-cattle herders	2016	39
Habbaniya-Salamat Baggara	Arab-Arab	Cattle herders-cattle herders	2017	41
Mahadi-Reizegat Abbala	Arab-Arab	Farmers-camel herders	2016	26

identify as Arabs, while 8 conflicts pitted Arabs against Africans. While the data does not include any conflict between two non-Arab groups, there exist tensions also between non-Arab communities, such as between the Fur and the Zaghawa. The Fur alleges that the Zaghawa desires a “Greater Zaghawa” that would oust other groups from vast areas. In contrast, the Zaghawa argues that the Fur unfairly denies their legitimate right to settle on new land (Unruh and Abdul-Jalil 2014). The table also reveals an important shift in regard to whom fighting whom. Before the 2003 rebellion, a clear majority of the conflicts were Arab-African, while most of the conflicts thereafter have stood between Arab groups. The chapter returns to the reason for this shift below.

### **From Communal Conflicts to Civil War and Ethnic Cleansing**

Darfur’s first major conflict in modern times was the “Arab-Fur war” of 1987–1989 that pitted the Fur community against numerous Arab groups and killed at least 2,500 Fur and 500 Arabs (Harir 1994; de Waal 2005). While being referred to as a war, it was an exceedingly intense communal conflict in the terminology used in this chapter. The Sudanese government was not neutral in this conflict but strongly favored the Arabs. This partiality caused Daud Bolad, an Islamist from the Fur community that had worked close to the government, to leave the regime and join the SPLM/A rebellion. In December 1991, Daud Bolad led a unit of SPLM/A when it attacked government positions in Darfur. A combined force of regular army and Beni Halba Arabs annihilated the unit and killed Bolad. Following this attack, the government came to perceive the Fur as their main enemy in Darfur and therefore sought to cement its alliances with various Arab tribes (Flint 2007).

A prime example of the government’s anti-Fur policy was its decision to split Darfur (that traditionally had been one state) in three states in 1994. The administrative change was politically motivated and sought to weaken the power of the Fur community by dividing their traditional stronghold into three new states (ICG 2004). Previously, the Fur had been a majority group in Darfur, but the government designed the partition, so this community became minorities in all three new states: South Darfur, West Darfur, and North Darfur (Leonardi and Abdul-Jalil 2011). In addition to weaken the Fur’s power, the split was motivated by an agenda to promote Arabization, and it empowered Arab groups but decreased the power of non-Arabs. The division of Darfur into three states had grave consequences for Darfur and was “perhaps the most crucial decision” (Burr and Collins 2008: 287) for the disastrous developments that followed. The government’s partiality against the Fur and support for the Arabs in several conflicts incited the Fur to start targeting government positions rather than its rival communities (Flint and de Waal 2008).

During the 1990s, two other significant non-Arab groups, Zaghawa and Masalit, also fought fierce conflicts against various Arab communities. The Sudanese government favored the Arab groups also in these conflicts. As a result, also the Zaghawa and Masalit communities came increasingly to perceive the regime in Khartoum as their prime enemy (Tubiana 2007). An illustrative case of such

dynamics is the conflict between the Zaghawa and the Awlad Zeid Arabs over an important waterhole in 2001. When the fighting ceased, the Zaghawa discovered that the government had armed their enemies. The Zaghawa's resentment against the government increased further when government soldiers prohibited them from using the waterhole. Following this incident, the Zaghawa came to perceive the government as the main threat to their security. The Masalit community fought a conflict against several Arab groups in mid-1990s. The conflict started when Arab raiders attacked a group of villages around Mejmerie, east of al-Genina in Western Darfur. Although these attacks destroyed numerous villages and the attackers killed many people, the government did nothing to punish the raiders because it sided strongly with these communities. This enraged the Masalit and intensified the conflict (Flint and de Waal 2008). The government's bias was also evident in an administrative adjustment of West Darfur in 1995. This change divided the Masalit's customary homeland in 13 domains, and the government allocated 5 of these to Arabs. This partition is widely perceived as the main trigger for the Masalit-Arab conflict (ICG 2004).

To increase its protection from attacks from various Arab groups, and to strengthen their position against the government that they increasingly saw as the main enemy, the Fur, Zaghawa, and Masalit all formed self-defense forces. In 2001, the Fur and Zaghawa groups joined forces in their struggle against the government and rivaling communities. After being defeated by different Arab communities, the Masalit joined the Fur-Zaghawa alliance. By the early 2000s, this alliance (which first took the name Darfur Liberation Front) constituted a serious military threat to the government. In February 2003, after an attack in which this group had overrun an army outpost, the group declared that it had changed its name to Sudan Liberation Movement/Army (SLM/A). Soon, another Darfurian rebel group, Justice and Equality Movement (JEM), launched a rebellion against the Sudanese government. The roots of the two Darfurian rebel groups were different. While the origin of SLM/A is in the peripheries, JEM came more from the center, and most JEM leaders had held significant positions in Khartoum. In addition, while Khalil Ibrahim (a Zaghawa from Darfur) was the official leader, Hassan al-Turabi (who had been the architect behind the 1989 coup that put al-Bashir in power) was, allegedly, the real founder and leader. The former alliance between al-Bashir and al-Turabi had dissolved, and it is widely believed that al-Turabi, in order to decrease al-Bashir's power, contributed significantly to the creation of JEM (Prunier 2007; Burr and Collins 2008).

The Darfurian rebel groups were, partly due their knowledge about the local terrain, successful on the battlefield in the initial phase of the war. As a response, the regime in Khartoum recruited militias (primarily from landless Arab groups from northern Darfur) that came to be known as *Janjaweed*. To entice recruits, the Sudanese government promised to provide land to the groups that joined the militias. The strong desire for land among these groups meant that such assurances were a fundamental reason for joining these militias (Prunier 2007). In fact, while defeating the rebels was the prime aim of the government, controlling land was the prime purpose of the war for these militias (Flint 2009). Forceful displacement of certain communities was thus not just a consequence of the war but a prime purpose for some of the armed actors (Tubiana 2007). Hence, while non-Arabs in possession of a

*Dar* constitute the backbone of the resistance movements, landless Arab communities contributed largely to the government's militias. The two main belligerents in the communal conflicts that preceded the war, thus, stood on opposing side in the civil war. Together, the army and the militias implemented a scorched-earth campaign that primarily targeted the Fur, Zaghawa, and Masalit communities and included human rights violations, such as killing of civilians and ethnic cleansing (Brosché and Sundberg 2019). This chapter does not thoroughly assess these atrocities because other studies cover them in detail (c.f. Daly 2007; Prunier 2007).

In 2005, Minni Minawi (chief of staff of SLM/A from the Zaghawa community) challenged Abdul Wahid (SLM/A's chairman from the Fur community) over leadership of SLM/A, and the movement split in two factions (SLM/A-Wahid and SLM/A-Minawi). The two factions fought each other for the first time in November 2005, a battle that caused at least 45 fatalities (Prunier 2007). Six months later, Minni Minawi and the Sudanese government signed a peace agreement called Darfur Peace Agreement (DPA). However, the leaders of the other two main rebel movements, Abdul Wahid (SLM/A-Wahid) and Khalil Ibrahim (JEM), refused to sign the agreement (Brosché and Rothbart, 2013). The focus of DPA was to terminate fighting between Minawi and the government, but the agreement did not address many of the prime problems in Darfur (such as land). Thereby, the agreement failed to acknowledge the complexity of the war and recognizing that the situation in Darfur composed of several interlinked types of conflicts. As a result, rather than leading to peace, the DPA intensified fighting and led to further fragmentation of the opposition movements (Mohammed 2007).

A few years into the government's counterinsurgency, it had resulted in the displacement of millions of Darfurians, primarily from non-Arab communities like the Fur, Zaghawa, and Masalit. This left large areas of fertile land abandoned, and several Arab communities started to fight each other over who should control these areas (ICG 2007, 2015). Control over land is hence the main driver of the shift (indicated in the table above) from communal conflicts primarily standing between Africans and Arabs to mainly be fought between various Arab communities (Brosché and Rothbart 2013). Not only had the relation between various Arab communities shifted starkly; many Arab communities had also changed its relation to the Sudanese government. Although some Arabs remained neutral, and others joined the resistance movements, the regime in Khartoum had good relations with many Arab communities when the Darfuri rebellion started in 2003 (Flint 2010). The government, however, did not keep its promises to allocate land to the communities that had contributed to the militias, which caused extensive bitterness among these groups. Tensions mounted when the rulers in Khartoum, as part of the DPA, declared that they would disarm the Janjaweed. The communities contributing to the militias felt that the government who wanted to scapegoat the Janjaweed to escape its own responsibility (de Waal 2007) had betrayed them. Quite ironically, Musa Hilal – the most notorious *Janjaweed* leader who had receive extensive support from the regime in Khartoum – launched a new rebel group (Sudanese Awakening Revolutionary Council, SARC) in 2014 to fight the Sudanese government (UCDP 2018).

As illustrated in the pages above, Darfur has experienced an intricate web of ethno-communal conflicts for the last decades. In the mid-1980s, communal conflicts, primarily over land and largely pitting Arab groups against non-Arabs, started to become increasingly intense. In these conflicts, the Sudanese government took a partial stance, favoring Arabs over non-Arabs, which was a key motivation for the Darfurian rebellion launched in 2003. The government responded by recruiting the notorious Janjaweed militia, which (together with the army) evicted millions of non-Arabs. Thereafter, various Arab communities started to fight each other to control this land, and later some of these organized in insurgent movements to fight the government because of unmet promises of land. Thus, while some factors (such as the importance of land) remain constant in Darfur's ethno-communal conflicts, who is fighting whom is constantly shifting. This has generated a situation with a plurality of grievances and extensive resentments between many groups, where a peaceful resolution seems elusive.

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## **South Sudan: Ethno-communal Conflicts in The World's Newest Nation**

Since December 2013, South Sudan has been shattered by a civil war that has caused tens of thousands of deaths, displaced a third of the population, and created starvation in parts of the country. This war has clear ethno-communal manifestations and sometimes described as a Dinka-Nuer conflict. As in Darfur, however, the crisis in South Sudan is complex and consists of several types of conflicts that together create an intricate situation. Below, this chapter analyzes this devastating situation by probing some of the roots to war and some of its manifestations.

### **The Painful Path to Independence**

In 1983, SPLM/A launched a rebellion in Southern Sudan. The political goal for the movement's leader, John Garang, was "to establish a united socialist democratic Sudan" (Garang 1987) while other elements within the movement sought independence for South Sudan. The SPLM/A took control over several towns in the late 1980s, and the government started to recruit militias, primarily from the Misseriya and Reizegat communities in Darfur and Kordofan, to increase its military power. Promises to land, similar to tactics later used in Darfur, was essential to entice these militias (HRW 2003; Johnson 2006). To counter the SPLM/A insurgency, the Sudanese government extensively used a Machiavellian divide-and-rule tactic, resurrecting the logic of "the enemy of my enemy is my friend," and used ethnic tensions to increase divisions in Southern Sudan (Brosché and Rothbart 2013). John Garang came from Southern Sudan's largest ethnic group, the Dinka, and people from other communities sometimes perceived the SPLM/A as a Dinka movement (Young 2006).

In 1991, two SPLM/A commanders – Riek Machar and Lam Akol, from the Nuer and Shilluk community, respectively – instigated a coup against Garang who they accused of being a dictator of the movement. The coup failed and Machar and Akol launched a new rebel group called SPLM/A-Nasir, which had session of South Sudan as its prime political goal. The Sudanese government saw the mainstream SPLM/A as their main threat and therefore heavily supported the Nasir faction both militarily and economically. While stating that it fought for independence, the SPLM/A-Nasir never clashed against the Sudanese government (UCDP 2018). Instead, the rival SPLM/A factions fought each other fiercely. Actually, in the first half of the 1990s, fighting between these groups killed more people than the war between insurgencies and the government. Both factions carried out human rights violations, including burning of villages, killing of civilians, and forced displacement. While SPLM/A was predominantly a Dinka movement, the Nasir faction recruited primarily from non-Dinka groups, particularly the Nuer. The leaders of these factions fueled the flames of ethnic hatred and intensified civil unrest for their own political ambitions. This accentuated the ethnic dimension of the struggle, and the fighting (as well as atrocities) largely pitted various communities against each other. Although numerous communities were involved in this rebel-rebel fighting, most violence pitted Southern Sudan's two largest ethnic groups, Dinka and Nuer, against each other (Young 2006; LeRiche and Arnold 2012).

In 2002, the two factions reconciled and Machar returned to SPLM/A. This strengthens the movement's military power and changed power balance between the rebels and the regime. At the same time, efforts to end the North-South war had been ongoing for many years without finding a solution. In 2005, however, conditions at the local, national, and international level were more conducive, and the antagonists reached an agreement. A key reason for the Sudanese government to sign the Comprehensive Peace Agreement (CPA) was the enhanced military threat that the united SPLM/A composed (Brosché and Duursma 2018).

### **The Interim Period (2005–2011)**

The CPA meant that Southern Sudan should be an autonomous part of Sudan between 2005 and 2011. The Government of South Sudan ruled this area, and John Garang became the first President of Southern Sudan. After fighting a war for 22 years, however, John Garang died in a helicopter crash only 6 months after signing the CPA. Salva Kiir, a commander in SPLM/A who had fought alongside Garang throughout the war, and been his deputy since 1997, replaced him (LeRiche and Arnold 2012). While Kiir became President, Riek Machar became Vice President. However, this arrangement was not an indication of genuine friendship between the two; instead, Kiir and Machar were wary about each other and competed for influence. In essence, this was a power-sharing agreement that gave the highest position to a Dinka (the largest community) and the second highest position to a Nuer (the second largest community).



At times of its installment, the government of South Sudan faced severe threat from numerous armed groups. Former militias that previously had fought for the regime in Khartoum constituted the strongest challenge. Salva Kiir took on a drastically different strategy than his predecessor to deal with such contenders. While Garang usually fought against his competitor, Kiir tried to incorporate them into the SPLM/A. In this “big tent” policy, leaders of different armed groups received prominent positions in the military (and sometimes government), and the rank and file of these groups were included in the army. On 8 January 2006, many former militias integrated in the SPLM/A structures, when Kiir and Paulino Matip (who controlled many of the former militias) signed the Juba Declaration. Analysts saw this agreement as crucial for the security situation in Southern Sudan (some even held it as more important than the CPA) and hailed it as a big diplomatic victory for Kiir (Young 2007).

Yet, soon it became evident that Kiir’s integration strategy also prompted many problems. A core part of this procedure was to give amnesties to leaders and soldiers in the insurgency groups that challenged the regime in Juba. As a result, violence and threat of violence constituted powerful methods for gaining influence and concessions, in the political landscape that followed the signing of the CPA (LeRiche 2014). Sudan and South Sudan expert Alex de Waal has illustratively labeled these insurgencies as “rent-seeking rebellions” in which:

A commander or a provincial leader can lay claim to a stake of state resources (rents) through a mutiny or rebellion. The government then attacks the leader and his constituency to press him to accept a lower price. After a number of people have been killed, raped, and displaced, and their property looted or destroyed, as an exercise in ascertaining the relative bargaining strengths of the two parties, a deal will be reached. In South Sudan, these cycles have become known as “rent-seeking rebellions”. Such conflicts follow a material logic but have ethnic manifestations. (de Waal 2014; De Waal 2014: 350)

Therefore, while the “big tent” policy successfully dealt with some of the government’s threats, this policy also encouraged armed rebellion as the government regularly rewarded, rather than punished, people who revolted against the regime. In addition, this policy was exceedingly expensive and created a deeply divided army (Brosché and Höglund 2016).

When the CPA was signed, it was widely believed that fighting between Juba and Khartoum would soon restart. Yet, while there were some clashes between the former belligerents close to the contested border, the north-south war did not restart. This, however, did not mean that armed conflict ended in Southern Sudan. Instead, a few, relatively limited, insurgencies challenged the regime in Juba, and numerous communal conflicts caused severe problems in the region. Various cattle-herding communities (like the Dinka, Nuer, Shilluk, and Murle) primarily inhabit the northern part of Southern Sudan, and communal conflicts largely stood between different pastoralist groups. Some of the conflicts were very intense. The Lou Nuer-Murle conflict, for example, resulted in more than 1,000 fatalities in 2009 alone (UCDP 2018). Competition over land and cattle constitutes important components of these conflicts. Another crucial aspect of these conflicts is politics. Indeed, both local and central elites have fanned inter-ethnic violence to increase their influence. These communal conflicts are furthermore often



highly influenced by governmental decision. Uneven disarmament, where the regime prioritizes to take the weapons from the communities seen as most anti-government, has, for instance, spurred several of Southern Sudan's communal conflicts (Brosché 2014).

## **From Peaceful Independence to Full-Fledged Civil War**

As stipulated in the CPA, Southern Sudan held a referendum on 9 January 2011. Close to 99% voted for independence, and the Republic of South Sudan was born 6 months later, 9 July 2011. The transition to independence was relatively peaceful, especially in relation to what many analysts anticipated at the time, and armed conflicts during South Sudan's two and a half first years as an independent nation resembled the situation during the interim period. Thus, insurgents challenged the regime and some intense communal conflicts occurred. While these various conflicts caused death and devastation, the magnitude of these conflicts was relatively minor in relation to what should follow in December 2013 (UCDP 2018).

When John Garang died, his vision of a "New Sudan" also died, and almost all South Sudanese aspired independence. This shared desire for independence created some unity, and the rivalry between various elites was less strong until independence was secured. In fact, a "remarkable display of unity by southern Sudanese of all tribes and political persuasions" characterized the period preceding the referendum (Young 2012: 291). Yet, with independence secured, long-standing power struggles between different political leaders intensified. Positioning within the SPLM ahead of elections scheduled for 2015 (later postponed) was particularly important as this party completely dominates South Sudanese politics. In fact, SPLM's position means that the leader of the party is almost certain to win elections. In March 2013, Riek Machar declared that he intended to challenge Salva Kiir over the leadership of SPLM at a convention supposed to take place 2 months later. Yet, Kiir canceled this gathering and many other important meetings (ICG 2014).

To maintain his power, Kiir took a drastic move in July 2013 and sacked the entire government. When Kiir reinstalled the government, he had replaced people who he perceived as threats with persons he perceived as more loyal. Yet, the challenges against Kiir continued and intensified. On 6 December 2013, many of the people who had been fired from the government held a press conference in Juba where they accused Kiir of "dictatorial tendencies" and outlined a political program that challenged the incumbent President (Sudan Tribune 6 December 2013). The group took the name SPLM/A-In Opposition (SPLM/A-IO). While Riek Machar led this group, it also included prominent politicians from numerous other communities (including Dinka), and this broad coalition constituted an extensive threat to Kiir. To curtail this threat, Kiir removed some of his critics at a SPLM/A meeting on 14 December. Several officials boycott the second day of the meeting in protest to Kiir's actions (ICG 2014; Small Arms Survey 2014).

On the evening of 15 December 2013, fighting erupted within the South Sudan's Presidential Guard where one faction (primarily Dinka) which supported President Kiir fought against another faction (primarily Nuer) that supported Vice President Machar.

The following day, Kiir announced on state television that he successfully had put down a coup attempt, led by Riek Machar (Johnson 2014). Machar denied these accusations, and it is widely believed that there was no coup attempt but that efforts by Dinka presidential guards to disarm their Nuer counterpart sparked the fighting (ICG 2014). More important than the details about what generated the combat is to understand that the tensions between Kiir and Machar had, during the preceding 9 months, escalated to a level where largely any hostile event could ignite clashes. The fighting spread quickly, first to different parts of Juba but later to other areas of South Sudan, and were very intense. A core reason for how quickly things spiraled out of control was that the South Sudanese army split, with about half of it (primarily Nuer) joining the SPLM/A-IO and the rest staying with the government. In fact, “within two days the whole edifice of government, party, and army was blown apart. The 2006 Juba Agreement, the basis of internal stability in South Sudan, was dead” (de Waal 2014: 366).

In the days that followed the alleged coup, government soldiers killed hundreds of Nuer civilians in Juba (HRW 2016). This sparked outrage in the Nuer community, and many Dinka were killed in revenge attacks. The government’s atrocities also became a core motivation for Nuer to join the anti-government forces. For the Nuer, the “Juba Massacre” constitutes a significant trauma, and many felt targeted by genocidal tactics (Young 2016). Hence, much of the fighting clearly had an ethnic dimension, with Dinka-Nuer being the main dividing line, and many people were targeted because of their ethnicity.

Yet, to label this as a Dinka-Nuer war leaves out crucial dimensions of the conflict. First, rather than being driven by ethnic animosities, the 2013 war followed the logic of rent-seeking rebellions described above. Second, such description omits an institutional perspective. Not only was weak institutionalization of important organizations (like the army, government, and party) pivotal for the dynamics in the war; South Sudan’s institutional structures were also too weak to handle political struggles peacefully. Third, throughout the war, there have been Dinka elements fighting with the opposition and Nuer elements battling on the government’s side. Fourth, some of the most intense fighting in the war has pitted Nuer against other Nuer. Fifth, the war has taken place in almost all parts of South Sudan and thereby influenced all the country’s communities. Not only have other communities been victimized; they have also fought on both sides of the war and in some cases formed their own insurgencies.

Hence, the war in South Sudan resembles the one in Darfur with numerous, intertwined types of conflict taking place at the same time. This creates a complex situation that becomes exceedingly difficult to resolve. If one type of conflict is ripe for resolution, another might not be, and since the conflict types influence each other, this might derail the potentials for solving also the conflict that was ripe.

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## Conclusions

This chapter deals with ethno-communal conflicts in Sudan and South Sudan. A core finding from the chapter is that such conflicts can manifest in various forms and that the different types of conflict are intertwined. This has ramifications for policy.

If connections between different types of collective violence are overlooked, efforts to manage and prevent conflicts might be futile. The Darfur Peace Agreement (DPA) exemplifies how a focus on one type of conflict – instead of acknowledging that the situation consisted of several parallel but interlinked types of conflict – can intensify fighting rather than be a path to peace. In order to grasp this complexity, outside actors need to make greater efforts to increase the understanding of the local dynamics in general and the effects of international interventions on this dynamics in particular. If not, there is a risk that such efforts do more harm than good.

Another central finding revealed by this study is the key role various elites often play in fermenting ethno-communal conflicts. Hence, while conflicts in Sudan and South Sudan often have ethnic manifestations, they are often spurred by various elites' that – in their aspiration to increase their political and economic power – use ethnic divisions. South Sudan's most recent civil war constitute as a prime example. Although much of the fighting has followed ethnic lines, the prime causes to the war were a deepening crisis of governance in South Sudan and an escalating power struggle between Salva Kiir and Riek Machar.

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# Patterns and Drivers of Communal Conflict in Kenya 38

Emma Elfverson

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## Abstract

This chapter analyzes patterns of communal conflict – i.e., violent conflicts between non-state groups which are organized based on communal identities – in Kenya. The politicized nature of ethnicity in Kenya, and the fact that both elections and land tenure are closely associated with ethnic identity, are highlighted as key factors explaining the prevalence of violent communal conflict. After discussing the main patterns of conflict since 1989, the chapter goes on to identify four main drivers of conflict: electoral politics, cattle raiding, local resources, and boundaries and local authority. The specific dynamics at play in different conflicts vary, and empirical examples illustrate how the precise way that different conflict drivers interact is different from case to case. The chapter also discusses different strategies by state and non-state actors to address and resolve communal conflicts and how devolution – the decentralization of significant power to the local level under the 2010 constitution – has affected communal conflicts. As the discussion of devolution

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E. Elfverson (✉)

Department of Peace and Conflict Research, Uppsala University, Uppsala, Sweden

e-mail: [emma.elfverson@pcr.uu.se](mailto:emma.elfverson@pcr.uu.se)

illustrates, a major point is that while communal conflicts in general should be seen against the background of a state and a political culture where ethnicity is strongly politicized, the impact of national-level political dynamics on communal conflicts will vary from case to case.

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**Keywords**

Communal conflict · Kenya · Electoral violence · Land conflict · Pastoralist conflict · Ethnic politics · Conflict management · Devolution

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**Introduction**

Unlike most of its East African neighbors, Kenya has since independence not experienced large-scale rebellion or civil war. However, it has experienced a high number of more localized ethnic conflicts which at times have resulted in high death tolls (UCDP 2018; Kimenyi and Ndung'u 2005). Since 1989, by very conservative estimates, such conflicts have directly killed over 4000 Kenyan citizens. They have also caused the internal displacement of thousands of people and large-scale disruptions to local livelihoods. For example, in Tana River County in eastern Kenya, two waves of violence – in 2001 and 2012 – between the Pokomo and the Orma and Wardei led to hundreds of deaths, the destruction of homes and villages, the displacement of thousands of people, and large-scale disruption of education and economic activities (Kirchner 2013; Martin 2012). The conflict is situated in a largely arid area, where the communities – who are mainly sedentary farmers, and pastoralists, respectively – are dependent on the river for their livelihoods. In Mount Elgon, which is located in western Kenya near the border of Uganda, conflict between local communities over the legitimate claim to local land and authority has pitted Sabaot against Luhya and more recently Sabaot subgroups against each other following controversy over government resettlement schemes. The latter wave of conflict gave rise to the militia Sabaot Land Defense Force (SLDF) which terrorized local citizens and was eventually quashed by a heavy-handed military intervention (Lynch 2011b).

This chapter deals specifically with this subcategory of ethnic violence which is termed communal conflicts and where the government and state apparatus are not directly (but often indirectly) involved. There is a large body of research on how the Kenyan state has, under different regimes, engaged in violence and repression against its citizens (see, for instance, Hassan 2017; Boone 2011; Klopp and Zuern 2007; Murunga 2004). In contrast, in the case of communal conflict, the primary conflict stands between two non-state groups which are organized based on communal identities and which use lethal violence to gain control over some disputed and perceived indivisible resource, such as a piece of land or local political power. The fact that the primary parties in the conflict are non-state groups implies that neither side controls the state and armed forces. In turn, state actors and agencies may actively or passively support one side in the conflict and/or intervene to end the violence and assist in promoting a negotiated solution.

A communal conflict is distinguished by the fact that mobilization, and the lines of confrontation, are based on communal identification, often ethnic identities. While rebel groups and state militias often organize along similar identity lines, the groups involved in communal conflicts are not formally organized in the same way as rebel groups – which have standing armies and a hierarchical command structure – and also tend to feature more sporadic outbursts of violence as compared to civil wars or conflicts between rivaling rebel groups. Communal identity is here understood as subjective group identification based on, for instance, a common history, culture, or core values. Although identities are fluid and constructed and not inherently conflictual, under certain circumstances, they become more salient and can be activated for conflict mobilization (Klaus and Mitchell 2015; Svensson 2013). Because communal identity is socially constructed, it may change over time, and the dimension of identity that is emphasized for mobilization depends on the context. For instance, it may be ethnicity, religious affiliation, length of residence (i.e., “indigenes vs. settlers”), or livelihood (Brosché and Elfversson 2012).

In Kenya, political developments during colonial rule and following independence have meant that ethnic identity is often activated and mobilized in conflict over resources and political power (Branch et al. 2010; Lynch 2011a; Oucho 2002; see also Mati in this volume). Importantly, land tenure has remained closely connected to communal identity, and political parties have largely formed and mobilized along ethnic lines (Elischer 2010; Kimenyi and Ndung’u 2005; Omolo 2002). This form of ethnic politics may contribute to different forms of organized violence, including civil war, secessionism, and ethnic cleansing, but in Kenya, the main violent manifestations have been in the form of communal conflict. Under colonial rule, the British favored certain ethnic communities and deliberately sought to prevent the emergence of broad-based political movements (Branch et al. 2010). After independence in 1963, Jomo Kenyatta, the country’s first president, took steps to centralize power in the hands of himself and a small elite, mainly from his own ethnic group, the Kikuyu. Kenyatta and his allies were also able to claim much of the best land around the country, a fact that still underlies bitter conflicts in the country. Subsequent political elites have continued to favor mainly their own ethnic community; land and resources have remained heavily concentrated in the hands of a few, and politics continues to be a very ethnic affair. Kenya has – depending on who you ask – 42–44 ethnic groups or “tribes,” many of which comprise culturally distinct subgroups, and none of these groups makes up more than around 20% of the country’s population. This has been noted as one potential explanation that ethnic politics has not resulted in a broad-based rebellion against the state (Kimenyi and Ndung’u 2005). Meanwhile, it has also meant that election politics have often been strongly characterized by a “game of numbers” whereby elite politicians enter short-lived alliances to create a sufficient electoral support (Lynch 2006; Elischer 2010).

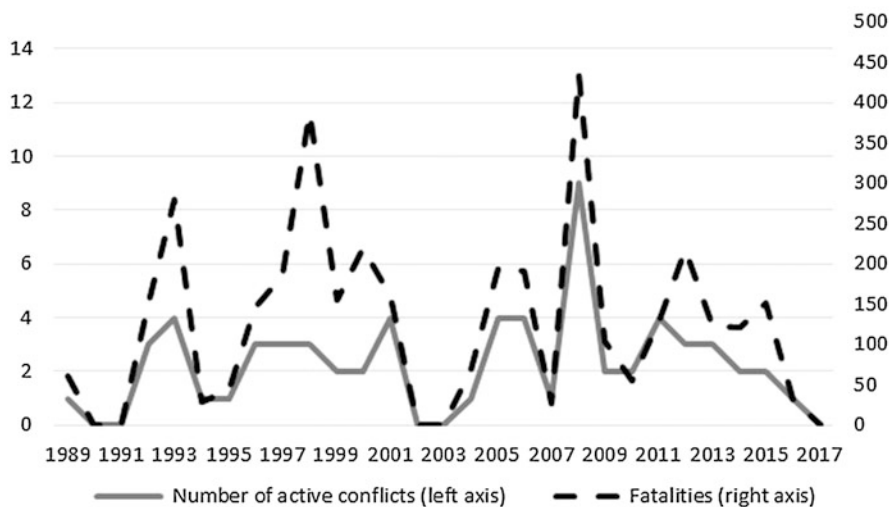
This chapter begins by giving an overview of patterns of violent communal conflict in Kenya since 1989. It proceeds to discuss the main drivers of conflict and illustrates these by discussing a few specific conflicts in more depth. Next, different strategies by state and non-state actors to address and resolve conflicts are



discussed. Finally, the chapter discusses how devolution – the decentralization of significant power to the local level, introduced under Kenya’s 2010 constitution – affects communal conflicts.

## Dynamics and Drivers of Communal Conflict in Kenya

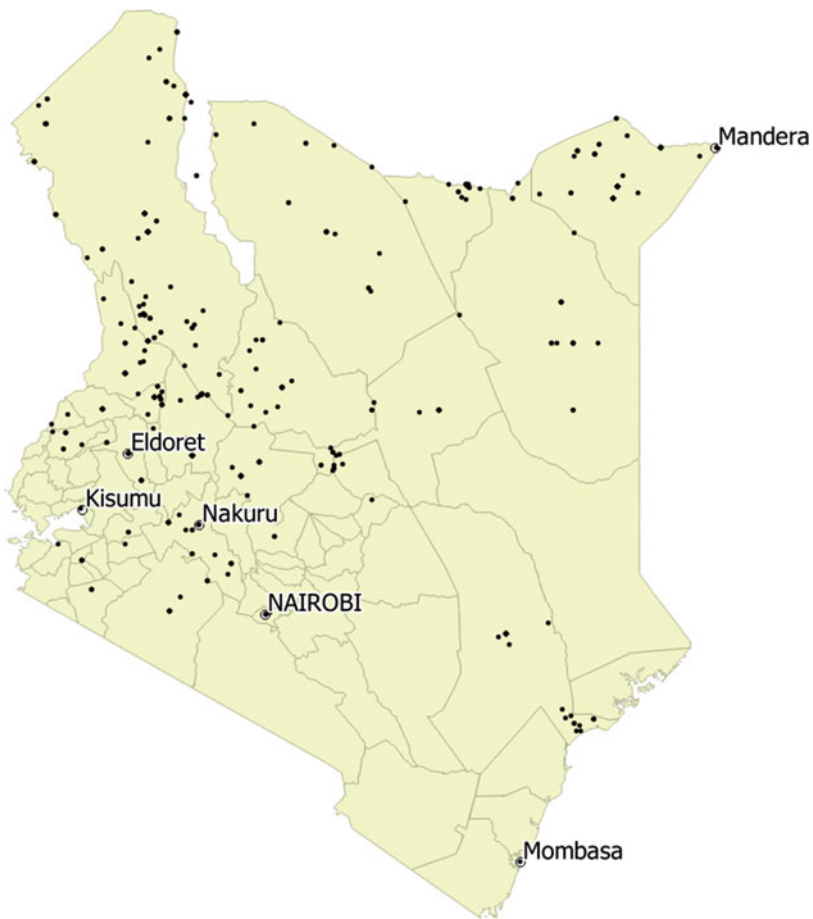
Due to the politicized nature of ethnicity in Kenya, communal conflicts have tended to be particularly frequent and intense in connection to national elections. Figure 1 below illustrates overall patterns of violence since 1989, using the data from the Uppsala Conflict Data Program (UCDP), which systematically collects information about different forms of organized violence, including communal conflict. The figure gives an overview of the number of conflicts each year that reached an intensity level of at least 25 deaths (left-hand axis/gray line) and the total number of fatalities resulting from these conflicts (right-hand axis/dotted line), over time. In addition to these high-intensity conflicts, there are many conflicts each year that turn violent but result in fewer casualties. In Fig. 1, there are three notable peaks in terms of fatalities, and these coincide with the 1992, 1997, and 2007 elections. There are several reasons that election times often become particularly violent. First, politicians may call on ethnic identities and land-related grievances to mobilize support and often whip up animosities against other communities (Boone 2011; Klaus and Mitchell 2015; Kurgat 2012). Furthermore, the outcome of elections at the local level often has implications for which community has access to local resources and patrimonial networks (Omotola 2010; Mieth 2012). This means that in addition to conflicts that are directly election related (i.e., where violence is directed at affecting the election outcome (Höglund 2009)), conflicts



**Fig. 1** Active communal conflicts and fatalities in Kenya, 1989–2017. (Based on UCDP Non-State Conflict Dataset v 18.1 Sundberg et al. 2012)

revolving around other issues may also become intensified by the electoral dynamics. A peak in the number of active conflicts (as well as in total fatalities) can be seen in 2008 (in the aftermath of the 2007 elections): that year, there were nine conflicts that resulted in at least 25 deaths. It can also be noted that there were no conflicts of this intensity in 2002–2003, coinciding with the rise and electoral triumph of the National Alliance of Rainbow Coalition (NARC) which, at least at that point, brought together key representatives from all major ethnic groups in Kenya (Elischer 2010).

Communal conflict has affected most regions of Kenya, but since 1989, the most intense conflicts have particularly been concentrated in the Rift Valley and in the northeast and on the coast. Figure 2 below illustrates the locations of major communal violence events – that is, incidents of lethal violence that form part of a violent communal conflict – since 1989. It should be noted that the figure only includes



**Fig. 2** Locations of major communal violence events, Kenya, 1989–2017. Map made in QGIS. (Based on UCDP Georeferenced Events Dataset v 18.1 (Sundberg and Melander 2013))

events in conflicts which at some point crossed the threshold of 25 deaths in a year. As the map illustrates, communal violence has also taken place in the major cities, including the capital Nairobi.

On a general level, most communal conflicts in Kenya can be understood against the background of a political history that has rendered ethnic identity politically salient and important in relation to access to resources and opportunities. Other prominent underlying causes include socioeconomic inequality, marginalization, resource scarcity, and the weakening of customary institutions that used to manage conflicts between neighboring communities. However, there is also a lot of variation in terms of the specific issues that communities fight over, and different regions and localities face different combinations of factors contributing to conflict. For instance, in the Rift Valley, many conflicts are related to long-standing grievances over land and oftentimes overlapping land claims. Much of this violence has pitted groups with claims to indigeneity – notably, Kalenjin and Maasai – against ethnic groups who have more recently settled in the area, partly aided by political favoritism – notably Kikuyu and Kisii (Lynch 2011a; Anderson and Lochery 2008). Whereas active state orchestration has fueled communal violence in this region (cf. Boone 2011), in other areas, conflict has erupted partly due to an absence of state governance and security provision. In the north rift and northeast Kenya, poor security provision in conjunction with porous borders and conflict in neighboring states have created a security vacuum wherein conflicts relating to cattle raids and territorial control have escalated to high levels (Mkutu 2008; Kumssa et al. 2009; Eaton 2012). Table 1 presents an overview of all communal conflicts in Kenya that have been recorded by the UCDP since 1989. Again, it should be noted that the figures are conservative and that the table does not capture the totality of intercommunal violence in Kenya but only the most intense conflicts.

Given the different underlying and proximate causes of communal conflicts, they are fought over different issues, which in turn affect the type of strategies needed to manage and resolve them. Broadly, four main drivers of communal conflict can be observed in Kenya: electoral politics, cattle raiding, local resources, and boundaries and local authority. Oftentimes, several different drivers overlap; for instance, pastoralist conflicts often feature cattle raiding but also revolve around natural resources and local boundaries. In turn, while these drivers – as well as the overall political dimension emphasized above – often overlap, there is variation in which drivers coexist and how. Consequently, the precise dynamics in each case of communal conflict are distinct and require locally well-anchored solutions.

## Electoral Politics

Many of Kenya's communal conflicts have been directly related to national and local elections. In particular, election-related communal violence became prominent under President Daniel arap Moi. Ascending to power after Kenyatta's death, Moi, who belongs to the Kalenjin community, continued to centralize power and turned Kenya into an authoritarian and corrupt one-party state. In the 1990s, Moi was under intense

**Table 1** List of communal conflicts in Kenya, 1989–2017

Communities	Main locations of violence	Active years (with at least 25 fatalities)	Estimated total deaths
Dassanetch – Nyangatom, Toposa	North rift	1989	60
Kalenjin – Kikuyu	Rift Valley, Nyanza	1992–1994, 1998, 2008	327
Kalenjin – Luhya	Uasin Gishu, Bungoma	1992–1993	96
Kalenjin – Kisii, Luo	Rift Valley, Nyanza	1992	40
Kikuyu – Maasai	Nakuru, Narok	1993	102
Nyangatom – Turkana	Turkana; South Omo (Ethiopia)	1993	246
Pokot – Turkana	Turkana, West Pokot, Baringo	1995, 1999, 2005–2006, 2008, 2010, 2013–2015	630
Pokot, Samburu – Turkana	Samburu	1996	51
Samburu – Turkana	Samburu, Laikipia, Isiolo	1996, 2015	211
Samburu – Somali	Isiolo	1996	49
Dassanetch – Gabra	Marsabit; South Omo (Ethiopia)	1997	112
Kisii – Maasai	Trans Mara, Kisii	1997	77
Dassanetch – Turkana	Turkana, South Omo (Ethiopia)	1997, 2000, 2005, 2009, 2011	413
Nandi – Pokot	Trans Nzoia	1998	35
Borana – Degodia	Wajir; Somali state (Ethiopia)	1998	357
Jie – Turkana	Turkana; Jie (Uganda)	1999, 2008	101
Ajuran – Garre	Wajir, Moyale	2000	78
Borana – Samburu	Isiolo	2001	70
Marakwet – Pokot	Kerio valley	2001, 2016	115
Orma, Wardei – Pokomo	Tana Delta	2001	66
Rer Ahmad – Hawarsame Rer Hasan and Habar Ya'qub	Mandera; Belet Hawa (Somalia)	2004	69
Borana – Gabra	Marsabit, Moyale; Oromiya (Ethiopia)	2005–2007, 2012	244
Garre – Murule	Mandera	2005, 2008	94
Nyangatom, Toposa – Turkana	Turkana	2006	58
Pokot – Samburu	Samburu, Laikipia	2006, 2009	76
Kalenjin – Kisii	Rift Valley	2008	81
Kikuyu – Luo	Nairobi, Kisumu, Nakuru	2008	61

*(continued)*

**Table 1** (continued)

Communities	Main locations of violence	Active years (with at least 25 fatalities)	Estimated total deaths
Toposa – Turkana	Turkana; Equatoria (Sudan)	2008, 2011	339
Borana – Turkana	Isiolo	2011	31
Orma – Pokomo	Tana Delta	2012	194
Degodia – Garre	Mandera, Wajir	2012–2014	216
Borana – Burji, Gabra	Moyale	2013	55

Based on UCDP Non-State Conflict Dataset v 18.1 (Sundberg et al. 2012) and UCDP Georeferenced Events Dataset v 18.1 (Sundberg and Melander 2013)

international and domestic pressure to liberalize and democratize the country, and opposition movements became stronger (Murunga and Nasong’o 2007). Moi tried to prevent these developments by fueling ethnic violence, both as a way to repress the opposition and to underline his claim that democracy would plunge Kenya into ethnic civil war (Klopp 2001). Around the first multiparty elections, held in 1992, there were clashes mainly in the Rift Valley between Kalenjin and Maasai militias and other politically relevant ethnic groups – Kikuyu, Kisii, Luo, and Luhya. Another wave of election-related communal violence followed in connection to the 1997 elections, this time also including clashes between “indigenous” groups and “newcomers” on the coast (Kimenyi and Ndung’u 2005).

The election-related communal conflicts in the 1990s were fueled by a political history and rhetoric that created a perception of ethnic voting as the way to ensure a stake in national and local resources and more directly by political agents orchestrating ethnic violence (Kimenyi and Ndung’u 2005; Klopp 2001; Elischer 2010; Omolo 2002). For instance, Moi and his allies convinced the Kalenjin community – which is in turn made up by a number of culturally distinct subgroups with varying interests in relation to the then-ruling elite – that an opposition victory would threaten Kalenjin interests including access to land and would lead to domination by other ethnic communities. In this context, politicians manipulated grievances related to land which can be traced back to colonial times and to perceived unjust land allocations under Kenyatta, and calls for *majimboism* – strengthened regionalism, commonly understood to correlate with ethnic “homelands” – were commonly heard at political rallies in the Rift Valley (Lynch 2011a).

Large-scale election-related communal violence also broke out in the aftermath of the 2007 elections. At this point, the presidential race stood between incumbent Mwai Kibaki (a Kikuyu) and opposition leader Raila Odinga (a Luo). Again, the Rift Valley was one of the main arenas of violence, but there were also intense clashes in Nairobi and sporadic violence in western Kenya and on the coast. The violence was preceded by rumors of electoral malpractices, and when the election results were announced on 29 December – with a victory for the incumbent – opposition supporters around the country believed the results were fraudulent and that they had been cheated of “their turn to eat” (a phrase referring to the notion that only those in power get a share of the country’s resources). Importantly, the Luo are one of Kenya’s largest ethnic groups but

have largely been excluded from the top echelons of power (de Smedt 2009; Lynch 2006). At the same time, many Kalenjin in the Rift Valley hoped that an opposition victory would decrease the influence of the Kikuyu in their region and that their access to land would increase (Anderson and Lochery 2008).

When the results from the election started to circle, Kalenjin and Luo militias in Rift Valley and western Kenya started to attack Kikuyu, seeking to drive them away from local areas and to take over land and businesses by force. Kikuyu groups in turn also organized themselves and fought back. These patterns were also seen in the informal settlements in Nairobi, prominently Kibera, which was Odinga's main political base and where Luo "tenants" turned against "landlords" from Kikuyu and other communities (for an in-depth account of the dynamics in Kibera, see de Smedt 2009). Both in the Rift Valley and in Nairobi, ethnic militias involved in the violence were paid and organized by different local politicians as well as different local businessmen (Waki 2008). Waves of violence continued for several weeks, ending only after a national-level power sharing arrangement was negotiated under high international pressure, whereby Odinga was given a post as prime minister and a process to reform the constitution was set in motion (cf. Mati 2013).

## Cattle Raiding

Some of the most violent communal conflicts in Kenya in recent decades have involved pastoralist communities that have attacked each other and raided cattle. Such conflicts have a long history and are rooted in pastoralist customs, where cattle raids have filled a dual function as a rite of passage as well as restocking herds or acquiring bridewealth. However, a focus only on the cattle-raiding dynamics underplays the political dimension of these conflicts, and a portrayal of violence as "tribal" and "traditional" has at times been an active strategy by authorities to downplay its importance and its connection to local and national politics (Greiner 2013; Okumu et al. 2017; Schilling et al. 2015). By implying that pastoralist livelihoods are inherently violent and conflictual, state authorities can simultaneously downplay their own failure to prevent or address these conflicts and further underline the general marginalization and lack of accommodation of groups whose livelihoods do not easily fall in line with national agendas for development. Generally speaking, the development of the Kenyan state has weakened customary pastoralist institutions and decreased the availability of pastoral land but has to a very limited degree provided strong state institutions and alternative livelihood opportunities.

When taking a historical view of these conflicts, there is broad consensus that cattle raids have become increasingly violent over the past half century and that the high level of armament among the involved communities have generated an arm race dynamic that further compounds insecurity (Mkutu 2008; Okumu et al. 2017). These conflicts take place in areas where the state's presence is very limited and security poorly enforced, leading to self-defensive armament and preemptive violence; these dynamics in turn have been fueled by the inflow of small arms and light weapons (SALW) from war-affected neighboring countries (Mkutu 2008; Eaton 2012).

A further factor contributing to intensified violence is the fact that raiding has become “commercialized”; whereas cattle were traditionally only raided for family or community needs, they are now quickly transported out of the area and sold on the black market. Finally, while raiding for a long time was largely detached from conflicts over land and boundaries – a function of the imposition of fixed local borders during colonial rule – more recently these conflicts have also gained a territorial dimension, and as such also become more politicized, as local political elites may use the violence to seek to renegotiate administrative boundaries (Greiner 2013).

One notable example where cattle raiding has played a major part is the conflict between the Pokot and Turkana, two communities that inhabit neighboring areas in northwest Kenya (the Pokot, who are a Kalenjin subgroup, mainly inhabit Baringo and West Pokot Counties, and the Turkana dominate Turkana County). Both are pastoralist, seminomadic groups and move around with their cattle across vast arid lands, which have for long been at the periphery of the Kenyan state-building project and largely neglected in terms of development and infrastructure. Security provision is sparse and largely made up of the paramilitary General Service Unit (GSU) and police reservists or “home guards” (Mkutu 2008). The relative weakness and inefficiency of state security provision have contributed to create a local security dilemma and concomitant arm race, whereby the groups have an incentive to arm themselves for defensive purposes and at times to make preemptive attacks when the enemy is relatively weak. At times, the government has sought to disarm raiders in order to decrease violence, but when such campaigns have been conducted in an uneven fashion, it has instead contributed to more violence by upsetting the local power balance (Lind 2018).

The Pokot-Turkana conflict has experienced violent and peaceful phases over a very long time, with the most recent wave of conflict beginning in the mid-1990s. At that point, the conflict gained a territorial dimension as the Turkana tried to occupy a piece of territory belonging to the Pokot (Greiner 2013). Subsequent raids have at times laid siege to villages or been aimed at capturing water holes, in addition to cattle raiding. Since 1995, violent clashes between the Pokot and Turkana have been recurring (see also Table 1 above) and have, by conservative estimates, caused more than 600 deaths. Both sides have heavily armed and well-organized militias, and large-scale raids often involve several hundred raiders most of whom are armed with AK47s or similar weapons. The level of armament is evidenced by the fact that the groups involved have also at times overpowered security forces sent to the region to halt the violence. In one highly publicized event, more than 20 police officers were ambushed and killed by Pokot raiders in Kapedo (on the border between Turkana and West Pokot) in November 2014, prompting President Kenyatta to deploy the military in the region (Lind 2018).

The conflict has intertwined with politics in several ways, further fueling the violence. Firstly, as in other communal conflicts in Kenya, violent displacement and the renegotiation of boundaries can affect electoral outcomes. More directly, political elites have benefited financially from the raiding “industry” and have in turn allegedly provided weapons to raiders from their community (Greiner 2013; Okumu et al. 2017). Border revisions by the central state have further fueled

tensions; for instance, ahead of the 2013 elections, local borders were redrawn so that the aforementioned Kapedo was “moved” from Turkana to Baringo County. The conflict gained a further dimension, adding to its intensity and complexity, as oil was discovered in Turkana in 2012. This has increased the value of the land and has further heightened the local political stakes (Schilling et al. 2015; Greiner 2013). It also led to the entry of new actors – notably, the Anglo-Irish oil company Tullow Oil – in the region, ostensibly representing a promise for more local development and improved infrastructure but so far mainly serving to underline the marginalized nature of pastoralist livelihoods in relation to the Kenyan state. For instance, while many hoped that oil exploration and extraction would create much-needed local jobs and development, few locals have been hired by Tullow, and when they have, the question of who gets hired or not has been manipulated by local politicians appealing to ethnic support bases (Lind 2018).

## Local Resources

As the discussion of the Pokot-Turkana conflict illustrates, one prominent driver of communal conflict relates to the control over, or access to, local natural resources such as grazing land or water. Oftentimes, this conflict driver is connected to group livelihoods – such as competition over the use of land between two pastoralist communities or between sedentary farmers and nomadic herders. This form of conflicts, which revolve around scarce natural resources, is often understood in relation to a broader context of natural degradation and climate change. They are also often fueled by unclear or overlapping rights and tenure provision. For instance, resource conflict in the Kajiado district in southern Kenya has been described as relating to population growth, changes to land tenure regulations, and international and national policies incentivizing changes in land use (Campbell et al. 2000). However, while a shrinking resource base and unclear rules about access may contribute to conflict, it is usually not enough for conflict to escalate into large-scale violence (Brosché 2014; Adano et al. 2012); to understand patterns of violence, local and national political dynamics must also be taken into account.

One example where local resources are at the heart of the conflict is found in the Tana Delta in the coastal region. Here there has been repeated violent conflict over resources between the Pokomo, who to a large degree pursue sedentary farming livelihood, and the pastoralist communities Orma and Wardei. Both sides depend on the river Tana for their livelihoods – the farmers grow their crops along the river, and the pastoralists move in with their animals during dry spells so they can drink from the river (Martin 2012). When violent conflict has erupted, it has often been triggered by incidents where cattle have destroyed farms or where farmers have denied pastoralists access to the river. The communities have different traditions concerning communal and private land tenure and have taken different positions in relation to irrigation projects and other state policies affecting land use. In 2001, a proposed land adjudication program increased tensions between the communities. The pastoralists interpreted the program as potentially excluding them from access to the river.



These tensions coincided with the fact that a drought in 2000–2001 had caused the pastoralist communities to move closer to the river, increasing the pressure on local resources. In this context, clashes between the communities took place on several occasions during 2001, resulting in over 100 deaths (Kagwanja 2003; Martin 2012).

While differences in livelihood, land tenure systems and culture are often emphasized in analyses of the conflict, it is also clear that escalations and de-escalations have been driven by political dynamics. While the central government has arguably not been directly involved in the same way as in election-related conflicts in Rift Valley, both sides in the Tana Delta conflict have at times perceived that the government was biased against them. The Pokomo have accused the government of failing to disarm the pastoralists; there have been claims that many of the cattle held by the pastoralists belonged to powerful government officials, who wished to keep those who guarded their property well-armed. On the other hand, land adjudication was perceived as mainly benefiting the farmers, and there have been strong and persistent fears among the pastoralists that together, the Pokomo, the government, and the foreign companies are trying to displace them from the area (Kirchner 2013). A history of arbitrary displacement of people due to dam construction and irrigation projects in the area lends credence to such fears. Local political aspirants have also played a more direct role in fueling the conflict (Kagwanja 2003). In connection to the 2013 elections, the conflict became violent again, partly because local politicians fueled ethnic tensions to gain votes; this time almost 200 people were killed (Kirchner 2013).

## **Boundaries and Local Authority**

Another key driver of communal conflict, closely connected to the control over local resources as well as to electoral dynamics, concerns boundaries and local authority. As noted previously, land and the notion of “ethnic homelands” play a crucial role in Kenyan politics. Holding land is a source of security and power for individuals, and at the group level, being associated with a piece of territory provides an important component of being perceived as genuine Kenyan citizens with a legitimate claim on a stake in national power (Kurgat 2012; Lynch 2011a). The strong political salience of land and territory, together with the fact that much of the land in rural areas is communal land rather than privately owned, implies that land conflict often takes on an ethnic dimension. In many locations, exact border demarcations are unclear or there are overlapping claims, and *de facto* settlement patterns and displacement can often affect formalizations of land claims. The question of local borders and which group has a legitimate claim to a certain territory also affects local political power and authority.

A conflict between the Garre and Murule, two Somali sub-clans, in Mandera in northeast Kenya illustrates these dynamics. The two groups, which are both traditionally pastoralist communities, have a long history of conflict and clashes over pasture and water (Menkhaus 2015). They have also been fighting about local power – which group should exert authority over Mandera district (now Mandera County).

Local border demarcations were a core issue in the conflict and became strongly politicized during Moi's rule. In 1988, administrative borders were redrawn so as to create separate political constituencies for the two clans in Mandera district, but these measures had the unintended consequence of intensifying clan-based competition and animosity and resulted in ethnic cleansing of the respective constituencies. The redrawing of constituency borders became so strongly contested because it affected control over resources as well as electoral outcomes, and local elites used ties to the president and other national elites to acquire "their own" constituencies (Ojielo 2010).

Aside from this form of political maneuvering, the conflict was further exacerbated by overall insecurity in the region, which borders Somalia and Ethiopia. The conflict also has cross-border dynamics, with both communities building alliances with their kin in Somalia and Ethiopia and accusing each other of harboring foreign militants. Like other pastoralist areas, Mandera has suffered from a high degree of marginalization, and there is a lingering distrust against the state, particularly the security forces, from the time of the Somali secessionist struggle in the 1960s when severe and indiscriminate force was employed (Ojielo 2010; Menkhaus 2015). The most recent waves of fighting between Garre and Murule began in 2004 (UCDP 2018). The trigger was a dispute over land, as the Garre attempted to use pasture that they had access to in the past but which now belonged to the Murule constituency. Initially, isolated killings became a spiral of revenge attacks, resulting in more than 60 deaths, with many thousands fleeing the violence-affected areas. The worst single incident took place on 16 March 2005 when Murule raiders attacked El Golicha village, leaving 22 dead, with many children among the victims. This event, which gained significant news attention, prompted strong action from the government, and an arbitration committee was appointed to resolve the conflict. However, the agreement that was reached mainly addressed issues of compensation and other direct outcomes of the violence, leaving the core issues unaddressed, and violence re-erupted in 2008.

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## **Addressing Communal Conflicts: Responses by State and Non-state Actors**

When lethal intergroup violence breaks out, it represents a challenge to the state's claim to have a monopoly over violence and its ability to ensure the safety of its citizens. Consequently, even in those cases where violence was more or less instigated by the state (most notably the "ethnic clashes" under Moi), the Kenyan government has generally intervened when communal conflicts have broken out. Oftentimes, such interventions have entailed the deployment of security forces to halt violence and restore order. In turn, peace enforcement has in many cases been followed by campaigns to disarm local communities and efforts to facilitate negotiated agreements. In the case of Mandera, mentioned above, the Kibaki government appointed an arbitration committee consisting of recognized local clan and religious leaders. In other cases, broad peace conferences have been arranged to address a

broader set of conflicts. For instance, a state-led peace process among pastoralist groups in northern Kenya culminated in the 2001 Modogashe Declaration which formalized an acceptance of customary conflict regulation mechanisms in addressing pastoralist conflicts (Odendaal 2013). In addition to central and local government actors, a broad range of non-state actors have also been prominent on conflict management. For instance, local community-based organizations (CBOs), non-government organizations (NGOs), and faith-based organizations have to a large extent been involved in activities such as mediation and facilitation. In many cases, several different actors – state and non-state – have been involved in responding to a specific conflict, at times working in parallel and at times actively coordinating their activities. Because the government tends to be viewed with suspicion due to the connections between communal conflict and macro politics, non-state actors are often better able to promote trust between the conflict parties and to serve in a credible mediator role. A peace process in the Kerio Valley in the early 2000s exemplifies this: After steadily escalating violent conflict over local land and cattle raiding but also heavily influenced by local and national politics, leaders from the two groups involved – Marakwet and Pokot – began dialogue to resolve the conflict (Elfversson 2016). They turned to the Catholic Justice and Peace Commission (CJPC), a faith-based organization that had long been engaged in providing local services such as education and health care, to facilitate their negotiations. Consequently, church officials acted as mediators, with a focus on convening and facilitating meetings, until the two sides were able to reach a peace agreement known as the Kolowa Declaration. Government representatives were present at the declaration and endorsed the agreement, with local government officials playing a key role in its implementation.

One outcome of the Kerio Valley peace process was the establishment of local bodies to regulate and manage minor disputes and prevent their escalation into violent conflict. Such District Peace Committees (DPCs) are of high relevance throughout conflict-affected regions of Kenya. DPCs, which can be described as hybrid bodies (encompassing both formal and informal structures), have played a major role in many local peace processes. These conflict management bodies have been of growing importance in Kenya since the 1990s, drawing upon the success of such a body in addressing long-standing conflict in Wajir in northeast Kenya. District Peace Committees are hybrid bodies that incorporate local customary conflict resolution while also drawing on formal structures and connecting to government institutions (Odendaal 2013). Membership of the peace committees is made up of locally elected elders as well as women, youth, civil society organizations, and government representatives. Their main purpose is to resolve conflicts and promote peace among the different communities in a district and its neighboring area. In 2001, a National Steering Committee (NSC) was established to coordinate the work of DPCs and other peace building bodies in Kenya and link these formally with government and development activities (Odendaal 2013). This move effectively formalized the role of DPCs, granting them additional power and legitimacy by way of having official authority; at the same time, in some cases, their customary legitimacy has been eroded by their formalization. Furthermore, many have

criticized the official recognition of bodies and mechanisms that encompass customary practices such as blood compensation and oftentimes the de facto exclusion of women from formal negotiations.

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## **Devolution: Diffusing Macro-conflict but Intensifying Local Conflict?**

Since independence, the gradual centralization of power in the hands of the president has been challenged by opposition movements and civil society. One of the reasons has been that the very high stakes in the national political contest have helped fuel election-related communal violence. By devolving and diffusing power, it was argued, the notion that only the groups represented at the center are able to “eat” can be overcome. The struggle for constitutional reform picked up during the last years of Moi’s rule, culminating in a referendum in 2005 where the final draft – which contained significantly less radical reforms than those promised during the campaign that got Kibaki and NARC elected – was defeated (Lynch 2006; Ghai 2008). However, after the intense election-related violence in 2008, and under significant international pressure, a new constitution was drafted which includes strong checks on executive power and a progressive bill of rights. The constitution was adopted in a referendum held on August 4, 2010, where 67% voted in its favor, and promulgated later the same month. While the constitution has been acclaimed for its far-reaching and progressive content, it should be noted that implementation of many provisions has been obstructed or ignored by elites with an interest in maintaining the old order (Murunga et al. 2014).

A cornerstone of the constitutional reform was the devolution of power to 47 counties. These became operational after the 2013 elections, in which local governors and county assemblies were elected for the first time. The new county governments were given significant power over fiscal resources and legislation, prompting concerns from several analysts that while devolution might diffuse the contest over national power, it also had the potential to intensify communal conflicts at the local level. Indeed, rather than resulting in “everyone’s turn to eat,” devolution in many cases produced locally excluded minorities (D’Arcy and Cornell 2016). From the perspective of ethnic violence, such situations were particularly concerning when local minorities were powerful at the national level or had strong cross-border networks, suggesting the capacity to mobilize for violence against the community in power at the local level. In line with such concerns, Lind (2018) points out that “in recent years levels of conflict have been greatest in counties with pointed majority-minority group divisions, notably Moyale, Marsabit, Mandera, Isiolo and Tana River.” To prevent communal violence during the 2013 elections, the National Cohesion and Integration Commission (NCIC) – a government body which was created after the 2008 election-related violence and tasked with promoting peace and national unity – in several locations promoted pre-election agreements between communities on how to distribute elected posts. Essentially, such power-sharing

agreements were negotiated among community “elders” – a term commonly encompassing leaders with a customary or moral authority as well as influential businessmen and other “big men” – together with party representatives, and then anchored within the broader community. This form of “negotiated democracy” in several locations was credited with the avoidance of violence in the 2013 elections (Mitullah 2017; Lind 2018).

In Migori County, for instance, a deal was made whereby the positions as deputy governor and senator were promised to the second largest community (Mitullah 2017). Migori is ethnically heterogeneous and has experienced communal violence between Luo (the numerically largest group in the county) and Kuria. The Kuria are the second largest group numerically and ahead of the 2013 elections feared exclusion from power and that they would not have a stake in the distribution of county resources. The Kuria elite were able to leverage their community’s presidential vote – promising to support the Luo candidate Odinga only if they were promised a seat at the table in Migori (Mitullah 2017). A similar negotiated deal was reached in Nakuru, which had been one of the hotbeds of previous waves of election-related violence between Kalenjin and Kikuyu (Elfversson and Sjögren 2019). Kikuyu are the largest community in Nakuru County, and Kalenjin the second largest. Among local and national elites, there were strong fears that the 2013 elections would cause renewed violence, and a pact was negotiated whereby the Kalenjin (or, more formally, the Kalenjin-dominated URP party) were promised the deputy governor post. The pact should be seen against the backdrop of the national level deal between the Kikuyu presidential candidate Uhuru Kenyatta and his Kalenjin running mate William Ruto, and the pair also pushed strongly for the local Nakuru deal. The local and national pacts, in conjunction, played a major role in preventing communal violence in Nakuru in the 2013 and 2017 elections (Elfversson and Sjögren 2019; Mitullah 2017).

The idea of negotiated democracy, and whether it is a useful tool to overcome communal conflicts or rather serves to reinforce ethnic politics, has been a topic of intense debates in Kenyan media. While this form of agreements may diffuse intercommunal tension, they may also generate new disputes, and they may be seen as disenfranchising ordinary voters. Local power sharing can also entail exclusion: in both Migori and Nakuru, there were other sizeable communities that were excluded from the negotiated electoral pacts. More broadly, cases such as Nakuru and Migori illustrate that while devolution has increased the stakes at the local level, whether or not this exacerbates communal conflict is conditional on broader political dynamics. Aside from power sharing, local leaders do have the opportunity to improve local service provision and accountability vis-à-vis all local citizens and have done so in some cases, which arguably can contribute to decrease the risk of communal conflict. Returning to Fig. 1 above, there is not any visible support for the notion that violent communal conflicts have increased following devolution – if anything, the period since 2013 has seen a decrease both in the number of active conflicts per year and in the number of fatalities. Still, there is cause for caution, given increased tensions in some locations (Lind 2018). In Nakuru in particular, the national-level deal between Kalenjin and Kikuyu elite politicians has

restrained local elites, but future developments in the national political dynamic may well open up for renewed election-related violence here and elsewhere in the Rift Valley (Elfverson and Sjögren 2019).

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## Conclusion

This chapter has presented an overview of the patterns of communal conflict in Kenya and highlighted key drivers. The politicized nature of ethnicity in Kenya, and the fact that elections and land tenure are closely associated with ethnic identity, has been highlighted as key factors explaining the prevalence of violent communal conflict. In addition to national political dynamics, four main drivers of conflict were discussed: electoral politics, cattle raiding, local resources, and boundaries and local authority. The chapter has also emphasized that specific dynamics are at play in different conflicts: The precise way that different conflict drivers interact is different from case to case, suggesting that actors seeking to manage and resolve conflicts need to conduct careful analysis of the conflict at hand. This also implies that although all conflicts should be seen against the background of a state and a political culture where ethnicity is strongly politicized, the impact of national-level political dynamics on communal conflicts will vary from case to case.

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## Cross-References

- ▶ [Ethnicity and Politics in Kenya](#)
- ▶ [Ethno-communal Conflict in Sudan and South Sudan](#)

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# Elites in Between Ethnic Mongolians and the Han in China

# 39

Chelegeer

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## Abstract

Whether an ethnicity or a nationality is a natural and historical entity with clear self-consciousness, or a constructed identity as one of the consequences of modernity, there are always academic debates in sociology. By concerning Mongolian elites, this chapter argues their essential role in interacting with Han, the dominant population of China, through history and informing their modern concept of MINZU. Indeed, this research is not taking Mongol as a group-in-itself but as a dynamic identity with constant changing.

## Keywords

Mongolian elites · Inner Mongolia · MINZU · China · Ethnic identity

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Chelegeer (✉)  
University of Leeds, Leeds, UK  
e-mail: [sscch@leeds.ac.uk](mailto:sscch@leeds.ac.uk)

## Introduction

The intention of this chapter is to sketch how Mongolian elites had been and are now interacting with the majority Han of China through the history and in the context of today's Chinese sovereignty. Mongol was once a federal community with conflicting clans, who were widely believed as barbarians and invaders to the Confucian culture. However, the recent elite politics reformed the pan-Mongol society into two major regimes: one republic state while the other one a province in China. Thereafter, the "Mongolians in China" had been constructed as an official notion of the Chinese MINZU category whose ethnic identity was classified and inherited restrict to law, and their history was a part of the history of China for its own sake. Scholars like Bulag (2002) believed the Mongolians in China could be a subject of postcolonial criticism, while this chapter would take a more neutral view to see the changes of Mongolian elites. Indeed, the departure point of this research is not taking Mongolians in China as a consistent group-in-itself but as choices made by certain people in the view of Brubaker (2006) and Song (2003), which may touch the debate on nationality being a historical and cultural entity or a modern creation.

Dillon (2016) introduces that a popular stereotype in the West is that China is a single monoculture, populated entirely by a homogeneous Chinese population who all speak the same Chinese language and have a more or less uniform Chinese culture. The fact is that the People's Republic of China today is founded by combining Inner Mongolia, Tibet, Xinjiang, and other ethnic areas together. Indeed, there are 55 national minorities with state-certificated communities of people and distinct languages, customs, economic lives, and psychological makeups in culture, whose autonomous habitats account for 64% of the country's total land territory (Yi 2008). In other words, China is not and had never been a monoculture society. The various peoples of the MINZU category are believed that have been weaving intricate networks of conflict, interconnection, and influence over the entire Chinese history (Dreyer 1976; Heberer 1989). They are considered important for China, and studies on them could also be enlightening to the more general sociology on ethnic relationships around the world.

## MINZU in China at a Glance

One may feel confused about studies on Chinese Mongolians or other minorities in China for there is even no consensus on what "China" means (Ge 2011; Bo 2007). In fact, the Chinese language makes no difference between nation, nationality, minority, ethnicity, and ethnos. A liquid situation of Chinese identity has explained that whoever believes in Confucianism and relative ethics could be considered as belonging to the Chinese cultural community, and this cosmopolitan ideology of "TianXia" has shaped the basic structure of Chinese worldviews throughout the history (Xu 2017).

The modern concept of "nationality" was firstly introduced by Liang Qichao into the Chinese literature in 1899 (Huang 1995). Borrowed the term "MINZU" (民族)

from Japanese, he initially called for protecting the Zhonghua MINZU and fighting against colonialism from the western powers. Soon afterward, the term was applied in complicated ways and referred to different entities. Sun Yat-sen considered Zhonghua MINZU a racial concept and expressed his ambition to found a pure nation-state with only the Han population in his Three People's Principles, by saying "Qu Chu Da Lu" (驱除鞑虏). Here, "Qu Chu" meant "swiping out" and "Da Lu" mainly referred to Manchu and Mongol, who were not only the ruling ethnicities in Qing Dynasty but also the ones considered really different from Han and Zhonghua population. Soon after the successful revolt, he replaced the nationalism principle into "Wu Zu Gong He" (五族共和) which meant ruling a republic China with the cooperation of Manchu, Mongol, Tibetan, and Muslims for political purpose. Furthermore, Sun's successor, Chiang Kai-shek, went opposite to classify minorities to avoid ethnic nationalism. Being backed by scholars like Fu Sinian and Gu Jiegang, he argued a theory of "Jie Yi Lei Shi de Hun Yin" (结以累世的婚姻) which stressed that even Mongolians, Manchu, and Tibetans were offspring of Chinese ancestors and their kinships, so that there should be a consensus of Zhonghua Unity for all of them.

On the contrary, the Chinese Communist Party recognized the importance of identifying minorities and committing them with privileges. Chairman Mao stressed a "Political Model of Soviet Ethnicities" as the way to go against colonialism and hegemonism and the way to call for support from marginal areas of Han's culture in his strategy of "encircling the cities." The leader of the new sovereignty also tried to stop controversial discussions on the term "MINZU" by politically defining it as a description of various ethnicities of people came into being on a certain territory. In specific, all citizens in the People's Republic of China were described as belonging to the *Zhonghua MINZU Family* under a common destiny, while the dominant population was named as "Han-MINZU" or just "Han" for short, and non-Hans were identified as "Shaoshu-MINZU" no matter they could be "minorities" to sociological and historical studies or "races" under the discourse of conflicts. Even "nationalism" in the worldwide had been translated into MINZUism (民族主义). Indeed, the wildly used Chinese term "MINZU" is a concept concealing complicated situations of ethnic groups in both academic and daily practice.

At the beginning of the twentieth century, it was an uncertain task to count how many MINZUs with how big populations were living in China. The census of 1953 focused on the question of MINZU as a fill-in-the-blank query wherein a registrant dictated survey objects' MINZU name to the census taker, who then transcribed it into Chinese characters (Huang 1995). The census turned out more than 400 entries, which challenged the government for allocating seats of deputies for the National People's Congress (Mullaney 2010). Since then, more than 200 historians and anthropologists of the China Academy of Sciences, associated with professors and students from the MINZU University and other institutes, and experts on music, art, and literature all worked together for recognizing and classifying ethnic minorities. Led by professors like Xiaotong Fei, Guangxue Huang, and Yaohua Lin, they were trying to convince whether some ethnic minorities could be branches of another one.

While Qin (2013) argued the classification process was not a formal mission released by the United Front Work Department, it was also not a simple scientific project for understanding the new state's population. Quoted by Yaohua Lin, the research "must unite with politics, particularly with the problem of national security." For example, in Leyao, local cadre Pan Demao stressed that the mass peasants there had no idea whether they belonged to Han, Zhuang, or others; however, they would be pleased to be identified as Yao for certain privileges, and so they did.

Indeed, a willing principal was widely applied. In 1953, Deng Xiaoping and Liu Shaoqi confirmed that the government would respect personal rights that the process shall consult individual's own pleasure whether he or she hoped to be identified as an ethnic or a Han; however, officials and scholars taken charge of the registration should not emphasize this principle (Qin 2013).

Later in 1987, the classification project closed. At that time, prof. Huang Guangxue made a completion report confirming 55 ethnic minorities had been recognized, which could be regarded as the basic population structure of China. Not only numerous articles and statistics were published based on this category explaining their internal history and cultural heritage as well as their external challenges. Inspired by the Inner Mongolia autonomous region founded in 1947, the central government also extended the autonomy system to most MINZU of the category to establish their autonomous regions. While there were uproar debates on the territorial entitlements of almost every autonomous region, an overwhelmingly strong stereotype emerged, assuming these MINZU as natural entities with fixed living spheres, continuity histories, everlasting cultures, and strong self-determined integrations (Ge 2005). The population census 2010 further indicated that the population of Shaoshu-MINZU reached 112 million, whose distribution was known as showed in the figure below (Fig. 1).

Although Kaup (2000) argues that unified minority nations *did not exist* in southern and southwestern areas of China, she also suggests the biggest three Shaoshu-MINZU – Tibetans, Xinjiang Uyghurs, and Mongolians – are those who could be in real sense nations. However, according to Rossabi (2017), the last one continues to be downplayed and unappreciated in recent discussions. In historical reviews, Tibetans and Han people had never been a jointed society until 1276 when Mongols conquered both of their capitals and reunified with Uyghurs' ancestors for the first time since the fall of the Tang dynasty. Analysts like Wang Lixiong and Takasugi even argues that the Yuan dynasty is a history of China being invaded so that Han had not exercised sovereignty over those areas. Birge (2017) concludes it is Mongolians that matters all aspects like the consolidation of territory, which became what we think of as "China" proper the authority and agenda of the central government; penal law; and the development of a national Confucian intelligentsia.

At the turn of the twenty-first century, Bulag (2002) noticed Mongols or rather their history and their quintessential heroes had fought for the Chinese "wholeheartedly." There are numerous books and movies sanctificated Chinggis Khan, once the leader of northern barbarians, as "the only Chinese to defeat the Europeans in our Chinese glorious era." Indeed, the Mongolian history has weaved so deeply with Chinese history that every textbook in the mainland reads that the Yuan dynasty with



**Fig. 1** Distribution of MINZU . (Adapted from UNICEF’s online open resource)

Mongolian emperors is a history of China’s own and any questions on this consent may challenge the legitimacy of the territory of the nation-state today. Furthermore, different from Tibetan and Xinjiang Uyghur, Mongolians play a much better role in cooperating with the central government and has established a much easier political and economic atmosphere compared with other ethnic areas.

All the situation mentioned above raises the significance of Chinese Mongolians as the most important MINZU in understanding the state’s ethnic policies and its ethnic relationship. How Mongolians have been weaving their history with Han and, along with generational changes, how young Mongolians will react to the central government today as well as to their intricate identity of being a Mongolian as well as being a Chinese citizen are crucial questions to the Chinese government and may serve solutions for Trilemma with Han, Xinjiang Uyghur, and Tibetans. It may also favor more general debates on the study of China and the sociology of ethnicity.

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### **Mongolian Elites Before 1949**

The following part would trace the pan-Mongol society with a federal system centered on Chinggis Khan and his royal family in a long history and would indicate the Mongolian identity being constructed by allegiance in between nobilities,

kinships, and subsequent religious. Clans and tribes occupied most significant positions until the twentieth century when great social changes introduced new elites of young modernizers.

## The Old Nobility

Scholars like Lattimore (1962) explains that nomadic tribes came into being in central Asia since the third century BC and formed their professional confederacy for military and civil affairs 1500 years thereafter to compete with agricultural people on the other side of the Great Wall in Qin and Han dynasty, when the term “Han” occurred as the name to distinguish the majority Chinese population with “outsiders.” “Mongol” was one of those Han’s strangers or nomadic barbarians, whose tribes could be traced back to early ninth century according to archaeology evidence and literature in the Chinese language.

In 1206, a powerful state *Mongol Uls* was established under the leadership of Chinggis Khan, who integrated most tribal alliances in Mongolia Plateau, the central Asia grassland, and gradually unified a pan-Mongol community with national consciousness and a created language in standardization (Huang 1995). That regime was initially an alliance of 95 units, *Myangads*, with small administrative rulers and militaries; however, the emperor enjoyed such a superiority that he could take whatever he wanted from his people and remain as a cultural and spiritual icon (Hsiao and Sung 1978).

Nobilities were principally composed of those considered to be members of the Borjigin clan of Chinggis Khan and their spouses, who would be named as the leaders of those *Myangads* and new territories obtained into the Mongolian empire. In other words, the Mongolian society could be forthright in describing as “truly feudal” because the social order was clearly stratified and hierarchically organized (Sneath 2000). Even Khubilai, the founder of Yuan, did not inherit the unified empire as a whole. Based on his principedom in the north part of today’s Chinese territory, he swept the Song dynasty, expanded a strong controlling power all over China with support from most of the pan-Mongol societies and the Tibetans, whose religious master identified him as a figure in the Buddhist pantheon. But there were still some lords like Qaidu, the ruler of today’s Xinjiang and certain parts of Middle East Asia, went against him and struggled to support his little brother.

The risk of noble politics grew gradually. In the late of the fourteenth century, Qaidu’s descendant princess married to an Islamic Amir Timur. While the new couple failed to revive the great Mongolian empire, their domain, Chagatai, had serendipitously been turned to a center of Muslim culture. To their east, Khubilai’s great-grandson, emperor Temur retreated to the far end of his territory as Northern Yuan after his being defeated by uprising troops of Han. Once again, the mainland of China was under control of its dominant population and came into the new dynasty of Ming. So far, one could tell that, along with the struggling against each other among Mongol rulers of the different sections of the vast empire, their relative military superiority declined.

After 20 years, the parallel history of Northern Yuan dynasty and Ming dynasty came into the end as the Mongolian capital being sacked. Since then, the pan-Mongolian alliance had collapsed into three major regimes and lost their power upon Chinese society. Besides the Muslim Chagatai, an Oriad Mongol community with created lords not belonging to the Chinggisid line grew rapidly, who were treated as another big threat to the old nobilities.

Historian Yao Dali (2016) introduced a model of periodically expansion and collapse of the nomadic society for the wealth disparity. As the pastoral production based on elaborate usage and adoption of severe natural resources, tribes far apart from each other could hardly develop themselves without making alliances (Wang 2008). However, not only the dualistic opposition of elites and the common could be troublesome but those lords ruling more south forward areas would also quarrel with their northern kinships, for they would more likely to plunder or treat for rich productions with agricultural Han. This division was not simply a problem of economics; in fact, northern lords would criticize southern families being influenced by the farming culture and Confucianism. To a certain extent, it seemed like a betrayal to their common identity, and this was the other reason why old nobilities could hardly maintain the glory of the Borjigin clan while staying in their southeastern appanages for years. Till the seventeenth century, Ligdan Khan became so unpopular that most lords of northern and western Mongolian tribes, like those leading Horchin, Harchin, and Halh all refused to protect him. They left Lindan died far west in exile in 1634 after being defeated by the Manchu Khan.

Manchus was a promising power with strong militaries and sophisticated political skills, grown from affiliated and independent tribes in the east end of the pan-Mongol area (Bai 1990). After Ligdan's death, the Manchu's leader, Abahai khan, married three princesses from the Borjigin clan and rewarded Lindan's son a diplomatic marriage with his own daughter. Till 1636 most of Chinggis Khan's lineage from the southeast part of Mongolia submitted to Abahai. These nobilities worked as Abahai's vassals and handed him the authority to rule directly through the Court of Dependencies in Beijing. With their support, this Manchu Khan swept Ming dynasty and took control of China as the start of Qing dynasty. In 1691 the Halh Mongol, along with other subdivided administrative units in the northern part of Mongolia, also swore fealty to the new king. But they were ruled indirectly via the military governors of Urga, Uliasutai, and Hovd thousands miles away from the Qing's capital. According to the different administrative practices, Qing emperors introduced terms of "Inner Mongolia" and "Outer Mongolia" to distinct their fields.

Over the next 60 years, Qing destroyed the created power of the Oriad Mongol and returned their land to the traditional Borjigin family. For a further ruling purpose, Qing's emperors served them high status and privileges and, at the same time, strengthened their division by intermarriages and supporting Mongolian princes and princesses to form small competitive councils in their league. The measurements were so successful that the pan-Mongolism could no longer gain popularity, especially not in the aristocrat house.



## From Old House to New Elite

Mongolian nobilities kept their loyalty to Manchu empires for two centuries. Till the twentieth century when Qing weakened and started to reclaim land in Inner Mongolia, which broke its former prohibition on immigrating agricultural population. As a result, the proportion of Mongols dropped from an estimated 50–34.5% in 1912 (Bureau of Statistics 1997). Mongolian independence movements also emerged then, drawing upon the political and financial interests of the elite and the anti-Chinese sentiment among the commoners. A few months before the Qing Dynasty's collapse, the *8th Jabzandamba Khutagt* lama proclaimed the Outer Mongolia's sovereignty and purified themselves from China in 1911 with support from more than 30 noble leaders of competitive clans in the northwest of the vast territory of Mongolian habitat.

Tibetan Lamaism revived the alliance with Mongol nobility in 1578 when Sodnamjamsu lama of the Ge-luk-pa was seeking for support to rival with the old school of Nyingma. In 1642 the new faith became the dominant one and, in return, invested the title of *Jebtsundamba Khutagt*, the "Living Buddha," to certain Mongolian Khan's relatives. At the beginning, it was the Shamanism and other rural-localism norms that rooted in the pan-Mongol society, but being central oriented with the noble family gave the chance to Buddhism to extend influence all over the Mongolia plateau. Qing emperors, who made even stronger connections with Tibetan leaders, also supported the religion power in both Inner and Outer Mongolia as another way to fragment noble's ruling power (Yu 2005). By the early twentieth century, there were over a thousand monasteries and at least 135,000 lamas, who usually owned large herds of livestock, land, Han Chinese tenant farmers, and a considerable income from trading and transportation activities (Heissig 2000).

The Tibetan Buddhism had grown so influential that after Outer Mongolia proclaimed its independence, nobilities in Inner Mongolia found it impossible to wave popularity without a religious leader (Jagchid 1999). That was why when the Panchen Lama escaped from Tibet in the 1920s, Prince Demchugdongrub welcomed him overwhelmingly to Bat-haalag monastery, where he launched a conference for Inner Mongolia autonomous right later in 1933. The conference was known in the history as Bailingmiao Movement, which, besides Prince De and some other noble leaders, had also attracted many young modernizers who concerned the future of Inner Mongolia.

Qing was dragged to modernity by wars in the late nineteenth century and was flooded by opium and other international products along with new technologies and fresh ideas. After 1900 when an international military of British, America, France, Austria, Germany, Japan, Italia, and Russia broke the siege of Boxer Rebellion and occupied Peking for days, the Qing emperors had almost no controlling power upon both Inner and Outer Mongolia anymore. As the conservative state who kept the Shut-Door policy collapsed soon afterward, China and its people were facing uncertainties and dramatic changes.

Mongolians' future was also ambiguous. The declaration of independence of the Outer Mongol was not real for sovereignty. At that time, the Russians signed a



secret treaty with the Japanese that divided Mongolia into two spheres of influence: Outer Mongolia was allocated to the Russians, while Inner Mongolia was considered to be part of the Japanese sphere (Rossabi 1975). As the *de facto* ruler, Russians increased their interests and economic activities in the county at the expense of the Chinese, who were increasingly excluded in 1912. The Soviet Union, later on, kept a standoff with conflicts and more treaties with the Japanese along the border of the Hulun Buir district for more than 20 years, until the Yalta Conference when the international landscape being rearranged. The Outer Mongol then became a republic nation-state, the Mongolian People's Republic (MPR), after the unanimous vote in 1945. The situation for Inner Mongolia was even more complicated for its struggling with more political and military forces from the Russians, the Japanese, local warlords, and the administrative powers from mainland China.

In 1934, the Nanjing government accepted the Bailingmiao Movement and President Chiang Kai-shek visited Prince De in Inner Mongolia; however, the Kuoming Dang had no power to restrict Japanese from pressing its influence upon this area. In 1936, Prince De was somehow controlled by the Japanese, which led to attacks from Han warlord Fu Zuoyi who invalidated the autonomous government next year. More autonomous movements happened with the leadership of Prince De and his relatives and trusted subordinates, but none of them existed long enough to gain popularity. Indeed, the history had indicated times and times again that although some old nobilities and the religious icons remain beloved, these elites could no long reunify the Mongolian alliance or pointed out the future of Inner Mongolia.

It was Ulanhu, or Yun Ze as his real name, who made the administrative system similar to today's Inner Mongolia. In 1922, the 16-year-old boy was sent to Mongolian-Tibetan Academy in Beijing by Prince Gungasangnorbu as a part of the modernization movement for the common Inner Mongolian people and became a communist while furthering his study in the Soviet Union (Bartke and Schier 1985). During the period of the 1930s, he undertook an information job for the Chinese Communist Party and also worked as a small leader in a security team of the Bathaalag monastery under the Prince De's autonomous government. Later on, he joined the rebellion against Prince De and went to Yan'an for serving MINZU issues in the heart of the communist base area. Supported by most Mongolian young modernizers, he replaced the head of the Eastern Mongolian Autonomous Government, which was a Japanese client, and started his pro-communist movement in 1946. Ulanhu's diplomatic efforts were under two frameworks of autonomy and communist. Till 1954, the man born from nothing became the President of Inner Mongolian Autonomous Region and the Vice-Premier of the People's Republic of China.

Different from traditional elites, Ulanhu was born in a peasant family and had nothing related to the aristocratic house or a religious center. There even had controversial arguments about his identity whether he was a Mongolian person or a Han. His real name Yun Ze was a typical Chinese one, and his name in the Mongolian language was, in fact, the translation of "a red son of the communism."

While being doubted by many Mongolian commoners, his education backgrounds in the Tibetan-Mongolian Academy and in Moscow from 1925 to 1929 were extremely helpful for his career. During those periods, he made friends with activists like Wang Ruofei, Chou Enlai, Wu Xiuquan, and so on (Bulag 2002). In short, his success was partly rooted in coincidences and opportunities in that changing era. As concluded by Sneath (2000), the early twentieth century had seen the emergence of a new political elite of young, educated, Inner Mongolian intellectuals, with experience of Japanese, nationalist, and communist administrations.

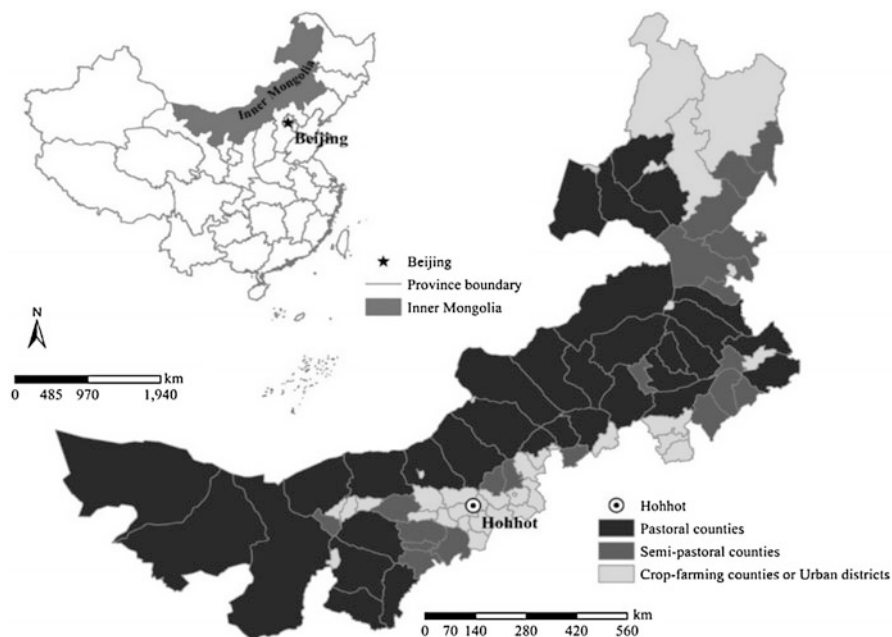
Throughout the Mongolian history, we can tell that an elite politics had worked for hundreds of years with the Borjigin family containing most accesses to the administrative system. Noble leaders' same ancestral assumption kept the vast area centered with the historical memory of Mongol Uls and the pan-Mongol identity. However, there were always conflicting of competitive identities of clans and struggles from created powers as well as contradictions caused by the interactions with Han. Indeed, the pan-Mongol society had never been a real united monocultural one and had separated into different regimes for times until the twentieth century when great changes embraced new elites concerning the future of Inner Mongolia and bringing new ideas about the identity.

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## Mongol MINZU from 1949 to 1979

Inner Mongolia Province, the well-known first communist autonomous region and the habitat of Mongolian people, had changed its administrative division for times. When Ulanhu established the autonomous government, the district mainly contained five leagues of clans with a 538,000 km<sup>2</sup> land and two million population. In 1949, besides the Shilingol, Higgan, Chahar, Noni-Muren, and Hulun Buir, two further leagues – Jirem and Juu – joined. Even after the new state confirmed the legal status of Inner Mongolian, the autonomous region was reformed thrice more according to orders from the central government. In 1954, Premier Chou Enlai stressed to reunify Suiyuan as it was historically a part of the pan-Mongol area while leaving regions like Alashan and Bayangol to Gansu and Xinjiang provinces. Later in 1956, the Alashan was replaced into the Inner Mongolia province. The Hulun Buir district, however, had been enforced out of the Inner Mongolia province in 1969 to Heilongjiang province as a Han district and then moved back to be an ethnic area in 1980. Since then, the province of 1,183,000 km<sup>2</sup> had been written and believed as the constant hometown for the Mongolian population of China.

Indeed, the reform of the administrative districts of Inner Mongolia represented a new power taking control of the old noble conflicts and indicated the historical and cultural entities being an object to a modern ideology and its creations. The following parts will focus on how Inner Mongolia being reformed and modernized as a trustworthy borderland of China, and how mainstreaming ideology came into being and will discuss the consequences of the MINZU category in the socialist transformation of the Inner Mongolian people (Fig. 2).



**Fig. 2** Inner Mongolia and its 102 counties in P.R.C. (Online open resource)

## Economic and Cultural Reforming

After the communists won the civil war, a land reform campaign began all over China. In the Inner Mongolia province, the reform had been to eliminate feudal privileges, to open the pasture to unrestricted private grazing, and, more seriously, to wipe out considered “enemies” from the Party. In some places, the old elites were dispossessed of their power and wealth but retained a measure of high status among locals; however, in other areas, the campaign was more sustained that many were killed or forced to flee (Sneath 2000).

Buddhists and lamas were also reviewed superstitious and suspectable, who had supported the feudal order and the Kuoming Dang. Since 1951, radical people in Hulun Buir started to attack monasteries. More and more lamas were sent to special schools for education and were “encouraged” to be transferred into productive labors. At the end of the 1950s, 80% of lamas had been eradicated from this area (Sneath 2000).

Noble leaders especially those in pastoral regions, on the other hand, were not being abused that much. Some studies indicated that upheavals were mainly led by Han peasants in most semi-pastoral and crop-farming counties, who were immigrated in as “slaves” to Mongolians, who, as a whole, were believed in a higher position. The class struggle was aroused by Chairman Mao, while Ulanhu tried different ways to control the situation and improve social justice to keep the autonomous region secure.

The Ulanhu's effort was soon interrupted in the 1960s when Mao's class struggle line emboldened the second land reform to differentiate Han and Mongols. The Sino-Soviet split even caused suspect of Mongolians being in separatism, which started new "revolutionary" organizations to exclude Mongols (Bulag 2002). The Vice-Premier himself was being under house arrest in Beijing since 1966. Later in 1968, General Teng Haiqing from Beijing associated with other local Maoists exaggerated the Movement in Inner Mongolia by further ransacking monasteries, arresting lamas, and "dragging out" senior Mongolians who might be evil to the Cultural Revolution, which led to 22,900 people being killed and 120,000 permanently injured (Woody and Schoenhals 1993). After all, the old nobilities, religious leaders, and growing modernizers of Mongolian intellectuals had all been wiped out off the social bureaucracy in Inner Mongolia, left only new "lords" of Maoists taking charge.

The growing of this Maoist could be seen as a result of intra-conflicts between loyal natives and dubious Mongolians, while in another aspect, the inter-provincial connections between Inner Mongolians and Han from southward China were strengthened. During the period from 1959 to 1962, many agricultural areas in southern parts of China suffered from a serious lack of food. The central government made a decision to move thousands of abandoned babies and orphans to Inner Mongolian ordinary families to keep them alive. An approximated 50,000 children had flooded into the ethnic area then and founded strong interethnic connections. Inner Mongolian families could feed these extra-mouths for their distinct nomadic production system, excess land reclamation, and the relatively stable scale of livestock, which was another main subject for the socialist transformation.

According to the government work report in 1958, establishing Peoples Communes were the main way in forming cooperative economics and had experienced great success. At the end of that year, there were 2292 communes including 96.29% of households, which increased the level of state planning and control of the economy to climax. Before the 1950s, grasslands were owned by nobilities, lamaseries, or clans and remained in common use by herders, while in the collectivist period, grasslands, as well as livestock on them, were transferred their ownership to communes and were used communally by all local herders under the supervisions of both the central and local institutions (Hua and Squires 2015). As the consumption of livestock was strictly limited, a total calculation of economics increased seemingly. In fact, not only the forced collectivization frustrated Inner Mongolians productivity but also the central government's policy to protect "farming oxen" decreased the price of beef and inhibited the market consumption demand. After all, the benefits of pastoral families in Inner Mongolia shrank more than a third (Rinqin and Li 2011; Sneath 2003).

While not clearly regulated, other policies reforming the socioeconomic structure of Inner Mongolia at this period were introduced as the campaign to settle down the nomads and to step up Han immigration in the hope of developing agricultural productions (Humphrey and Sneath 1999). Since the late 1950s, a movement for building mud-brick houses swept the pastoral area and nomadic families who enjoyed great mobility in the grassland before were encouraged to stay in fixed houses with limited "moving herding" for "enjoying" government furnished

equipment like schools (Liu and Guangzhi 1979). As pastoral Mongolian people had no skills in building and farming crops, the movement was mostly initiated by migrant Han labors whose population doubled by 1960. Till 1963, the proportion of Mongols to the total population in the Inner Mongolia autonomous region dropped to 10.2%.

As Bulag (1998) concerned, all these changes had made original Inner Mongolians feeling of diaspora and hybridity, which was a story of natives becoming strangers in their own homelands. Although, as accused by Ulanhu, those Inner Mongolian Maoists should also be blamed for they were the latest elites who directly responsible for the miscarriage of justice and contradictions between party and intelligentsia and between ethnicities.

### **MINZU as Social Transformation**

The cultural and economic transformation during this period also raised a crucial question that what would being a Mongolian mean when the natives were being marginalized and disconnected with the pastoral producing lifestyle for the socialist transformation. As Ulanhu himself was charged in the dark period as both a Mongolian nationalist and the one not fighting for the rights of ethnic compatriots, there were contradictions about his own background as a Han or a Mongol. Indeed, the boundary of Mongolians and Han was not that clear. Ulanhu could be a Han but he behaved like a Mongol, while, as recorded by Wang (2016), there were also many Han pretended to be among the Mongolian MINZU.

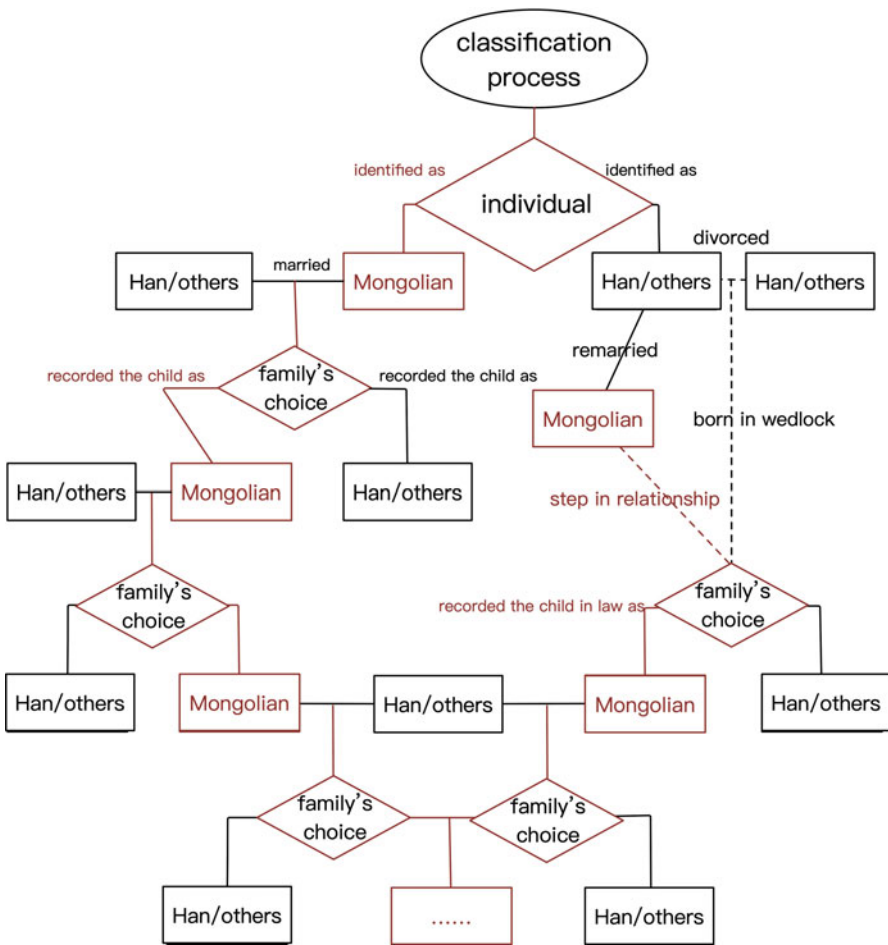
In the census of 1953, there were five questions being asked including the most basic ones on name, gender, age, the relationship between the head of household, and the fill-in-blank MINZU category. This census brought the newly established state some basic knowledge about its population and its ethnic distribution while applying the original HUKOU system. In fact, the later on classification process of MINZU category was related to this national household registration system.

The first formal regulation on HUKOU was released in 1958, and since then, it had been the most basic legal document with a certification page where a citizen's MINZU category and other identifying information such as his or her residence, name, spouse, and date of birth had to be confirmed. It had been widely used in people's daily practices for migration, registering a school and applying for social insurance, with the purpose of maintaining social security, restricting and guiding population mobility, distribution of welfares, and ethnic management (Wang and Fang 2008).

Different from white ethnics from Europe continent in America who can report their ancestral backgrounds freely, as ethnicity is not something that influences their lives unless they *want* it to (Waters 1990), the categories of MINZU in China are restricted political entities not allowed changing optionally. Furthermore, the ethnic identity in China is heritable through the HUKOU system as the *Measures for Administration of the Ethnic Composition* stipulates that an individual's ethnic identity shall be recorded the same as the identity of either his or her father or

mother, including step- and foster-parent relationship. For those who are younger than 18 years old, changes can be made according to the different ethnic identities between the father-in-law and mother-in-law.

As shown in Fig. 3, after being classified, each Chinese citizen had been certificated with a certain ethnic identity. Take a Mongolian as an example, when he or she got married with a Han or another one with another ethnic identity, their child could be recorded as either a Mongolian or a Han/other according to the decision made by this couple. If they divorced or the child got a new foster relationship with other Mongolian parents, he or she could also change the record to be a Mongol before his or her 18-year-old birthday based on the family's choice. Indeed, the identification of Mongolians in China had been reformed from expressing consanguinity and cultural relations with the Borjigin clan to the formal certification.



**Fig. 3** Chinese ethnic identities are heritable through the ID card and HUKOU system. (Drawn by the author)

While it is still often simply asserted as obvious that the MINZU identified in China today are simply new names for natural social categories (Caffrey 2004), they are now politically oriented as modern creations. Furthermore, being an ethnic person means getting extra marks in the national college entrance examination, getting financial subsidies and immunity rights of the One-Child Policy, and accessing to other special treatments in occupation, education, landing, and criminal sanctions. No statistics data is available on how many newborns were “mistakenly” recorded; news reports on changing ethnic identity illegally can be seen every now and then. In fact, the situation is so serious that the State Ethnic Affairs Commission cooperated with the Ministry of Public Security has released a regulation, which empowers related departments at all levels to investigate and to give an administrative penalty or even a *criminal sanction* to those who changed their ethnic identities for purposes.

In 1960s a lot of the adopted orphans and children from southern China were recorded as Mongolian MINZU legally, while other migrants flooded in this area had too considered it more carefully. However, Wang (2016) concluded that changing ethnic identification record to Shaoshu-MINZU was actually a common way for Han migrants to interact with natives and the government for benefits in Inner Mongolia. It was possible when the willing principal was applied in the classification process, and the following generations could make family choices, or even break the law, in recording their children for privileges. In fact, no matter how hard it has been for Han to change their ethnic certification, there will always be ways as long as MINZU category can be seen as a social resource and let alone in that period of chaos.

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## Ongoing Generations from the 1980s

Till now we have seen great changes in Mongolian society. In history, the Mongolian identity was identified and maintained by the noble families who strengthened their connection with Chinggis Khan and influence upon the commoners. But nobilities were not always in solidarity, on the contrary, they competed with each other seriously which rooted the risk of fragmentation. Since the nineteenth century, the pan-Mongol area was dragged into the new world with uncertainties. Represented by Ulanhu, the new political elite of young, educated, Inner Mongolian intellectuals, with experience of Japanese, nationalist, and communist administrations finally lead the Inner Mongolian area into the People’s Republic of China. However, they were quickly replaced by Maoist cadres. The socialist transformation from 1949 fundamentally challenged the pastoral culture and producing measurements, and the classification and registration process further disconnected the modern MINZU category with the historical community, while more uproars about assimilation and confliction were just around the corner of the new era.

The modernization of Inner Mongolia started from the 1980s when the whole county began to correct its class struggle line to economic development. Since the Opening-Up, the gross regional product (GRP) of Inner Mongolia increased from 5.8 billion Yuan in 1978 to 100 billion in 1996, while the rate kept high and the



number reached 1863.2 billion at the end of 2016, almost ten times higher than in Tibetan or Xinjiang. Urbanization is one of the most influential progresses to the human world. Durkheim (1984) argued an emergence of *organic solidarity*, where relationships of economic reciprocity and mutual dependency had replaced beliefs in creating social consensus. In Inner Mongolia, the proportion of “illiterate population” dropped so quickly from 17.82% to 3.3% at the beginning of 1990s that almost every school-age children could join either a mandarin or a bilingual one to study compulsory courses on Chinese characters and national MINZU policies. The proportion of interethnic marriage further jumped to 38.137%. The Han-Mongol family count to 37.49%, while another 64.7% are with ethnic minorities like Manchu, Hui, and Daur. The studies of Naran Bilik (1985) and Wang Minjun (2001) introduced a marrying up mechanism in the ethnic region for economic benefits, improving social status and more sources for social mobility.

According to the tabulation of population census of 1990, 2000, and 2010, as shown in Table 1, there is an ever-growing trend for Inner Mongolians to go to urban areas to make a living as a salesperson, dining and entertainment server, and owner of an enterprise. While being leaders in administrative departments or public institutions are shrinking even through preferential policies are seemingly in favor of their needs.

All in all, what had been changed in the 1960s had been intensified along with the urbanization process. As more and more rural families moving to urban areas and some settlements of nomad becoming modern cities, the ethnic identity of Mongolian people was kept on *disembedding* with their traditional cultural and pastoral way of life. Being mixed with Han, as well as those “fake Mongols” who would have been Han but finally certificated as a Mongolian, challenged the existence of the Mongol community in China. Bulag (1998) along with other scholars noticed that there was a burning desire for many Chinese Mongolians to communicate with Mongols in Mongolian People’s Republic for cultural and kinship until 1990, while the more general context represented the intense between the orthodox writing of the Great Mongol Uls and the modern created category of Mongolian MINZU.

While along with generational changes, a new nationalism and a different attitude toward outer kinships occurred. In the biggest question-and-answer website ZHIHU.COM, there is a discussion section on how Mongolian MINZU thinks of their relationship with Mongols outside China. Most young users express their paying no attention to them; while others believe that Inner Mongolia could be the real center of Mongolian history and culture.

**Table 1** The occupation structure of Chinese Mongolians

	Leaders	Intellectuals	Serving staff	Business professionals	Workers	Rural labors	Others
1990	2.7%	9.4%	2.9%	2.7%	9.6%	70.3%	0.1%
2000	2.22%	8.29%	3.66%	6.77%	8.26%	70.75%	0.05%
2010	1.63%	9.09%	5.05%	11.06%	9.82%	63.25%	0.1%

Adapted by the author



In Hulun Buir the biggest lamasery, Ganzhuermiao, which ruined in the 1960s began to rebuild in 2001 and started to hold seasonally dharma assembly since 2003. While in Hohhot, 23 more bilingual schools were built in 2010 which would serve more than 8000 pupils to learn how to write and read the Mongolian language with the old Uyghur alphabet, which had been replaced by Cyrillic characters in the Mongolian People's Republic as a result of being colonized. An interviewee described that:

The biggest difference between Chinese Mongolians and Outer Mongolians is we are being Sinicized while they are being Europeanized. Sinicization is, somehow, a good thing to combine our culture with an efficient economic entity. Thanks to the donations and intensive investments, we developed much faster and had been more capable to protect our tradition and heritages than people in the PRM could. While they are living with the Mongolian language and Mongolian citizenship, it is we that kept the writing system created by Genghis Khan alive.

Tamir (1993) stressed that individuals should have the right to choose their national identities and the right to keep the ethno-culture they embraced. However those Mongolian MINZU in higher classes and with more social resources are people who stick to their national identity record on one hand, and have to react with the ethno-culture unfamiliar to them on the other. To certain extent, they have been pragmatists. On one hand, they avoid arguing Mongolian MINZU being a modern creation but still an identity shared by the historical entity with specific habitat and culture; while, on the other hand, they are trying to express this identity under the social policies and economic frameworks of China.

A survey conducted by the author indicates a pilgrim system for Mongols from Inner Mongolia toward Beijing for education and social resources. Some interviewees simply stressed to make a living in the cosmopolitan for better opportunities, while others expressed their willingness to access the resources in the center of China to their marginal hometown. In the pilgrim, new images of Mongols as modern components of Chinese citizens and a language of development have been created.

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## Conclusion

Tamir (1993) could be right that ethnic identity and nationalism are mainly the contexts of culture. But it is not a simple question on how to leave ethnic movements under a liberal atmosphere of protecting and developing their own culture. There are indeed more subtle factors like how the ethnic elites are generating and spreading their knowledge and how territorial relationship comes across to biological myths. In the history, Mongolian people seemed to be connected by bloodlines with the Borjigin family, while the new political elite of young and Maoist finally transformed the community into a modern MINZU category with official constructed certification of identity. Along with the urbanization process which even disconnected the traditional way of life to this identity, the ongoing generations have to

react to their MINZU identification accordingly. A desire for communicating kinships with Outer Mongols happened until the 1990s, while more recent young urban born intellectuals are moving their Mecca to Beijing.

Indeed, this research challenges the idea of Mongolians being a clear ethnicity in itself but favors the idea that ethnicity is an everlasting process where elites negotiate the language describing the identity with their commoners and others.

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# Ethnicity and Cultural Wounding: Ethnic Conflict, Loss of Home, and the Drive to Return

# 40

Amanda Kearney

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## Abstract

This chapter presents a discussion of ethnicity in relation to cultural wounding and healing. Cultural wounding is the violation of persons and their cultural lives through insult and injury, motivated by the desire to destroy or significantly harm this culture and its bearers. This is understood as a process of attacking human groups, in particular those bound by an ethnic distinction and declaration. What binds human groups and ultimately locates them in the path of “ethnic violence” is the perception of an “ethnic distinction” and a cultural orientation that is determined “other.” This chapter aims to take stock of the meanings and expressions of ethnicity available to people in a prevailingly tense world, where tensions are born of ethnic conflict and culturally prescribed violence and shaped by the dynamic ethnic configurations that survive such encounters. Committed to better understanding the experiences of cultural wounding that precipitate a need for healing, for Indigenous families in northern Australia, a case study of the Yanyuwa community experiences with legislative land rights is presented. This grounds the discussion of ethnicity and cultural wounding, revealing the ways in

A. Kearney (✉)

College of Humanities, Arts and Social Sciences, Flinders University, Bedford Park, SA, Australia  
e-mail: [Amanda.Kearney@flinders.edu.au](mailto:Amanda.Kearney@flinders.edu.au)

which groups heal and retain a sense of belonging through distinctive pathways of return and restitution.

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**Keywords**

Cultural wounding · Ethnic conflict · Healing · Indigenous Australia · Place · Land rights

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## Introduction

This chapter presents a discussion of ethnicity in relation to cultural wounding and healing. Cultural wounding is the result of attempts to rupture and assault a people's culture and cultural habit in physical, emotional, spiritual, and ideological terms. Inspired by Cook et al. (2003: 18) and developed further through an ethnographically informed discourse of wounding and healing (see Kearney 2014), cultural wounding is the violation of persons and their cultural lives through insult and injury, motivated by the desire to destroy or significantly harm this culture and its bearers. This is understood as a process of attacking human groups, in particular those bound by an ethnic distinction and declaration that collectively share meaning through cultural expressions and subjective loyalties to one another and a social universe of meaning. The motivations behind the violent acts – as consisting of both physical and epistemological violence – that precipitate cultural wounding are vast and, in the field of ethnic studies, emerge out from experiences of colonialism, racism and oppression, discrimination and prejudice, territorial conflict, and political suppression. Epistemological violence is emerging an ever-expanding field of inquiry in anthropology, Indigenous, ethnic, and critical race studies. For the purpose of this research, epistemological violence is defined as a practice of knowledge habits, which negatively impact upon marginalized populations, due, in large fact, to the importation of bias, assumptions of power and powerlessness, and representative authority without consideration of the epistemic habits called upon and reinforced through certain ways of knowing. For Teo (2010) operating within the empirical social sciences, it is “closer to personal than to structural violence in that it has a subject, an object, and an action, even if the violence is indirect and nonphysical: the subject of violence is the researcher, the object is the *Other*, and the action is the interpretation of data that is presented as knowledge.”

What binds human groups and ultimately locates them in the pathway of “ethnic violence” is the perception of an “ethnic distinction” and a cultural orientation that is determined “other.” This cultural orientation is evidenced in explicit and implicit action and performance and becomes a declared site of contention for incoming human agents or other ethnic groups. Out of these contexts, culture becomes the identifiable object associated with an ethnic group. Yet the culture that binds an ethnic group through such encounters with violence, prejudice, and intentional harm is ultimately more sophisticated, nuanced, and complex than simply being reducible to an object of hateful attack in times of conflict. Culture, by nature, does not easily disappear, and in turn the capacity for ethnicity to reinvent, emerge, and reform, in

the aftermath of cultural wounding, is significant. This is because healing and ethnic survivals are so profoundly interwoven with the experience of cultural wounding, as ethnic groups grapple with the effects of harm, knowing that the process of finding strength and cultural resilience is one of “urgent patience;” that is, a task that must begin immediately, but in the knowledge that to culturally thrive once again, in the aftermath of ethnically targeted violence, may take some time (Gordon 2008, 2011: 16).

Ethnicity, cultural wounding, and healing are the key themes guiding this chapter’s discussion of human distinctiveness, conflict, and survival. In a commitment to enriching the field of global ethnic studies, this chapter aims to take stock of the meanings and expressions of ethnicity available to people in a prevalently tense world, where tensions are born of ethnic conflict and culturally prescribed violence and shaped by the dynamic ethnic configurations that emerge from and survive such encounters. The types of ethnic conflict to which I refer throughout this chapter are not conflict in the form of a “battle,” an interactive, multisided happening in which two or more ethnic groups expressly agitate and fight one another for their ethnic group’s dominance and position within society. The forms of ethnic conflict which precipitate cultural wounding, as defined here, are often more one-sided and unilateral, involving disproportionate amounts of violence being enacted by one group upon another and, in turn, suffering disproportionately experienced by that other group. Such a view does not suggest passivity among those who experience ethnic violence; instead it seeks to highlight the overwhelming assumption and execution of dominance on behalf of some ethnic groups and their pursuit of power and authority. These are the hallmarks of colonization and distinguish the experience of settler colonial invasion, which began in Australia in 1788, with the arrival of the British. This view of conflict has been shaped by my ethnographic training and professional life as an anthropologist in Australia, working with Indigenous families and histories of settler colonial violence and frontier conflict and enduring hardship for Indigenous peoples within the context of the nation state.

It is in midst and aftermath of ethnic conflict, violence, and cultural wounding that targeted groups strive to find pathways home, that is, a return to some sense of belonging and security. “Finding a way home” is on the one hand, a reference to locating and securing the healing pathways that close the loop around an ethnic or cultural group asserting a self-determined universe for survival and future health. On the other hand, “finding a way home” can be an actual and committed exercise in seeking a return to home, as a geographical homeland, or the pursuing of land and sea rights, or asserting a diasporic identity and claiming a site of refuge into which a memory of origins and sense of belonging may be projected. This chapter is committed to better understanding the experiences of cultural wounding that precipitate a need for return as contained in the action of “finding a way home,” for Indigenous families in northern Australia. This example works to ground the discussion of ethnicity and cultural wounding and reveal the powerful ways in which groups heal and retain a sense of belonging through distinctive pathways of return and restitution.

## Ethnicity and Cultural Wounding

Methodologically, this work is born of my experiences as an anthropologist and ethnographer, working with Indigenous families in northern Australia for the last 18 years. In both instances, I have witnessed cultural wounding, as the lasting impact of histories distinguished by forced child removal, theft of homelands, waters and resources, and entrenched racism and poverty through imposed powerlessness. I have listened to the form cultural wounding takes in narratives of personal and group experiences, across generations. Yet I would be remiss if I failed to mention the remarkable and creative ways in which people enact their own capacity to “get on with things,” to continue to live life while attesting to the importance of their ethnic identity and gathering around ethnic distinctions as markers of self-esteem and worth. Much of this effort is directed at ensuring a place in the world for the ethnic group and being able to enact the cultural orientations that distinguish the group. Thus, place and context for cultural distinctiveness to take hold and be performed are enduring qualities of ethnic belonging, even in the aftermath of cultural wounding. Before moving into an ethnographically informed reading of cultural wounding in the context of Indigenous Australia, specifically, Yanyuwa country in northern Australia, I must first dedicate some time to discussing the very nature of ethnicity and ethnic belonging, relative to place and also the lived experience of cultural wounding.

Simply stating one’s ethnic identity as “X” is only part of the process of ethnically aligning and establishing subjective loyalties. To be fully subsumed into an ethnic group requires recognition; such is the relative nature of ethnicity. The desire to belong is measured alongside group willingness to include as well as the extent to which individuals are capable of performing the identity as one made up of agreed-to terms (Kearney 2014: 17). “Agreed-to” is a nod to the formal and informal sanctioning of knowledge and processes for articulating this knowledge. This knowledge can express itself through ancestral narratives and social memory and requires a context or setting for action. This is the relational dependency between human life, ethnic belonging, and place. Place need not be “set or fixed” in relation to ethnicity, and in equal parts, ethnic identities can be located within a known and ancestrally derived place world, or they may move beyond a singular site of origin or performance, moving through an ever-expanding world of place possibilities, as with the experience of diaspora.

The highly relational bond between ethnicity and place reveals a logic of “connectivity and fit” between people and their place world, configured as they may be, as either ecologies, cities, villages, nations, journeys, or memoryscapes. A memoryscape is described as a “complex and vibrant plane upon which memories emerge, are contested, transform, encounter other memories, mutate and multiply” (Phillips and Mitchell Reyes 2011: 14), and a portal through which groups remember. A memoryscape may be a place that no longer exists in real time, or in the reachable world of physical presence, but may be one of memory, of the past. Writing specifically of this connectivity and fit (Rose 2014) outlines how humans pattern their social, ecological, and cultural relations in the Simpson Desert of

Central Australia. This is partly a relationship of response to water in a desert setting, whereby the arrival of rain, the forming of water holes, or the impermanence of water is a sign of life to which people respond. Desert water expresses connectivity through the lives of every living creature, whereby the ancestral actions, weather patterns, species fecundity, and human response are woven together through a form of poetry, that is, according to Rose (2014) contained in Indigenous song and narrative, expressive hallmarks of ethnic identity. It reveals the manner in which “human culture” and ethnic distinctiveness pulse and flow within the patterns of surrounding life, as rains come, people sing of species fecundity and respond to a dynamically changing landscape (see also Toussaint et al. 2005). For others this fit derives from the nexus between people, place, embodied practices of cultural law, social memory, and all the elements that constitute the ethnic group.

Ecologies that fit are imagined as ones in which humans are situated within the communicative world and thus within a myriad passionate calls for response and connection (Rose 2014: 441). A poetics of fit resonates through the contexts in which ethnic groups find their places of hold and belonging. This is found across the Indigenous homelands of Yanyuwa families in northern Australian where, through ethnographic encounters, I have witnessed the very way in which calls for response and connection are extended to the everyday practices of living with and among a community that defines itself ethnically through a shared history, contemporary strengths and hardships, and motivations to heal and culturally thrive in terms not wholly given or accepted by the majority.

As a statement of social relativism, an ethnic identity is constituted by group participation, group recognition, a context for action, and the ability to apprehend and subscribe to a set of social memories. Being conscious of these conditions for belonging, a person may assert an ethnic loyalty through literal declaration, knowing that this takes force once the individual is subsumed by the group, through affiliations and the adoption of group ideology, behaviors, or affirmation of symbols in everyday life. In this moment, the individual performs their ethnicity in immediate life while sustaining and projecting the presence of the group. This view of ethnicity requires both individual and collective presences to exist. An ethnic identity can be understood as a “person’s self” as well as a “collective’s delimits.” Whether an individual imagines their selfhood as separate from the collective depends on the context in which this ethnic identity has come to exist and how the wider social universe receives it. Evidently, claims of belonging are not without their complexities.

Ethnicity plays a vital role in the substantiating of a person, community, or entire population and provides a context for identifying with social, historical, and political frameworks, whereby groups of individuals perceive themselves in relation to others (Scott 2008: 175; see also Karner 2007). Place is an essential part of this social becoming and movement. Within any cultural context, it is what mediates, constrains, delimits, or even allows performance and celebration of certain ways of being. By constituting and reinforcing particular human presences or by being the site of human life, place also renders people distinct. A homeland can justify a people, or a journey through place might distinguish a cultural and ethnic group’s



narrative. In turn, place can determine the extent to which a person or entire ethnic group is existentially inside place or existentially outside of place (Relph 1976; Seamon 1996; Seamon and Sowers 2008). The former resonates with the principle of a “poetics of fit,” whereby life “makes sense” in the context of place, while the latter can bring deep anxieties around belonging and emplacement. To be existentially outside of place is to live with the experience of alienation, to feel a powerful loss of home, or an inability to locate home (Relph 1976: 51–55). In what follows, I examine why it is that “home” as both a context for belonging and setting for cultural and ethnic distinctiveness becomes a target in times of conflict and violence and why alienation, expulsion, and place erasure become weapons to harm an ethnic group. Yet the prevailing narrative of home endures beyond that of cultural wounding and is often a central theme in healing projects and narrations aimed at ethnic survival and endurance.

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## Loss of Home amid Ethnic Conflict and Violence

A classic and defining feature of ethnicity is affiliation with place, either configured as a homeland, a region, nation, site of commemoration, memorial, or, even more locally, a community organization. These become contexts for sharing in an ethnically prescribed experience of life, ensuring that identities are able to form, and then perform the requisite patterns that assert them as something and someone distinctive. Whether this is a homeland claimed through primordial and ancestral connections or a new place into which an identity is projected, following diaspora, there is a foundational importance in having a place to enact the patterns that allow us to find and assert belonging and security. Given the centrality of a spatial universe (of contracting or expanding size) for ethnic identities to come into being and to survive and also thrive, then what does it mean when violence is aimed at place or is by design enacted to ensure the pathways home can no longer be found or retraced?

Ethnic conflict and cultural wounding often target the contexts in which ethnic groups make their home or enact the specificities of their identities (through economic, political, spiritual, and social life). Attacks on place and alienation from home are proven strategies designed to bring about violent effects, which map onto social depression, ill health, declining birth rates, early death, addictive behaviors, and domestic violence (Fullilove 2004). The loss of home and/or forced removal of ethnic constituents from their place or origin is shown to induce cultural trauma by uprooting place-based identities and thus interrupting the relationships and practices that ensure the lived experience of ethnic belonging (see, e.g., Davis 2005; Fullilove 2004; Windsor and McVey 2005). Another form of violence in times of ethnic conflict might also be the precipitation of ecological decline and toxicity (poisoned water sources, drought through river diversions, introduction of feral species) by incoming ethnic presences with disregard to ecological order which is aligned with existing laws of interaction. This kind of violence can compel widespread evacuation of ethnic groups and turn homelands into unviable contexts for everyday life (see Eriksen 2011; Shkilnyk 1985). These involve the disregard of existing order,

and delivery of harm to place's constitutive parts, as a strategy to erode the foundations of and relational setting for human life. This comes as a consequence of ambivalence to and disregard for place value.

During episodes of ethnic conflict, it is as Heider (2005: 12) writes, in an account of "violence and ecology": "Violent action means usually producing spectacular changes from order to disorder, which can be brought about by undirected or only roughly directed launching actions." Deep unrest comes for those ethnic groups who are bound closely to place and homelands, and for them, decline and alienation may be read as a form of communicative event, in which kin is charged with somehow relinquishing their responsibility. Shkilnyk (1985) documents such practices of translating meaning in moments of place chaos caused by toxicity. She writes of the events that lead to the relocation of the Ojibwa people, the Indigenous owners of the islands and peninsulas on the English-Wabigoon River, Northwestern Ontario, Canada, and the ongoing effects this move had on members of the community (Shkilnyk 1985: 2). The Ojibwa were moved from their homelands, only to then experience a mercury poisoning that occurred in waterways on the new reserve. This triggered a decline in community life, health, and well-being, and Shkilnyk's (1985) ethnography recounts Ojibwa testimonies of "coming to terms" with what has occurred. Many traced the events of mercury poisoning to ill-ease within the new reserve. This place was held to be "bad land," "off limits to human habitation," and full of "bad spirits" (Shkilnyk 1985: 70–71). The resounding sentiment was that this was not a place for Ojibwa and that place was communicating through ominous warnings such as persons and spirits surfacing from the lake, poor quality of light in place, and the presence of "troubled spirits" on the new reserve. Writing of the harrowing effects of toxicity and contamination, in the aftermath of relocation and community decline, Shkilnyk reflects:

Having just been wretched from their moorings on the old reserve, the people were ill prepared to cope with yet another misfortune. They had but a precarious hold on the conditions of their existence on the new reserve. They could no longer draw strength either from their relationship to the land or from the well of their faith, which had once given meaning and coherence to their lives. In the context of the traditional religious beliefs, the contamination of the river could only be interpreted as punishment by the Great Spirit for some serious violation of the laws governing man's relationship to nature. People had great difficulty comprehending this 'unseen poison' of mercury, whose presence in the water and in the fish they could not see or taste or smell. (Shkilnyk 1985: 179)

This form of violence amplifies the effectiveness of ethnically motivated and directed conflict, partly because it takes as its focus the very ground on which people live, walk, eat, commune, and activate group meaning. The harms are delivered to place, partly because the poetics of fit that locates a people in their home is disregarded as important. In a closer reading of violence as enacted upon place as home, I have engaged with this disregard as a form of axiological retreat, a sanctioned "failure to care" (see Kearney 2017).

For Indigenous groups in Australia, their histories and present realities are marked by forced relocations, loss of lands and waters, fracturing of Indigenous

Laws as governing and hardship on the basis of an alleged otherness, and imposed marginality by powerful ethnic majorities. For Indigenous Australians the loss takes its form in the theft of homelands by colonial agents and the British Crown, forced removals from homelands, the decline of local ecologies due to new economies, and the ensuing fight for piecemeal returns to land through white legislative structures. Indigenous homelands have struggled under the weight of colonization, configured as a form of sickness and sadness in country (an Indigenous terminology often adopted when faced with the physical decline of homelands) through an Indigenous epistemology of place. Instances of cultural wounding map heavily onto place, thus I take as central to the discussion of ethnic conflict, attacks on the place world into which ethnic identities are projected and supported in their everyday expression. Instating a decline in the place world of ethnic groups remains a resoundingly powerful way in which to harm an ethnic other and potentially prevent their survival and cultural integrity.

The most obvious incorporations of place into the trauma narratives that emerge from experiences of ethnic conflict, and cultural wounding, take the form of recounting the injustice of place theft and destruction, the embodied suffering that comes with removal from place, and a deep longing to return. So too the paradox of return looms large in the narratives of those who have been wounded often left asking, how can I return? And to what do I return? Yanyuwa families in the southwest Gulf of Carpentaria, northern Australia, have faced a forced reconfiguration of the place relations that make them who they are, over a sequence of many generations. Whether through theft of place or removal from place, the relational world this ethnic group occupies has been rearranged through acts of renaming place, new land tenure arrangements under a settler colonial order, and, in more recent years, place destruction by aggressive land use industries such as opencut mining. Yet it is also place that has provided Yanyuwa with the context needed to culturally maintain, reorient, and establish the terms for ethnic belonging that resonate with present need and historical circumstance. Place is central in this journey.

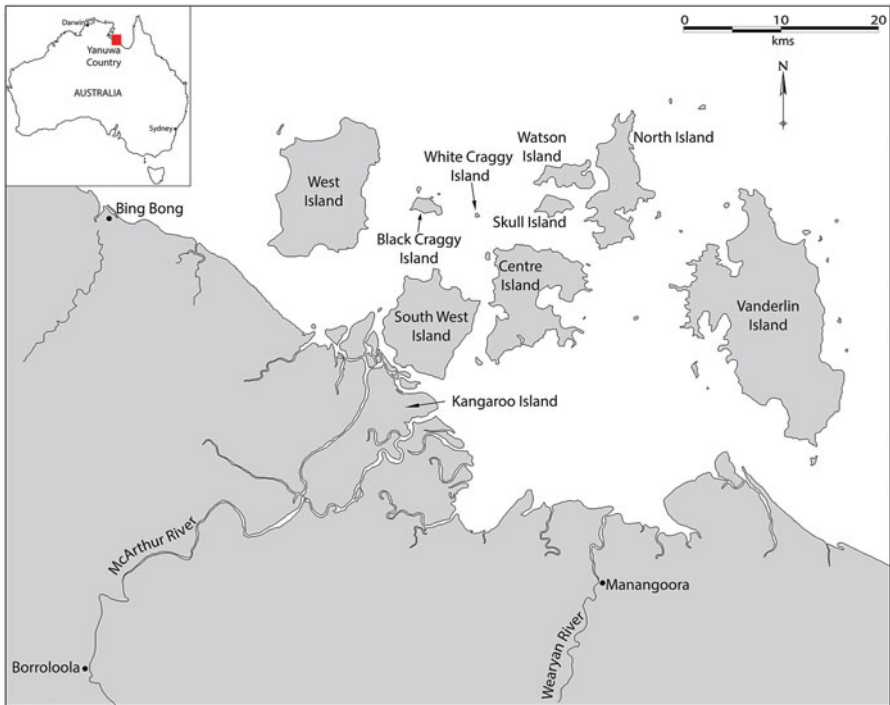
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## **Yanyuwa Families and 42 Years of Seeking Land Rights**

For Indigenous Australians, place theft characterizes just some of the deeply wounding strategies used against people throughout 230 years of settler colonialism. Place destruction and designification are recalled through human accounts of loss. Destruction is evidenced by those places that have been carved up by boundaries and borders, sold off as pastoral leases, alienated through colonially imported land tenure arrangements, and in recent decades impacted by mining and large-scale resource projects. Designification on the other hand has ensured the introduction of confusion into place understandings and the denial of existing order and value. For Indigenous Australians this has seen country renamed, reinscribed as belonging to the British Crown, sold on the open market, and ultimately taken beyond the influence of its Indigenous owners. Destruction and designification are conspiring themes that bring

about chaos in place, making it difficult for ethnic groups to hold on to the contexts that give them relational substance. It is designification that supports a denial of place order and disavowal of existing relational substance between a group and their homelands or context for existence. Denying the character of place is necessary for what Falah (1996) terms resignification of place. Resignification is prefaced by the knowledge that ideological sediment exists in place, and this is often what gives substance to an ethnic group's presence and claim to rights. These sedimentary layers of meaning, order, and value are deposited by ancestral law and the ongoing agency of the right human presence; however, these are denied and then overlain with the order of another, in the contexts of settler colonialism as ethnic conflict and incoming violence (Falah 1996: 256; see also Schnell and Mishal 2008).

Yanyuwa country is located in the southwest Gulf of Carpentaria, northern Australia (see Fig. 1). Today most Yanyuwa live in the township of Borroloola, approximately 40 km from the coast but still within the clan-based range of their country. The terms of their country are set by the distinction of being li-Anthawirriyarra, people whose substance and identity are derived of the sea's influence. Yanyuwa country encompasses the delta regions of the McArthur River and the saltwater limits of the McArthur and Wearyan Rivers and the Sir Edward Pellew Islands. By emphasizing themselves as sea people, rather than mainland



**Fig. 1** Yanyuwa country, southwest Gulf of Carpentaria, Northern Australia. (Source: author)

people, Yanyuwa activate a human to country relationship that is distinct (see Bradley 2008, 2014). This relationship is made vital and expressed in a variety of ways and manifests itself on more historical terms through language, kinship, patterns of settlement and subsistence, song, ceremony, and ancestral narratives (Bradley 2008, 2014, Bradley and Yanyuwa Families 2010, 2016).

Yanyuwa have lived through a protracted encounter with cultural wounding. This has been achieved through land, sea and resource theft, forced removal of children of mixed descent parentage, and imposition of nonindigenous governance structures (Kearney 2014, 2018). These experiences have historical depth but remain part of everyday life. The contemporary experiences of educational and social disadvantage and poverty through powerlessness are vivid indications of enduring cultural wounding, based on a settler colonial and white distinctions of “otherness” among Australia’s Indigenous populations. From these experiences people have had to heal and through deliberate action protect their right to prevail as a culturally distinct group. These encounters begin in the mid-1880s as settler incursions make their initial presence known in the Gulf of Carpentaria and contact amplified after 1901 with the establishment of the township of Borroloola (Baker 1990, 1999; Roberts 2005). This brought more permanent white settlements in the area, increased land grabs, and establishment of a food rations depot, to which Indigenous people were drawn through relations of dependency. The pressures of settler colonialism conspired to “bring Yanyuwa in” to an increased habit of town living by the 1950s and 1960s and almost permanent town living by the 1970s (Baker 1990, 1999).

Relatively speaking this represents a somewhat late shift in mobility and residency patterns for the region’s Indigenous groups. Elsewhere across the country, particularly along the eastern seaboard of Australia, rapid incursions were made into Indigenous people’s lands and waters, thus prompting earlier and major lifestyle changes and dependencies on townships, and fringe living, as a response to greater numbers of permanently based white settlers and frontier administrations. That the sea, which separates vast areas of Yanyuwa island country from mainland pressures, played a role in buffering Yanyuwa from this violent encounter for some time is undeniable. The materiality of Yanyuwa sea territories is such that it has provided Yanyuwa with both open routes for movement, yet also protection, as a barrier to colonization (Adgemis 2017; McLaughlin 1977: 4; Avery 1985; Baker 1999: 197; Roberts 2005: 174). This was because colonists did not possess the maritime skills required to traverse the open waters of the Gulf of Carpentaria and the isolation that white settlers faced if travelling to the offshore islands, which placed them at a distinct disadvantage in claiming influence over this saltwater setting. Yanyuwa faced their greatest hardships as they moved closer to the inland township over which white administrators had claimed control. Their sea country, however, provided unprecedented autonomy. In many respects this reinforces the poetics of fit articulate by Rose (2014) and highlights the ill fit on behalf of incoming agents, incapable of negotiating the saltwater qualities and complexities of Yanyuwa country.

Resistance and the continued pursuit of a poetics of fit, between people and the place world, have defined Yanyuwa lives for over a century, expressed as

maintaining physical distance from settler presences, as continuing to move across sea country as much as possible, and in continuing to claim identities as li-Anthawirriyarra. Their resistance has been directed toward the goal of survival and cultural endurance. Over the last four decades, ethnic and cultural endurance has come via the launching of campaigns to seek land and sea rights under the legislative arrangements currently in place in the Northern Territory and federally including the Aboriginal Land Rights (NT) Act 1976 (henceforth ALRA) and the Native Title Act 1993. Since 1976 Yanyuwa have launched three claims under the ALRA, one under the Native Title Act, bodies of legislation born of a structurally white system of Law, and are currently engaged in a precedent setting compensation claim for lands destroyed through mining activity. The community has been unrelenting in its commitment to the pursuit of rights, to redress the colonially driven ethnic violence of land theft and alienation that marks their historical and contemporary experience. Part of holding strong in their ethnic distinctiveness is never conceding the importance of Yanyuwa Law in governing the southwest Gulf of Carpentaria and their ancestral homelands. There is no doubt for Yanyuwa that the poetics of fit that is their ethnic identity in place is as indivisible as the human need for oxygen.

The longing for return remains a powerful and defining encounter in the social and political lives of many Indigenous groups. For Yanyuwa, alienation from home was not a physical rupturing of people's being in place. They retained proximity to their country, but were rescripted, by colonial administrations as a people "out of place." Across Australia, all Indigenous presences were problematized through legal erasure and through a settler colonial rhetoric of "discovery," "absence," and the "imperative to populate," what Rose (2004:85) describes as the setting of a "Year Zero." The distinguishing feature of this Indigenous experience is that people became alienated from country, through settler colonial acts that brought historical, cultural, and political contest over their exclusive rights to land and sea. These rights are enacted not only through presence and residency but also through epistemological, ontological, and axiological orientations. As such people were forced into relations with colonial presences that made many of their cultural habits intimately linked to country difficult to maintain and unable to flourish. In the case of Indigenous claimants seeking land rights, the quest is not to return to country in a physical sense only, but it is about restituting the space into which a Yanyuwa ethnic identity can be projected in full and enacted without threat of harm.

Yanyuwa have cultivated an urgent patience in their approach to land rights (see Baker 1992; Rose 1996; Seton and Bradley 2005). Urgent patience, taken from Gordon's (2008, 2011: 16) work on social death and hauntings, is "a way of being in the ongoing work of emancipation, a work never measured by legalistic pronouncements, a work that inevitably must take place while you're still confined." Writing of social death, the condition of not being accepted as fully human by wider society, a distinctive quality of cultural wounding and living with ethnic conflict, Gordon (2008, 2011) reflects that for those living with suffering, living in poverty or alongside structural violence, or for those living with the effects of other impoverishment, the social death is rendered and narrated by others (see also Bauman 1992). This social death is written into the colonial administration's historical declaration of

rights over Indigenous lands and waters, the violence of alienation and dispossession, and ultimately the imperative to fight within a structurally white system of land rights.

The Yanyuwa fight for rights to their sea country as something that was never ceded is the act of “something-to-be-done,” a response to “a situation that requires immediate attention” (Gordon 2011: 8). It is approached with an “urgency that’s autonomous and self-directed towards ends and aims not wholly given and certainly not given permission by the system’s logics or crises but rather invented elsewhere and otherwise” (Gordon 2011: 8). The particular combination of acute timeliness and patience that is fighting for land rights, over a 40-year period, echoes the quality of urgent patience in that there is:

no time to waste at all and the necessity of taking your time, is what . . . has guided the worldwide movements to abolish slavery and captivity, colonialism, imprisonment, militarism, foreign debt bondage, and to abolish the capitalist world order known today as globalization or neo-liberalism. (Gordon 2011: 8)

Despite ongoing challenges and ethnic marginalization within the settler colonial state, Yanyuwa engagements with land rights are part of a wider sequence of healing actions, which operate to deny social death, as the settler colonial ontology that compels or justifies Indigenous dispossession and alienation. Yanyuwa healing actions, including seeking land rights, are:

bound to the work of carrying on regardless: to keeping urgent the repair of injustice and the care-taking of the aggrieved and the missing; to keeping urgent the systematic dismantling of the conditions that produce the crises and the misery in the first place while at the same time instantiating in the practice itself the slower temporality of the wait and the distinct onto-epistemological affects of autonomous, independent, participatory thoughtful practice. (Gordon 2011: 8)

Sadly, the return of Yanyuwa lands that has been facilitated by legislative land rights does not mean the dissolution of the strictures of colonial ontologies that perpetuate conflict (Seton and Bradley 2005). Thus there remain tensions that are ultimately indicative of prevailing ethnic conflict between Indigenous groups nationwide and the settler colonial state. There is much still to be done in the decolonizing space to bring about a richer form of transitional justice and social justice for those ethnic groups that have been marginalized by the powerful. Evidencing this is the fact that for those lands that have been restituted through legislative processes, there are expectations that Yanyuwa will “work” their country for financial profit and return, according to a white sensibility, so too they are expected to continue to negotiate with Northern Territory Parks and Wildlife and adhere to restrictions on the activities carried out across their islands.

In those instances where freehold Aboriginal land title is recognized, as in the case of Yanyuwa country, there is something misleading in declaring this a return of rights or a return to country. I wish to stress that the return of lands is of course a resoundingly positive outcome for Yanyuwa; however there are complexities



involved in this process of seeking rights which are strikingly paradoxical given the nature of Yanyuwa connections to both land and sea territories and their ongoing physical presence across their sea country. To clarify, rights can only be determined over terrestrial lands, and in coastal areas, this extends to but is limited as far as that land which sits between the high and low watermarks. In coastal areas, grants of Aboriginal land under the ALRA extend only to the low watermark (Brennan 2008). To date, no Indigenous rights of prior and continuing tenure have been recognized over bodies of waters beyond the intertidal zone. There is a profound legal confusion contained in debates of where the land ends and the sea begins, or the possibility of an Indigenous group homelands containing both terrestrial, coastal, oceanic, and riverine settings remains beyond the reach of current legislative arrangements (Jackson 1995). The epistemic routines and ontological presumptions of White Australia continue to define the nature of this debate, delimiting the rights potentially obtainable by coastal and riverine Indigenous groups (Marshall 2017; Strang 2011; Strang and Busse 2011). As a form of epistemological violence, such delimitations ensure the habit of ethnic tension in Australia.

As an act of urgent patience, Yanyuwa have responded to the loss of home through the early *realization* of deep colonizing and the violent impact this has had and continues to have on their lives. Their *resolution* to launch healing actions in the face of this, by way of land claims, is what defines much of the last 40 years in this community, spreading its effects now over three generations. Resolution to fight has required Yanyuwa to *re-present* their saltwater identity and package it in a manner that can be tested, cross-examined, and reconstituted by legal and statutory definitions. These are the complicated, concessional, and also self-determined steps Yanyuwa have taken to retain a sense of their own ethnicity and place in the world. In the aftermath of cultural wounding, people have had to pay a huge price on the road to restitution, the greatest payoff thus far being the return of portions of their saltwater country, yet it remains that the poetics of fit that distinguishes the ethically prescribed universe into which a Yanyuwa identity is projected and practiced remains somewhat contested, due to the processes by which their right to be li-Anthawirriyarra, people of the sea, is repeatedly funnelled through white legislative frameworks of land justice.

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## Healing and Return

While people and their place world have come to bear the scars of cultural wounding, the place world also figures as centrally important in healing projects for ethnic groups. Even sites of great sadness and places rendered as memoryscapes, beyond the physical reach of ethnic constituents today, can be reclaimed as essential to present healing and remembrance. Pathways that create relational bonds, such as kinship with place, or capacity to remake place in the image of a former homeland or completely anew often offer the most secure pathways to healing and recuperation. In the aftermath of cultural wounding, place, country, and home are therefore often scripted as the desired sites of refuge, sought out for security and the surety of ethnic



belonging that is so longed for in a collective's healing journey. Such a relationship with the place world is vividly cast in the Yanyuwa narrative of seeking restitution of their lands and waters. The embodied suffering that comes with removal from home, or the denial of ways of knowing and being in one's country, is also richly documented in accounts of Indigenous dispossession. Thus it is that returning or finding pathways home or seeking restitution of territories to which one belongs has become cornerstone of transitional justice efforts and self-determination agendas worldwide, both for Indigenous ethnic groups and other marginalized ethnic groups.

The action of return or the pursuit of pathways to reinstate the poetics of fit that is an ethnic group in their sites of meaning is central to the healing agendas of many ethnic groups who live through experiences of violence and conflict. Longing to return is about enlivening an emotional geography by mapping identities into the place world. Healing, in this instance, is defined as an action that resists hopelessness and helplessness. It is fuelled by the disposition of "urgent patience" and the knowledge that things must change, tempered by the realization that this may take some time (Gordon 2008, 2011). This imperative to heal is treated as a prevailing condition in the face of human suffering. It involves a flow of beneficial energy in some sense: into the body of an individual, among the constituents of an ethnic group and nation, or into the imaginary of the human spirit and across the ecologies of country (Kearney 2014: 8). This energy is directed at repairing that which has been injured physically, emotionally, and psychologically (see Kearney 2014). It works to regenerate and proliferate the benefits through health and well-being. Hope, born of recovery, is a fundamental aspect of this vision of healing (Staub et al. 2005: 305) and is what sustains the wounded ethnic group throughout the process of healing. Understood as a process marked by deliberate acts that increase the effectiveness of this recovery, healing from cultural wounding requires resilience to absorb and expand with the flow of energy and resistance to hopelessness in the aftermath of wounding.

Ethnic groups may choose a number of pathways toward healing, differentiated by their motive. In the first instance, a prevailing motive for healing is the logic of "because (Elsewhere I have written at length on healing motivation, both in relation to a "because logic" and also an "in-order-to logic" (see Kearney 2014). The latter is distinguished from a "because" motive, by being aligned with a future outcome, rather than a past event. It is underscored by a desire to move onward rather than enact stasis that relies on the past. It is through reflexivity that "one imagines a project as completed" and this projection is configured as survival and states of healing.)" "Because" motives are essential references to something preceding the act in question and refer to past or already-experienced events as the cause of action in the present and into the future. In the context of ethnic conflict leading to cultural wounding, this act may be any number of things, from colonization, genocide, dispossession of lands and waters, loss of economic independence, or political powerlessness. Viewed deterministically, healing undertaken in light of a "because" motive places those who seek to heal in a particular relationship with harms already delivered and, in turn, those who have perpetrated them. "Because" motives are reliant on retentions to find their substance and language. These retentions are the

social memories and everyday realities of hardship that ethnic groups live with. Actions prefaced by a “because” motive require stepping back into the cultural wounding experience, declaring the losses and reinstating relations between the often politically strong and the politically oppressed. Embedded in this relationship are the conditions of conflict and the possibility of resparking tension or even denial of legitimacy for the ethnic group’s claim (Kearney 2014: 82). Actions prefaced by a “because” motive call upon recognition of past and present wounding in an effort to clear space for a discourse on the future. Examples of healing actions prefaced by a “because motive” include civil disobedience and activism, violent retaliation, restitution of land and sea territories through legislative processes, national apologies, and truth commissions (Kearney 2014: 83).

Whatever the motive, the healing project requires collective arrangement and agreement as to the version of good health, or the poetics of fit, that the group seeks. Motive will however strongly determine the pathways by which healing will be pursued, and for those prefaced by a “because logic,” the experience may also bring about particular emotional and psychological encounters for the group, due to the dialogic nature of healing. In the case of the Yanyuwa experience, the group has rallied around an abiding and long-term commitment to seeking land rights, albeit under a legislatively white system. The reality is that all members of the group must accept the terms for restitution as set by this system and mobilize together in order to achieve a successful outcome, that is, some degree of formal and binding Aboriginal land tenure. As a rallying cry, legislative land rights has somehow managed to solidify ethnic group identity and terms for belonging, despite being the product of intense dispossession and also it being derived of the legal structures that sanctioned this very dispossession (see Seton and Bradley 2005 for a discussion of this relative to the concept of deep colonizing). There is a resounding tension in the space of transitional and social justice in Australia, born of the fact that the terms of belonging, the evidentiary demands, and the performance of Aboriginal distinctiveness take place within a white courtroom and before a white judge. These are just two of the paradoxical encounters when a “because motive” informs the healing actions of an ethnic group. The system by which the group must fight has the simultaneous effect of imposing conditions for belonging and performing an ethnic identity while strengthening bonds between ethnic constituents by compelling people to come together and agree to and enact their collective identity for future benefits. In reality, the tendrils of ethnic conflict spread their influence far and wide and may manifest as the guiding axiologies by which groups seek their own ethnic revival and health, as evidenced by land rights legislation in Australia.

Land rights legislation is born of ethnic conflict, and it does not innocently deliver Indigenous rights. Yet, even epistemologically violent mechanisms are adopted when seeking ethnic rights and pursuing social justice. For many Indigenous groups, there is no choice but to seek rights to homelands through legislative pathways, as country is an indivisible element of the group’s very existence and epistemological, ontological, and axiological orientation into the world. People make decisions to deny social death and do so in the mode of “urgent patience.” While the complications of this deserve their own treatment in future studies, what this chapter strives to

articulate is the fact that ethnic conflict leads to many pathways for healing. Forged of even dysfunctional relationships are at times gains for Indigenous and other marginalized ethnic groups. There is an art worthy of greater research attention in the space of concessional healing that in some ways works to unite the ethnic group. On similar matters, Maori intellectual, Sir Tipene O'Regan (2014), has reflected on what becomes of Maori identity as it passes through the process of land restitution. He describes the undertaking as one that has generated the conditions for multiple forms of identity remake, cautioning that land rights policy and land restitution change the ways in which groups identify and configure their futures. O'Regan (2014: 27) calls for scholarship to more substantially know what happens to identities through this process and to protect against the threat that policy might reduce Indigenous "history and tradition [to] mere opinion, blown by political winds."

It is such that ethnic conflict leads to the seeking of pathways toward healing. These pathways may be in and of themselves the result of disproportionate power in decision-making, as is the case with legislative, legal, and political steps taken by the ethnic majority to redress their historical violence, unreconciled tensions, and prevailing inequality, yet they can be harnessed and mobilized for gain by marginalized groups. While there is a disturbing reality in this, and it may reveal the layers of epistemological and structural violence that marginalized ethnic groups must operate within, it also highlights the incredible capacity and ingenuity of ethnic groups to configure ways in which to survive and seek opportunities to thrive on culturally prescribed terms. It is through this lens that ultimately this discussion of healing aims to take stock of the meanings and expressions of ethnicity available to people in a prevailingly tense world, where tensions are born of ethnic conflict and culturally prescribed violence and shaped by the dynamic ethnic configurations that emerge from and survive such encounters.

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## Concluding Remarks

Appreciating what an ethnic group undergoes in the process of healing from cultural wounding is a vital step toward better understanding the impact of conflict and its contemporary legacies. Similarly, it works to shed light on the complex ethnic arrangements and rearrangements that signify national and transnational settings at present. Such insight can work to better understand how it is that an ethnic group self-determines the pathways they will take toward survival and how they will negotiate the terms on which they claim their distinctiveness. In the case of the Yanyuwa, this has been through the seeking of land rights and ultimately has been solidified by a sophisticated negotiation of group identity through the structurally white landscape of legislative process. This undertaking should never be read as one that was easy for Yanyuwa, but as it stands, they had no choice, for their ethnic identity is born of country, and country, as containing the ancestors, had to be brought back. There is no more vivid display of urgent patience aligned with cultural resilience.

The challenge that culturally wounded ethnic groups face is that the experience of cultural wounding is not contained in space and time as a single encounter. Cultural wounding is better understood as an ongoing encounter that reveals itself in myriad forms across an ethnic group and across generations of descendants. Hence it demands of ethnic groups and their constituents' remarkable abilities to negotiate, come to know the point of conflict, determine a need heal, and then find the right pathways toward healing. Cultural wounding has a profound legacy on all generations who, in many ways, live with the effects of wounding and must often maintain the healing project relative to present need born of historical context. This is why the process of healing is an enduring state of being for many ethnic groups who have lived through or emerged out of experiences with ethnically prescribed violence and conflict. And just as cultural wounding is rarely encountered as a universal experience across a group of ethnic constituents, the culture which goes to distinguish a groups' sense of collective belonging is more fluid than might be imagined, better presented as a sequence of easily adopted and malleable attributes and symbols of identity that are aspects of individual selves, adaptable postmodern qualities that are not necessarily inherited, or authoritative but often are constructed and reconstructed. Survival demands the quality of urgent patience and sophisticated way finding in the pursuit of pathways for healing that revive ethnic esteem and well-being.

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## Cross-References

- ▶ [Contemporary Ethnic Politics and Violence](#)
- ▶ [Indigenous Australian Identity in Colonial and Postcolonial Contexts](#)

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# Constitutional Features of Presidential Elections and the Failure of Cross-ethnic Coalitions to Institutionalize

41

M. Bashir Mobasher

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## Abstract

This chapter studies the constitutional features of Afghan presidential elections and their impact on coalition-building. Based on the constitution, Afghan presidential elections are candidate-centric, zero-sum games, prone to pre-electoral bargaining, majoritarian, double ballots, religiously exclusive, and constrained by electoral cycles, as well as presidential term limits. Examining the presidential electoral features, this chapter argues that they do not have unidirectional impacts on coalition-building: some electoral features incentivize the formation of cross-ethnic coalitions, while others hinder their institutionalization. Therefore, while some function as constructive features, others are obstructive to coalition-building.

M. B. Mobasher (✉)

Department of Political Science, American University of Afghanistan, Kabul, Afghanistan

e-mail: [bmobasher@auaf.edu.af](mailto:bmobasher@auaf.edu.af)

This chapter proposes that the obstructive features of presidential elections can be remedied through institutional designs. The remedies proposed in this chapter include holding concurrent elections and adopting nomination thresholds.

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**Keywords**

Presidential elections · Electoral features · Cross-ethnic · Coalition-building

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## Introduction

Presidential elections have a number of distinct features, which are different from those of premier elections. For example, unlike premier elections, presidential elections are zero-sum games and single-seat contests. However, these distinct features of presidential elections have barely attracted the scholarly attentions that they deserve. Oftentimes, these features are explained in the margins of plurality and runoff systems. Sometimes, the literature tends to draw conclusions based on evaluation of just one or a few presidential electoral features (rules) in isolation and, therefore, misses some of the important effects that can be caught only with a wider lens. For example, Juan Linz (1994), Arend Lijphart (1977), and Juan Linz and Alfred Stepan (1996) point to the zero-sum game and candidate-centric features of presidential elections as evidence that presidential systems are unfit for coalition-building and power-sharing (Linz 1994, 21–23, 42–46). They argue that even the most successful presidential systems are linked with undisciplined parties and coalitions because presidents are less dependent on such organizations for winning and holding their offices (Mainwaring and Shugart 1997, 450). Further, power-sharing is meaningless in presidential democracies because an elected president is almost inevitably from one of the ethnic groups (Lijphart 2008, 169).

On the opposite end, Donald Horowitz (2001), Gary W. Cox (1997), Maurice Duverger (1984), and others have emphasized that being one-seat elections and prone to pre-electoral bargaining, presidential elections are conducive to coalition-building and power-sharing. They have referred to the examples of Nigeria, Sri Lanka, and Indonesia, all of which abandoned the parliamentary system for a presidential constitution primarily for the purpose of nation-building and party development. They have also argued that it was presidential offices rather than anything else that led to a two-party system in the United States and two political blocs in France (Cox 1997, 188; Duverger 1984, 97; Suleiman 1992, 142). This chapter indicates that these scholars come to different conclusions because they have examined different features of presidential elections in isolation.

No one electoral feature alone can explain the conduciveness (or lack thereof) of presidential systems to coalition-building. To understand how presidential elections influence cross-ethnic coalitions in a particular social setting, all electoral features must be studied including those of the electoral system. In case of Afghanistan, presidential elections are candidate-centric, zero-sum games, prone to pre-electoral bargaining, majoritarian, double ballots, religiously exclusive, and constrained by electoral cycles, as well as presidential term limits.



Examining all these features, this chapter reveals that they do not function cohesively and unidirectionally: while some contribute to cross-ethnic coalition-building, others function in the opposite direction. This has been the most likely reason that most cross-ethnic coalitions were able to form in the presidential elections, but these coalitions were rarely ever able to survive after or even during elections. In other words, if we divide the process of coalition-building into two simple phases of formation and consolidation, some electoral features contribute to the former phase, while others deter the latter. The relationship between these features and development of cross-ethnic coalitions is illustrated in the following figure (Fig. 1).

The following sections begin with explaining the contributing features of Afghan presidential elections. The subsequent section examines deterring features of presidential elections and their influence on halting or even reversing the consolidation of coalitions. Several new democracies have recognized some of these deficiencies and have attempted to remedy them through legal manipulations such as mandating party nomination, concurrent elections, co-presidency, superlative voting system, distributional threshold, legislative runoff, threshold adaptations, and many more. Further research is required to investigate the impacts of these electoral remedies for presidential elections in different sociopolitical contexts.

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## **The Contributing Features of Presidential Elections**

### **Unipersonal or Slate-Based Contest?**

While it may be true that a single presidential office cannot be distributed among different groups, this office has indeed functioned as a unifying force as it has encouraged vote pooling and interethnic accommodation in Afghanistan. In other words, unlike the multi-seat Wolesi Jirga (WJ), where ethnic votes are easily translated to ethnic share of seats, the unipersonal nature of the presidential office has compelled ethnic groups to form alliances in order to share the resources that come with that office. This is primarily because as head of the state and the government, the office of the president is the highest office in the country, raising the stakes for any ethnic group in the presidential elections. To date, most cross-ethnic coalitions have been formed to compete in presidential elections than in parliamentary ones: a ratio of 21 to 2.

The vote pooling effect of presidential office is reinforced by vice-president candidates also running alongside presidential candidates. In fact, one can argue that Afghan presidential elections are not unipersonal but slate-based elections where each slate (presidential ticket) includes two vice-president candidates as well. In order to win votes across ethnic groups, the first thing that most presidential candidates tend to do has been to choose their running mates from two different ethnic groups. Afghan elections have indicated that picking the right VPs more than anything else determines the viability of presidential candidates. Those who are able to pick the most prominent elites from different ethnic groups as their running mates

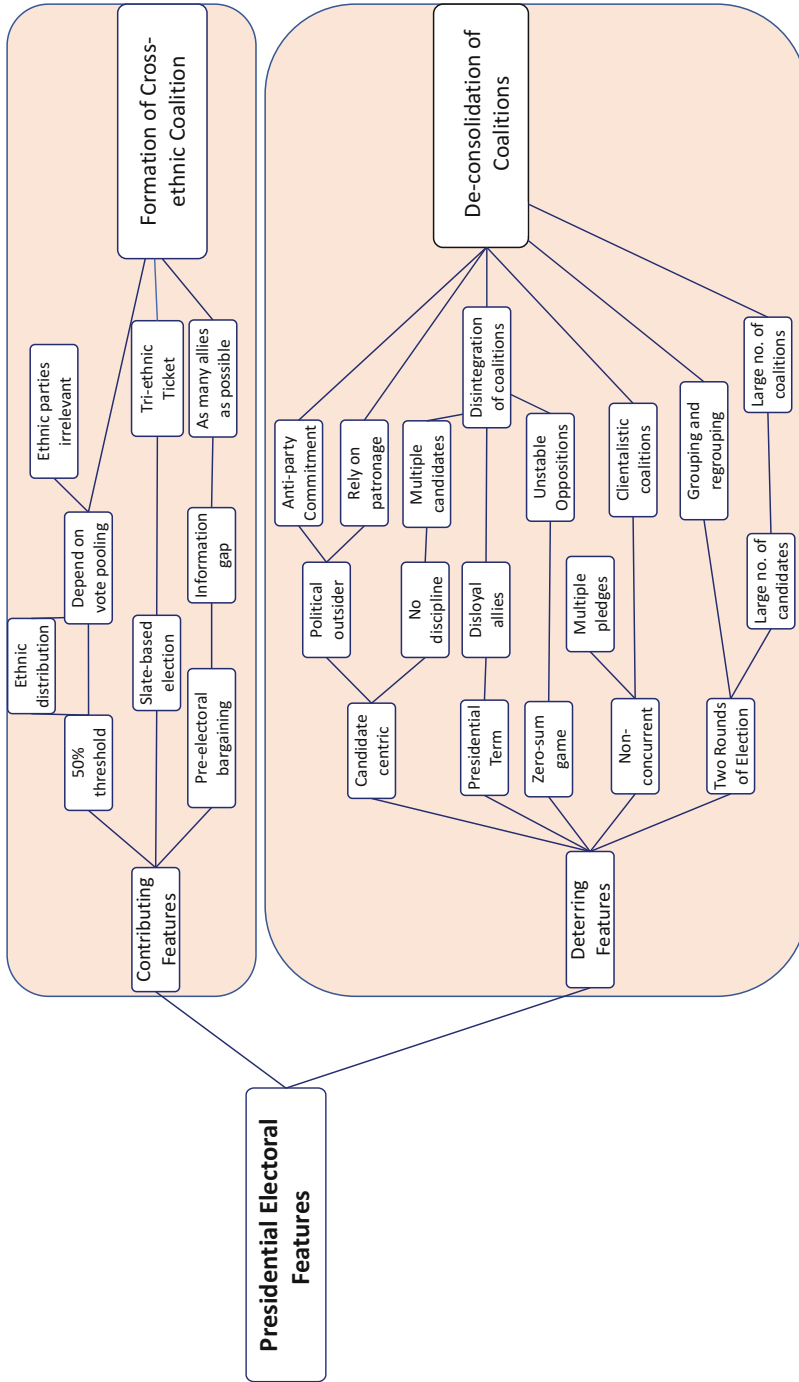
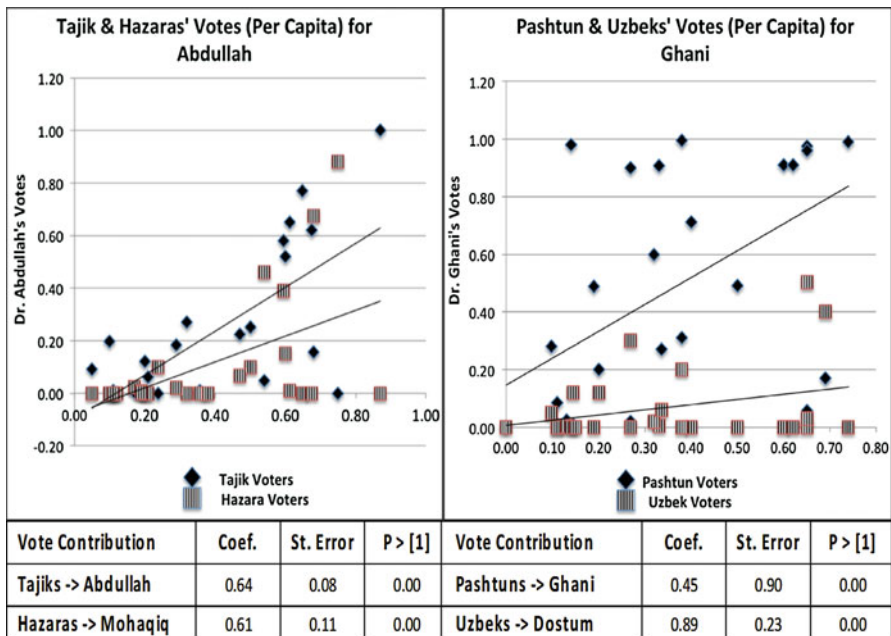


Fig. 1 Features of presidential elections and their impact on formation and consolidation of coalitions

have more chances of winning than those who do not. At times, VP candidates have contributed more votes per capita – or an equal proportion of votes – from their constituencies to their ticket than presidential candidates. This was indeed the case in the presidential election of 2014, when Abdullah’s ticket received as many votes from Hazaras as from Tajiks per capita and Ghani’s ticket secured even more votes from Uzbeks than from Pashtuns per capita (see Fig. 2). Most Hazaras voted for Abdullah primarily because of his VP running mate, Haji Mohaqiq, and most Uzbeks voted for Ghani because of his first vice-president candidate, Dostum (Mobasher 2016, 403, 408).

### Pre-electoral Coalition-Making

Another feature of Afghan presidential election is that they encourage pre-electoral coalitions. Afghanistan is not a unique case in this regard as studies have shown that most presidential democracies, unlike parliamentary systems, inspire pre-electoral (proactive) coalition-building (Mainwaring and Shugart 1997, 466). The advantage that pre-electoral coalitions have had in Afghanistan is that they have been more



**Fig. 2** A comparative illustration of votes for Abdullah (on the left) and Ghani (on the right) in 2014. Both the graph and the regression show that Dr. Abdullah won more votes from Tajiks than Dr. Ghani from Pashtuns. However, more Uzbeks voted for Ghani than Hazaras for Abdullah. (Source: It is constructed by the author based on a number of sources including Independent Election Commission, Afghanistan Information Management Service, United States Combined Armed Force)

amenable to cross-ethnic votes and alliances. The main reason for this tendency has been that candidates and voters did not have perfect information about the viability of candidates and the optimal size of winning coalitions. Not knowing the optimal size of support to win the office, serious candidates were very likely to form maximally inclusive coalitions. Similarly, the absence of such information has compelled voters and elites to cross identity lines in order to join winning coalitions and ultimately to gain access to government resources.

Nonviable parties and elites would have rather joined or forged viable coalitions than compete in the election on their own. Abdul Rashid Dostum and Haji Mohaqiq learned this lesson the hard way. By running for presidency against Hamid Karzai in the election of 2004, they eventually sidelined themselves in his forthcoming government. Since then, they changed their electoral strategies in the next two elections by putting their endorsements up for bids by viable candidates instead of running for the office themselves. In the election of 2009 and 2014, the new strategy helped them gain several seats in the cabinet for their parties and even become vice-presidents themselves (2014).

The other advantage of pre-electoral coalitions concerns their tendency to produce ethnically inclusive cabinets since one way to compensate pre-electoral allies has been through portfolio allocation (Sharan 2014, 142–145). In fact, political distribution has been the main bargaining chip for pre-electoral coalition making. As a result, for the first time in history, Afghans have witnessed a relatively inclusive form of government. All three administrations, so far, began with cabinets representing different ethnic groups less or more proportionally, although, overtime, with each new administration, Pashtuns have been gaining more seats while Tajiks losing seats in the initial cabinets. This slight shift in proportionality of seat allocations can likely be explained by the balance of the political dominance between these ethnic groups. After the collapse of Taliban in 2001, Tajiks had more military and political dominance than Pashtuns; but as the balance of power has gradually shifted, so did the share of their cabinet seats.

Table 1 indicates that some smaller ethnic groups were also able to obtain some cabinet seats in two of three administrations. Many others were mostly given secondary positions in the government. In other words, in addition to portfolio allocation on the cabinet level, presidents have used second-ranking positions to satisfy their allies, especially those from smaller groups such as Baloches, Pashaees,

**Table 1** shows ethnic representations in different cabinet formations as well as after cabinet reshuffling

Cabinet reshuffles	Portfolio allocations				
	Pashtun (%)	Tajik (%)	Hazara (%)	Uzbek (%)	Others (%)
The 2004 government	30	19	19	7	7
The 2009 government	35	15	15	15	0
The 2014 government	38	19	19	8	4

Source: The information is gathered by the author from a number of sources including Afghan Biographies: Who is Who in Afghanistan? and Kate Clark's (2015) *The Cabinet and the Parliament: Afghanistan's Government in Trouble Before It Is Formed*. Afghanistan Analyst Network

Qozloqs, Bayats, Ismailis, and others. The secondary governmental posts include governorship of provinces, ambassadorial positions, spokesperson positions, and positions in other ministerial and non-ministerial agencies (Sharan 2014, 146).

## The Fifty Percent Threshold

Article 61 of the Afghan Constitution sets a runoff system that requires presidential candidates to win an absolute majority of votes in order to become president. If no candidate wins over 50% votes in the first round, a second round of election will be held between two front-running candidates, one of whom will naturally win an absolute majority of votes in this round.

Requiring the 50% threshold has corresponded very well with the ethnic distribution in Afghanistan. Assuming election results reflect ethnic headcounts, the 50% threshold compels presidential candidates to win support and votes from more than one ethnic group because none of the ethnic groups alone can deliver 50% votes. Unable to mobilize and deliver 50% votes, ethnic parties have become almost irrelevant in the presidential elections. In fact, during presidential elections, parties tend to split into factions only to forge cross-ethnic alliances with other factions. All three presidential elections have witnessed the fractionalization of some prominent ethnic parties including *Jamiat-i-Islami*, *Hizb-i-Islami*, and *Wahdat-i-Islami*.

The tripartite interaction between presidential office, the winning threshold, and population distribution has produced two ultimate outcomes. First, ethno-political elites and voters alike have been compelled to strategically coordinate across ethnic lines. As Table 2 indicates, 16 coalitions were formed before the presidential elections, and only 7 coalitions before parliamentary elections, 5 of which were actually preparing for presidential of 2019 rather than parliamentary election of 2018. The fact that most cross-ethnic coalitions have been developed in preparation for presidential elections and not parliamentary elections shows the influence of these features of presidential elections in Afghanistan.

The second outcome, which stems from the first one, is that moderate politics has dominated electoral politics since extremist political forces and candidates have naturally been unable to draw cross-ethnic alliances and votes (Stoll 2013). As such, it should not be surprising that candidates affiliated with well-known extremist

**Table 2** shows the number of (formal) coalitions that have been formed prior to presidential and parliamentary elections

No. of (formal) coalitions before presidential elections vs. parliamentary elections			
Presidential election of 2004	6 coalitions	Parliamentary election of 2005	2 coalitions
Presidential election of 2009	3 coalitions	Parliamentary election of 2010	0 coalitions
Presidential election of 2014	7 coalitions	Parliamentary election of 2018	5 coalitions
Total	16 coalitions	Total	7 coalitions

Source: The information is gathered by the author from a number of sources including Afghanistan Analyst Network and Afghan Biographies: Who is Who in Afghanistan?

parties and groups such as the Taliban and Hizb-i-Islami (Islamic party, military faction) have won only a handful of votes in presidential races. For example, Mullah Abdul Salam Rocketi, a former leader of Taliban who continued to show solidarity with Taliban ideologies to date, won less than 0.5% votes in 2009. Having no chance of winning cross-ethnic votes, his viability amounted to merely 4.4% in his home province of Zabul. Similarly, Qutbuddin Hilal, a loyal to Gulbuddin Hekmatyar (an internationally wanted leader until 2016), won less than 2.8% of the votes in the presidential election of 2014.

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## Coalition-Detering Features of Afghan Presidential Elections

Despite encouraging cross-ethnic coalitions and power-sharing, presidential elections have not been fully conducive to ethnic accommodation. Power-sharing have been shuddering, ethnic tensions have continued to challenge election aftermaths, and cross-ethnic coalitions have remained unstable. Many coalitions have either dissolved or reformulated during elections; others split immediately after elections. Most coalitions have been built on the basis of patronage and personal politics while lacking titles, structures, and ideologies (Mobasher 2016, 364). Notably, their number has been on the rise, indicating a trend resembling party fragmentation in Afghanistan.

These shortfalls have been mainly because of some deterring features of presidential elections; these features include presidential elections being two-round system, candidate-centric, zero-sum games, bound by presidential term limits, non-concurrent with parliamentary elections, dual legitimizers, and religiously exclusive.

### Two-Round Elections

Article 61 of the Afghan Constitution requires holding a runoff election if no candidate wins an absolute majority in the first round. This requirement, indeed, forced almost two of three presidential elections in Afghanistan to a second round of voting. In the presidential election of 2009, Karzai's votes fall a few thousand votes below the 50% threshold after a recount of the whole tally. Therefore, there would have been a second-round election should his rival candidate, Abdullah Abdullah, have decided not to withdraw. In the presidential election of 2014, a chaotic runoff election took place after an undecided first round when none of the contenders were able to win the 50% threshold.

Afghan presidential elections as well as studies elsewhere have indicated that a potential runoff encourages a large number of candidates – and so fragmented coalitions. It is because a mere likelihood of a second round incentivizes not just one but three categories of candidates to enter the competition: the first group is the “office seekers” who need to follow a winning strategy by making alliances across ethnic groups (Mobasher 2017). The largest coalitions in the first round are formed by this category of candidates. The second category of candidates that the runoff

system incentivizes is the “runoff-seekers.” These are serious, but not necessarily the most viable candidates who run in the first round with a hope that they may be able to finish as the runner-up. Finishing as a runner-up allows them to compete with the front-runner, having the chance to win the alliance and vote shares of the losing candidates. The success of the second-place candidate is more probable when a majority of voters dislike the top finisher, or when, in a divided society, the top finisher is from a smaller group. Indeed, one of the reasons Abdullah led the candidates in 2014’s first round was the split of Pashtun votes among seven different Pashtun candidates (Mobasher 2017). A survey before the second round of the 2014 Afghan election indicated that Ghani’s votes among Pashtuns would increase from 49% in the first round to 75% in the second round.

The third category of candidates that the runoff system encourages are “patronage seekers” who enter the fray only to gain political leverage against other candidates (Mobasher 2017). Indeed, in Afghanistan, many candidates enter the election only to bargain their support with runners-up in the second round (Bijlert 2009, 9). Knowing that they have the opportunity for strategic coordination in the second round, most candidates prefer not to withdraw in the first round. The first round is indeed an investment juncture for these patronage seekers who would eventually make coalitions with one or the other front-runner in the second round. As a result, presidential elections tend to experience two rounds of coalition-making: proactive coalition-making and second round coalition-making (see Blais and Indridason 2007, 194). The former strikes before the first-round elections and the latter when eliminated candidates join the competing ones in a runoff. Afghan elections have indicated that proactive coalitions are a combination of numerous oversized coalitions supporting serious candidates and fragmented coalitions supporting opportunist candidates.

The second-round coalition-making begins when the losing coalitions of the first round dissolve only to regroup with front-running coalitions. This suggests that no one coalition remains intact within two rounds of a given presidential election. For example, in the second round of 2014, after forming new alliances with losing candidates (coalitions), Abdullah and Ghani’s coalitions not only changed in sizes but also became less cohesive and ideologically indistinguishable. Such constant formulation and reformulation of coalitions in the first and second rounds have not allowed coalitions to grow and institutionalize (Mobasher 2017).

## Candidate-Centric Elections

Article 62 of the constitution, which lists qualifications for presidential candidates, refers to the presidential candidates merely as “individuals” and has no reference to political parties or coalitions at all. Subsequent regulations including the Regulation on the Registration of Candidates, issued by the Independent Electoral Commission, have allowed presidential candidates to run as either nominees of parties/coalitions or independent candidates. In this way, Afghan laws established a candidate-centric presidential election where it is the individual candidates and not parties and coalitions that are at the center of electoral politics.

Many scholars have argued that this candidate-centrism is a universal feature of presidential elections across the world, but it is not. An increasing number of presidential constitutions such as constitutions of Indonesia, Nigeria, Kenya, Tanzania, and Sri-Lanka require their presidential candidates to be nominees of a political party or coalition. In case of Indonesia, the candidate should not only be member of a party or a coalition but also that party must control over 3% of seats in the legislature. In these five countries, political parties and coalitions have control over the nomination of candidates; thus, candidates will have to comply with their rules and policies. Political outsiders are unlikely to be able to compete in the elections unless they gain the nomination from a political party or coalition. This way, presidential elections in these countries have functioned similar to elections in parliamentary systems.

The candidate-centric elections in Afghanistan have frequently undermined the power of parties over the nomination of their candidates. Unlike parliamentary systems, where prime minister nominees have to retain the confidence of their parties, candidate-centered presidential elections have liberated candidates from any such obligation in Afghanistan. This issue is coupled with public disaffection toward political parties, which explains why many party members are likely to run as independent candidates or to defect their parties altogether. Notably, the number of party members who run as independents in presidential elections is higher than those who ran as party candidates: a ratio of 11 to 10. And the elections have indicated that the trend has seemingly been toward further partyless presidential elections. In 2004, only half of the candidates who belonged to political parties registered as party candidates. In the presidential election of 2009, only one-third (38%) of party-affiliated candidates registered as party candidates, and that fraction dropped to one-fifth (20%) in the election of 2014. To the surprise of most experts, even the leaders of the four largest parties in Afghanistan including *Jamiat-i-Islami*, *Wahdat-i-Islami*, *Jumbish-i-Islami*, and *Hizb-i-Islami* ran as independent candidates in the past three presidential elections (see Table 3).

Although almost all presidential candidates formed some type of formal or informal, large or small, patronage or policy-based coalitions, none registered as nominees of their coalitions. In fact, Abdullah was the only candidate who registered as a coalition nominee on the preliminary list of candidates in 2014, but he later changed his affiliation to a party nominee. In such candidate-centric elections, where coalitions have no official role to play except for facilitating exchange of votes to patronage, coalitions are likely to remain clientelistic and short-lived.

The personalization of elections has also contributed to fractionalization of political associations by simply allowing or even encouraging multiple members of the same party or coalition running in the same election, competing with one another. Fragmentation of *Jamiat-i-Islami* in all three presidential elections illustrates this well. In 2004, the party had two presidential candidates, namely, Yunus Qanuni and Abdul Hafiz Mansoor. Hafiz Mansoor ran as an independent candidate, while Yunus Qanuni attempted to form his own cross-ethnic party, *Nazat-i-Mili Afghanistan*. Ahmad Zia Massoud, another member of *Jamiat-i-Islami Party*, joined Karzai's ticket as his first vice-president.



**Table 3** reflects all candidates who belonged to political parties including those who registered as party candidates and those who did not

Elections	Political party	Candidate	Registered as
2004	Hizb-i-Hambastagee Milli Afg.	Sayed Ishaq Gailani	Party nominee
	Nahzat-e-Milli Afghanistan	Yunus Qanuni	Party nominee
	Hizb-i-Kangra Milli Afg.	Abdul Latif Pedram	Party nominee
	Hizb-i-Isteqlal Afghanistan	Ghulam Farooq Nejrabi	Party nominee
	Hizb-i-Wahdat Mardom Afg.	Haji Mohammad Mohaqiq	Independent
	Hizb-i-Jumbish-e-Milli Afg.	Abdul Rashid Dostum	Independent
	Hizb-i-Eqtedar Islami	Ahmad Shah Ahmadzai	Independent
	Hizb-i-Jamiat Islami	Abdul Hafiz Mansoor	Independent
2009	Hizb-i-Nahzat Faragir Dem.	Dr. Habib Mangal	Party nominee
	Hizb-i-Kangra Milli Afg.	Abdul Latif Pedram	Party nominee
	Hizb-i-Isteqlal Afghanistan	Dr. Ghulam Farooq Nijrabi	Party nominee
	Da Sole Ghorzang	Shahnawaz Tanai	Party nominee
	Hizb-i-Azadagan Afghanistan	Mahbob-U-lah Koshani	Party nominee
	Hizb-i-Jamiat Islami	Dr. Abdullah Abdullah	Independent
	Hizb-i-Wafaq-e-Milli	Bismillah Shir	Independent
	Hizb-i-Kangra Milli Afg.	Bashir Ahmad Bizhan	Independent
2014	Hizb-i-Jamiat Islami	Dr. Abdullah Abdullah	Party nominee
	Hizb-i-Dawat Islami Afg.	Prof. Abdo Rabe Rasool Sayyaf	Independent
	Hizb-i-Islami Afg.	Eng. Qutbuddin Hilal	Independent
	Hizb-i-Mahaz Milli	Mohd. Shafiq Gul Agha Sherzai	Independent
	Hizb-i-Mahaz Milli	Abdul Rahim Wardak	Independent

Source: The information is gathered by the author from a number of sources including Independent Election Commission of Afghanistan, Afghanistan Research Evaluation Unit, and Afghan Biographies: Who is Who in Afghanistan?

In the presidential election of 2009, the *Jamiat* party split again into two large factions. One faction was led by Abdullah Abdullah who registered as an independent candidate while forming a broad coalition. Another faction endorsed Qasim Fahim who joined Karzai's ticket as his first vice-president candidate. Likewise, the party split in the election of 2014 when Abdullah Abdullah run as the nominee of the party while his fellow party members, namely, Ahmad Zia Massoud and Ismael Khan, made alliances with two rival candidates as their running mates. It bears mentioning, however, that *Jamiat* has not been the only party fractionalizing in the

presidential elections. Other political parties and coalitions such as *Wahdat-i-Islami*, *Hizb-i-Islami*, *Kangra-i-Milli*, *National Coalition of Afghanistan*, *National United Front of Afghanistan*, and *National Movement of Afghanistan* have fragmented as well either temporarily or permanently.

An additional consequence of candidate-centric elections has been that political outsiders were not only allowed to run but also able to win the presidency. President Karzai and President Ghani have both been political outsiders, whose main theme of electoral campaign was to blame traditional parties and elites for the past atrocities in Afghanistan. Generally, political outsiders are described as some populist candidates who are not (or pretend not to be) active members of any registered political party or coalition, who likely lack political establishment experience, and who mostly launch antiestablishment campaigns (Linz 1994, 26). These candidates are particularly favorable when the voters are frustrated with the performances of the establishment and look for a new “savior” (Linz 1994, 27). Indeed, for this very reason, President Karzai and President Ghani have had the upper hand in Afghan presidential elections. During their electoral campaigns, they warned voters of returning to past atrocities should they vote for the establishment parties and elites.

The issue with these political outsiders has been that they remained committed to anti-partism even after winning the presidency. They have both publicly revealed their disdain toward parties. In their own administrations, both have pushed for the adoption of SNTV system for parliamentary elections, which has been disastrous for development of parties and coalitions. They even encouraged their cabinet members to disassociate from their parties in order to keep their positions in the government. Even when they ran for presidency, instead of forming an official coalition with a constitution, an organization, and distinct policy platforms, they relied on patronage in order to make allies. In fact, they referred to their alliances as *team-i-Intekhabati* (electoral teams) rather than political coalitions or parties. While instrumental in helping these candidates to win presidency, the clientalistic electoral teams have proven to be coalition of convenience rather than stable political organizations.

## Zero-Sum Games

The zero-sum game feature of presidential elections can partly explain why the opposition coalitions have been unable to survive and consolidate. It reflects an electoral pattern where the winner takes all and the loser loses all. Unlike parliamentary systems, where the losing coalitions typically gain at least a few legislative seats, and therefore, a critical platform for advancing their agenda, in presidential elections in Afghanistan, the losing candidates remained empty-handed for the full presidential terms. Besides, presidential elections were not held concurrently with parliamentary elections so that the losing coalitions in presidential elections would have won at least a number of seats in the WJ. Under a situation where the losing coalitions have few resources and no platforms to voice their agendas, opposition coalitions are overburdened with the cost of sustaining the alliance until the next election. Not being able to bear that burden, most eliminated coalitions have either

dissolved or hibernated until the next election. Winning coalitions have been the only ones that were able to survive after elections; and they survived only partly and until the end of presidential terms.

The major disadvantage of presidential election in Afghanistan has been that the president is naturally likely to belong to one ethnic of the groups only. In the past three presidential elections, only Pashtun candidates were able to become the president. This has led to criticism of the constitution by other ethnic groups, who have found the office unreachable by non-Pashtuns. These ethnic groups have further mobilized against this system in the presidency of Ghani, whose government and policies have been considered less and less inclusive. Notably, they have witnessed that the government's uncompromising policies such as those of ID cards, elections, districting, security, corruption, and power line mostly coincide with the demands and concerns of Pashtuns vis-à-vis those of other ethnic groups. They perceived these policies non-conciliatory, ethnocentric, and favoring Pashtuns only. Therefore, many have associated presidentialism with ethno-authoritarianism in Afghanistan and advocated for replacing the system with a parliamentary or semi-parliamentary system. To them presidential elections are zero-sum games, in which non-Pashtuns are always the losers (Table 4).

## Presidential Term Limits

Afghan Constitution has set a presidential term limit of two 5 years: Article 61 sets a timeline of every 5 years for presidential elections; and Article 62 mandates that an individual cannot be the president for more than two terms. So far, only president Karzai completed a second term. As the head of the third administration, President Ghani is in the final years of his first term should he run for a reelection and win.

There is a scholarly consensus that presidential term limits are necessary for preventing monopoly and abuse of power in a presidential democracy (Martinez 2015; Neale 2009; Davis 1980; Nogare and Ricciuti 2008). Without term limits, presidents have tendencies toward monopoly of power which usually leads to ethnic monopolization of power. Additionally, being unaccountable to the public, presidents are likely to abuse their power for personal and ethnic interests; in such situations, minorities are likely to be marginalized and eventually mobilized against the system instigating civil wars. Therefore, not surprisingly, presidential term limits are not unique to the Afghan Constitutions. The length of a presidential term has been as much subject to debate as the reelection of a president. Shorter terms are more likely than longer ones to reduce electoral tensions since with shorter terms the losing parties are more likely to concede defeat and wait for the next election instead of contesting the lost election's result; however, with longer terms the president would be free from distractions associated with frequent electoral campaigns for the next elections (Neale 2009, 22–23).

There are some issues with term limits, however. One such issue is that the permanence of presidents in office is fixed: once elected, a president will remain in office for the full constitutional term until the next election. In that period the president cannot be removed regardless of whether or not he or she has the

**Table 4** A list of disputes between ethnic groups and the decisions of the government

Years	Concerns of most Pashtun hardliners	Concerns of hardliners from other groups	Government's decisions
2017	Ghazni must be divided into three electoral districts	Hazaras: Dividing Ghazni violates laws and marginalizes Hazaras	Ghazni was divided into three districts
2015	Power line must passthrough Salang and Baghlan province	Hazaras: Power line must passthrough Bamyan and Wardak provinces	Power line will passthrough Salang and Baghlan province
2014	New ID cards must have national and ethnic categories	Tajiks, Uzbeks, and Hazaras: New ID cards should not have national and ethnic categories	ID cards have national and ethnic categories
2009	Jaghori must remain a district of Ghazni	Hazaras: Jaghori district of Ghazni must become a province	Jaghori remained a district of Ghazni
2007	The Pashtu word "Pohanton" must be used for university in Dari version of Higher Education Law	Tajiks and Hazaras: The Farsi word "Danishgah" must be used in Dari version of Higher Education Law	Pohanton was used in the Higher Education Law
2015	Dostum should not be able to launch military operations in Jawzjan and Faryab and target Pashtuns	Uzbeks: Dostum must be able to launch military operations in Jawzjan and Faryab to eradicate terrorist elements	Dostum was ordered not to conduct any such operation but he did it anyway
2015–2016	SNTV must be replaced with FPTP system	FPTP is not the right electoral system for Afghanistan	The decision over electoral system was deferred to Independent Electoral Commission
2018	Nawamish district belongs to Daikundy province	Hazaras: Nawamish district belongs to Hilmand provinces	Nawamish was decided to be a district of Daikundy

confidence of the assembly of his or her own coalition, which is very different from a parliamentary system where the survival of the executive depends on its parliamentary coalition holding together. Therefore, it is safe to argue that presidential term limits in a way undermine the accountability of an incumbent to his or her coalition. This is best illustrated by the shifts in the ethnic composition of cabinets during cabinet reshuffles in Afghanistan.

In all three administrations, when reshuffling the cabinet, the presidents have been tempted not to keep their promises to their electoral allies. This has led to the cabinets becoming less reflective of pre-electoral pledges after each reshuffling. Table 5 shows that cabinet reshuffles have led to an increase in Pashtun seats and a decrease in the seats of the next two largest ethnic groups in all three administrations. It cannot be a coincidence that in all three administrations, the presidents happened to be Pashtuns. This also explains why after each reshuffle the allies of the

**Table 5** shows ethnic representations in different cabinet formations as well as after cabinet reshuffling

Cabinet reshuffles	Portfolio allocation				
	Pashtun (%)	Tajik (%)	Hazara (%)	Uzbek (%)	Others (%)
The 2004 government	30	37	19	7	7
Cabinet reshuffle (2005)	36	36	12	12	4
Cabinet reshuffle (2008–2009)	40	28	12	16	4
The 2009 government	35	35	15	15	0
Cabinet reshuffle (2010)	35	35	12	15	4
Cabinet reshuffle (2012)	35	35	12	15	4
Cabinet reshuffle (2013)	38	31	12	15	4
The 2014 government	38	31	19	8	4

Source: The information is gathered by the author from a number of sources including Afghanistan Analyst Network, Afghanistan Research Evaluation Unit, and Afghan Biographies: Who is Who in Afghanistan?

presidents were likely to become fierce oppositions of the government, failing the incumbent coalition to survive the full term.

In their second terms, the presidents are even less likely to stay loyal to allies. The only second term in Afghanistan, Karzai ignored most of his allies when making decisions or implementing policies in his second presidency. For example, after the 2009 election, he walked back on his promise to Mohaqiq to upgrade two Hazara-dominated districts into provinces. Karzai was frequently at odds with his close international allies as well (Druzin 2013). His relationship with the US government – his original backer – was at its worst late in his second term. In 2013, for example, Karzai declined to sign the Mutual Security Agreement between the United States and Afghanistan despite the fact that it was approved by supermajority in the *Loya Jirga* (an advising grand council consisting of members of the parliament, provincial councils, district councils, supreme court, and cabinet) and endorsed by his domestic and international allies.

## Nonconcurrent Electoral Cycles

A coalition is not stable unless it prevails not only across elections but also across government branches, specifically the executive and the legislature. Coalitions in Afghanistan have neither survived across elections nor entrenched themselves across branches of government. This failure is partly explained by the time lapse between presidential and parliamentary elections in Afghanistan: they are usually held over a year apart.

As a practical matter, nonconcurrent elections are less likely to encourage cross-branch coalitions than concurrent elections (Carey 1999, 93). In fact, numerous

studies have shown that only those presidential democracies such as Costa Rica, United States, Chile, and Korea that hold at least partly concurrent elections have entertained stable party systems and coalitions (Jones 1995, 5, 75–77). The better performance of concurrent elections is explained by the supposition that while concurrent elections promote mutual campaign support, nonconcurrent elections encourage clientelistic coalitions. It is well established that during elections, both presidential and parliamentary candidates need alliances to endorse their campaigns. Under a concurrent election, the immediate interest of both the presidential and parliamentary candidates is to win the election; and therefore, the most likely term of agreement would be mutual campaign support. A mutual campaign support, unlike a clientelistic partnership, is likely to hold the coalition together primarily because candidates are likely to choose an ally who is closest to them in policy. Under noncurrent elections, where only presidential candidates need endorsements, MPs are likely to endorse them only in exchange for patronage. As a result, nonconcurrent elections lead to clientelistic, temporary, and thus unreliable coalitions. In fact, in the presidential election of 2014, some reports have shown that many MPs secretly vowed allegiance to multiple presidential candidates in exchange for patronage.

Strangely, the 2004 Afghan Constitution merely encouraged rather than mandating concurrent elections. Article 160 of the constitution states, “Multilateral efforts shall be made to hold presidential and National Assembly elections concurrently.” Several attempts have been made to hold elections concurrently under the terms of this provision. However, from a constitutional perspective, the implementation of this article is almost impossible, considering the different timelines set for presidential and parliamentary elections by the same constitution. Article 61 of the constitution sets the date for presidential elections between March 22 and April 21. Article 83 sets the date for parliamentary elections between April 22 and May 22. By any interpretation, these timelines do not overlap, although they could come as close as 1 day apart, holding the presidential election on April 21 and the parliamentary election on April 22.

## Parallel Legitimacy

Article 61 of the Afghan Constitution provides for popular election of presidents, stating that “[t]he President shall be elected. . . through free, general, secret and direct voting.” The Office of the President derives legitimacy from a nationwide election, and as such, on numerous occasions presidents have claimed that they represent the will of the nation better than MPs who are elected by separate and smaller constituencies. As such, Afghan presidents tend to believe that their policy positions are superior to those of the assembly, demonstrating little willingness to compromise with the legislature or form legislative coalitions.

For example, in 2013, Karzai and his inner circle questioned the legitimacy of the assembly when he decided to refer the Afghanistan-US Bilateral Security Agreement to a *Loya Jirga* instead of the assembly for approval. This decision of the president indeed was in violation of Article 90 of the constitution, which provided that international treaties and agreements must be ratified by the assembly. However, Karzai’s

spokespersons argued that due to electoral fraud and some “non-patriotic” MPs, the assembly did not have the legitimacy to approve the agreement. MPs confronted Karzai’s administration by pointing to the electoral fraud in the presidential election of 2009 that led to his presidency. Further, in protest to his decision, a large number of MPs decided not to attend in the *Loya Jirga*, calling it unconstitutional.

## Exclusion of Minorities

Article 62 of the constitution, which lists the qualifications for presidential candidates, requires that a presidential candidate must be a Muslim. This clause sets a clear institutional discrimination against non-Muslim minorities including Hindus, Sikhs, and others. Afghanistan is one of very few countries that have an exclusionary clause in its constitution about the religion of the president.

Although religious minorities are estimated at less than one percent of the population that makes this exclusionary clause practically a redundancy for at least the near future, one can argue that this clause does indicate the discriminatory tune of the constitution, which sets a justification for further discrimination against religious minorities. Additionally, this exclusionary clause is in direct contradiction with a number of other constitutional provisions including Article 7, 22, and 33. Article 7 articulates that “The state shall be obligated to create a prosperous and progressive society based on social justice, preservation of human dignity, protection of human rights, realization of democracy, attainment of national unity as well as equality between all peoples and ethnicities and balance development of all areas of the country.” Article 22 provides, “Any kind of discrimination and distinction between citizens of Afghanistan shall be forbidden. The citizens of Afghanistan, man and woman, have equal rights and duties before the law.” Finally, Article 33 states, “The citizens of Afghanistan shall have the right to elect and be elected.”

An additional electoral rule which has also led to a discriminatory consequence is Article 45 of the Election law. Article 45 requires presidential candidates to present the voting cards of at least 2% from at least 20 provinces to IEC to qualify as candidates. This requirement has likely impeded the candidacy of elites from many smaller groups since their presence is limited to much fewer than 20 provinces. Only Pashtuns and Tajiks seem to have a minimum of 2% inhabitants in at least 20 provinces. This perhaps explains why in the presidential election of 2014, only Pashtuns and Tajiks had presidential candidates. Hazaras and Uzbeks had presidential candidates in the presidential election of 2004 and 2009 when article 45 of the Election Law did not exist.

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## Conclusion

Despite the initial intentions of coalition founders for consolidation, coalitions have remained weak and prone to dissolution. They have mostly failed to endure beyond single presidential elections. In fact, cross-branch coalitions were not formed

because the only threshold for a coalition to form was winning presidential office. Sustaining the office has never been an issue under the presidential constitution. Once elected, keeping the government is guaranteed by the presidential term limits. Oppositions, empty-handed from elections, cannot afford to sustain their coalitions until the next presidential election. For these very reasons, most coalitions have been built on the basis of patronage negotiations and personal politics. Even so, Afghan presidential elections should take the credit for encouraging at least the formation of cross-ethnic coalitions.

Unlike the parliamentary elections that have exacerbated personalistic politics, the presidential elections of Afghanistan have given rise to coalitions that have transcended ethnic boundaries. These coalitions have indicated the prospect for political development in Afghanistan as their emergence demonstrated popularity, cross-ethnic appeal, and political accommodation by elites. The tradition of coalition-building has become firmly entrenched in the presidential elections of Afghanistan. Over the last three presidential elections, around 16 broad coalitions have emerged, most of them cross ethnic, officially declared, and having charters with the intention of further consolidation.

Presidential elections have raised the threshold so much that only the largest and the most inclusive coalitions could win or be the runner-up. Ethnic coalitions were marginalized and ethnic “parties” even more so. Of the four large ethnic parties, only Jumbish-i-Islami remained somehow intact. Jamiat-i-Islami Party, Hizb-i-Islami Party, and Wahdat-i-Islami Party split into several factions, each faction joining one or the other cross-ethnic coalitions. As a result of the fragmentation of ethnic parties and the formation of cross-ethnic parties, Afghans for the first time in history witnessed inclusive governments (see Table 2).

Since all this development has taken place within 18 years of democratization, it begs the question whether the continuation of presidential democracy may eventually lead to the institutionalization of cross-ethnic coalitions in Afghanistan. In fact, none of the presidential democracies that entertain strong party system or stable coalitions including the United States, Korea, Colombia, Costa Rica, Venezuela, Chile, and Uruguay (prior to 1973) have done so within a short period of 18 years. If that is the case, why should we not let coalition development take its course under the same presidential features?

The risk of wait-and-see approach is that it may allow democratization to take a reverse path. Democratization is a fragile process that may easily be reversed (Pridham and Lewis 1996, 1). Even worse, this approach may allow the culture of patronage politics to become entrenched in Afghan political society, which is, unlike democratization, hardly reversible. Therefore, in today’s democratizing societies, engineering and reengineering of constitutions are essential to strengthening democratic institutions in shorter pace of time. In light of these observations, further research is required to examine what constitutional solutions most properly remedy the problematic features of Afghan presidential elections.



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# The Making of a Mobile Caliphate State in the African Sahel

# 42

Hamdy Hassan

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## Abstract

The goal of this chapter is to thoroughly understand the context of the dominant jihadist narratives and the nature of their appeal in the Sahelian region. All these jihadist ideologies are based on a peculiar Salafi Radicalism that aimed to transform the state and society by methods of preaching and violence. Therefore, studying and analyzing the principles of the Salafist discourse as a political project helps us to understand its points of strengths and weaknesses. In addition, we can better look at the future trends and prospects of violent jihadist groups in the African Sahel. The roots of this Islamic discourse as a political project may be attributed to what Lunay and Suarez call the “Islamic domain.” The rise of violent radical Islamism represents drive from the internal political and socio-economic dynamics evolving in each Sahelian state. However, the struggle and

H. Hassan (✉)

College of Humanities and Social Sciences, Zayed University, Dubai, UAE

e-mail: [Hhamdy21@yahoo.com](mailto:Hhamdy21@yahoo.com); [Hamdy.Hassan@zu.ac.ae](mailto:Hamdy.Hassan@zu.ac.ae)

rivalry of jihadist ideologies after the military defeat of Daesh in Mosul is important at a time when thousands of fighters who have survived the civil wars in Iraq, Syria, and Libya are looking for new jihadist fields.

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**Keywords**

Mobile Caliphate State · the African Sahel · Al-Qaeda · Daesh and the Salafist discourse

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## Introduction

One of the most unintended consequences of colonial rule in the Sahel and West Africa was the Islamization of large parts of it. The politicization of religion has often been designed so that the Islamic movements have been viewed from a specific political manner, based on their position towards the existing authority both in terms of acceptance and cooperation or rejection and resistance. The Islamic sphere can be understood as a kind of convergence between colonial modernity and Islam. It is a public space shaped by the provisions of religion, not the political variables or social dynamics (Launay and Soares 1999). It is therefore theoretically separate from “special” affiliations such as ethnicity, proximity, or language.

Bearing in mind these formative contexts, especially in the colonial era, helps us understand the political, religious, and ethnic dialectics of the Sahelian societies. Although the intervention of France, Chad, and other foreign powers in the Mali crisis (2013) has weakened the capabilities of the jihadi groups in the region, the violent attacks in Bamako and Ouagadougou since then prove that the jihadist discourse cannot be easily defeated. It continues to attract many followers within the general Islamic sphere in the region.

The significance of this chapter drives from the nature of the Sahel as a highly complex security complex where the region still has a pivotal role in analyzing and understanding security and development issues not only in Africa but also in the world as well. It is clear that the Sahel corridors, particularly in Mali and northern Nigeria, constitute major security and development challenges to African societies. It also raises important questions about initiatives to address these challenges – nationally, regionally, and internationally. It can be said that the complexity of the Sahel, in its manifestations and its current jihadist discourse, requires that we urgently review the nature of the post-colonial African state, structure of the associated regional dynamics, and the international response frameworks in Africa. This problem is linked, partly, to the absence of a comprehensive perspective to understand the discourse of violent jihadist groups in the African Sahel. There are partial approaches that reflect one aspect of the problem or reflect a prior intellectual bias. This is evident from the multiplicity of uses of the concept of the African “Sahel” itself, which is sometimes narrowed so as not to exceed its geographical space and sometimes expands to include a political space too large to reflect different intellectual and ideological contexts. This means that the inability to grasp the

dimensions of the Sahel is an undeniable obstacle to understanding the interactions in the jihadist environment in the region since the beginning of the new millennium.

Based on this overall purpose, this chapter seeks to answer two main questions as follows:

- What are the most prominent features of the geology of the armed jihadist groups that have engulfed the African Sahel since the beginning of this century? The map of these groups has witnessed continuous deconstructions and reconstructions processes that reflect their intellectual and ideological transformations, on the one hand, and the transformation of the surrounding security systems, on the other.
- What are the trends of unity and division among armed jihadist groups, especially the rivalry between the Islamic state and al-Qaeda in the wake of the relative defeat of Daesh in Iraq and Syria?

The well-informed review of the previous literature shows that research and analysis of the phenomenon of violent jihadist movements in the African Sahel and its underlying motives are still dominated by Western accounts espoused by some countries and research institutions (Nicoll and Delaney 2012; Boutellis and Mahmoud 2017; Cohen 2013; Korteweg 2014; Varhola and Sheperd 2013). It is therefore essential to draw upon and support national scientific research on the phenomenon of violent extremism in general and violent religious extremism in particular and to ensure that their results are disseminated and taken into account in the development of national and regional policies. Nationally motivated knowledge, based on a correct understanding of historical contexts, cultural, religious, social, and economic phenomena and transnational developments, forms the basis for building a common national identity and a bulwark against exclusionism and extremism.

In an attempt to answer the previous questions, this chapter is divided into two main sections in addition to the introduction and conclusion. The section “[Transformations of Islamic Radicalism in the Sahel](#)” discusses the map and transformations of jihadist groups in the Sahel. Section “[The Mobile Caliphate State Across the African Sahel](#)” provides an analysis of the virtual caliphate in the Sahel.

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## **Transformations of Islamic Radicalism in the Sahel**

The African Sahara, in ancient time and before the arrival of the Europeans, has been regarded as a highway for trade and culture. Old kingdoms have always ensured the safety of trade routes and travel through the vast desert trails. For example, the Kingdom of Kanem-Bornu (from the tenth to the nineteenth century AD) extended from Lake Chad to the trade route between Chad and Sudan. It also controlled the road of Fezzan, which served as the main crossing of the desert via the Ténéré. Through their strong state, the Tibu tribes also ensured the security of the movement of individuals and merchants through the desert (Rettaillé and Walther

2011). The Tuaregs and their masked men sought to establish cooperative relations with the Hausa peoples on the east side of the Sungai kingdom (Bossard 2014; Benjaminsen 2008). What has happened and led to the transformation of this desert to become a source of imminent danger threatens not only the security and safety of the population of the countries of the region but extends to neighboring countries both near and far?

## The General Context of the Salafist Jihadist Transformations

Any scholar who tries to answer the previous question must go further to understand the factors that have contributed to the proliferation of the culture of violence and recruitment of jihadist Islamic movements in the African Sahel and overall Africa. It is true that there are historical influences related to the development of Islamic discourse in the Arab world and South-East Asia, such as the issues of “*Jahiliya*,” “*Hakemya*,” and the “surviving group,” in addition to the political and economic changes in the Arab North African region (Hassan 2016, 1–19). The causes of violent radicalism in Africa are therefore linked to local factors such as corruption, economic, and social marginalization, widespread of public discontent among youth, intellectual divisions between Islamic schools and so on more than its linkage to international ones. Perhaps this socioeconomic analysis clashes with the fact that many African Muslims are peaceful and tolerant towards the other due to their close ties with the traditions of the Sufi brothers such as *Qadiriyya* and *Tijaniyya* (Hassan 2015).

The spiritual Islam of West Africa has represented an impenetrable wall against extremism. However, democratic processes in some countries, such as Mali and Niger in the 1990s, opened the door to imported intellectual and ideological influences. Salafi groups, such as “the removal of innovation and the establishment of the Sunnah” have infiltrated into the country, as well as the influence of other Salafist groups supported by external powers. This religious and ideological division represented a fertile incubator for the emergence of radical and violent religious currents in the region of the Great Islamic Belt of the Sahel and West Africa (Loimeier 2007, 2011).

Al Qaeda has contributed to the ideological and material support of local Islamic groups in the Sahel and West Africa. In the wake of the severe attacks on the Algerian Salafist Group for Preaching and Jihad (GSPC) in Algeria and its transformation into al-Qaeda in the Islamic Maghreb, it was forced to move across the Sahara to settle in Mali. Since 2003, al-Qaeda has become more viable by engaging in organized crime networks and exploiting links with the local population deep into the Sahel and the Sahara through ties of marriage and trade. The group benefited from the absence of the state and weak border control systems, as well as growing resentment against the ruling regimes among the local population.

In general, jihadists often follow the ranks of illicit trade and crime networks. Mokhtar Belmokhtar, The One-Eyed who carried out Operation Ain Amnas in Algeria in 2013, is called “Mr. Marlboro” for his secret role in cigarette smuggling

(Kaplan 2015). In general, jihadists cooperate with or engage in arms trafficking and drug traffickers to obtain funding for their violent operations. Moreover, Drug Barons of South America have formed partnerships with criminal gangs in the Sahel and West Africa to unload their illegal cargo in Sahelian countries such as Guinea-Bissau, where they are carried in pickup trucks to reach desert routes to the Mediterranean, then to Europe.

With al-Qaeda's hostility to the West, its sleeper cells target Western tourists, aid workers, as well as government officials and members of foreign diplomatic missions. The organization was able to collect enormous sums of money through kidnapping foreigners for ransom. Between 2006 and 2011, the organization received about \$70 million in ransom for foreign abductees. In the context of the globalization of radical jihadism, al-Qaeda has transferred these tactics to its other groups, such as the Boko Haram group, which later became an Islamic state organization in 2015.

## **The Geology of Violent Jihadi Groups in the Sahel: ISIS Vis-à-Vis Al-Qaeda**

Violent and terrorist movements in the African Sahel, in its broad sense, are generally characterized by relative independence and decentralized decision-making in planning and execution. However, they are part of larger terrorist movements linked to them through allegiance. By following the extreme jihadist ideology on the African front, we can distinguish between two extremist ideologies whose believers seek control of the Sahel. Each has its own objectives: ISIS against al-Qaeda in the Islamic Maghreb. Although they use the same means and tactics, their political aspirations are different; they compete over global jihadist leadership. While al-Qaeda is targeting the "far enemy" represented by the Western countries, ISIS "Daesh" leads regional wars against the "near enemy" (Hassan 2016). It should be noted that those who adopt the theory of the near enemy are lenient in the rulings of Takfir, especially a specific person and non-excuse for ignorance. This expansion was done by al-Zarqawi and al-Baghdadi in the Takfir of the Shiites in general. Some Daesh leaders even called them the original infidels, not apostates, and extend the takfir to include all those who work in politics or the security, military, and judicial apparatus and those who cooperate with the Americans. Abu Bakr al-Baghdadi extended the scope to fight those who refused the pledge of allegiance to him! Whereas Al-Qaeda has considered the USA and the West as the far enemy, their fight comes first above creating non-ending local sectarian fronts within Muslim countries.

## **Al-Qaeda and Its Affiliates in the African Sahel**

### **Al-Qaeda in the Islamic Maghreb (AQIM)**

AQIM covers almost eight countries in the Sahel. The organization consists of four battalions, the most active and effective is al Furqan. The context of this

establishment is linked to a series of transformations in the Maghreb Salafist Jihadist movement or al-Qaeda. The security pressures that followed jihadist groups, especially after the events of September 2001, led to the search for safe havens in the Sahel and Sahara. Some leaders of GSPC specifically conducted intellectual reviews of priority issues and the nature of the necessary alliances. Controversy raged between localization and globalization supporters in the organization. This debate has led the leader of the Salafist GSPC, Abu Musab Abdul Wadud, to declare his allegiance to al-Qaeda on September 11, 2006. In 2011, MOJWA, which are active mainly in southern Algeria and northern Mali and targeting all West African countries, broke with AQIM. Thus, the operations of AQIM have become focused mainly on Mali, since September 2012. Indeed, al-Qaeda has been able to exploit Mali's security vacuum to carry out its terrorist operations against government forces and international peacekeepers (Marret 2008, 541–552).

### **Somalia's Mujahideen Youth Movement (MYM)**

East Africa has witnessed the presence of al-Qaeda leaders and other Islamist extremist groups since nearly three decades ago. Al-Shabab emerged early this century amid the proliferation of Islamist and tribal militias that took control of the Somali scene after the collapse of the central authority in 1991. The turning point is, however, that the Union of Islamic Courts in 2006 took control of Mogadishu with the support of al-Shabab (Barnes and Hassan 2007). Unlike tribal militias, al-Shabab has adopted a deeper religious vision aimed at uniting all ethnic areas inhabited by Somalis in Kenya, Ethiopia, Djibouti, and Somalia under Islamic rule (Hansen 2013). Al-Shabab leaders have trained and fought with al-Qaeda in Afghanistan, and some al-Qaeda members in the region have been linked to the Somali group since the first training years.

Al-Shabab emerged in 2006 when militants inside the Islamic Courts called for a jihad against neighboring Ethiopia. When Ethiopia intervened directly and deployed its own forces in Mogadishu in late 2006 after the overthrow of the Islamic Courts, al-Shabab managed to use historical anti-Ethiopian sentiment in Somalia to fight the Ethiopian army and other regional forces deployed under the auspices of the African Union.

Since 2009, Al-Shabab has been able to consolidate its relations with al-Qaeda, which has left its clear mark on its organizational structure and strategies on the operation theater. Al-Shabab's association – at least intellectually and ideologically – with al-Qaeda has changed some of its leadership elements. After the death of its leader, Aden Hashi Ayro, in May 2008, a number of al-Qaeda members reached senior leadership positions in the organization (Roggio 2010). On the other hand, al-Shabab used relatively traditional tactics in 2008 against the Ethiopian invasion forces in Somalia. However, the group's growing ties with al-Qaeda have led to increased reliance on the path of suicide attacks as a means to achieve its ends. This shift largely reflects the strengthening of the relationship between al-Shabab and al-Qaeda.

However, despite the relative cohesion of the Mujahideen, disagreements have emerged regarding the position towards Daesh in Iraq and the Levant. It

is true that most al-Shabaab cadres and leaders have publicly remained loyal to al-Qaeda, but some violent tactics adopted by Daesh have gained support from some individuals and factions inside the movement. In March 2015, the Islamic State issued a letter to the emir of the al-Shabab movement referring to the similarities between the African Union forces in Somalia (AMISOM) and the international coalition forces against Daesh, inviting the movement to join (ISSP 2016). In any case, despite the loyalty of some Somali jihadists to the Daesh under the absurdity and chaos of the Somali scene, the Mujahideen Youth Movement has remained loyal to al-Qaeda's line of thought and methodology.

### **JNIM and the Second Birth of al-Qaeda in the Sahel**

Some scholars of Islamist movements may see the al-Qaeda star begin to decline in the context of the post-Daesh era in Iraq and Syria, but real evidence strongly suggests otherwise. The conscious reading of the statements of the leading figures in the organization, its stated objectives and its strategy to achieve these goals, and adapting them to the new circumstances lead us to provide a different assessment. Al-Qaeda has benefited greatly from the rise and decline of Daesh, in addition to the conflicts that swept the Islamic world from east to west, during the Arab Spring. Al-Qaeda has been working hard throughout the Muslim world to regain the leadership of the Salafi Jihadist movement, drawing on the blows that Daesh has received in Iraq. Al-Qaeda shift towards decentralized operations and the fragmentation of its network has also led to the building of resilience within the Organization and its adaptation to the pressures of the US-led counterterrorism measures. With some pragmatism and sometimes even cooperation between the active radical networks on the ground, the rivalry between Daesh and al-Qaeda has been confined only to the upper level of the two movements (Zimmerman 2013). In the event of Daesh global network decline, al-Qaeda will be able to attract its members and integrate its capabilities into its own organization. Al-Qaeda, in contrast to Daesh, presents itself to the followers of the Salafist jihadist as more moderate than Daesh, gaining acceptance among the population who seek to defend themselves from the oppressor. Finally, the Western countries' focus on combating Daesh and the spread of civil wars and conflicts in Islamic countries has given al-Qaeda an opportunity to focus on its strategic objective of restructuring and changing Muslim societies over the long term, as we have mentioned.

Al-Qaeda has been able to improve its image in the post-Arab spring and focus on the presence of a local popular incubator at any cost. This transformation is essentially a turning point in al-Qaeda approach that focuses on the people, as a means of establishing themselves in local contexts. Al-Qaeda operates strongly through the Salafist jihadist base to transform Sunni communities to voluntarily accept its ideology. The spread of violence, the fragility of the state and its inability to meet the basic needs of citizens, such as the case of the Sahel-Saharan states, create an environment conducive to the existence of al-Qaeda and Salafist jihadist groups. Al-Qaeda indirectly presents itself by local partners who serve the needs of society. It is no secret that local communities receive basic aid linked to an Islamic discourse that



helps spread the concepts and ideas of the jihadist Salafists. In addition, al-Qaeda has been able to employ many nationalist insurgencies such as the Tuareg and the Macina Liberation Front. This means that al-Qaeda is trying to fill the gaps and corruption of ruling elites in a way that will enable it to deliver its message along with basic services. Al-Qaeda organizes and distributes resources through charities, Salafi organizations, and sometimes even some local Salafist officials.

On March 2, 2017, the Azawadi leader Iyad Ag Ghaly appeared in a videotape and gave a speech in Arabic, announcing the unification of all the Jihadi groups into a new organization called the “Support of Islam and Muslims” (JNIM) and declaring his allegiance to al-Qaeda leaders. This merger undoubtedly led to the unification of a number of the largest terrorist organizations in the Sahel which includes the following:

1. **Ansar al-Din Front:** founded by Iyad Ag Ghali in December 2011 in the city of Kidal, northern Mali. Its main aim is to apply Islamic law throughout Mali. Since its inception, the group has been targeting nationals of Western countries, especially those working in peacekeeping missions. In terms of its intellectual and ideological convictions, the group reflects the same orientations of AQIM. In the 1990s, during the Tuareg uprising, Ghali attempted to seize power but failed to overthrow the Mali government. It is interesting to note that in October 2011 Iyad Ag Ghali presented himself as the leader of the National Movement for the Liberation of Azawad (MNLA), a transitional group seeking the establishment of the independent Tuareg state, but the group rejected him because of his jihadist and extremist views regarding the application of Islamic law in Mali. This Azawadi rejection to Gali push him to establish the Ansar al-Din (Gaffey 2016).
2. **Al Murabitoun Battalion:** A violent jihadist group in the Sahel and West Africa aimed at the application of Islamic law. The group was formed in 2013 as a result of a merger between the al-Mulathamun Battalion (“the Masked Battalion”) and the “Tawhid wal Jihad” movement in West Africa, and it is clear that both were members of AQIM. The group announced that it was targeting France and its interests in the region in order to defeat France and its allies in the region. In May 2015, the co-founder of the group, Adnan al Sahrawi, pledged his allegiance to Daesh. However, Mokhtar Belmokhtar refused this pledge and confirmed his allegiance to al-Qaeda, and renamed the movement to become: “al-Murabitoun - Al-Qaeda in West Africa” (Black 2009). In December 2015, the Murabitouns merged with AQIM after a joint attack on the Radisson Blu Hotel in Bamako. Since that attack, the Murabitouns have taken a leading role in al-Qaeda operations in the region.
3. The **Masked Battalion**, headed by Algerian Mokhtar Belmokhtar, known as “One Eyed,” was listed by the United States on December 18, 2013, as a foreign terrorist organization.
4. Organization of the **Great Sahara**, which includes six battalions, all belonging to AQIM,

5. **Macina Battalions**, a terrorist group that adopts the ideology of al-Qaeda but is based on ethnic “Fulani” principles. It is Led by Amado Koufa, a close ally of Ghali who fought alongside the jihadists during the takeover of northern Mali in 2012.

## **The Organization of the Islamic State: African Daesh**

As a result of the Libyan crisis, many violent jihadist groups and factions have spread in neighboring countries, particularly Niger, Mali, and Nigeria. Some factions have united in the regions of the Maghreb and the Sahel and pledged allegiance to the organization of the Islamic state and its leader Abu Bakr al-Baghdadi.

Thus, these extremist groups have emerged to operate beyond the borders and frameworks of the traditional state.

### **Nigeria’s Boko Haram**

The meaning of Boko in the Hausa language, which makes up more than 70% of the population of northern Nigeria, is Western education. Therefore, the verbal translation of the name of the group means the prohibition of Western education. Agbiboa (2015) argues that this group has been severely affected by the Taliban Afghanistan model. It adopted a narrow vision of Islam, which saw Western education as infidelity and deviation from the true Islamic religion. Therefore, this education ultimately leads to the weakening of the Islamic community. Interestingly, no one in Nigerian society has taken Boko Haram’s claims and beliefs from the outset seriously. But many Nigerians were looking at the members of the group who had given up their beards and wore a certain garment with great contempt. However, the development of events later proved the mistake of this unthinkable view of the strength and influence of Boko Haram in and around Nigeria.

In the early years of its existence, the group mobilized many followers in the states of Bauchi, Yobe, and Borno, where students left their universities and schools. Some high-ranking professionals abandoned their work and sold their own property in order to join the group and contribute to jihad for God’s sake to rid Islam of influence and hegemony West.

The Boko Haram group relies on building its intellectual vision on three pillars:

The first is the prohibition on dealing with existing state institutions because they are corrupt and infidel. The banking system is based on usury or Riba and Islam denies interest. Taxes and other statutes, such as land laws, violate God’s law. The second pillar is the prohibition of Western education because it is nonIslamic and violates the teachings of Islam. Therefore, the third pillar in the mind of the Boko Haram group is to escape from all these vices in the infidel society and migrate to distant sites and isolated areas far from the cities.

The Boko Haram depends largely on the Kanuri ethnic group as a major source of recruitment. It is known that the Kanuri make up about ten million people living in northern Nigeria and some neighboring countries such as Cameroon and Chad.

The Kanuri was associated with the rule of the Kingdom of Kanem Bornu during the period (1086–1846). This ethnic factor is partly explained by the fact that the Boko Haram group sought to declare the Islamic Caliphate in 2014, before pledging its allegiance to Da'ish. This ethnic component undoubtedly gives special attention to the analysis of the nature and development of violent jihadist groups in Africa compared to their counterparts in the Arab world and the Middle East regions. Generally, Boko Haram has been able to benefit from cross-border affiliations and support. There are long-standing regional networks of close ties and trade relations, the influence of local leaders, and growing public resentment among disadvantaged youth.

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## **The Mobile Caliphate State Across the African Sahel**

From a geopolitical perspective, the challenge of global jihadist networks in the African coast to the authority of the traditional state and national institutions is also a symbol of the growing phenomenon of nongovernmental actors based on violent terrorism around the world. We are faced with a phenomenon like the mobile state, that practices the traditional State functions in accordance with the Westphalia system, except for the question of compliance with international obligations. The jihadist organizations themselves, despite assuming the functions of the virtual state, cannot restrain their movements according to the state system in the current system of international relations. For example, the concept of deterrence cannot survive asymmetric conflicts against violent jihadist groups. The principle of deterrence is very simple in essence (if you commit an act, its harm will be greater than its benefit). As opposed to this traditional understanding, jihadist networks are not related to political boundaries or the state system, which makes deterrence or retaliation ineffective. With the increasing progress in modern technology and the information revolution, the jihadi networks allowed their members to operate freely and to deal instantly on a case-by-case basis. By properly using the Internet, these organizations increase their access to a broad base of followers and public, which can be influenced beyond national boundaries. The use of the Internet was necessary to expand the activities of Al-Qaeda, ISIS, and other global jihadist organizations. These organizations, through the Internet, can prepare attacks, communicate and broadcast their media messages, and train new recruits (Pawlak 2015).

It is important to know the specific features of the violent jihadist organizations, since Boko Haram is not al-Qaeda in the Maghreb or Al-Shabab in Somalia (Varin and Abubakar 2017). Each of these groups requires a different pattern of national, regional, and global responses. On the other hand, the previous analysis helps to identify the kinds of gaps that jihadist groups are trying to fill, especially in the case of the inability of the national state to perform its traditional functions. However, the increasing jihadist position in its complex networks is subject to continuous transformations that may often be very pragmatic or obvious opportunism. There is no doubt that the ability of these groups to exploit the contradictions of Al Sahel in terms of its environmental and societal dimensions and international defiance has become an important factor contributing to its survival and continuity. We can highlight some of the features of the virtual Caliphate State in the African Sahel as follows:

## Numerical and Intellectual Multiplication of Jihadist Groups

In 2007, when GSPC pledged its allegiance to al-Qaeda, the Sahel region of West Africa defined three extremist jihadist groups: the Salafist group itself, which declared allegiance to al-Qaeda and became its branch in the Islamic Maghreb; and Boko Haram, established in 2002; and then the Islamic Courts in Somalia, which eventually led to the creation of al-Shabab. This fragmentation and proliferation in the number of violent jihadist Salafist movements in West Africa and the Sahel could be explained by two main factors: the first is the intellectual division within the parent organizations and secondly the desire to be free from the burdens of leadership and independence in decision-making on the battlefield. Thus, the opposition within al-Qaeda led to the emergence of the Tawhid and Jihad movement in West Africa. Moreover, the opposition within the National Liberation Movement of Azawad led to the birth of the Ansar al-Din movement. The “masked” battalion tried to exercise some degree of relative independence, changing its name to “signatories with blood.” The latter joined forces with some of the Tawhid and Jihad groups in West Africa to form the Murabitun battalion.

Perhaps, the most prominent features of intellectual attraction within the jihadist organizations in the African coast was the swing affiliation within the Murabitun between al-Qaeda and ISIS. On May 13, 2015, Abu Al-Walid Al-Sahrawi, its leader, pledged allegiance of the Murabitun to the Islamic State and its leader Abu Bakr al-Baghdadi and called upon all jihadist groups to swear allegiance to the Caliph. However, Mukhtar Belmokhtar, the leader of the organization, rejected the Sahrawi emirate, as already explained, and denied linking to ISIS or the allegiance to its prince Al-Baghdadi. Belmokhtar confirmed that the Sahrawi statement “does not bind Shura Al-Murabitun,” and “a clear violation of the founding statement that defined its approach and behavior,” which adheres to what he called “the pledge to Ayman al-Zawahiri on jihad for the sake of God.”

On the other hand, 2016, the seventh anniversary of the re-establishment of Boko Haram in July 2009, is a turning point in the progress of the group, which certainly affects the features of the geostrategic landscape of radical Islamic groups not only in Africa but in the global jihad networks. In August 2016, the movement split into two factions: one led by Abubakar Shekau, after the death of its founding leader Mohammed Yousuf in 2009, adopts a more radical and violent approach, and pledge allegiance to the Islamic state khalifate Abu Bakr al-Baghdadi in 2015. The second faction was led by Abu Musab al-Barnawi who assumed command of the organization as the Wali of the West African region on August 2, 2016. Al-Barnawi, the son of the group’s founder, Mohammed Yousuf, served as spokesman for the group under the leadership of Shekau. The split between the two factions appears to be of an ideological nature, with Barnawi refusing to target civilian Muslims, while Shekau tends to take away both the state and society (Onuoha 2016). No doubt, this division between the leaders of the two factions might lead to a violent confrontation for control and devotes the state of intellectual hostility between them. Each faction must try with all its might to acquire more resources and followers. Noting that while the Daesh-supported Barnawi faction controls much of northern Borno state, which shares the border with Niger, Chad, and

Cameroon along the shores of Lake Chad, the Shekau faction controls the central and southern parts of Borno State, where the Sambisa Forest are located.

Here arises a question on the future of this numerical breeding of violent jihadist organizations in the African coast. First, the intellectual opposition is the main factor behind the creation of new groups expanding in areas that suffer from the absence or fragility of the national state. Thus, the shifts in the geostrategic environment in West Africa (Senegal, Côte d'Ivoire and other countries) or even in Central Africa can lead to the dominance of violent jihadist forces, especially al-Qaeda, and to a lesser extent the organization of the Islamic state, taking advantage of some intersections and commonalities with the separatist movements in the region, such as Ansar Al-din movement (Bassou and Guennoun 2017). On the other hand, regional counter-terrorism groupings necessitate the need to unite forces and resources in their battle against government forces. This shift does not necessarily mean that the jihadists will form a united front, but it will be reflected in the form of a network of logistical support, supplies, or training and safe havens for terrorists.

### **Toyota Land Cruiser Mobile State**

Most field research has indicated a common denominator among conflicting parties in Africa, rebels, and governments. It is a Toyota Land Cruiser, mainly made in Japan for civilian purposes, but is now a preferred weapon for attacks in Africa. Due to its technical characteristics, the car is expanding operational theaters (Elhag 2013). It is widely used in dry areas such as the African Sahel and Sahara. This four-wheel-drive vehicle is used by jihadists and guerrillas to transport arms, ammunition, and supplies. It is also ready to carry anti-aircraft guns or heavy machine guns. The nature of jihadist violence has changed to a high degree of mobility and maneuverability. Al-Qaeda or its jihadist groups, using its Toyota, are trying to show their power and ability to hurt African governments. In addition, these land cruisers have been widely used in illicit activities, human trafficking, small arms trafficking, attacks on traffickers by looting of their trucks and goods, and even increasing attacks on banks or other public services in towns or villages. These criminal offensive acts that spread fear among civilians involve the use of Toyota Land Cruiser and thus can be seen as one of the tools associated with the increasing violent jihadist tide in the Sahel and Saharan Africa.

African governments are spending large sums of money to buy land cruisers to be used against violent and terrorist movements rather than using their resources for development. The various regional and international powers are also supplying the rebels with "Land cruisers" to destabilize or overthrow governments to serve the interests of these external forces. Toyota and the Japanese government receive huge economic benefits from selling these land cruisers to African countries; at the same time, these vehicles with their high technological capabilities, help exacerbate the conflict in areas with a jihadist range. Activists and human rights activists pose a moral question related to the responsibility of Japan, the companies, and

governments benefiting from the sale of these vehicles in Africa, which are used for military purposes, some responsibility for the aggravation of conflicts and the accompanying loss of life and property. Some call for the application of mechanisms to restrict or prohibit the distribution and use of Toyota for military purposes (Conflict Armament Research 2016). This may be feasible by monitoring and regulating the sale of these vehicles in Africa in the same way as the arms trade.

## **Use Peripheries to Attack Centers**

Jihadi groups have adopted a new strategy to move through the neglected remote areas in the Sahel and to use as a launching pad for attacks. These groups – including AQIM, Boko Haram, the Macina Liberation Front and the Murabitun – have abandoned attempts to control cities and urban centers (ICG 2017). Instead, they used bases in the countryside and desert areas to attack cities and centers of major population concentration. Al-Qaeda and its sisters in the coast are often able to force the national armies to retreat and leave the peripheral and remote areas to fall for the jihadists. At the same time, increased international support has reinforced the historical – unintentionally – trend of the Sahel countries in their relative concentration on the political center areas and the neglect of vast remote areas.

Jihadi armed groups have been operating in the central and western coast since the 1990s. Over time, despite limited efforts to prevent their spread, some of these groups eventually managed to control vast territory, as in northern Mali in 2012 and northeast of Nigeria in 2014. The initial response was largely military. The governments of the Sahel, with the help of western and regional allies, were in the pursuit of jihadist groups from all major occupied cities and destroyed most of their heavy weapons. However, these military successes were not accompanied by the return of the Government's administration to the "liberated" areas. African armies and their allies have often been unable to restore security in the countryside or even on the outskirts of some cities. The continued absence of the state, especially in the area around Lake Chad, along the Mali-Niger border and in the center of Mali, has allowed the jihadists to establish and expand their presence there.

Jihadi groups have been able to adapt to the new situation after withdrawing from urban areas under the government security and military pressure. As shown by the internal correspondence of al-Qaeda in the Islamic Maghreb, found in Timbuktu in 2013, discussions within the Boko Haram group and the split that took place in June 2016, the mounting pressure from the regional armies did not completely undermine the Jihadi groups' ability to move and develop new strategies. Indeed, since 2013, these groups have been able to carry out horrific attacks on West African cities and capitals (such as Bamako in Mali and Ouagadougou in Burkina Faso). More importantly, ongoing attacks on local capitals and towns force government armed forces to give priority to garrisons and security ambushes in return for abandoning vast rural and desert areas. For example, frequent jihadist attacks in and around Gao, Mopti, and Timbuktu in Mali have forced government forces and peacekeepers to increase security in these cities, at the expense of

reducing operations and patrols in rural areas. There are certainly a few exceptions, such as the Kidal region, where the presence of the French army and the intensive government patrols have alienated groups such as Ansar al-Din and AQIM and prevented them from gaining full control. However, due to the inability of the Sahel countries to take full control of various parts of the country, the jihadists managed to strengthen their control in the context of the security vacuum in remote areas.

Regardless of the ambition to establish the Caliphate State, the jihadists chose to penetrate deep into the desert and control neglected rural areas. They are not alone in this endeavor. Other armed groups, such as ethnic militias, transnational criminal gangs, armed gangs, even separatist movements, all seeking to fill the security vacuum left by the central authority. Depending on local formations of power and interests, these groups may fight jihadist groups, simply ignore them or avoid alliances, or establish alliances with them.

Jihadi groups use a combination of threats and persuasion to strengthen their position, provide limited services to some communities, especially security and enforce some rules of justice. In central Mali, jihadi groups offer protection to pastoralists and their flocks, giving local communities the opportunity to challenge the decisions of government representatives or their partners in local elites. Similarly, a faction of the Boko Haram group established partnerships with some local communities in Lake Chad region, by hunting down Hausa immigrants who controlled the booming fishing sector. This local coalition allowed the elements of Boko Haram to seek refuge in the Lake Chad islands, while regional armies were hunting elsewhere. In return for protection or other services, jihadist groups were expanding their influence and strengthening their local roots, as well as recruiting to gain new members.

The jihadis have been able to strengthen their presence among rural and remote communities, which have only recently been integrated into the national state and are poorly linked to the central authority because they are poorly represented in decision-making centers at the national and local levels. These isolated parties include nomads and communities living in border areas, communities living on the mountainous border of Gwoza Hills along the Nigeria-Cameroon border, and those in the marshes of Lake Chad. The jihadist militias are not always successful in consolidating their existence. Attempts by Ansar al-Din Front to acquire a local incubator in southern Mali, along the border with Ivory Coast, failed. The central authority has successfully integrated these areas through a strong network of representatives and tribal chiefs in rural and remote areas, which ultimately enables the national security services to arrest members of this jihadi group.

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## Conclusion

It may be wise not to rush to issue judgments about the end of terrorist groups or to say post-Daesh or post al-Qaeda in the African Sahel in the medium and long-term. It is no secret that the dismantling of Daesh in both Iraq and Syria has led to the creation of the returnees foreign terrorist fighters (FTFs). The relocation of the

FTFs may strengthen the rivalry between Daesh and al-Qaeda to win the African front. The establishment of the JNIM, a branch of AQIM, has revealed the determination of al-Qaeda leaders to counter attempts by Daesh to infiltrate into their areas of influence. In fact, the rivalry between the two movements has become muted and has not reached the level of military confrontation yet. There are, however, two key factors that may lead to the inevitable confrontation between al-Qaeda and Daesh in the African Sahara. The first is the international tendency to support the intervention against Daesh bases in Libya, and the second is linked to the tendency of Daesh to transfer part of its leadership from the Syria and Iraq to the African Sahel. Indeed, this would allow it to relieve pressure on its bases in the Middle East, on the one hand, and on the other, to seek alternative bases and open up a new field of confrontation.

Of course, al-Qaeda in its African wing is broader, hostile to the West (the far enemy) with extreme violence, and jihadists from Algeria are at the forefront of its organizational structure. The Boko Haram group, despite its allegiance to the organization of the Islamic state, focuses in its operations on the destruction of the Nigerian state and the regional neighborhood rather than declaring war against the West. Its dominant ethnic group appears to be descended from the Kanuri ethnicity, which recalls the jihadi traditions of the Kanem-Bornu kingdom in Lake Chad. Despite its non-anti-Western rhetoric, it continues to target foreign nationals and Western installations in the region.

Violent terrorist attacks in countries witnessing various levels of democratic transition, with divided societies such as Burkina Faso, Mali, Côte d'Ivoire, and Nigeria, have shown that jihadist organizations have focused on easily attainable targets. Beach resorts, hotels, and places of worship are easily accessible compared to police stations or army barracks. As pressure mounts from the military and security systems of the North African countries against violent jihadist organizations, the groups' fighters are likely to move southward to use the desert and the fragile border areas as a safe haven for them. It is not unlikely that the Sahel and West Africa with their highly complex geostrategic characteristics will be the next stop in the global jihad march after the Levant region.

Perhaps the most prominent trends that can be concluded here when considering the future of jihadist organizations, especially al-Qaeda in the Sahel region are as follows:

– Localization of the international character of jihad

There is no doubt that the idea of the localization of Jihadism can create a social incubator and sources of support to strengthen the presence and continuation of these groups in light of the complexity of the geostrategic landscape of the Sahel. This development leads to more complexity and confusion of the confrontations by the security forces because of the lack of clear lines between the Bedouins, on the one hand, and the battles fought by the rebels and jihadists, on the other. Local recruitment has been steadily increasing in the ranks of terrorist organizations since 2013, as a large number of foreigners (especially Tunisians and Algerians) left north Mali to Libya. Examples



like Ansar al-Din and the Macina brigade may confirm this trend. The same is true of the Somali Mujahideen Youth Movement, which has always maintained a certain distance from al-Qaeda in order to promote its recruitment in the local context.

– Enhancing jihadist “networking” with violent groups

It is quite clear that the militarization of the African Sahel by the international forces will remain for years to come. The foreign powers came to stay in the Sahara and the Sahel. They have not only come to fight terrorism but to achieve other goals, including access to rich natural resources. Jihadist groups will therefore find an intellectual justification for the movement and an ideological basis for recruiting among the Salafist jihadist base in the region. These jihadi groups, under the security pressures, will have to rely on more local partners who carry weapons for insurgency or criminality.

– The jihadist message and the perceived affiliation to the virtual Islamic caliphate.

This message usually focuses on fighting the new colonial enemy that loots Africa’s wealth. The jihadists generally adapt their narratives to suit their local contexts, reflecting some of the concerns of diverse ethnic groups such as Tuaregs Moors, Fulani, and Sungai. Considering the fragile African state, people can easily relate their personal narratives to a globalized discourse on the idea of justice and injustice, which in essence means that the dream of a caliphate is the solution. The procession of the Daesh Caliph, al-Baghdadi in Mosul will be replaced so that any jihadi group having a Toyota Land Cruiser and believes in this message will move forward to achieve this dream.

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## Cross-References

- ▶ [Ethno-communal Conflict in Sudan and South Sudan](#)
- ▶ [Religion and Political Mobilization](#)

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# Consequences of Globalization for the Middle East Political Geography

# 43

Mostafa Entezarulmahdy

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## Abstract

Globalization is a complicated phenomenon, which has a variety of effects. It is a multidimensional phenomenon, and its influences extend to economic, social, political, legal, cultural, military, and technological actions. Therefore, it has influenced many dimensions of human life today. Globalization has paradigmatically shifted into regional–globalization theories. In the field of ethnicity, the globalization process can include different or even contradictory influences. With regard to ethnic variations, the Middle East is a very complicated example. The factor that dramatically dominates ethnicity (ethnic minorities) in the Middle East is the way its dispersion has occurred in the past. It is worth noting the vital role played by loss of awareness and intention in the dispersion of ethnicity in the Middle East. The principal question in this study is how globalization influences the political geography of the Middle East. The study findings, obtained by a

M. Entezarulmahdy (✉)

Political Science Department, Robat Karim Branch, Islamic Azad University, Tehran, Iran

e-mail: [m.emahdi1982@gmail.com](mailto:m.emahdi1982@gmail.com); [entezarulmahdy@rkiau.ac.ir](mailto:entezarulmahdy@rkiau.ac.ir)

descriptive analytical approach, reveal that through mitigation of the power of national regimes, political–ethnic conflicts, and cultural hegemony, globalization could pave the way for separatism, disintegration, and formation of new territories, and will dramatically vary the political geographic composition of the Middle East.

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**Keywords**

Globalization · Ethnicity · Middle East · Political geography

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## Introduction

The emergence of technological revolutions and the fast progress of communication have been interpreted as the drunkenness of the time and have altered the reality of national territories and led to self-awareness of human communities. This heralds a new era during which all aspects of the human life will be affected. One of these affected aspects is ethnicity or, in other words, ethnic groups. Ethnicity and its definitions are influenced by ethnic conflicts, which have been especially augmented since the middle of the twentieth century. Ethnic conflict is an influential factor in the emergence of the globalization phenomenon, which, on one hand, is a response to the conditions imposed on ethnic groups by regimes and governments, and, on the other hand, is affected by awareness on the part of ethnic elites amid the changes occurring in today's modernized world, especially since the emergence of the globalization phenomenon. One region that includes a lot of ethnic groups is the Middle East. This is a region of great political and cultural complexity because of its large ethnic, racial, and religious variations. Globalization is becoming more important to the Middle East and its resident ethnic groups, as it involves a variety of ethnic groups and religions; it also involves different countries in the region. Governments in the Middle East have not been capable of dealing and interacting with each other without conflict, and they have been engaged in ethnic conflicts since they were first established. Taking into account the globalization phenomenon and mitigation of national regimes' power, with penetration of national territories and across boundaries as a result of advances in technical and technological communications – resulting in greater awareness on the part of ethnic groups of preservation of their own cultural values against any threatening factors – some ethnic groups have responded to global public culture with efforts to foil their central governments' policies. Three countries that have experienced ethnic conflicts and disruption between ethnic groups are Turkey, Syria, and Iraq. These countries are suffering from an agitated condition of their ethnic mix and have experienced a revival of ethnic conflicts since the 1980s, when globalization started. These conflicts considerably threaten these countries' central governments (Ghezelsoufa and Habibi 2015: 994).

The focus of this chapter is on the concept of globalization and its impact on ethnicity. The issue of ethnicity and specialism in the Middle East is assessed. Finally, the consequences of globalization for ethnicity and ethnic groups in the

Middle East, and the probabilities of changing the political geography of this region, are appraised. In the following sections, the concepts of ethnicity and ethnic groups are studied.

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## Globalization as a Concept

Various meanings and definitions of “globalization” have been presented by scholars and philosophers. However, a comprehensive definition comprising all dimensions of this phenomenon has not been developed yet; in fact, inconsistent theories are emerging in this field. The present political traditions – whether conservative, liberal, or socialist – have not reflected any reaction or perception in compliance with the globalization era (Held and McGraw 2003). Some definitions of the term “globalization” are briefly given here for clarification.

Held suggests that globalization means an extensive and profound coherence of all dimensions of social life globally, from cultural to criminal and guilt aspects, and from financial to mental and spiritual aspects (Held et al. 2002).

Scholt defines globalization as internationalization, liberalization, universalization, westernization, and deterritorialization (Scholt in Baylis and Smith Jan Aart 1997). He states that globalization is a trend in which social relationships become boundless and free of distance, so that all humans are interacting in this world (Khor 2001).

Robertson defines globalization as squeezing and minimizing the world and expediting the knowledge toward the world as a whole. He and Giddens define globalization as realization of global conditions where local and national cultures are cohering and gathering. From their point of view, the term “globalization–localization” has been developed in accordance with Robertson’s definition (Robertson 1992).

Albrow states that “The present era has experienced fundamental variations in the essence of the social actions and organization of individuals and social groups.” This era, which is appropriately called the “globalization era,” is a phenomenon beyond the interaction of thoughts, merchandise, capital, and assets at an international level. In addition, in a subjective viewpoint, globalization conveys dismissal of categories, old friendships, and allegiances, and instead substitutes new emerging values for old merits and criteria, as well as homelands, nations, and religion (Albrow 1996). As Albrow and King assert, globalization covers the entire movements with which all people of the world are interacting at international and global levels (Albrow 1990).

Marks and Angles also emphasize the necessity of understanding the history of capitalism for a proper perception of globalization, as capitalism has typically been considered a key factor involved in global economic and cultural integration (Lowy 1998). Therefore, from this perspective, globalization is coupled with capitalism (Sweezy 1997).

In Ohmae’s viewpoint, the important conclusion of globalization theory is the gradual loss of national and governmental borders, such that natural resources are not the only keys to wealth and well-being, local borders are meaningless (and,

thereby, military weapons are not a substantial source of power with respect to real industrial activities and knowledge), and mankind is armed with science and knowledge through which we can guarantee our power and follow prosperity in our lives (Ohmae 2002).

In these circumstances, the special roles and positions of governments and governors in international relations will decline. To fully understand and lead economic action approaches and the emerging nature of a borderless world, one cannot focus on a nation's government as a unit. Ohmae suggests *government–nation* regions instead and stresses that new lines have been drawn on the world economic map, which could be referred to as *government–regions* (Ohmae 1990).

Krasner confirms many fundamental changes in the world and challenges the opinion that globalization has revolutionized the nature of human society and the social–political organization of mankind. As an expert, he asserts that the importance and influence of globalization should not be exaggerated (Krasner 2009).

Using the viewpoints of Held and McGraw, Krasner calls Freedman's perspective exaggerated globalization and refutes it. Krasner refutes the attitude toward globalization that necessitates government gradual weakness and disappearance but not collapse. The total indestructible and exclusive authorities of governments in their foreign and interior policies have deteriorated, and this implies threatened governments (Krasner 2001).

Therefore, in Krasner's viewpoint, the principal role of government–nation orientation and the importance of political leaders and local structures are being shifted by this theory, and government–nations and their leaders have paved the way for globalization and are joining it to utilize the profits of it (Krasner 2009).

Yurgen Habermase expresses that government–nations have been disarmed of their exclusive authority tools to control and lead communities and have become vulnerable with globalization pressures. This vulnerability conflicts with and contradicts the interior national democratic structure and the bases of governments, challenging their legitimacy, so, in this regard, government–land, under the Westphalia concept, will diminish, and borders and territories will no longer provide a proper substrate for imposing authority and occurrence of political, social, and economic events (Habermase 2001).

The most abbreviated and explicit definition of globalization is given in the book *The Consequences of Modernity* by Giddens (2018), which explains that modernity is a global phenomenon which is emerging in some constitutive characters of the modern organizations, specially reforms and abandonment of these organizations (Giddens 2018). From Giddens's perspective, the dimensions of globalization include the global capitalism economy, a nation state system at a global level, global military organization, industrial globalization, and international division of labor (Giddens 2018). Thereupon, these dimensions are keys to the abandonment of social events and detachment of time and space from spatial barriers, and are the basic reasons for the emerging compaction in social relations in the modern era.

Giddens also remarks on some other characteristics of globalization. In fact, these characteristics are the influences of globalization that typically affected human life

during the late twentieth century and are observable. These characteristics include upheaval and globalization of telecommunications, environmental problems, rehabilitation and revival of local and nationalism cultures technology and knowledge globalization, and transformation of routine day life and individual identity (Giddens 2018).

In this chapter, a combination of definitions from Robertson, Ohmae, and Giddens is considered. So, globalization is defined as world compaction and an incremental increase in knowledge of the universe as a whole. The significant conclusion of globalization theory is the gradual mitigation and disappearance of national and local borders and nation states. Nation states will fail to keep their exclusiveness tools for controlling and leading societies and will become unstable, and rehabilitation and revival of local and national culture will occur.

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## Ethnicity

In research articles related to nationalism, terms such as “ethnicity,” “ethnic groups,” “ethnic nationalism,” and “ethnic conflicts” are evident. However, it should be kept in mind that terms such as “ethnicity” and “ethnic conflict” have new and modern roots, and they are seldom found in nineteenth century dictionaries. In general, the term “ethnicity” was rarely used by social scholars till the early twentieth century. The great attention from anthropologists and sociologists to this term refers to the frequent usage of terms such as “racial minorities,” “religious minorities,” “linguistic minorities,” and “nationality minorities,” especially in the era of “melting pot theory” publicity (Ahmadi 1999: 33).

According to this theory, American society and culture was simulated as a melting pot that took in all ethnic groups who immigrated to the USA from all over the world. The criticism of this theory by some sociologists in the early 1960s drew more attention to this theory. Since the 1960s, the term “melting pot” has been used for assessment of North America and Europe and, following that, the Third World.

The key point is that there is no united or consistent definition of “ethnicity” and “ethnic group.” In the literature of research on “ethnicity” and “ethnic groups,” there is no clear definition of these terms, such that the authors assumed that there has been a global and acceptable definition of these terms. In other words, it is assumed that the definitions used for “ethnicity” in the USA are also usable in other regions of the world, but it is not possible to provide a unit definition for these terms yet.

The term “ethnic groups” initially implied a religious concept and pointed out non-Christian groups who had not converted to Christianity. After that, the term involved a racial concept and lost its early religious concept. Therefore, for many years, variant racial groups were used as clear examples of ethnic groups. During that time the religious concept of ethnicity and ethnic groups gradually became obsolete.

Although the race phenomenon has been a discussion issue among anthropologists and sociologists, such that many of them have categorized race as an ambiguous



subject relevant to determined and defined boundaries, the problem is not merely the equality of racial groups; it is a reality that one can see the revolution and evolution of ethnicity definition and ethnic groups. At this stage, religious and racial concepts of ethnic groups are culturally defined, i.e., while the term “ethnic groups” referred to non-Christian groups and then racial groups, at the third stage the meaning was extended further to include racial, linguistic, and religious groups; that is, any group differing in terms of language, religion, skin color, and race from other groups in the community are considered ethnic groups (Ghoshchi and Naderi 2014: 64).

Among social science scholars, there is no united attitude to ethnicity and ethnic groups, and they do not agree on determinant indicators of ethnicity and ethnic groups. From some scholars’ perspectives, race is a credit indicator for ethnic group, while from others’ points of view, linguistic or religious indicators are valid. It seems that the definition of an ethnic group depends more upon the attitudes of the authors than on acceptable indicators for the whole. These problems have arisen especially when social science researchers use these ambiguous indicators and terms in analyzing complex communities, such as Middle East countries. Here, some particular specifications create ethnic boundaries; for instance, in Lebanon, religious differences and variations are a key determinant and boundary between ethnic groups. In countries such as Afghanistan or Turkey, language is the key indicator for ethnic groups (Ahmadi 1999: 48).

Although there is no specified definition of ethnicity that is agreed upon by many sociologists, they all believe that ethnicity includes subjective and objective components. These components encompass interests, intellectual awareness, common benefits, belonging, common interests, and common objective cultures in language, history, religion, and common land, either now or previously.

Therefore, it can be asserted that for accurate and better perception of “ethnicity” it is necessary to consider subjective and objective components through which a good boundary can be drawn to separate this term from other terms.

Younger states that once the following conditions are met, the ethnicity concept is clear:

- Being part of a big community is differently seen by the other parts of it for some properties such as language, religion, race, homeland, customs, and culture.
- Members realize themselves as being pioneers.
- Members participate in common activities on the basis of origin and culture, either real or myths. Therefore, ethnic groups are never individual; they exist in an ethnic system, and existence of an ethnic group reveals the existence of other ethnic groups (Ramezanzadeh 1997: 235).

In fact, the principal function of ethnicity is the connection of individuals in a group, and it teaches the group where it belongs and whom it can trust. Ethnicity is founded on the basis of behaviors, customs, and common values, and the limits of these shared issues illustrate the boundary of mutual behaviors of ethnic groups.

In globalization, unity on one hand and difference on the other hand form the basic network of thinking, and humans acquire common characters and attitudes. In order to maintain the identity and personate, attitudes, behaviors, and different

cultures continue. In his book *Globalization and Fragmentation: International Relations in the Twentieth Century*, Ian Clark writes that global events suggest that the two processes “globalization and decomposition” occur simultaneously and the world events show their contradiction faces. For example in 1990s, in the field of economy, globalization process dominated while nationalism dominated in the field of politics (Qorishi 2010: 39).

In the early twentieth century, sociology scholars assumed that racial and ethnic linguistic interests indicated backwardness and historical disorders and abnormalities, which were either subjugated by communism, annihilated, or merged with liberal democratic entities in turn. The remaining ethnicity was a primary stage of human community evolution, which would be destroyed sometime or other (Golmohammadi 2012: 159).

Originally, some theorists of globalization theory believed that globalization of culture would lead to dominance and conquest by a globalized culture and that local or regional ethnic cultures would therefore be dissolved in this predominant global culture.

With its compaction of time and space, the globalization process hinders comparison and relativity of cultures, multiplicity of social authorities, and semantic identification of traditional approaches (Golmohammadi 2012: 245). Using the facilities, opportunities, and tools of globalization, subnational groups play a vital role in culture at local, national, and international culture levels, utilizing their media tools. This culturing and identification can, from time to time, coincide with the global and national cultures, and in some cases it disagrees with the local and national cultures. One can analyze and assess the challenges and opportunities burdened by globalization culture in areas such as ethnicity and local culture.

In the next section, following the globalization concept, the background and history of ethnic groups and ethnicity are discussed.

## **Historical Background of Ethnicity and Ethnocentrism**

In general, the terms “ethnic” and “ethnocentrism” have been meant and perceived differently over time, semantically and historically. The term “ethnicity” was first used in 1953 by Rizeman (Fakohi 2010: 16). After World War II it was commonly used for different minorities. Since the 1960s, the terms “ethnic” and “ethnic groups” have been used in sociological and anthropological statements. The term “ethnic group” is applied in the anthropological literature to a population with a high level of autonomy in its biological reproduction, or with common fundamental cultural values gathered in an obvious alliance within cultural forms; they create mutual relations and involve a sense of belonging to an external reality, which decomposes them. The modern concepts of ethnic groups and ethnicity emerged during the 1960s after the third stage of national government establishment in colonies that had become independent after World War II and following a decrease in the military power of the Western European countries. Chronologically, it is better to state here that the term “Third World” also emerged in this era. Terms such as “ethnic” and

“ethnic groups” apparently pointed out the predominant resident groups in pluralist communities. These groups differ in terms of their language, culture, and appearance from the majority groups in their communities (Ahmadi 2010: 35).

## **Dispersion of Ethnocentrism in the World**

Ethnic and cultural heterogeneity and number in political units of the world is a popular and realized issue in the world. Today, in some regions of the world, variant ethnic groups and tribes living together peacefully have founded the fundamentals of powerful entities such as the national states and formed a united entity called a national government or identity. However, in a considerable number of other parts of the world, ethnic prejudice and racism – and, following them, ethnic crises – are phenomena that have caused great disasters for human beings. Even now, in the twenty-first century, and despite scientific and academic advances, wars and violent ethnic conflicts are seen across the world. In a study conducted in 1970, Conner stated that among a total of 132 countries in the world, only 12 were integrated in terms of ethnicity. In 25 countries, an ethnic majority was dominant, while in 53 countries, five main and dominant ethnic groups existed. Recent research has revealed that only 14 countries include very small ethnic minorities, and only 4% of the global population live in countries with just one ethnic group (Haghpanah 2002: 3).

## **Third World Countries and Ethnocentrism**

Third World countries include more than 70% of the world population and 58% of the Earth area. Ethnocentrism poses challenges to Third World countries, and the crisis conditions of ethnic majorities are an important aspect of this encounter. In general, cultural transformation in global integration is the biggest risk that cultures and subcultures face. The history of these countries shows peaceful dealing with these ethnic groups and subcultures. Nevertheless, slogans are not sufficient, as the world today and the modern era necessitate international agreements and retention of all citizenship rights to prolong and preserve stability and connect governments to nations. One of these differences and divergent currents is ethnic distinctions within a country. Today, few countries in the world are composed of just one ethnic group, and over 80% of United Nations (UN) member countries include a variety of races and ethnic groups. Around 37 wars in the world have been specifically caused by ethnic conflicts. In this regard, ethnocentrism research in the Third World reveals that ethnic nationalism is the most significant factor in political and social threats to weak governments (Ahmadi 2010: 53). Third World countries have been referred to as multiethnic countries, as most have been formed from separate ethnic groups. This is not extendible to all countries in the world, but it seems that ethnic conflicts or wars in the Third World hinder national development more considerably than in developed industrial countries. Most Third World countries, especially those in Asia

and Africa, are enclosed by fictitious borders imposed by colonialists when leaving those countries, and do not take account of historical ethnic or tribal divisions (Saei 2015: 124).

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## Globalization and Ethnicity

Globalization consists of various important specifications, as well as the authenticity of varieties and differences. In the globalization era, differences and varieties are emerging in the form of various identities. Identities are not as robust as they were in the past, and they have become revolutionized and changed. Castells maintains that all identities are rebuilt (Castells 2001); moreover, in the globalization era, individual and social identities are simultaneously developed and rebuilt and are consistently being varied (Ghoshchi and Naderi 2014).

Today, globalization is not recognized as the only factor in assimilation and homogenization, as globalization does not necessarily conflict with localization. These two concepts are in close correspondence as a result of united dynamics, which are sometimes referred to as “global–localization.” From Robertson’s perspective, globalization is not merely a process linking pre-existing locations. He prefers the term “local–globalization,” as it asserts, in its original definition, a global perspective, which also takes into account local conditions. Thereupon, heterogeneity is created and recreated consistently through globalization approaches (Nash 2001).

The globalization process can result in contradictory influences, both homogeneity and heterogeneity. Where the authenticity of pluralism of globalization theory at a national level is concerned, the pluralism model and then homogeneity and coherence can be reached among local and ethnic groups through a national culture, and globalization opportunities and profits will be applied accordingly (Ghoshchi and Naderi 2014).

## Perspectives, Theories, and Trends in Ethnicity and Ethnos

From the perspectives of Robertson, Giddens, Castells, Steward Hall, Barber, and some other scholars, globalization, on one hand, intensifies integration and, on the other hand, enhances ethnic identities and special trends. Giddens accounts for the mutual increasing influences between the two final limits of overseas and interior borders as one of the distinctive properties of modernity or, in other words, global effects on one hand and national effects on the other hand (Giddens 2018). In other words, this phenomenon assists the development of social space by wonderful advances and revolutions in communication technologies and transportation, and dissolving of human boundaries. Consequently, to avoid the merging of global cultures, some cultures try to avoid merging by creating closed local borders and barriers, or they actively defend their local position against merging and the invasion of global culture. Revival of local cultures is important for specialism as they intend to separate this space from their local and particular cultures. In today’s world there

are many varied specialisms in different fields of religion, language, and ethnicity in both developed and underdeveloped communities (Ghezelsofla and Habibi 2015).

Roland Robertson recognizes the concept of globalization as the best definition to understand this process by assessing and reviewing studies conducted on globalization. On the contrary of the viewpoint which defines globalization as compaction and squeezing of the world, which has been consistently involved with creation and adsorption of local culture, has drawn his attention to the apparently conflicting approaches of globalization and localization, which converge generalism with a sort of specialism. The best example of this status might be the approach of Augustin in the field of divine and terrestrial rules, who expressed that these two rules will always coexist. For generalism and specialism in globalization, some intend to homogenize and others try to dehomogenize. From Robertson's perspective, the two approaches are simultaneously the complements of each other and are cohered. However, they might inevitably impact, and this actually has occurred (Robertson 1992).

Stewart Hall puts forward a viewpoint similar to that of Robertson, in which a return to localization is a reaction to globalization, which people reflect when faced with a special form of modernity trend, and they try to recede from globalization on the basis that "we are not aware of it and are not capable to control it, we do not know the policy to face with or dominate it." This approach is strong and comprehensive. Everything trends toward it, and some limited fields remain as small gaps, which we should act on. These limited exemptions from merging are referred to as "cultural specialisms" constituted in reaction to "globalization." As Hall also mentions, "what we typically call globalization is not an event imposed on everything systematically to assimilate." In fact, globalization through a specialism approach creates special spaces, places, and ethnics, mobilizes special identities, etc. So, there is a permanent conflict between localization and globalization (Hall 1997).

Manuel Castells is also another reputable researcher in this area. He declares that all identities are rebuilt and that the materials used to build identities are history, geography, biology, productive and reproductive organizations, collective memory, individual dreams, power systems, and religious beliefs. However, individuals, groups, and communities nurture these raw materials and suggest their definitions in accordance with social requirements and cultural projects rooted in their social and time-space framework (Abdollahi and Ghaderzadeh 2009).

Castells points to three types of identity: legitimate, planned, and resistive. Legitimate identity is generated by prominent organizations in a community to develop their prominence among social actives. Planned identity (e.g., feminism) is formed once social actives generate a new identity using accessible cultural materials, which redemonstrates their positions in the community, so they try to change the total social structure of the community. Resistive identity, which is the most important type of globalization era from Castells perspective, is generated by actives who are considered "invalids" by the leaders or dominants in the community, or are branded as "disgraced." Thereby, the trenches are constructed for resistance against the principles supported by the community's organizations (Ghezelsofla and Habibi 2015). In the next section, important components and indicators of ethno-centrism are discussed.

## Key Factors in the Formation of Ethnic Nationalism in Multiethnic Communities

In general, effective factors in formation or intensification of ethnicity vary depending upon the special conditions of each society in multiethnic communities, as follows:

- Power source and distribution structures in the community (economic, political, and cultural)
- Self-propelled nationalism conditions based on three key factors: ideology, mechanisms, and approaches to facing social demands
- Historical experiences of ethnic interactions and relations, specifying whether they have been dominant or dominated, federal or autonomous
- Reactiveness of regional and world powers against the ethnics in a special community
- Geoethnic conditions of each community, population-to-land ratio, and ethnic equality in comparison with the adjacent countries and the types of gaps within the community
- Attitudes and ethnic sensitivity to national identity, profits, security, and government, whether they agree with the central state or a central ethnic
- Discrimination, which is a key factor in raising ethnic problems

## Key Factors Intensifying Specialism in the Middle East

The key ethnic indicators in the world include ethnic self-awareness, native language, and, in some nations, the psychological traits of the ethnic groups, lifestyle, specific social organizations with distinct interests, and willingness of a nation for a state organization to be established (Shikhavandi 1990: 276). Yourdshahian (2001: 16) states that a few factors are very important for ethnicity and ethnocentrism:

- (a) *Race*: Among primitive groups, during the medieval era, and maybe during recent decades, this has been the key factor in the national unity and identity of ethnic groups, but presently it is less prominent in the development of communication and the great integration of the world's nations.
- (b) *Language and culture*: These are the principle bases reflecting the culture of each nation or ethnic group.
- (c) *Traditions and social customs*: The social customs of each nation or ethnic group not only illustrate the functional indicators of that nation or group but are also the principal element specifying the nation's identity.
- (d) *Common homeland*: The individuals' community in a common homeland is the main and important factor in their unity.
- (e) *Land*: Land has played a vital role in the past, but immigration, telecommunication technology, and travel have diminished this role.

- (f) *Economic factors*: This factor plays a determining role in identity change of ethnic groups at the international level.

### **Mitigation of National Sovereignty**

As mentioned above, ethnic specialism is a result of threats by the globalization process to merge communities and cultures. Ethnic groups in the Middle East have publicized themselves during recent decades, using technological tools, including the internet and mass media, to garner public support for reviving their eroded rights. They have attempted to respond to globalization as a factor that promotes a globalized culture, and they intend to preserve their identity and culture. Since both globalization and following that the weak points of civil community and emerging despotism regimes, based on bribery and corruption, which would have never discovered the realities of the conditions as explicitly as the globalization era does, so, as aforementioned, mitigation of the national sovereignty power in this time, and awareness and knowledge increase and facilities to easily learn and communicate which is out of the control of the sovereignty all have impaired the body of the government in these regions.

A clear example of this is Turkey, where it led to improvements in the political and social conditions of the Kurds, as the second-largest ethnic group in this country. The Kurdish demands stemmed from their increased awareness, reflected in the parliament elections of 1991, when the Kurdish people in Turkey elected the Workers' Party, which was a Kurdish party under the control of the Kurdistan Workers' Party (PKK) party leader. So, for example, in Şırnak province, the Workers' Party won 79% of the votes. Accordingly, the Kurdish leaders of the True Path Party (DYP) and the Social Democratic Populist Party (SHP) – Süleyman Demirel and Erdal İnönü – promised to support human rights. This initiation was the first great retreat for Turkish leaders. Also, the armed forces missed their authority and power over the nation, and the political vision had changed (Mac Dowel 2004).

Another example of mitigation of national sovereignty power in the globalization era was the protests of Kurdish people residing in Europe; they started a wide protest in Europe against the arrest of the PKK leader Abdullah Öcalan by the Turkish National Intelligence Agency (MIT) in Nairobi in 1999. The BBC News showed thousands of Kurds shouting *Biji Serok Apo!* (“Long live President Apo!”) together in the street (Mutlu 2007). The interesting point was the instant organization of the protesters through communicative tools, as well as the internet and media, by which they could gather the dispersed population of Kurds in Europe to protest against the Turkish government and could attract global public attention to their conditions. This movement reflected a mitigation of the central sovereignty of Turkey, as the government could not prevent the gathering of the protesters. After Abdullah Öcalan's arrest and death sentence from the Turkish Supreme Court, because of public awareness (especially via Kurds residing in Europe) and pressure from the European Union (EU) to revoke his sentence, the court's verdict was reduced to life imprisonment (Ghezelsoufa and Habibi 2015).

Kemp and Harkavy state that this approach also applies to political conditions in Iraq, as the revolution of telecommunications and development of informative

networks have strongly influenced human behavior in the globalization era, so these communities could never stop accessing their citizens to uncut information, as they tend to be a part of the global economy (Kemp and Harkavy 2004). Today, the Kurdish achievement is seen in the power-sharing constitution of Iraq, and also their media capabilities in Kurdistan regional politics at an international level (satellite channels), along with thousands of Kurdish websites, over 400 periodicals (including 103 newspapers), 14 universities, and, finally, participation of Kurds in the central government, and their power to influence the culture of the Kurdistan region of Iraq (Mohammadi 2010). This is not the end of their activities, as they held an election on December 25, 2017, which was an uncommon political event in the twenty-first century, to establish a new state in the Middle East. This election was held in the Kurdistan region, with rare enthusiasm from the Kurdish people, despite opposition from the Iraqi central government, adjacent countries, the EU, the UN, and the USA. The election committee subsequently announced that 72% of eligible citizens had participated in this election to vote on independence for Kurdistan, and 92% of them had voted for separation and independence of Kurdistan from Iraq.

In Syria, national sovereignty mitigation emerged via use of technological communication tools of the globalization era by ethnic minorities such as the Kurds, Turkmens, etc. The obvious weakening of national sovereignty in Syria happened in 2012 following the Arab Spring in 2011, which started in Tunisia and swept away the borders of Syria, using technological telecommunication tools of the globalization era. Preliminary protests were started by the majority Sunnis against the minority Shias and the minority Alawi sovereignty, and were then continued in the form of threats by ethnic minorities in Syria, especially the Kurds. Finally, on June 19, Kurdish autonomy was announced in three provinces – in Hasakah, Kobani, and Afrin – by the Democratic Union Party (PYD), in accordance with the democratic confederalism of Abdullah Öcalan, which was a breakthrough in both the history of the Kurdish political movement and the world political literature (Hur 2014).

Globalization and ethnicity have become more considerable in the Middle East as ethnic conflicts have increasingly emerged in this region. The complicated ethnic structure of this region and the fictitious borders of almost all relevant countries, which take no account of their ethnic composition, have been major factors in the problematic ethnic conflicts in this region from the beginning of the globalization era. After the 1980s, the PKK, which was not well known, initiated military and insidious operations against Turkish authority in eastern parts of Turkey. In fact, the PKK, as the representative of the Kurdish radical movement since the 1980s, influenced the international and local policies of Turkey for two decades, which led to the deaths of 35,000 military and civilian people (Chegenizadeh and Asartemer 2001).

In Syria, an example of ethnic conflict occurred in 2004, during a football match in the Kurdish city of Qamishli, between Arab and Kurdish fans, which resulted in the killings of dozens of Kurds and the arrests of 2000 Kurds by the police in response to Kurdish protests against their living conditions (Hur 2014). Moreover, following the start of the Arab Spring movement in Tunisia in 2011, Syria was affected within 1 year and extensive ethnic conflicts and wars began, during which



various ethnic–religious groups of Kurds, Arabs, Turkmens, Sunnis, Christians, etc., fought, resulting in the deaths of 200,000 people since 2011. In Iraq, which is still involved in ethnic–religious conflicts, 15,000 people were killed in 2014 alone, most of whom were Iraqi civilians (Shafaghna 2014).

### **Deterioration of Political–Ethnic Conflicts**

Different statistical references show that today over 80% of UN member countries are ethnically variant and plural, and encompass two or more ethnic communities. These communities have competed peacefully or aggressively to dominate regimes and/or to achieve independence, autonomy, and success. Approximately half of these local and regional conflicts have started since 1989, which was the end of the Cold War or the start of the modern world order. Globalization started precisely at that time and began to extend in all dimensions. For a better perception of how globalization has resulted in augmentation of political–ethnic conflicts all over the world, one should consider the characteristics of this process (Golmohammadi 2002: 164).

Ethnic movements are influenced by globalization in the following ways: globalization accelerates the decline of governments and governors, and transnational relations pave the way to progress the willingness and goals of ethnic movements and decrease government powers to fight and repress them violently. For example, the Zapatista movement rapidly changed into a global movement using these relations. Moreover, in some cases, the outcomes of globalization cause these conflicts. For example, the Hawaiian indigenous movement started as a result of the destruction of Amazon rain forests (Schultz 2001: 210).

With the start of the globalization process, which was followed by the collapse of the Soviet Union and its segmentation into 15 independent countries, there was a return to balkanization and, with the termination of Russian domination of the politics and culture of the eastern European countries, repressed interests and customs were revealed and rehabilitated, and a political mobilization occurred on the basis of cultural and ethnic self-awareness across the whole region. Yugoslavia collapsed without any majority of ethnicity, and four new republics – Slovenia, Croatia, Bosnia and Herzegovina, and Macedonia – announced their independence. However this ethnocentrism was, in some cases, very violent, particularly in Bosnia and Herzegovina. This disaster suggested that the Cold War and the ideology of hegemony could only inhibit such conflicts for a short time (Golmohammadi 2002: 173).

### **Cultural Hegemony**

One of the challenges of globalization is westernization, which has met with different reactions in the Middle East (Kachuyan 2007: 65). Globalization aids promotion of subcultures and specialism, in addition to its promotion of global public culture as modernity (according to the communication tools that are prepared for its audiences), and, given that globalization has originated in the West, most cultural currents in Central or Western countries are produced under this influence and penetrate other regions of the world, and the words, images, ethics/values, space regulations, constitutions, and other authorities penetrate from the West to the East or other Third World countries through media (Shiroudi 2007: 39).

From the perspective of these regions' leaders, globalization is a threat and forces Western culture onto other nations, necessitating urgent preservation of local cultures by nations to withstand globalization.

Legrain describes these perspectives interestingly: "Fears that globalization is imposing a deadening cultural uniformity are as ubiquitous as Coca-Cola, McDonald's, and Mickey Mouse. Europeans and Latin Americans, left-wingers and right, rich and poor – all of them dread that local cultures and national identities are dissolving into a crass all-American consumerism. That cultural imperialism is said to impose American values as well as products, promote the commercial at the expense of the authentic, and substitute shallow gratification for deeper satisfaction" (Legrain 2003: 223).

In the Middle East, the same conditions exist, as Alsoudi suggests: "With its economic, political, and cultural dimensions, all over the world, globalization is spreading in the Middle East. Therefore, today, some scholars of the Middle East believe that globalization threatens identities and cultures of the region. For instance, Abdollad Turkey warns that globalization as a process separates the human from his culture and identity and spreads disaster into the world (Alsoudi n.d.: 43).

Nevertheless, by integrating and merging communities, in addition to mitigating centralized power and the influence of national governments, globalization can enhance the power of ethnic groups and is a threat to the national and ethnic communities existing in the Middle East. Therefore, ethnic communities that are faced with this new threat try to preserve their identity and culture, so different ethnic specialisms are seen from different perspectives, which are, in fact, their attempt to preserve their identity and reflect their powers to their governments. The ancient urbanity and civilization in the region and preservation of traditional roots and structures are important for promotion of global public culture in the Middle East that can be seen in almost all ethnic groups and religions residing in the region. Thereby, nations that have battled to preserve their values and customs against nationalistic policies and government integration policies will take more initiatives to continue this preservation.

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## Conclusion

The Middle East has invariably experienced challenges and conflicts in the heterogeneous composition of its demographic geography. This heterogeneous composition has tangibly appeared especially since World War I. The collapse of the Ottoman Empire and its decomposition led to division and independence of countries regardless of their populations' ethnic composition. The most considerable point is the emergence of nondemocratic political systems in this region's countries since their independence; they have, in fact, prevented their civilians from becoming aware of human and social rights outside their countries.

The globalization phenomenon, which has been accompanied by contradictory influences, has resulted in homogeneity, on one hand, and heterogeneity of these communities, on the other hand. It should be kept in mind that divergence occurs

more than convergence in this region because of national sovereignty mitigation of power and suppression of ethnic movements. The region's regimes have continually attempted to suppress and subdue these movements through violence and repression. However, violence and repression have not been a solution. This can be seen in Turkey, Iraq, and Syria, because of the discordant distribution of Kurds in the region. The Kurdish election in Iraq is an example of this. If Kurdish movements continue their quest for separatism, it could lead to the decomposition of these countries. Therefore, further political geographic changes may be inevitable in the Middle East.

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# National Imaginary, Ethnic Plurality, and State Formation in Indonesia

# 44

Paul J. Carnegie

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## Abstract

Indonesia is a vast and diverse entity of land and sea. It also has a complex history of radicalism, separatism, and rebellion. In fact, numerous scholars have periodically flagged both the centripetal tendencies and disintegrative forces at play in Indonesia. As such, any sort of nationalism capable of bringing together the world's largest archipelago as a "nation-state" is going to have its work cut out. How then did the nationalist leaders of the fledging republic narrate and structure the nation-state to hold contested social imaginaries and ethnic identities together? The following chapter investigates the implications of the ways in which nationalist leaders in the postcolonial period (1945–1998) forged not just a material state but a nation of the mind.

## Keywords

Indonesia · Ethnic plurality · Social imaginary · Nationalism · Pancasila · Suharto · Sukarno

P. J. Carnegie (✉)

Institute of Asian Studies, Universiti Brunei Darussalam, Bandar Seri Begawan, Brunei Darussalam  
e-mail: [paul.carnegie@ubd.edu.bn](mailto:paul.carnegie@ubd.edu.bn)

## Introduction

On proclaiming Indonesian independence, Sukarno stated that “matters relating to the transfer of power etc. will be executed carefully and in a timely manner.” (*Proklamasi Kemerdekaan Indonesia*, 17 August 1945). As Elizabeth Pisani (2015, 2) wryly notes, “Indonesia has been working on that ‘etc.’ ever since.” In fact, a brief glance at its geography and demographics tells us that any sort of nationalism capable of bringing together the world’s largest archipelago as a “nation-state” is going to have its work cut out.

Indonesia is a vast and diverse entity of land and sea (Sutherland 2007; Taylor 2003). There are five main islands – Java, Sumatra, Sulawesi, Kalimantan (60% of Borneo), and Papua (Western half of New Guinea). It also has 17,500 other smaller islands (depending on the tides) with approximately 922 of these permanently inhabited. As of 2018, the population is around 260 million (Badan Pusat Statistik 2018). It has approximately 360 ethnic groups, over 700 native languages (although Bahasa Indonesia is spoken by most as a second language), and a myriad of distinct dialects. Major ethnic populations include Javanese (40.1%), Sundanese (15.5%), Malay (3.7%), Batak (3.6%), Madurese (3%), Betawi (2.9%), Minangkabau (2.7%), Buginese (2.7%), Bantenese (2%), Banjarese (1.7%), Balinese (1.7%), Acehese (1.4%), Dayak (1.4%), Sasak (1.3%), Chinese (1.2%), and others (15%) (Badan Pusat Statistik 2012).

Even these bare statistics overwhelm and disorientate. Indonesia is a not just a physical place in Southeast Asia but a nation-state of the imagination. If you try to visualize it in your mind’s eye, it is like contemplating an Alexander Calder “Mobile.” The reality defies and confuses expectation in equal measure. What confronts you is a fragmented and disparate construct of uneven forms and color that float precariously on thin threads. This moveable assemblage fluctuates in seeming randomness while remaining oddly balanced, weighted, and light. It looks ready to fall apart but somehow doesn’t. How it manages to recalibrate in the space between components is quite baffling. This unlikely feat shouldn’t work but it does. If you were to call it anything, kinetic and improbable are as good choices as any.

With this in mind, threading an integrative political identity to hold Indonesia’s diverse conglomeration of peoples and places together is no easy task. It has to be done in such a way as to resonate across histories, cultures, and ethnicities. Yet, from Tuanku Imam Bonjol’s Padri rebellion in the nineteenth century through to the rise of Islamic militias during the long struggle against Dutch colonial rule, Indonesia has a complex history of radicalism, separatism, and rebellion (Carnegie 2016). In fact, numerous scholars have periodically flagged both the centripetal tendencies and disintegrative forces at play in Indonesia (Cribb 1999; Crouch 2000; Kingsbury 2003; Tiwon 2000). How then did the nationalist leaders of the fledging republic narrate and structure the nation-state to hold contested social imaginaries and ethnic identities together? This chapter investigates the implications of the ways in which nationalist leaders in the postcolonial period (1945–1998) forged not just a material state but a nation of the mind.

## ***Bersiap* and the End of the Dutch**

The Dutch first came to Indonesia in the sixteenth century as traders and then as colonizers. After the end of World War II and the retreat of the Japanese-occupying forces, Indonesia's former colonial masters sought to regain control over parts of the archipelago and isolate nationalist forces. The Acting Governor General Hubertus "Huib" van Mook was keen to revive the Visman Commission's plan for the constitutional future of the Dutch East Indies (Anderson 1972a; Ricklefs 2002). The Commission claimed that the people of the archipelago broadly supported the maintenance of the colonial system via a form of federalism. It had also portrayed the Indonesia's nationalist movement as small, disparate, and only partially significant (Brown 2003). This tone-deaf hyperbole would ultimately flounder in the face of determined nationalist resistance. In fact, the violent clashes between August 1945 and December 1946 during *Bersiap* phase of the Indonesian National Revolution confirmed the resolve of the nationalists. The term *Bersiap* derives for the Indonesian call to arms *Siap!* (Get Ready!)

The nationalist independence leaders were able to rally the peoples of the archipelago into action around resiliently "powerful myths" and a "reimagined" objective (Bowen 1986, 545–561). Unwittingly, the introduction of Dutch Ethical Policy in 1901 had helped sow the initial seeds of national consciousness. Seven years later the political society *Budi Utomo* (Prime Philosophy) would emerge and prove instrumental in the development of Indonesian National Awakening (*Kebangkitan Nasional Indonesia*). By the late 1920s, various urban and aristocratic Indonesian elites who had been given schooling in Western-style education institutions began to actively take up the nationalist cause. For instance, Sukarno attended Europeesche Lagere School, a Dutch-language elementary school in Mojokerto; then Hogere Burgerschool, an elite Dutch high school in Surabaya; and Technische Hoogeschool in Bandung. Their exposure to notions of nationalism and Marxism and European ideas of nation-states became encapsulated in the Youth Pledge of one motherland, one nation, and one language: Indonesia. Prominent and educated nationalist leaders like Sukarno, Mohammad Hatta, and Sutan Sjahrir were able to engraft ideas of nation-state and socialist principles onto symbolically powerful foundational myths of a unified archipelago that resonated with its diverse peoples. The geo-mythographical imaginary of a unified archipelago has deep roots. It traces all the way back to the Singhasari king Kertanegara in the mid-1200s and through the influential Majapahit era of his descendant Hayam Wuruk together with admiral Gajah Mada and the Sumatran prince Adhityawarman in the late 1400s. Successive Malay and Javanese kingdoms often referred to re-establishing the glory of Majapahit.

Although Sukarno, Hatta, and Sjahrir rejected Dutch economic interests, language, institutional symbols, and practices, they were keen to inherit the whole territory of the former Dutch East Indies. This involved advocating for a centralized unitary territory of rule (*Negara Kesatuan Republik Indonesia*). For the plan to take hold people of the archipelago had to be mobilized around the idea of a collective destiny (Bertrand 2004, 28–29). The nationalist rhetoric of the time played to the notion of *perasaan senasib sepenanggungan* (the feeling of common fate and

plight). By framing the struggle for independence this way, they were able to cast the Dutch as oppressors. It was a narrative that appealed to Indonesia's diverse peoples and allowed them to recognize themselves as a "community" under colonial oppression. They were being urged to imagine something different. Interestingly, in the 1980s at the height of Suharto's repressive rule, Pramoedya Ananta Toer's *Buru Quartet* (four semi-fictional novels that chronicle the development of Indonesian nationalism) echoed this transformative discourse.

## The Birth of *Pancasila*

Appealing to a shared history of anticolonial struggle certainly enabled Indonesians to develop a nation-state consciousness. This was further helped by long traditions of taking outside influences and adapting them to local circumstance. Indonesia has been a geographical site of distinct ethno-cultural identities but also cross-cultural syncretism and miscegenation for millennia. Local *adat* (customary practices and traditions) merging at various times with Hinduism, Buddhism, Islam, and Christianity to complement existing social patterns and power relations (Schiller and Schiller 1997).

When viewed from the latter perspective, the ability to accept and adapt to an integrative national identity looks slightly less implausible. In this regard, the promulgation of *Pancasila* (*panca*, five; *sila*, principle) was crucial in facilitating a syncretic adaptation to the fledgling republic. The formulation of this new national ideology took shape under the auspices of the Investigating Committee for the Preparation for Independence (BKI – *Badan Penyelidik Usaha Persiapan Kemerdekaan Indonesia*). Later enshrined in Article 29, Section 1 of the 1945 Constitution, *Pancasila* linked Indonesian national identity to five guiding principles: belief in one God, compassionate humanity, the unity of Indonesia, consensus democracy, and social justice. This was supposed to allow for the recognition of Indonesia's diversity while appealing to the greatest number of people. For Sukarno, it reflected the national motto *bhinneka tunggal ika* (unity in diversity) and provided "a powerful myth of nationhood" (Mulder 1998, 121).

*Pancasila* provided a basis on which Sukarno could appeal to Indonesia's ethno-religious-cultural groups to set aside differences and unite behind the common purpose of nation-building (*Negara Kesatuan Republik Indonesia*). Nonetheless, this putative solidarity was infused with Javanese symbolism and cultural values (Antlov 2000, 203–222). For Sukarno's *Partai Nasional Indonesia* (PNI) party in the 1950s, sociocultural outlook was as important as ideological foundations (Anderson 1990, 68; Mietzner 2008, 431–453). The five interrelated principles of *Pancasila* loosely reflected traditional Javanese values and traditions. These symbolic markers included *musyawarah* (deliberation), *mufakat* (consensus), *kekeluargaan* (family), *manunggaling kawula* (unity of the ruler and ruled), and *gotong royong* (mutual cooperation) (Bowen 1986, 545–561). In fact, as Indonesia's largest ethnic grouping, the Javanese influence on national political culture was strong. Historically speaking, the Hindu caste system of social differentiation and stratification influenced Javanese



society with a status-conscious hierarchical mind-set. The various social aggregations this generated especially in Java provided cultural markers for three broadly identifiable cultural streams (*aliran*), namely, *priyayi* (nobility – traditional bureaucratic elite), *abangan* (nominal Muslim), and *santri* (more orthodox Muslim) (Anderson 1972b; Geertz 1973). Alluding to *aliran* sensibilities influenced the cultural politics (*politik aliran*) of both the Sukarno and Suharto eras in terms of mobilizing of support (Holt 1972).

Of course, in contemporary Indonesia, these Geertzian differentiations are no longer as clearly applicable or directly relevant. Furthermore, it was hardly surprising to find distinct opposition to Javanese ideas of power and legitimacy among ethnic groups with strong senses of territoriality such as Bataks, Acehnese, Minangkabaus, Malluccans, Minahasans, and Buginese, to name but a few (Cribb 2000; Nordholt 2003, 550–589; Taylor 2003). Aware of the need to placate different parts of the archipelago and allay growing accusations of pro-Javanese bias, Sukarno adopted a version of Malay as a national language (*bahasa Indonesia*). Having said this, the nation-building project was imbued with the image of a community that chooses a wise ruler by mutual consent combined and a hint of Supomo’s thinking on *negara integralistik* (an integrated state) (Simanjuntak 1994), as Sukarno called it, a *Gotong-Royong* State.

## The Rise of *Orde Baru*

After the overthrow of Sukarno in 1965, Suharto pushed Supomo’s idea of *negara integralistik* in a decidedly repressive and authoritarian direction. This not to imply that violence and suppression of diversity did not take place under Sukarno but it would be equally wrong-headed if no attempt were made to indicate the qualitative and quantitative difference in repressive violence that took place under Suharto’s New Order regime. To elaborate, the 30th September Movement’s (G30S – *Gestapu*) abortive coup d’état provided the pretext for Suharto to sanction a brutal pogrom of extermination against *Partai Komunis Indonesia* (PKI – Indonesia Communist Party) (Roosa 2006). Cold-War Western complicity further ensured that capitalist development was going to firmly replace the class struggle. From 1965 to 1966, Indonesia bore witness to a genocidal purge and “disappearance” by the military and vigilante civilian militias mostly drawn from *Pemuda Pancasila* (Pancasila Youth) and Muslim youth groups, such as *GP Ansor*, of a conservatively estimated 500,000 to a more likely 1 million leftist PKI sympathizers (Cribb 1990, 2001; Robinson 2018). This blood-soaked trauma triggered a collective national amnesia that is only now being slowly retrieved (van Klinken 2001, 323–50; Zurbuchen 2005; Oppenheimer 2012).

In the aftermath of the slaughter, ideas of difference and pluralism were subsumed in the name of national interest and the developmental state. It was a reordering to be enforced through repression, co-option, and control. The New Order (*Orde Baru*: 1965–1998) regime repurposed *Pancasila* to justify a national unity defined by the ruling elite. In this repressive context and largely due to its vague aspirations, *Pancasila*’s common platform of unity in diversity was shifted and manipulated into

a full-fledged justification for Suharto's rule (Bertrand 2004, 30–34). It essentially functioned as little more than a culturally coded veneer for his centralized authoritarian practices.

This allowed him to infuse the very foundations of his rule with symbolic ideas of authority from the traditional Javanese past. Historically, Javanese social stratification had relied on specific power relations between lords (*gusti*) and subjects (*kawula*) and strong social identifications to authority (Koentjaraningrat 1985). Suharto repositioned the population within a deeply embedded narrative structure of paternalism and patronage. Tapping into traditional Javanese cosmology and a “culture of obedience” to rulers (*budaya petunjuk*) disarmed dissent to New Order authoritarianism. He further normalized his rule by reinterpreting Supomo's idea of *manusia seutuhnya* (whole man of humanity) as *manusia seuthisuhnya pembangunam* (total Indonesian). If you follow the logic, a “floating mass” of the population (*massa mengambang*) needs a paternal guide to steer them along the correct path (Carnegie 2010, 50). Suharto actively reinforced traditional high Javanese notions of the little people (*wong cilik*) as ignorant (*masih bodoh*), whose place was to remain servile (*budak*) and obedient (*patuh*) to their ruler (*gusti*). In effect, this would serve to de-contest societal identity vis-à-vis the state and further consolidate his position at the top of the corporatist pyramid.

With Suharto symbolically positioned in this constellation of power and authority, his regime set about socializing his version of political unity and order through various bureaucratic and ideological mechanisms. The state bureaucracy used various techniques to normalize their brand of authority and rule in public discourse and establish hegemony firmly in the popular imagination (Vatikiotis 2004). Schools taught *Pancasila* moral education. The Agency for *Pancasila* Development (BP-7) and the *Pancasila* Promotional Programme (P-4) developed programs for civil servants and community leaders (Antlov 1995).

The sweeping away of dissent was integral to establishing a relationship of subordination from the population to the dominant class (*wong gede*), i.e., the controllers of the state apparatus. Framing New Order legitimacy around development rather than representation meant that electoral intimidation, and control of the media and dissent could all be justified in the name of national interest (Anderson 2001). Virtually all membership-based organizations autonomous of the government were prohibited. By privileging “state above politics” meant control over political organization and economic policies (Robison 1986, 108). Between 1983 and 1985, *Pancasila* became the sole basis (*azas tunggal*) of all social and political organizations. Any organization that failed to conform to *Pancasila* principles was banned (Uhlin 1997). Of course, there were some notable exceptions in the form of the large Islamic organizations *Nahdlatul Ulama* and *Muhammadiyah*, but this was on the condition that they did not agitate for political change. Other attempts included the 1980 *Petisi Limapuluh* (the Petition of Fifty) that criticized Suharto for redefining *Pancasila* to mean “loyalty to the president,” but he quickly banned news coverage of the petitioners, prevented them from traveling, and withdrew government contracts from firms associated with them. Significantly, the reinventing *Pancasila* for development purposes and exerting a tight control over the interpretation and distribution of

information built a strong narrative structure of unassailability around Suharto's rule. It corralled the populace into identifying with the patrimonial culture of the nation-state and his unifying power (*wahyu*).

This meant that Suharto was able to exert control over what amounted to an elaborate patronage machine extending through the military and Golkar across the archipelago. Even by the standards of bureaucratic authoritarianism, the military occupied an unusual role in the scheme of things. Formerly known as ABRI (*Angkatan Bersenjata Tentara Republik Indonesia* – Armed Forces of the Republic of Indonesia), the involvement of the Indonesian National Defence Force (TNI – *Tentara Nasional Indonesia*) economic matters became accepted practice as a way to raise extra-budgetary revenue for operations. This dual role traced back to armed resistance against colonial rule and especially after the nationalization of Dutch colonial companies in the 1950s. Not only did the military occupy a symbolic place in Indonesian iconography as the “guardian” of the Republic, but it assumed a major role in the economy and development (Crouch 1979, 571–587).

From 1958, a series of laws set out the military's dual function (*dwifungsi*). First, Law No. 80/1958 and MPR Decree No. II/1960 (A/III/404/Sub/C) consolidated the military's power by guaranteeing it a fixed representation in *Majelis Permusyawaratan Rakyat* (MPR – People's Consultative Assembly), *Dewan Perwakilan Rakyat* (DPR – House of Representatives), and local parliaments. The military essentially became a functional group of the state. Secondly, during the New Order era, military influence was strengthened across Indonesia's political and economic landscape through Law No. 16/1969 and Law No. 5/1975. By the 1980s, the military was even taking on local development projects through its *masuk desa* programme. Self-funding activities were largely organized through a network of *yayasan* (social foundations), not to mention “revenue” raised from illegal levies on fishing, logging, mining, smuggling, and protection rackets (McCulloch 2003, 94–124). Suharto also rewarded loyal military supporters with posts that offered the prospect of substantial material gain. Many high-ranking officers involved themselves in commercial activities under the tacit understanding that the regime would oblige with licenses, credit, or contracts (Singh 2000, 184–216). Every important economic and political player, particularly the military, depended on some form of state patronage.

The other key supporting prop of state patronage was Golkar. In 1965, Suharto with the help of General Ali Murtopo turned various functional groups of military officers, civil servants, technocrats, government officials, administrators, and educators into the political machinery of the New Order state. This move was facilitated by the “restructuring” of Indonesia's political party system in 1971. Golkar, *Partai Demokrasi Indonesia* (PDI – Indonesian Democratic Party), and *Partai Persatuan Pembangunan* (PPP – United Development Party) were the only three permitted and state-licensed political parties. Golkar's constituent groups formed a single powerful state cadre with an instantly recognizable symbolic identity and unrivalled access to state revenues. It dominated the other two parties through distributing patronage and allocating resources combined with a virtual monopoly on communications and funding (MacIntyre 1991, 2000, 248–273). Golkar's distinctive organizational structure also gave it a vast territorial reach and hegemonic presence. It was able to weave

a web of corruption and graft through the executive, legislative, and judicial institutions of the Indonesian state.

The New Order was essentially an “entrenchment and centralization of authoritarian rule by the military, the appropriation of the state by its officials, and the exclusion of political parties from effective participation in the decision-making process” (Robison 1986, 105). This eventually descended into a form of “Sultanism” with power and resources concentrated around Suharto’s personal rule. He sat at the apex of not just a political structure but also “a system akin to business franchising [. . .] [*where he could*] bestow privileges on selected firms, so he effectively awarded franchises to other government officials at lower levels to act in a similar manner” (McLeod 2000, 101). In fact, both Golkar and the military allowed Suharto to operationalize his patrimonial authority through vast alliances of state officials, business interests, and community elites that reached all the way down the chain to the village level.

## Double Trouble and Other Imitations

Looking through a more postcolonial lens reveals other contours from the past in the present. As Mahmood Mamdani (1996) has shown in the African context, colonial rule leaves a lasting impression. Established patterns of rule and authority although often rejected in the catharsis of the postcolonial moment do not simply disappear. Patterns of exploitative political, military, and economic practice implanted by the European colonial powers that constructed those states replicate in specific ways into the shape of the postcolonial state (Anderson 1991; Gouda 2000, 1–20). Indicating the problematic legacy of policies and strategies introduced by the Dutch should not be read as absolving Indonesia’s post-independence leaders, far from it. By the same token, these legacies are not simply forgotten accidents of the past. Like distorted facsimiles of prior oppression, historic distress can play out in strange and unpleasant ways.

To elaborate, in pre-independence Indonesia, the Dutch administrated the archipelago as a territory with defined boundaries. This proto-state had a political economy geared toward the extraction and exploitation of resources and people for commercial benefit (Cribb 1994). For the Dutch, ruling through conditional proxies was the most pragmatic way of maintaining order and control over this large territory (Carnegie 2010, 46). As part of a strategy for co-opting local powerbrokers and enforcers, local aristocracies were cultivated and shored up by the Dutch. As such, a major post-colonial legacy bequeathed by the Dutch was an established network of patrimonial relations between local political elites and central authority not to mention simmering ethnic tensions (Hoey 2003, 110–126).

Even as the new nationalist leaders were zealously trying to distance themselves from all things Dutch, these reified patterns were more difficult to shift. In the immediate post-independence period, new political elites in Jakarta often made deals with local aristocracies, most notably in Bali, to ensure popular support for the fledgling republic and national project. Vaguely familiar patterns emerged, whereby villagers supported local elites who in turn supported central elites in anticipation of

reciprocal benefit (Antlov 1995). As the centralization of authority intensified under Suharto, local elites became even more firmly attached by patronage networks to a hierarchical state power base in Jakarta. For Harold Crouch (1979, 578), “the New Order bore a strong resemblance to the patrimonial model. Political competition among the elite did not involve policy, but power and the distribution of spoils.” As mentioned, Suharto was able to ensure his leadership by using a mixture of fear and rewards in the state bureaucracy, business, and the military.

But Suharto’s “repressive developmentalism” built on state patronage and personal favors between state officials, business interests, and community elites was a boomerang in motion. It was simply too reliant on personal “cronyism” and resource revenues to compete effectively in a globalizing economy (Feith 1980; Khan and Formosa 2002, 47–66). His regime was ill equipped to match the burgeoning economies of South Korea and other “Asian Tigers.” Throughout the 1980s, foreign investment fell due to restrictions and high subsidies given to state-owned companies. The situation brought about an incremental erosion of confidence in Indonesia’s banking sector on world markets, especially when the regime lost complete financial credibility in the wake of the 1997 Asian Financial Crisis. Oil, gas, and other commodity exports plummeted and per capita GDP fell by 13%. By 1998 with visible discontent erupting over food shortages and rising prices, Suharto tried to deflect public anger by blaming Chinese “moneymen” and global financial institutions. His ruthless play on an ingrained stereotype stoked angry mob riots in Glodok (the Chinese district of West Jakarta), killing an estimated 1000 Sino-Indonesians (Carnegie 2010, 76).

While there is certainly no attempt here to excuse Suharto’s ruthlessness, it is worth bearing in mind that Dutch colonial rule had a hand in fomenting problematic ethnic distinctions for post-independence Indonesia. It was under the Dutch that strategic ethnic divides were accentuated and maintained as a policy of disciplinary rule. In contrast to native Indonesians (*pribumi*), numerous ethnic Chinese Indonesians (*orang Tionghoa-Indonesia*) enjoyed commercial and tax collection privileges as an intermediary or comprador class for the Dutch East India Company (VOC – *Vereenigde Oost-Indische Compagnie*). This was part and parcel of an ethnically ordered colonial system (Brown 1994). Although the Dutch also discriminated against the competing rise of *orang Tionghoa-Indonesia* commercial activities, regulating local relations in this way unwittingly or otherwise served to fuel *pribumi* distrust and animosity toward them. Significantly, “reservoirs of animosity” can persist across time and, while not direct causal catalysts of discrimination and violence, they can pattern such action when it arises.

On independence, Sukarno’s economic nationalism and the goal of building a strong *pribumi* business class meant that Sino-Indonesians suffered political and economic marginalization in the name of national self-reliance. This remained largely the case in the Suharto era (Schwartz 1994, 106). Ordinary *orang Tionghoa-Indonesia* experienced day-to-day deprivations and insidious discrimination under the New Order. The New Order largely excluded them from the military and politics. Many were forced into urban relocation. Specially marked identity cards and the imposition of legal restrictions on commercial activities were

introduced. The closure or nationalization of Chinese schools became routine, as was the banning of Chinese literature and signs. This discriminatory assimilation pressure led many *orang Tionghoa-Indonesia* to marry *pribumi*, convert to Islam, and adopt Indonesian sounding names.

But somewhat differently to the Sukarno era, Suharto's regime also relied heavily on personal "cronyism." He cultivated so-called *cukong* (financier/broker) relationships with a select group of prominent businessmen particularly over rounds at the Jakarta Golf Club. Mutually beneficial economic joint ventures formed between high-ranking military officers and major *orang Tionghoa-Indonesia* economic actors. The former acted as the "masters" of politics, while the latter were the "masters" of capital (MacIntyre 2000, 248). State-owned industries were run with the financial backing of these cronies behind the scenes. This allowed officers to play the role of "old-time" Javanese rulers and aristocrats in a contemporary industrial-scale patron-client setup. Entrepreneurial cronies of Suharto such as Liem Sioe Liong (Sudono Salim) and The Kian Seng (Mohammad "Bob" Hasan) became some of the richest men in Asia with the help of regime patronage (Robison 1986, 322–370). Needless to say, this *cukong* setup did little to alleviate latent resentment toward *orang Tionghoa-Indonesia* among *pribumi* economic interests.

In another paroxysm of the past, Dutch transmigration policies (in 1905, 155 families were moved from Java to Sumatra) would carry over into both the Sukarno and Suharto eras. This involved the permanent relocation of people from overcrowded areas especially in Java, Madura, and Bali to less populated areas in Kalimantan, Papua, Sumatra, and Sulawesi. Suharto was particularly keen to force through extensive and controversial programs of *transmigrasi*. Ostensibly touted as a way to deal with overcrowding and poverty by providing opportunities in resource rich but more sparsely populated outer islands, it also gave expression to the assimilation and homogenizing tendencies of *manusia seuthisuhnya pembangunam* and *massa mengambang*.

By the 1990s, more than 3.6 million people had been resettled to outer islands, where they received a government allocation of land for cultivation, housing, and a subsistence package for relocating (Badan Pusat Statistik 2010). Unsurprisingly, the scale of transmigration created tensions between local indigenous populations (*putra daerah* – sons of the soil) and *pendatang* (migratory newcomers) over land use and access to subsidies. Large transmigrant influxes amplified fears and animosity among local populations over state-sanctioned marginalization and creeping homogenization, i.e., "Javanization" and "Islamization" (Wessel and Wimhofer 2001). It has led to a hardening to varying degrees of ethno-religious differentiation and allegiances in transmigration locales (Bertrand 2004). In certain provinces, these tensions have spilled over into periodic communal violence. Although typically framed as ethno-religious violence, transmigrants often make convenient scapegoats for underlying political, economic, environmental, and scarcity issues (Davidson 2003). In effect, they are "othered" as the unwitting proxies to already iniquitous central government practices and deeper-seated insecurities.



## Islam and Nation-Building

There is little doubt that nationalist and patrimonial ideas of rule and authority have played key roles in conditioning Indonesian national identity, but we cannot ignore the centrality of religion to life across the archipelago. The integration of religions, especially Islam, with indigenous belief systems has played a significant role in the history and cultural self-understanding of Indonesia (Carnegie 2013, 60). Having said that, as a potential collective political resource, it has created some uneasy state-level tensions during both the colonial and postcolonial periods. In fact, there have been numerous attempts simultaneously to harness and curtail Islam's state-level ambitions (Carnegie 2014, 96).

Tensions between Islam and a developing nationalist agenda were evident from the early days of the independence movement. In the 1930s, the debates around whether Islam should constitute a foundational basis for the new state of Indonesia were intense. Agoes Salim and Natsir tried to persuade Sukarno to form a separate Muslim military unit. During the 1945 constitutional debates, Islamic groups proposed a Constitutional preamble known as the "Jakarta Charter." Sukarno's decision to drop the preamble from the final version caused consternation among stricter Muslims. They considered the Jakarta Charter as obliging the state to implement Islamic law across the Muslim community. Although belief in one God became the first principle of *Pancasila*, Article 29 of the pre-independence 1945 Constitution gave the government the right to control and regulate religious life in Indonesia.

In a broad schematic sense, we can trace a three-way split in Islamic "identity politics" as the nation-state formed in Indonesia, namely, traditionalist, modernist, and radical (van Bruinessen 2002, 125). From a political Islam perspective, the traditionalist response gave rise to the massive Sunni Islamic socioreligious organization, *Nahdlatul Ulama* (NU – Awakening of Ulama), with members numbering in the tens of million. The modernist Islamic party *Masjumi* (Council of Muslim Organizations) became the major Islamic political party in the fledgling republic in the immediate post-independence era. *Muhammadiyah*, Indonesia's other main socioreligious organization, still views itself as the custodian of *Masjumi*'s modernist Islamic legacy. In counterpoint to the political representative ambitions and social mission of traditionalist and modernist responses, a much more radical and militant divergence also emerged. It is a divergence traceable to the large networks of revolutionary Islamic militias that formed in the context of the Indonesian National Revolution against the Dutch.

To elaborate, from the early 1950s onward, Sukarno's nationalists sought to depoliticize Islam. Both the secular nationalist party, *Partai Nasional Indonesia* (PNI), and the communist party, *Partai Komunis Indonesia* (PKI), cut across class and religious lines. Both parties promoted a secular nation-state, because neither had any desire to see strict Shari'a law imposed (Barton and Fealy 1996, 65). At the same time, they infused their political rhetoric with Javanese conceptions of power, leadership, and statecraft to symbolize, in attenuated form, the integrative harmony of mutual cooperation (Antlov 2000, 203–222). This appealed to and reflected aspects of *aliran kepercayaan* and the embodiment of *kebatinan* (Javanese

syncretism). The PKI also made inroads with a large section of lower status *abangan* and rural Javanese *santri* in central and eastern Java by taking traditional cultural understandings and infusing them with the rhetoric of class and colonial oppression.

To further weaken and divide Islam's political appeal, Sukarno formed a strategic alignment with the traditional NU who maintained that Islam could indeed thrive under *Pancasila*. Rising tensions between reformists like Natsir who were expressing concern about a Javanese-dominated centralized state and traditionalists in NU escalated to the point where NU eventually seceded from *Masjumi* in 1952 (Barton and Fealy 1996, 21). However, many Javanese *santri* Muslims identified with NU and were more willing to accept a centralized unitary state than *santri* outside Java. Increasingly marginalized at the state political level, *Masjumi* began to descend into factionalism in the run-up to the 1955 elections. With the Muslim electorate effectively divided, the way was clear for Sukarno and his *Partai Nasional Indonesia* (PNI) to register an emphatic triumph.

Thereafter, Sukarno abolished the *Konstituante* (Constituent Assembly – established to resolve the question of nation-state foundation) and reinstated the 1945 Constitution. *Masjumi* boycotted Djuanda Kartawidjaja's cabinet as a protest at its lack of accountability to parliament. But by 1956, NU had thrown its support behind Sukarno's Nas-A-Kom project (*Nasionalisme, Agama, dan Komunisme – Nationalism, Religion and Communism*). The consolidation of Sukarno's presidential power signalled the end of the short-lived experiment with parliamentary democracy. For Sukarno, the latter was “based upon inherent conflict” in contrast to his preferred “Guided Democracy” (*Demokrasi Terpimpin*) (Koch 1983).

Eventually, rebellion flared after Sukarno ignored demands from regional commanders for more autonomy in the provinces (Carnegie 2010). In west Indonesia, *Pemerintah Revolusioner Republik Indonesia* (PRRI – Revolutionary Government of the Republic of Indonesia) led by Lieutenant Colonel Ahmad Hussein was declared in Sumatra in 1958. In East Indonesia, *Per Mesta (Pagan Peranakans Segesta – Universal Struggle Charter)* led by Colonel Venter Usual established itself in Manado in Sulawesi. NU disassociated itself from the PRRI rebellion and considered it damaging to the interests of Indonesia's Muslims. But prominent leaders of the independence struggle from both *Mesuji* and *Patri Socialise Indonesia* (PSI – Indonesian Socialist Party), disillusioned by Javanese dominance, fled to Sumatra. *Mesuji's* Sjafruddin Prawiranegara became prime minister of the PRRI with the backing of Sjahrir from PSI. However, the rebellions and the PRRI met with a swift response as central government forces moved in to crush the rebels. In the aftermath, Sukarno banned both *Masjumi* and PSI and jailed their leaders.

The rise of Sukarno's “Guided Democracy” also imposed major restrictions on radical Islamic movements. Sukarno banned the guerilla networks of *Darul Islam* (DI – Abode of Islam) and *Tentara Islam Indonesia* (TII – Indonesian Islamic Army) that had formed from the Islamic militias opposing the Dutch (Formichi 2010). But under the leadership of S.M. Kartosuwiryo (*pak Imam*), the DI secessionist rebellion for the establishment of *negara Islam Indonesia* (NII – Islamic State of Indonesia) continued in places such as West Java, South Sulawesi, Aceh, and South Kalimantan from 1949 to 1962. Many *ulama* especially from NU opposed Kartosuwiryo's vision



and insurgency efforts. Interestingly, in the 1920s both Sukarno and Kartosuwiryo had been tutored and mentored by proto-nationalist and Muslim leader H.O.S. Tjokroaminoto, the founder of *Sarekat Islam* (Islamic Union). Kartosuwiryo, however, viewed Islam as “the foundation and legal basis of the Islamic State of Indonesia, the Koran and tradition constituting the highest authorities” (van Dijk 1980, 93).

By the 1960s, after sustained and bloody campaign by the Indonesian military, DI and TII were in disarray. Kartosuwiryo was eventually captured and executed in September 1962 (Dengel 1995). Yet, the act of Kartosuwiryo proclaiming himself Imam of *negara Islam Indonesia* on 7th August 1949 was a statement of intent. And as we know, group identities can often forge and crystallize in opposition to coercive-exclusionary practices of the modern nation-state (Carnegie et al. 2016; King and Carnegie 2018). As James C. Scott (2009, xii–xiii) notes, “all identities, without exception, have been socially constructed. . . .to the degree that the identity is stigmatized by the larger state or society, it is likely to become for many a resistant and defiant identity. Here invented identities combine with self-making of a heroic kind, in which such identifications become a badge of honor.”

To borrow Ben Anderson’s (1991) terminology, Kartosuwiryo’s declaration constituted a different “imagined community” in opposition to the *Pancasila* state envisioned by the secular nationalists. It in effect created an alternative “imagined decolonization.” This alternate “myth of nationhood” means that today’s members of DI are not so much a “movement” but a community that perpetuate and reconstitute themselves by looking back to Kartosuwiryo (Temby 2010). They “imagine” themselves as people of *negara Islam Indonesia*. In this sense, they are a “nation” contiguous with the state proclaimed by Kartosuwiryo in 1949. They (re)assemble through a reproduction of this legacy (Carnegie 2015, 15–26).

Even under the repressive grip of Suharto, subterranean allegiances to the idea of *negara Islam Indonesia* continued. Its latent militant threat would occasionally flare. The activities of the relatively short-lived *Komando Jihad* (another offshoot of DI) in the 1970s and early 1980s are a case in point. Then there was the Imron Group who took inspiration from the 1979 Iranian revolution who were involved in the Bandung police post incident and the high-jacking of a Garuda DC-9 in 1981. Others included the Tanjung Priok massacre in 1984, the bombing of Borobudur in 1985, and the Lampung incident in 1987 (McGlynn et al. 2005).

Despite these periodic militant threats, Suharto did, however, seek to manage Islam for his own purposes. Although he refused *Masjumi* a return to the political stage, he did allow *Parmusi* (the Indonesian Muslim Brotherhood) to form. This was done in a highly depoliticized way with Islamic organizations brought under the umbrella of the United Development Party (PPP). In practical terms, PPP was the only vehicle through which NU and *Muhammadiyah* could gain political representation. By the 1980s, NU had lost the Ministry of Religion, which represented a major symbol of its prestige and influence. It led Abdurrahman Wahid (*Gus Dur*) to withdraw representatives from the New Order government and move the organization firmly toward *khittah* (a socioreligious role).

Nonetheless, Suharto's attempts to subsume the polity's Islamic identification to the diktats of New Order corporatism remained only partially successful (Barton 2002, 1–15). In reality, the marginalization of political Islam precipitated greater civil society activity. Islamic social and educational renewal emerged in close association with *Himpunan Mahasiswa* (HMI – Association of Muslim Students). They championed the building of *Ikatan Cendekiawan Muslim Indonesia* (ICMI – Association of Muslim Intellectuals) with Suharto's blessing. It is not too improbable to postulate that he also saw this largesse in terms of his own political advantage. Courting Islamic support helped counter rumbling military dissent and pro-democracy sentiment. By the 1990s, ICMI and *Majelis Ulama Indonesia* (MUI – Council of Indonesian Ulama) had indirectly restored Islamic issues onto the political agenda. Suharto even began to encourage such developments. ICMI appealed to a younger generation of well-educated urban middle class who enjoyed increased access to strategic positions within business, government service, and academia. Tolerating Islamic political activism and promoting pro-Islamic military officers countered organizations beyond his direct control such as *Muhammadiyah* and NU (Kadir 1999, 22–24).

It may have shored up his friable authority for a while, but the strategy would eventually backfire in the wake of the 1997 Asian Financial Crisis. By 1998, pro-Islamic figures within ICMI, like Din Syamsuddin, began openly questioning Suharto's authority and suitability. Syamsuddin had become an instrumental figure in bolstering the orthodox *Dewan Dakwah Islamiyah Indonesia* (DDII – Islamic Propagation Council of Indonesia) and *Komite Indonesia Untuk Solidaritas dengan Dunia Islam* (KISDI – Indonesian Committee for Solidarity of the Islamic World) aided by major donations from Saudi Arabia and Kuwait. As Suharto's grip on power loosened in the face of economic meltdown and pressure for *reformasi*, orthodox sections in the green (Islamic) wing of the military began shifting their support to DDII and KISDI. The DDII/KISDI-military alliance eventually abandoned Suharto, as they saw him as a liability to the interests of Islam.

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## Conclusion

As this chapter has shown, national identity formation in Indonesia is conditioned not just by ethno-religious-cultural affiliations but through an interplay with state-level narratives and structures of legitimacy, authority, and development. Nationalist leaders repurposed social imaginaries and ideas of national development to engraft meta-narratives of nation-state(ness) onto the archipelago. Nonetheless, Sukarno and especially Suharto struggled to accommodate Indonesia's diversity within the imperatives of nation-state building and kleptocratic developmental ambitions. In certain instances, the tensions and contradictions between Indonesia's ethno-religious-cultural heterogeneity and its nation-state structural homogeneity led to contestation. The unanswered questions of Indonesia's postcolonial identity and its different "imagined decolonizations" often fuelled demands for autonomy and precipitated violent action and responses.

Despite the transformations of the *reformasi* era and substantial decentralization reforms, accommodating the interests and demands of ethno-religious-cultural communities stifled by previous exclusionary practices remains a tricky balancing act to manage. In fact, Indonesia's mobile nation-scape defies the logic of a predetermined end state. Maybe the Alexander Calder analogy is not as improbable after all. From the open rebellions against Sukarno's guided democracy and the secessionist struggles of *Freitlin* (Revolutionary Front of Independent East Timor), *Gerakan Aceh Merdeka* (GAM – Free Aceh Movement), and *Organisasi Papua Merdeka* (OPM – Free Papua Movement) to the ethno-religious violence that erupted in Kalimantan, Sulawesi, and the Mulukus in the wake of Suharto's downfall, Indonesia's "etc." still blows in the wind.

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# Ethno-nationalism and Ethnic Dynamics in Trinidad and Tobago: Toward Designing an Inclusivist Form of Governance

# 45

Ralph Premdas

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## Abstract

In the literature dealing with mechanisms of reconciliation and ethnic conflict management, an array of conflict resolution institutions and practices have evolved. The 2010 elections in Trinidad offer one case that demonstrates how this was done. What the 2010 elections underscored is that in an ethnically deeply divided state, victory at the polls required some transcendence of the communal divide through the forging of a broad multicultural coalition as well as interclass collaboration. In the end we must evaluate the argument that Trinidad had moved from a race and ethnicity voting pattern into issue-oriented politics.

## Keywords

Deep ethnic division · Ethnic partisan politics · First-past-the-post electoral system · Proportional representation · Conflict resolution · First woman premier · Multicultural coalition

R. Premdas (✉)

University of the West Indies, St. Augustine, Trinidad and Tobago

e-mail: [ralphpremdas@hotmail.com](mailto:ralphpremdas@hotmail.com)

## Introduction

The image of a politically stable and economically prosperous state in Trinidad and Tobago (Trinidad hereafter) conceals powerful internal contradictions in the society. Many critical tensions prowl through the body politic threatening to throw the society into turmoil (Yelvington 1992; Oxaal 1961; Premdas 1991, 1992; Hintzen 1989; MacDonald 1986; Sandoval 1983; Naipaul 1962; Wood 1968). Perhaps, the most salient of these tensions derives from the country's multiethnic population. Below the veneer of inter-communal camaraderie lurks a sense of deep ethnically rooted sectionalism, which pervades the society like blood in the body (Anderson 1983; Premdas 2009). After the colonial power departed in 1962, governance in Trinidad and Tobago was rendered doubly difficult as the new state found itself preoccupied by the rival political claims of the country's two largest ethnic sections constituted of Indians and Africans in an antagonistic partisan relationship to each other. This is the basic contradiction in the state coming to occupy center stage in governance and political life defining issues and dominating daily discourse. Each ethnic section views its interests differently not only in relation to its symbolic and cultural life but in relation to claims for power, recognition, and economic resources. In turn, at the political level, inter-communal competition reverberated on the issue of establishing legitimate rule in a form of government that did not pose a threat to the survival of another group's identity and interests and that ensured that the values of the state could be equitably distributed.

The governmental system bequeathed by Britain was anything but an arrangement that guaranteed the fulfillment of the political and cultural aims of the ethnic communities in the state. Indeed, the inherited British parliamentary system was erected on a zero-sum competitive party system that tended to inflame ethnic passions and apportion privileges very unevenly. This internal contradiction in Trinidad's polity stood as its most potent threat to stability of the society. Ethnic dominance in government and identity politics in society bedeviled governance and soon became a way of life fraught with an immense undercurrent of sectional alienation for the losers in the competition for recognition and resources. Each election that came tended to raise anew all the unresolved issues of ethnic equity much of this related to institutional appropriateness in a plural society (Brereton 1979). As it happened in Trinidad, one ethnic group led by the People's National Movement (PNM) in an essentially ethnically bipolar state had captured power for almost three decades after independence and in the perception of the other major ethnic community instituted an order that was ethnically repressive and discriminatory. When the out-group led by the United National Congress (UNC) eventually captured power in 1995, it in turn was similarly accused of discrimination. An election campaign assumed the form of identity rivalry expressed in a collective communal struggle in which the claims of each community as a whole were reignited anew and expressed in uncompromising terms. Repeated victory by one sectional community over the other was not accepted by the vanquished group which tended to withdraw its moral support from the state.

In this chapter, we address the problem of finding a solution to the ethnic partisan division in Trinidad. In the literature dealing with mechanisms of reconciliation and ethnic conflict management, an array of conflict resolution institutions and practices have evolved. Some observers have advocated power sharing as the master key in eliminating ethnically exclusivist regimes, while others have argued for a predictable process of allocating resources through fixed quotas, proportions, and shares (Lijphart 1977; Montville 1990). The idea behind such proposals is to depoliticize the sharp and deadly rivalry for power and resource allocation by minimizing or removing it from the sphere of electoral contestation. The emphasis is on maintaining order and stability by neutralizing the turbulence of ethnic claims and counterclaims and charges of ethnic exclusion, discrimination, and favoritism over jobs and state benefits. Overall, the causes as well as the solutions offered are all founded on the overwhelming preeminence assigned to the political and economic factors. In this chapter we address the issue of finding a solution through the prism of the 2010 general elections. The 2010 elections in Trinidad offer one case that demonstrates how this was done. In analyzing these elections, we will evaluate the claim that in the victory of the People's Party (PP), a multiethnic formation, a major shift in partisan preference had occurred and a new type of issue-based politics had now emerged cutting across race and class superseding the old ethnically oriented voting pattern. What the 2010 elections did underscore is that in an ethnically deeply divided state where neither of the two dominant groups, Africans (37%) and Indians (42%), constituted a majority and where in the past two main political parties have tended to reflect this bifurcated condition, victory at the polls required some transcendence of the communal divide from a small enough minority who can aid the forging of a broad multicultural coalition as well as interclass collaboration. In 2010 such a small shift had occurred, but, in the end, we must evaluate that the argument that Trinidad had moved from a race and ethnicity voting pattern into an issue-oriented politics is unwarranted and premature. Before we enter these elections, we must provide a background into the Trinidad state.

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## **Trinidad and Tobago: An Introduction**

Situated in the southern Caribbean just 7 miles from Venezuela, Trinidad and Tobago is a small twin island multiethnic state with about 1.3 million people enjoying a per capita well-being that has ranked it at position 49th in the UNDP's medium Human Development category. Trinidad is the larger of the two islands both in population (1,220,000) and geographical size, 4,820 km<sup>2</sup>, and with a more variegated population of six ethnic communities, while Tobago with only 51,000 people and 303 km<sup>2</sup>. is almost entirely ethnically homogeneously Afro-Creole. Until 1888, Tobago was under separate British administration when it was joined to Trinidad. On Trinidad, two main ethnic groups predominate, Afro-Creoles of African descent and Indians of Asian descent, almost of equal size with neither an absolute majority in the population (see Table 1).



**Table 1** Ethnic groups and size (Source: Central Statistical Office, Trinidad and Tobago (1990))

Ethnic group	Population	Percentage
African or Afro-Creole	444,804	38.91
Indian or Indo-Creole	452,709	39.60
Chinese	4,322	0.38
Syrian/Lebanese	936	0.08
White/Caucasian	7,302	0.64
Mixed	207,280	18.13
Other ethnic groups	1,720	0.15
Not stated	24,053	2.10
<b>Total</b>	<b>1,143,126</b>	<b>100.0</b>

Inter-ethnic relations between Afro-Creoles (Africans hereafter) and Asian-descended Indians (Indians hereafter) are publicly cordial, but patterns of cultural differences separate the main communities into contesting sections in quest of social, economic, and political preeminence. As a plural society, Trinidad lacks strong overarching unifying institutions and is frequently submitted to centrifugal political pressures and tensions that threaten to rend the society apart at its ethnic seams. A vibrant parliamentary democracy, independent since 31 August 1962, Trinidad became a Republic in 1976 but remains a part of the Commonwealth of Nations. Generally, elections have been regular, free, and fair and political succession orderly. Two main political parties each representing one of the two main ethnic communities have dominated the political arena competing for 36 seats until 2007 when it was changed to 41 seats in the House of Representatives. For the first 25 years after independence, the predominantly African political party, the PNM, won consecutive elections dominating the political arena under the leadership of Eric Williams. From 1995 to 2001, the Indian-based party, the United National Congress (UNC) led by Basdeo Panday, held political power. After an ethnically charged stalemated deadlock in the equal number of parliamentary seats (18–18) obtained by the two parties in the December 2001 elections, and a period of tense limbo for almost a year, the PNM has returned to power under Prime Minister Patrick Manning with a majority of parliamentary seats in the 2002 general elections. In the 2007 general elections, the PNM won again with a decisive majority of 26 seats out of 41. The 2010 elections came unexpectedly just a bit more than 2 years after the victory in 2007.

The economy of Trinidad is based mainly on minerals (petrochemicals, petroleum, and gas) and, until about 2002, sugar, with the former accounting for about 52% of all export earnings and providing about 32% of all government revenues. The discovery of petroleum at the turn of the twentieth century and more recently of extensive gas fields has radically transformed the economy from agricultural (mainly sugar) dependence to petroleum and gas so that Trinidad stands apart in this respect from other Caribbean countries. Like many plural societies, Trinidad's economy displays ethno-sectoral differentiation so that Afro-Creoles are found mainly in the public bureaucracy, professions, and the petrochemical industries; Indians, who used to predominate in the now defunct sugar industry, today are found mainly in business, agriculture, the professions, as well as the public bureaucracy, while the

small European, Chinese, and Syrian communities are found mainly in trading and businesses. An industrial economy (agriculture less than 2% of GNP with white-collar jobs accounting for about 60% of all jobs) has created a large middle class. Unemployment hovers around 5% today, but some 20% of the country lives below the poverty line. Residentially, while there is no segregation and the public arena is fluid, free, and highly ethnically interactive, most persons live in regions, villages, and neighborhoods that display a strong measure of ethnic self-selectivity and concentration (Clarke 1993, 123).

Trinidad was under Crown Colony governance since 1797 when the British assumed control of Trinidad; it took more than another hundred years before an element of popular representation was introduced in the colonial council. In 1925, the Crown Colony system was jettisoned, and for the next two decades, gradually, the colony moved toward universal adult suffrage in 1946, internal self-government in 1956, and finally independence in 1962. During this trek propelled by a combination of external changes in the international order and internal pressures from popular agitation, mass political parties emerged especially after the introduction of universal adult suffrage. In turn, this heralded the mobilization of voters into an assortment of racial and non-racial groupings. By 1946, Trinidad and Tobago's population had reached a bit more than a half a million with Afro-Creoles constituting about 47% of the population and Indians 35%. With the introduction of universal adult suffrage, a new political arena was constructed littered by an assortment of independent candidates and ad hoc political parties vying for public office. It was however under the leadership of the PNM and its Afro-Creole charismatic leader, Eric Williams, that some order in the organization and articulation of public opinion occurred bringing an end to the disarray in the political arena. Launched in 1956, the PNM's charter proclaimed a commitment to promote equity in a multiracial society (Ryan 1972). In practice, the PNM however attracted a predominantly Afro-Creole following. Ethnic identity had already assumed salience when Indians were mobilized under the Democratic Labor Party (DLP) and French Creoles under the Party of Political Progress Groups (POPPG). At first, the Democratic Labor Party (DLP) joined forces with the French Creole party during the 1952 elections to oppose all other parties. In the partisan competition, the PNM emerged as the most formidable organized formation beginning with its victory in the 1956 general elections in which it won 13 of 24 seats. By 1960, however, the three-party ethnic triangle yielded to a bipolar structure in which the PNM confronted the Indian-based DLP. With this event, Trinidad was seemingly settled permanently into the destructive morass of a bipolar partisan order. In the 1961 elections that set the stage for independence in 1962, for the first time the two major ethnically based parties squared off with practically no other meaningful contestants. The two of them shared the 30 seats in the House of Representative pointing to the elimination of individual independent candidates and third parties as the political arena became starkly more polarized.

The intense pressure from the campaign aroused an ethnically divided electorate driving the two communal sections apart as never before. The 1961 election campaign was the last just before independence and therefore was the most critical

contest. The victors from these elections would be placed in a strategic position to define the fate of its political and ethnic adversaries. The threat of open violence was very palpable. The polity became deeply polarized with the ethnic division becoming the defining mark of subsequent elections. Two ethnically based parties bestrode the political landscape sharing all the seats in parliament. The PNM became so dominant for the next six elections and for a stretch of 25 years that it had established a virtual dominant one-party state. To be sure, especially after the PNM had been in power for several years and incompetence and corruption had become pervasive, splinter organizations outside the two-party system emerged basing their appeals in part on class and intra-communal divisions. In 1981 such a party in the Organization for National Reconstruction (ONR) appeared but was decimated in the general elections. In 1985, another more powerful such party arose in the NAR; it succeeded in defeating the PNM. But these were aberrations and deviations from the norm of the embedded ethnic partisan preference that citizens practiced. The ethnic partisan pattern had come to reflect and reinforce the general political disposition of Afro-Creoles and Indians for voting for their communal parties. Except at election time, successive elections have created continuous ethnic malaise but not sufficiently expressive as to mar daily harmonious relations; however hypocritical inter-ethnic friendships may be. The ethnic factor became so entrenched that it tended to enter into all aspects of political behavior and into all public institutions animating their life, crippling their vibrancy in a broken political will.

The PNM led the colony to independence in 1962 and for six consecutive parliamentary terms served as the ruling party until 1986. The Afro-Creole community, which constituted the largest community (43.5%) at that time, was able to repeatedly return to power, this made possible because most of the mixed-race community (17%) supported it as well as a smattering of others. To the African communal core, the PNM, while in power, was able to consolidate its electoral majority from the mixed races, Europeans (French Creoles), Chinese, and a significant slice of the Indian middle class. Wielding undisputed paramouncy over the polity and society in its control over jobs, contracts, and other values, the PNM at once became a tower of strength and place of reverence in periods of plenty and a source of all sin in times of adversity.

PNM's consecutive victories were registered in a winner takes all parliamentary system based on single seat simple plurality. In effect, this parliamentary and electoral system when articulated into the ethnic communalized structure of partisan choice meant that the defeated party was almost totally excluded from power and privileges. The political system gave no incentive to consociation and power sharing across the ethnic divide but reinforced the sectional cleavages breeding alienation among the out-group. To be sure, the PNM did appoint a few Indians to its cabinet in governing but in a country where most Indians were Hindus; no Hindu was ever appointed to the PNM cabinet in 26 years after independence when Indians became the largest ethnic community in Trinidad. For Indians, this smacked of discrimination which they saw manifested in the stacking of the public service with PNM supporters and in the skewed allocation of other benefits and resources of the state.

## The 2010 Elections

In 2010, in a dramatic general election, the ruling People's National Movement (PNM) in Trinidad and Tobago (TT), only halfway in its term of office and with a comfortable majority of seats in parliament, chose unexpectedly to go to the polls. It was ousted in a landslide victory by a coalition of five parties calling itself the People's Partnership bringing 10 years of uninterrupted PNM rule to an end and witnessing the installing of the first woman Prime Minister in the country's history. In an ethnically deeply divided state where neither of the two dominant groups, Africans (37%) and Indians (42%), constituted a majority, in the past two main political parties have tended to reflect this bifurcated condition. In the 2010 elections, there was a change in the structure of the bipolar ethnic partisan competition. In a two-way fight, the predominantly African-based People's National Movement (PNM) did not face its familiar adversary represented by an Indian-based party but a broad-based multicultural People's Partnership (PP) party with the former acquiring 12 seats and the latter 29. In the victory of the People's Partnership coalition party (PP), a claim was made that a major shift in partisan preference had occurred and a new type of issue-based politics had now emerged cutting across race and class superseding the old ethnically oriented voting pattern. Does an analysis of the election results confirm that victory at the polls signified a radical transcendence of the communal divide? In part, this chapter discusses this question.

In the 2010 elections then, two major party formations, the People's National Movement (PNM) and the Peoples' Partnership (PP), competed with each other along with an insignificant smattering of independent candidates and parties. In the 2010 elections, there were some different features from the norm that could potentially have altered the polarized pattern of voting and the familiar campaign strategy. The PP had amassed a variety of groups in its coalition structure and was composed thus of:

- (a) The old Indian-based UNC, the largest part of the PP, led by Kamla Persad-Bissessar.
- (b) The Congress of the People (COP) led by Winston Dookeran which broke away from the UNC to compete as a separate party beginning in the 2007 elections constituted mainly of a fairly large inter-ethnic middle-class support base.
- (c) The National Joint Action Committee (NJAC), led by Daaga, was the old militant African-based urban party which had some support among Africans and the politically radical community in Trinidad.
- (d) The Tobago Organisation of the People (TOP), led by Ainsley Jack, was a Tobago party.
- (e) The Movement for Social Justice (MSJ), led by Afro-Creole Errol McLeod and a prominent mixed-race leader, Stephen Cadiz, was a trade union-based party.

Many environmental and women's NGOs also aligned with the PP to constitute a broad-based multiethnic formation. Despite its formal affiliation with the UNC and that its leader derived from the UNC, the PP formation was much more ethnically

mixed and interclass than the PNM which was depending overwhelmingly on its African rump in its traditional strongholds to forge a victory. There was no ideological cleavage of consequence that separated the two contenders in the race even though the PP sought to emphasize its populism.

Once the election was called, much to Manning's surprise, this pushed the divided Opposition to coalesce bringing a startling alignment of the UNC, COP, TOP, NJAC, and MSJ along with a number of other civil groups and NGOs. It was a formidable alliance that Manning could hardly have anticipated, but it occurred at a time when poll after poll had showed that in the light of the UDeCOTT scandal and growing lawlessness in the country, the Prime Minister, Manning, was at his most unpopular. What added potency to the new formation called the PP was that it unanimously elected Kamla Bissessar as its leader. She had only a few months earlier in an astonishing internal UNC election defeated the long-standing UNC leader, Panday, for the leadership of the UNC, and with that act she became the official leader of the Opposition in parliament. While Panday had obstructed previous attempts to unify COP and the UNC, Kamla Bissessar proved to be ready for a compromise in unifying the Opposition forces to defeat the PNM. Kamla Bissessar projected a refreshing face, but the fact remained that she was a woman and an Indian and together it was expected that the PNM would eventually triumph. However, the PP was successful in significantly altering its image as a party that had two prominent Indian leaders in Kamla Bissessar and Winston Dookeran. It did so by recruiting several very popular African leaders such as McLeod, Daaga, Cadiz, etc. COP, on joining the coalition, was also able to bring on board NJAC, TOP in Tobago, and a significant number of Indian and African middle-class supporters. This mix was able to transcend an Indian image and became a credible multiethnic grouping with a significant number of African, French Creole, mixed race, and Tobago leaders on its helm. This unified multiethnic and multicultural face so defined the PP in its campaign that it was poignantly in contrast to the largely uni-ethnic façade of the PNM. The PP sold itself as a racially, culturally, and ethnically unified movement with a promise to deliver Trinidad from the old ethnically divisive politics and from the scandal saturated PNM.

In the 2010 elections, Trinidad and Tobago (TT) was divided into 41 constituencies. To determine a winner in each constituency, the electoral system provided for a simple plurality of votes. To win control of the government requires a party to win a majority of constituencies. The persistence of a fundamentally ethicized system of voting preference has in turn impacted on the manner in which political campaigns had been conducted. More specifically, since about 31–32 of the 41 constituencies were predominantly either Indian or African, a campaign tended to focus on the handful of mixed marginal seats. In effect, because of the first-past-the-post simple plurality electoral system, under which a simple plurality of votes determines the winner in a constituency, it made little sense in the past for the Indian-based UNC to waste resources campaigning in the African-majority constituencies and for the PNM likewise to campaign seriously in the Indian-dominated seats. Although accurate statistical data are not available to tell precisely the ethnic ratios in all of the constituencies, the results of previous elections between the PNM and UNC

registered a reliable pattern of ethicized voter preferences in all the constituencies with the ones dominated by Indians and Africans clearly identifiable and most predictable. Since neither party could muster a majority of seats by itself from its ethnic strongholds, this meant that winning in the handful of marginal constituencies became critical.

In the campaign, the PP divided the 41 constituencies into clusters of seats with each cluster assigned to a specific coalition component which in turn was allowed to choose its own candidates and take responsibility for winning the seats assigned to it. However, a single overarching coordinated campaign strategy was designed for the PP pooling resources to defray the costs of the expensive media aspect of the campaign and avoid overlaps and conflicts. It is however significant to note that in the division of the constituencies into clusters among themselves, the UNC kept all of the Indian-based constituencies except the St. Augustine constituency. All of the other constituencies that the PP competed in were either marginal or PNM-dominated stronghold constituencies. In effect, two types of PP strategies were crafted so that the Indian-dominated constituencies were under the familiar Indian-based UNC party, while in the others a more pointed multicultural strategy was designed to garner votes from all communities. The PNM as a single unified party however did not have to construct such a complex strategy for votes simply relying on its strongholds for most of its seats while hoping to win nearly all of the mixed marginal constituencies also for a combined majority.

A single overarching coordinated campaign strategy was designed for the PP pooling resources and avoiding overlaps and conflicts. Several placements were notable in the PP assignment of seats among its component parts. First, COP leader, Winston Dookeran, was assigned at Tunapuna which was a marginal constituency currently under PNM control. Second, in the marginal seats of St. Joseph, Pointe a Pierre, Chaguanas East, and San Juan/Barataria, won by the PNM in the last elections, the PP placed exceptionally prominent candidates. The PP also targeted several PNM stronghold seats, deploying prominent and popular mixed race and African candidates, with the intention not just to offer a token contest but with the bold purpose of wresting these seats from the PNM. In Tobago, the PP again offered under TOP two very prominent local leaders. While the PP projected a fresh set of new and exciting candidates, the PNM relied on its former candidates largely drawn from the victorious team from the 2007 elections.

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## Issues

The issues that dominated the campaign were of two sorts: (a) non-ethnic types and (b) ethnic types. Further, certain issues and appeals were made publicly in the overt face of the campaign, while others of a more communal nature were deployed in the covert face. We shall examine the non-ethnic type first. On the hustings as the parties launched their campaign, a festive tenor was intermixed by an underlying sobriety that a change of government is at hand. The PP successfully crafted a very catchy set of slogans such as “Manning must Go” and “Time for Change” that sustained the

momentum that it seized almost immediately from the PNM (Grant 2010, 13). The riposte was tame by comparison with the PNM stressing “Service,” “Stability,” “Prosperity,” and “Performance” in its message. The PP was able to outdo the PNM by offering an attractive twenty-point list of promises that it intended to accomplish in its first 120 days in office.

A barrage of scandals descended on the PNM bedeviling its campaign to regain office dogging them every step along the way casting over them a dark shadow of corruption and abuse of office on a scale that offended the sensibility of all citizens of all parties, ethnicities, and ideological persuasions (Newsday 2010, 10). The particular issue that triggered the scandals came to be known by the designation, “UDEcOTT,” which was the government agency established to carry out the construction of many very large-scale costly projects. With hefty amounts of gas-generated revenues caused by a spike in gas and petroleum prices, the Trinidad treasury was inundated with unprecedented largesse. Under the inspiration of Manning, the government embarked on a program of conspicuous construction of a number of extravagant building projects that included sports stadiums, hotels, performing arts facilities, a new university campus, etc. Placed in charge of this enterprise was businessman Calder Hart who had extensive connections with construction companies both locally and internationally, especially from the People’s Republic of China and Malaysia which were to be employed in expeditiously carrying out these projects.

The key whistle-blower was no less a person than the Deputy Leader of the ruling PNM, Dr. Keith Rowley, who was an aggressively outspoken and popular leader in the PNM and at one time a rival of Manning for the leadership of the party. Rowley had interrogated Hart about his seemingly unlimited power in accessing public funds, in distributing contracts, and in constructing these grandiose projects. In a confrontation with Hart, Rowley seemed to have been boisterous, and it was this event which led Manning to evict him from the Cabinet for “wajang behavior.” Under public pressure, Manning was forced to appoint the UDEcOTT Commission of Inquiry into the construction industry headed by a British engineering professor, John Uff. The issues thrown up by the UDEcOTT Inquiry dealt simultaneously with unaccountability in the use of state funds for several mega projects which violated established official legal tendering procedures and processes by which contracts were awarded transparently and competitively. For nearly 2 years, witnesses of all kinds were interrogated publicly so that a picture of gross unaccountability, unfairness in the award of contracts, political opportunism, nepotism, and waste and abuse in using public funds was formed in the public’s mind. These revelations were sensationalized in the media, and while Rowley was exonerated, he was not returned to the cabinet so that when the elections were called the Rowley-Manning schism had become a major problem in mobilizing PNM support (Singh 2010, 12). Rowley had charged Manning for being authoritarian and for turning the internal democratic processes in the PNM into a travesty. Later after the PNM was defeated, Rowley would argue that the main reason resided in Manning’s autocratic use of power and his subverting democracy within the PNM (Ali 2010, A5). There was no doubt that the UDEcOTT affair had severely undermined Manning’s moral mandate to rule.

Above all, it was this issue that had come to offend many PNM supporters especially in relation to the dismissal of Rowley from the cabinet and caused a major rift in the ranks of the party. It has been argued that the internal schism was so deep that many PNM supporters decided to stay at home rather than vote for the PNM while a small percentage actually did turn against the PNM on election day (Ali 2010, A6). Some of these dissident PNM supporters made plain that they were not voting against the PNM but against its leader, Manning. The PNM had counted on the loyalty of its traditional communal supporters on the campaign trail, appealing to them “to hold their nose tight” to avert the embarrassment caused by the behavior of their party in office and vote for it nevertheless to avert victory of their Indian communal opponents and the possibility of domination and discrimination. The PNM did so in a subtle way reminding PNM supporters of the benefits that they had received under PNM rule and that this was likely to be all lost under a UNC-dominated PP government. Clearly, the PNM was trying to extricate itself from problems of misgovernance by using ethnic and communal appeals. It created great psychological dissonance for PNM supporters who saw the PNM not just as a voting machine but a primordial home in defining their historical identity. In a multiethnic state where ethnic identity shapes issues and elevates irrational sentiments above reasoned arguments and empirical evidence, it is rare that the hearts of voters will easily change away from their political parties with which they have been traditionally and historically associated. These parties tend to serve more than just periodic points of casting a supportive ballot and more like an ingrained deep-rooted communal axis of multidimensional solidarity that provides for collective security and identity. Because of the UDeCOTT scandal, the 2010 elections challenged this primordial attachment of PNM African supporters so that in the face of powerful rational arguments against voting for the PNM, only a small percentage probably about 5–10% made the shift. It was however all that was necessary to see the defeat of the PNM.

Coming out of the inquiry also was a charge that gained traction in the campaign and became a major issue on leadership style and substance specifically related to the charge of Manning’s alleged arrogance (Fraser 2010, A28), the building of a new multimillion-dollar residence for the Manning, ridiculed by the local press as the “Emperor’s Palace” for a cost approaching (TT) \$200 m, in part taken as evidence of this arrogance. Another scandal that appeared just before Manning called the elections related to the building of a Pentecostal Christian church, called Lighthouse of the Lord Jesus Christ, at Guanapo Heights, Arima, that seemed to involve the use of state funds, possibly close to TT\$50 to 75 million. Manning had a spiritual adviser, a self-styled “prophetess” from the United States named Rev. Juliana Pena for whom it was alleged that a large expensive church was being built. The parliamentary Opposition leveled an incendiary charge that the church which was being built by the same construction firm, Shanghai Construction Corporation that also built several of the state’s mega projects including Manning’s palatial residence, was given excessively overpriced contracts for the other state projects in exchange for the building of the “free” church for Manning’s spiritual adviser. More specific evidence which was to be presented in parliament by Kamla Bissessar during a vote



of no confidence prompted to the surprise of everyone the Prime Minister's decision to dissolve parliament and call new elections. While the facts were still to be established, in the wake of the UDeCOTT Inquiry, the church quickly became entangled in corruption charges and emerged as a controversial lightning rod issue in the campaign. Finally, there were a few other scandals involving similar unaccountability in the use of massive amounts of public funds. These included the building of the extensive University of Trinidad and Tobago campus. In another case involving the collapse of the biggest investment and insurance company in Trinidad, CLICO, the issue that created most controversy related to the early withdrawal of investments in the company by the Minister of Finance, Ms. Karen Tesheira, seemingly after receiving privileged information about the impending collapse of CLICO. In the elections, Ms. Tesheira who was the candidate in a safe PNM stronghold seat that was never lost before was defeated as her opponent made hay out of the CLICO issue. Other issues that dealt with alleged wasteful expenditures related to two major international conferences costing about \$1 billion that were financed by the Manning administration. One of these included world leaders such as President Obama and the other the heads of Commonwealth countries. To put Trinidad on show, the government constructed a lavish world-class academy of performing arts also. It seemed that the Manning administration was endowed with unlimited funds even when many public services laid neglected, a fact that the PP made a large issue out during the elections.

The scandals dwarfed all other issues, but two which gained prominence related to the crime and the introduction of a countrywide property tax. On crime, the PP argued that law and order had broken down, and in polls that were taken just before the elections, the majority of citizens felt that the government had failed to provide protection and security for citizens. The second major issue relating to the introduction of a property tax generated widespread apprehension across the ethnic divide and especially among property owners. The government argued that it wanted to raise more revenues and that it must do equitably by imposing a property tax which required a survey of all private property holdings in the country. The PP made the property tax a lightning rod issue that touched on the raw nerves of nearly everyone and declared that among the very first things it would do in its gaining office was to rescind the property tax legislation. These were the non-ethnic issues, but they were underlaid by a second more subtle and covert theme dealing with ethnic and communal fears.

What role did race and ethnicity play which by itself had been often used in the past to explain patterns of voting in TT? This explanation highlights political strategy along a communal and racial calculus in directing the energies of the political campaign. Noted political scientist Professor Selwyn Ryan argued that little of race was openly said in the campaign "but it was clearly in evidence" (Ryan 2010, 13). He noted that, indirectly, the PNM as an African-based party was the historical protector of African interest and that no other party can be trusted to carry on this role. As Ryan (2010, 13) noted, "The PNM spent a great deal of time and resources reminding the masses in general and the Afro masses in particular about what it had done for them from Williams to the present and warned that the

benefits were at risk if they elected some other party.” What however diminished the salience of the race factor was the absence in the elections of Basdeo Panday, the former militant leader of the Indian-based UNC party who symbolized as, no one else, the Indian community and its claims to power.

The race factor however was more visible to some observers. Jack Warner, the PP key strategist, argued that Manning had conducted a divisive racial campaign in which he denigrated Indians who would vote for an Indian leader (Ali 2010). The PP however made its multiethnic following an indicator of the change it was seeking for Trinidad’s old-style ethnically based politics. Nevertheless, ethnicity and race were more than less nuanced into the campaign discourse. Clevon Raphael, a columnist of one of the country’s major daily newspapers, *The Guardian*, argued that, “Basically the PNM ran a campaign of fear generously sprinkled by an appeal to the race card. The party tried to retain its natural support and capture the non-committed and even those of the PP by unjustifiably claiming that a win by its opponents would mean the scrapping of CEPEP, GATE, and the closure of COSTATT and UTT” (Raphael 2010, A27). These were all programs which had overwhelmingly benefitted the PNM’s Afro-Trinidadian supporters.

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## The Election Results

Regarding the election results at the constituency level, in examining all of the 41 constituencies in the 2010 elections, a number of patterns were clear (Ali 2010, A6; Fraser 2010, A28; Raphael 2010, A27). In the traditional core PNM and UNC constituencies constituting about 32 of all the seats and most voters, ethnic partisan preference substantially prevailed. This has been underscored by the startling fact that in the previous elections of 2007, when the PNM won 26 seats out of 41, it received 299,813 votes, which were merely 14,459 votes short of its 2010 numbers when it got only 12 seats. However, in the 2010 elections, there has been a major difference in that while in all the elections 1986–2007, the PNM had handily won its core constituencies, in 2010, it lost four. The shifts that have occurred have not been major. In many of the 12 that it retained, it did so with reduced support ranging from 6% to 12%, and in the 4 core constituencies that it lost, the margin of loss was not substantial from about 1% to 5% only of the votes cast. All of this is ample testimony that there has been a shift in traditional PNM votes in a number of core constituencies in which it won and lost but by overall margins that were meager to about 3–5%.

Noteworthy in this regard, in examining the performance of the UNC core constituencies in 2010 and 2007, it can be observed that the unified UNC-COP votes from 2007 accounted in many instances for up to 75% or more of the PP votes in 2010 except for the two Tobago seats and those in the PNM stronghold seats. It must be recalled that the PP divided the 41 constituencies into segments that were led by only one of its components. The UNC component was assigned all but one (St. Augustine) of its core constituencies. In these constituencies, the PNM share was not substantially reduced from 2007 to 2010. In effect, in the core PNM and UNC

constituencies, the shift from one to the other in 2010 was small, and in most the percentages remained practically the same.

Regarding the marginal seats, in 2007, the PNM won all these marginals except Mayaro in compiling its acquisition of 26 seats out of 41. Because of the momentum gathered by the PP campaign, a small shift especially among Africans combined by a unified Indian vote assisted by the mixed and minority communities gave the PP substantial victories. The voting pattern in the marginals in other words did point to a small measure of change among African, mixed, and minority voters but not to a significant shift in Indian and African voting pattern. Overall, the election results portray overwhelming continuity in ethnic and racial voting patterns especially among Indians and Africans but with a small shift among Africans and mixed races that tended to exaggerate and amplify the ethnic significance of the PP landslide victory.

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## Conclusion

There were critical factors that accounted for the victory of the PP and specifically how the victory addressed the more critical issue of overcoming ethnic voter preference and ushering in a new mode of non-ethnic voting. First, we must look at the composition of the PP. In the elections, the PP had amassed a variety of groups in its coalition structure that departed from the polarized pattern of voting and the familiar campaign strategy. Despite its formal affiliation with the UNC and that its leader derived from the UNC, the PP formation was much more ethnically mixed and interclass than the PNM which was depending overwhelmingly on its African rump in its traditional strongholds to forge a victory. There was no ideological cleavage of consequence that separated the two contenders in the race even though the PP sought to emphasize its populism. Just to recapitulate the PP was composed thus of:

- (a) The old Indian-based UNC, the largest part of the PP, led by Kamla Persad-Bissessar.
- (b) The Congress of the People (COP) led by Winston Dookeran which broke away from the UNC to compete as a separate party beginning in the 2007 elections constituted mainly of a fairly large inter-ethnic middle-class support base.
- (c) The National Joint Action Committee (NJAC), led by Daaga, was the old militant African-based urban party which had some support among Africans and the politically radical community in Trinidad.
- (d) The Tobago Organisation of the People (TOP), led by Ainsley Jack, was a Tobago party.
- (e) The Movement for Social Justice (MSJ), led by Afro-Creole Errol McLeod and a prominent mixed-race leader, Stephen Cadiz, was a trade union-based party.

Many environmental and women's NGOs also aligned with the PP to constitute a broad-based multiethnic formation.

Regarding campaign strategy, nothing had changed significantly in the 2010 elections with the combination of overt non-ethnic themes and appeals and communal and racist appeals at the covert level. The election results suggest that the displacement of primordial partisan attachments by the African and Indian communities could not be dismantled in one election but seems to require multiple institutional changes. In terms of issues versus ethnic identity, it seemed that the scandals which bedeviled the PNM in power, as well as the unification of the five parties into the PP which in turn was led by a charismatic leader, persuaded minorities as well as many others traditionally supportive of the PNM to change sides. Issues did impart a special texture to the 2010 elections in literally cornering the PNM with multiple problems that included leadership style and poor performance. If the issues were the decisive factor that determined the election outcome, it was clear that the PNM should have lost even more comprehensively than it did. Rather, the PNM was able to retain a very substantial majority of its traditional supporters as well as the UNC of its Indian supporters.

What emerged as the most powerful factor in the campaign that overwhelmed the PNM was the charismatic electric flair that quickly surrounded the person of Kamla Bissessar who seemed to grow even larger as the campaign progressed (Ryan 2010, 13). It was a totally unexpected development even though Kamla Bissessar had offered intimations of her capabilities just 3 months earlier when she defeated Panday for the leadership of the UNC, but nothing of the explosiveness of Kamla Bissessar's presence on the hustings was in anybody's radar looking at the shape of the campaign to come. At times Kamla Bissessar seemed like a pop star on tour, while Manning displayed lackluster. The charisma and momentum that the PP evolved would spill over the entirety of the electorate with wild predictions that the PNM would be wiped out by an avalanche of support for the star-studded Kamla Bissessar-led PP list of candidates. While the PP was able to draw large crowds everywhere without much prompting, the PNM carried with it a large entourage of bus-filled supporters to its meetings to ensure that it seemed to have much popular support. This was not lost on the daily news media which covered the elections as they made some fun of the relatively lackluster PNM campaign.

In terms of factors that are often associated with a new multiethnic coalition, many of these were clearly missing. This includes most significantly agreement for power sharing among the elements that formed the winning coalition. On programmatic issues, in the political campaign, the PP had defined its position on new policies which relate to governing an inclusivist regime. That factor was to be seen in implementation of governance. No complex set of institutions and conditions, except the idea of forming a coalition structure, such as found in Lijphart's consociational democracy were required to establish a successful multiethnic party. Many potentially outstanding problems were not evident during the victory celebration which was likely to assert themselves during the process of governing through a coalition framework. As fate would have it, during the life of the coalition government, many intragroup conflicts arose which tore the coalition structure apart so that when 5 years later the PP in a reincarnated form sought reelection, it lost to the PNM in an election that was reminiscent of the old ethnic partisan pattern.

Finally, the issue of the electoral system needs to be addressed. As we have pointed out in the introductory part of the essay, the British had bequeathed a parliamentary system under which elections were conducted under a first-past-the-post simple majority procedure. For many analysts, it is this electoral system, while not creating the original divisions, that tends to magnify the ethnic conflict in the society. Analysts such as Lijphart have advocated a system of proportional representation, while others such as Horowitz have advocated the Australian alternate preferential variant of proportional representation (Horowitz 1997). In any case, this electoral institution did not emerge as a specific issue during the 2010 elections in Trinidad. However, in any evaluation of the likelihood of the persistence of ethnic partisan politics in Trinidad and elsewhere, the type of electoral system is clearly relevant.

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N. Mustapha (✉)

Department of Behavioural Sciences, University of the West Indies, St Augustine,  
Trinidad and Tobago

e-mail: [nasser.mustapha@sta.uwi.edu](mailto:nasser.mustapha@sta.uwi.edu)

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**Abstract**

This chapter discusses the introduction of Islam to the Caribbean, beginning with the African slaves followed by the East Indian indentured immigrants.

Indian Muslims, though initially isolated from the wider society, have integrated successfully with the wider society especially during the post-independence period. Muslims have coexisted peacefully with other groups and have participated in mainstream politics, music, sports, business, as well as education. It was not until 1990 that international attention started to be focused on Trinidad Muslims, when a Muslim group attempted to remove the democratically elected government. Such an event was rather unexpected in a society known for carnival, calypso, steelpan, and its religious and ethnic harmony.

The chapter traces the evolution of the Muslim community in Trinidad, and the efforts not only to survive but to maintain a visible presence, amidst the challenges faced. The arrival of missionaries, the formation of organizations, and the subsequent fragmentation of the community based on ideological and theological differences are discussed. Data largely from secondary sources and interviews of key persons by the author provides insights into this community's attempts to preserve its heritage. The Muslim community's resistance to assimilation is also discussed.

International attention was focused on Trinidad and Tobago in 1990 and around 2016/2017 when it was reported that per capita Trinidad and Tobago had the highest number of persons in the Western Hemisphere being recruited to join ISIS, an alarming situation giving the wrong impression that there is much local support for terrorism.

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**Keywords**

Islam · Muslim · Trinidad · Trinidad and Tobago · Caribbean · African · Indian

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**Introduction**

Trinidad and Tobago is a twin island republic situated in the Southern Caribbean only 11 Km from Venezuela. (The population of Tobago is 60,874 and that of Trinidad is 1,311,126.). It is part of the Commonwealth Caribbean, and English is the official language. The total population is estimated to be 1.3 million persons with Indo-Trinidadians 35.4%, Afro-Trinidadians 34.2%, mixed 23%, other 1.3%, and unspecified 6.2%.

According to the International Religious Freedom Report 2017, page 2, 26.5% of the population is Protestant, including 12% Pentecostal or evangelical, 5.7% Anglican, 4.1% Seventh-day Adventist, 2.5% Presbyterian or Congregational, 1.2% Baptist, 0.7% Methodist, and 0.3% Moravian. An additional 21.6% is Roman Catholic, 18.2% Hindu, 5% Muslim, and 1.5% Jehovah's Witnesses. Traditional Caribbean religious groups with African roots include the Spiritual Baptists, who represent 5.7% of the population, and the Orisha, who incorporate elements of West

African spiritualism and Christianity, at 0.9%. According to the census, 2.2% of the population has no religious affiliation, 11.1% does not state a religious affiliation, and 7.5% lists their affiliation as “other,” which includes a number of small Christian groups, Baha’is, Rastafarians, Buddhists, and Jews.

Compared to other Caribbean societies, Trinidad and Tobago has been a relatively prosperous country. Within recent times though, the economy has been experiencing a decline, but with its wide resource base as well as its skilled population, it is still a place of opportunity, as evidenced by the continued inward migration of persons from all over the world.

There is a functional Westminster-styled parliamentary democracy and a well-established education system with universal primary, secondary, and tertiary education. There are regional as well as national universities. Tertiary education was fully government funded until recently, but it is now partially funded and still very accessible.

In addition, there is ethnic and religious harmony although the politics of the country tends to give the impression that there is ethnic polarization, but such negative sentiments become exacerbated around election time. Generally different groups work together in various professions (law, medicine, and teaching), and there is religious harmony and interfaith dialogue. The country has come a long way since independence in 1962, and there is also legislation to address issues of discrimination.

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## Early Muslims in the Caribbean

Most conventional historical sources suggest that African Muslims were among the slaves brought to the Caribbean to provide labor on the plantations (Samaroo 1987; Afroz 1995). They were mostly from the Mandingo, Fulani, and Hausa nations. The experience of slavery impacted negatively on the African slaves, including their lack of community ties and weak family structures, thereby making socialization and religious and cultural continuity extremely difficult. This acculturative process took place systematically throughout slavery irreversibly changing the religious and cultural identity of Afro-Caribbean peoples generally. Creolization meant substantial acculturation and interculturalization whereby a new “indigenized” Caribbean culture emerged.

As conditions of plantation slavery made the retention of African ancestral beliefs difficult, Islam as a distinct religious tradition seemed to have disappeared, but the slaves’ unswerving attachment to their ancestral ties provided a latent sensibility of their heritage. After emancipation, the suppression of African religions continued by subtle and effective means, mainly through the socialization of the Africans through the educational system, together with laws that prohibited the practice of African faiths and cultural traditions. In the years that followed, aspects of Islam exerted an influence on African-Caribbean linguistic, musical, and religious forms (Diouf, S. 1998, 184–205).



As overt traces of Islam virtually disappeared in the Caribbean, the latent, suppressed attachment to African ancestral religions resurfaced much later, and in one of the ironies of Caribbean history, many Afro-Caribbean persons later converted to Islam, centuries after most traces of this religion were destroyed by the European cultural dominance experienced by their ancestors (Kassim 2017, 2).

A significant influx of African converts began in the early 1970s, spurred by an increased black consciousness among the Afro-Caribbean community. This phenomenon was inspired by events in North America and particularly by personalities such as Muhammad Ali and Malcolm X. While the Nation of Islam did have a small following in Port of Spain, Trinidad, and in other Caribbean territories, the majority of Africans in the Caribbean who accepted Islam joined the orthodox Muslim community (Sunni). As these new Afro-Caribbean Muslims came mainly from grassroots urban communities, they did not find initial acceptance by the middle-class leadership of the traditional Muslim community.

Though Afro-Trinidadian Muslims were warmly accommodated by some groups, they were still uncomfortable with the traditional Indian Muslim community. Afro-Trinidadian Muslims were especially concerned about the Indian cultural traditions, which they felt had no basis in Islam. While these tensions were often perceived as anti-African racism on the part of Indians, the prejudice displayed was actually based on ideological, cultural, and class differences. The experiences of slavery and indentureship impacted differently upon African and Indians, respectively, resulting in different approaches to the interpretation and the practice of Islam.

Because of their historical experiences, Afro-Trinidadians, in addition to being mainly converts, saw Islam through the lens of their sociopolitical concerns. They viewed Islam as a complete system of life, one that advocated equality and social welfare, whereas the Indians were more sociocultural and traditional in their approach to Islam. The Indians' emphasis was upon survival and preservation, and they held on to many practices that were viewed as Indian customs that often had no scriptural justification.

While Afro-Trinidadians generally do not subscribe to most of the Indian cultural traditions, today there is generally a cordial relationship between African and Indian Muslims, especially among the younger generations.

Predominantly Afro-Trinidadian Muslim groups started to emerge from the 1970s, inspired by the Nation of Islam as well as the Islamic Party of North America. The Jamaat al Muslimeen, an Islamic organization with a predominantly Afro-Trinidadian membership, evolved around this time. In July 1990, this group led by Yasin Abu Bakr, attempted to remove the democratically elected government. They took Prime Minister A. N. R. Robinson and other government ministers as hostages, but the coup attempt failed after 7 days.

Many of the Jamaat's members then left to form the Islamic Resource Society (IRS). The IRS has very cordial relations with the state and has integrated well with the wider Muslim community. Afro-Trinidadian Muslims frequently worship at most of the Indian-dominated mosques, but there are at least four urban mosques that are predominantly Afro-Trinidadian in their congregation.

While some may believe that the seeds of extremism were sown since the attempted coup of 1990 or some may say through the 1979 revolution in Iran, there is no evidence to suggest that there was a link between these events and those who later supported or participated in terrorist activities locally and internationally.

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## Indian Muslims in the Caribbean

The abolition of slavery resulted in the need to obtain new labor for the plantations. The East Indians were introduced to fill this need. Between 1845 and 1917, approximately 143,939 Indians came to Trinidad to provide labor. Approximately 85% of these immigrants were Hindus, and 14.5% were Muslims (Singh 2013).

Though the living conditions of the Indians were difficult, they nevertheless were somewhat conducive to the survival of the immigrants' cultural traditions. The planters were generally satisfied with the productivity, docile temperament, frugal lifestyle, and industrious work ethic of the Indian immigrants. Being in a new environment, Muslims faced numerous challenges but held tenaciously to the past, as this provided a sense of comfort. Through frequent contact with their homeland, they were more successful than their African predecessors in withstanding culture loss. Although the isolation of Indians on the estates minimized their interaction with other groups in the society, this insularity helped them to revive and reconstruct (with adaptation) their ancestral culture. They re-established joint and extended family systems, Muslim marriage and funerary rites, and congregational worship (Mahase 2012, 247).

Most of the immigrants came from the Gangetic Plain region of North India, bringing similar interpretations of Islam, had similar experiences on the ships and on the plantations, and shared similar contacts with India through the influence of the few educated ones among them such as Syed Abdul Aziz and Haji Ruknudeen (Kassim 2013; Dabydeen and Samaroo 1987). Over time in the Caribbean, however, the dialect as well as the culture of the Indians became stabilized as differences among them were reduced.

Reverend John Morton noted in his diary that mosques began to appear as early as the 1860s, as "nice little buildings with galvanized roofs." Though their level of religious knowledge was limited, they nevertheless attempted to reconstruct their rites and rituals, as they knew it. Also, because of the need to preserve their faith in an alien and somewhat hostile environment, Indo-Trinidadian Muslims became very defensive and introverted, with an emotional attachment to their ancestral traditions. They looked toward India for inspiration as well as identity in response to the pressures of indentureship. The thought that they would return to India after the termination of their contracts, usually after 5 years, provided further impetus for cultural persistence. There were few among the Indians with religious education, who were willing to impart religious knowledge to their fellow indentured workers, the majority of whom possessed only a rudimentary religious education. They sometimes attempted to reconstruct aspects their faith as they knew it, in some

cases borrowing and institutionalizing cultural traditions without textual proof. By the early twentieth century, Islam among Indians in the Caribbean therefore adopted a unique shape. For this reason, many early Indian Muslims even disagreed with some Indian missionaries arriving from as early as 1914 (such as Pir Hassan) whose ideas and practices were at variance with what had emerged in the Caribbean.

Although Indian Muslims adopted a common version of Islam, the diversity found in Indian society and in the Muslim world generally started to resurface in the Caribbean from the 1930s, starting with the return of Moulvi Ameer Ali (labeled an Ahmadi), from studies in Lahore, followed by Nazeer Ahmad Seemab who was labeled a Wahhabi. The views of the latter two scholars were at variance with the then leader Hajji Ruknudeen, a traditionalist Sunni. Up to 1926 the Muslims of Trinidad were largely united, but by the late 1940s, there were three main religious organizations, representing three different religious orientations (Samaroo 1987): the Takveeatul Islamic Association (1926); the nonsectarian organization, the ASJA (1935) (*Anjuman Sunnatul Jamaat Association*); and the TML (est. 1947) *ghair mukallid* (nonconformist). The TML was also affiliated to the Ahmadiyya movement for a period.

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## Religious Practices and Traditions

Based on its history and continuous contact with the international *ummah*, almost every interpretation of Islam in the world could be found in Trinidad. With reference to their beliefs and practices, the Muslims in Trinidad could be classified into the following major groups:

- Ahle Sunnah wal Jamaah
- Shiites
- Sufis
- Ahmadis/Qadianis
- Wahhabis
- Tablighis

### Ahle Sunnah wal Jamaah

The “traditionalist Sunnis,” by far is the largest group in the Trinidad and Tobago today, accounting for more than 50% of the Muslim community. The older generation is more familiar with all the detailed aspects of traditional Islam, and efforts are being made to promote its transmission to younger generations. They are officially *Hanafi Sunnis*, indicating that they follow the school of law developed by Imam Abu Hanifa, and they adopt the *Ahle Sunnah wal Jamaah* approach as advocated by Ahmad Riza Khan of Barelwi in nineteenth-century India (Sanyal 1996). They subscribe to Indian cultural practices such as *niyaz* or *fatihah*, *moulood* and *tazeem*,

and are wary of Muslim groups that do not support these practices. (Please see [www.caribbeanmuslims.com](http://www.caribbeanmuslims.com) for more details on this subject).

Among this group there have been efforts to promote the Urdu language. Though Urdu is an integral part of the Muslim legacy, some Muslims today disassociate themselves from it, due to its Indian cultural origins. Such persons consider Arabic as the only medium for religious instruction. Many traditional Muslim practices in the Caribbean make use of the Urdu language. These include *moulood* (singing of *qasidas* or Urdu songs), *tazeem* (prayer sending salutations to the Prophet), *niyaz* (prayer over food), *Milad-un-Nabi* (celebrating the Prophet's birthday), and *miraj* (observing the Prophet's ascension to Heaven).

The *qasida* ("song of praise") evolved from the Arab and Persian traditions, and it spread from the heart of Arabia to the Islamic periphery. Arabic language impacted heavily on the vocabulary, the grammar, and the literary prose of other languages, including Turkish, Persian, and Urdu. *Qasida*, like poetry, became a popular form of expression among Muslims in South Asia. These renditions, largely in Urdu, were an integral part of religious functions among the early Indian Muslims in the Caribbean. Today in Trinidad, there is an attempt to revive this tradition. However, there is a lack of enthusiasm from some members of the younger generation, many of whom prefer to learn Islam from its Arabic sources rather than from Indian traditions.

*Tazeem* is a song of praise to the Prophet Muhammad. It is usually rendered toward the end of a Quranic reading or prayer function when all present are required to stand and recite: *Ya Nabi salaam alaika, Ya rasul salaam alaika* ("Oh Prophet, Peace be unto you, Oh Messenger, Peace be unto you"). Whereas traditionalist Muslims emphasize the necessity of observing *tazeem*, the purists claim otherwise. *Milad-un-Nabi* is the celebration or commemoration of the birth, life, and achievements of the Prophet. Many Sufi orders support this celebration, claiming that the event is the Muslim community's expression of love for the Prophet. It is an effort to show gratitude to Allah for His favor of blessing humanity with such a *Nabi* (Prophet) and to the *Nabi* for bringing humanity out of the darkness of ignorance. The essence of *Milad-un-Nabi* is to remember and observe, discuss, and recite the event of the birth and the advent of the Prophet. Opponents of this practice have called it *bida'h* or an innovation. They quote the Prophet:

"Whoever brings forth an innovation into our religion which is not part of it, it is rejected," and again, "Beware of innovative matters for every invention is an innovation and every innovation is misleading". (*Hadith, Sahih Bukhari, Vol. 3, Book 49, No 861*).

The visits of Maulana Ansari and Maulana Siddiqi to the Caribbean in the 1950s provided religious legitimacy for the practice of *qasida*, *tazeem*, and *Milad-un-Nabi*. These scholars endorsed these practices and refuted claims that these were innovations. They were able to convince many local Muslims that based on the Quran, the Hadith, and the *fiqh* (the tradition of Islamic jurisprudence), these traditional practices were within the parameters of Islam and are *bida'h hasanah* ("good innovations").

Debates concerning these rituals have created deep rifts among Muslims in the Caribbean from the 1940s to the present. Some groups consider these practices to be *bida'h* (innovations) since they have not been practiced by the Prophet or his companions. In recent times, these debates have subsided somewhat as Muslims of different orientations are showing increased acceptance of each other's differences.

## Shiite Muslims

*Shi'ah* Muslims also brought their cultural traditions to the Caribbean. They believe that the fourth Caliph Ali should have been the successor to Muhammad for the leadership of the *ummah*. Their most important religious personalities are Husayn and Fatima, the grandson and daughter of the Prophet, respectively. Every year they observe the martyrdom of Husayn, which occurred in 680 A.D. on the tenth day of the month of Muharram. This date continues to be a very emotional event involving mourning, the expression of grief, and the chanting of prayers as devotees conduct a street procession of *taziyah* or representations of the tomb of Husayn. Shi'ah Muslims also utilize this event to atone for their sins.

The "Hosay" festival, in its Indian form, was introduced into the Caribbean by early Indian immigrants. Though Shi'ah Islam was largely submerged into the wider Muslim community, Hosay as a street festival persisted in a Caribbeanized or "creolized" form. Though it largely lost its religious significance (Mansingh and Mansingh 1995), creolization is a concept primarily identified with the Caribbean to describe and analyze processes of cultural adaptation and change in hierarchical societies whereby new cultural forms emerged.

Hosay represented a visual display of resistance by Indians, sufficient to cause fear on the part of the colonial authorities. Several historians including Ken Parmasad and Kelvin Singh have documented the importance of the 1884 Hosay Riots (also called the Muharram massacre) in Trinidad. The Hosay festival continues to attract interest as an important cultural event and has received much popular support in India and in Trinidad and Tobago. Grassroots people of various religious and cultural persuasions participate in the festival, providing additional modification of its form. However, the orthodox Muslim groups have distanced themselves from its observance.

It was the 1979 revolution in Iran that really inspired the revival of orthodox Shiite Islam. Its followers were largely of Afro-Trinidadian descent and observe Hosay annually as a true mourning event. Local persons even visited Iran in the early 1980s. Also, Iran also sent Shi'ah missionaries to the Caribbean. This orthodox Shi'ah community that resurfaced in Trinidad in the 1980s has also condemned the manner in which Hosay is currently celebrated, with its alcohol and a carnival-like atmosphere. This Shi'ah group observes the martyrdom of Husayn in what they claim is the truly Islamic manner, as a time of mourning. Shi'ah Muslims have also been strongly condemned by Wahhabi Muslims for their veneration of saints, visits to tombs and shrines, and commemoration of death anniversaries. Some of these practices associated with the Shi'ah tradition are also observed by some Sufi Muslims.

The Shiite doctrines became submerged with the religious practices of the Indian Muslims, with the exception of Hosay which became an annual event in Trinidad and Jamaica. It was a colorful display of flags and tadjahs accompanied by drumming and processions.

## Sufism

*Sufi* Muslims are also found in the Caribbean today. This popular religious movement is found throughout the Muslim world, including the Arab countries, Africa, and South Asia. It is a mystical tradition that seeks to emphasize the inner spiritual development of the individual. Sufis follow an ascetic life of simplicity, purification, denial, and detachment from the material world. Rarely addressing what they view as the mundane issues of society, they spend much of their efforts in prayer, singing, fasting, meditation, and *dhikr* (“remembrance of God”). Though initially having an elite following, the Sufi movement attracted persons from all levels of society. Over the years, Sufi activities came under the influence of Christian hermits, Buddhist monks, and Hindu sadhus. Many orthodox Islamic scholars have rejected the Sufi movement for its “excesses.” Wahhabi Muslims have even described it as heretical or a blasphemous deviation that compromises people’s *iman* (faith). Sufi Islam finds support especially among the “traditionalist” Muslims in the Caribbean, including the Hanafi Sunnis and to some extent, the Tabligh movement. Sufism has had increase support in the last two decades even among the youth who are yearning for spirituality amidst the materialism and secularism prevailing.

## Ahmadi/Qadiani

A major religious conflict among Muslims in Trinidad was posed by the introduction of *Ahmadi doctrines* in the 1930s. Toward the end of the nineteenth century in India, Mirza Ghulam Ahmad had laid claims to prophethood, claiming at various times to have been a reincarnation of religious personalities of Hinduism, Christianity, and Islam. Orthodox Muslim scholars did not recognize his followers, known today as *Qadiani* and *Ahmadi* Muslims. There are no records of *Ahmadi* Muslims in the Caribbean until 1921 when Maulana Durrani, an Ahmadi missionary from India, arrived in Trinidad (Samaroo 1987). After being bitterly opposed by the local leaders, he soon returned to India. He was nevertheless instrumental in persuading a Trinidadian, Ameer Ali, to take up a scholarship at an Ahmadi institute in Lahore in 1923.

## Moulvi Ameer Ali

Ameer Ali returned to Trinidad in 1930 after his graduation, was warmly received by the Tackveeyatul Islamic Association (TIA), and was shortly thereafter appointed *Mufti* (one who is authorized to make decisions in Islamic jurisprudence). Yet there

was much apprehension on his return among the Muslim community in Trinidad. Because of his somewhat liberal approach, it was generally presumed that Moulvi Ameer Ali was an *Ahmadi* or a *Qadiani*, even though he sporadically published denials of the mounting rumors that he had taken the pledge of the Ahmadiyya Anjuman Ishaat-i-Islam and that he accepted the teachings of Mirza Ghulam Ahmad. His views created much concern among the “traditionalist” Muslims of Trinidad, who under the leadership of Haji Ruknudeen, felt strongly that *Ahmadi* teachings were now infiltrating the TIA.

Ameer Ali claimed that he was not an *Ahmadi* but a *ghair mukallid* (“nonconformist”). He adopted a “modernist” approach to Islam, encouraging the free participation of women in religious activities and criticizing some of the local institutionalized traditions. His liberal views were strongly condemned by traditional Muslim leaders. He eventually formed his own organization in 1947, the Trinidad Muslim League (TML). This organization was formally affiliated with the worldwide *Ahmadi* movement from 1969 to 1976 but subsequently identified itself as *ghair mukallid* (nonconformist).

In light of Ameer Ali’s open statements and practices, in spite of his standing as the Mufti of the TIA, in 1932, this conflict reached a climax when Haji Ruknudeen and other senior members of the TIA decided to leave the organization.

Despite their religious differences, Ameer Ali worked with Haji Ruknudeen in support of the passage of the Muslim Marriage Ordinance, which was eventually passed in 1936. Ameer Ali served as President of the *Indian Educational Association*, and from 1938 to 1942, he also served on the Board of Education, becoming its first non-Christian member. In 1939, he made one of his most important contributions to the Muslim community of Trinidad and to non-Christian communities in general. Ameer Ali moved that the Education Ordinance be amended to include all religious associations in the colony, and not only Christian denominations.

In 1947, Ameer Ali and his small group formed the Trinidad Muslim League (TML), which was later incorporated in 1950. He also approached Governor Hubert Rance to request state aid for Indian denominational schools, but it was refused. His plea finally came to fruition when in 1948–1949, the TIA Islamia School in San Juan was granted state aid. This was achieved with the assistance of Nazeer Ahmad Simab. A number of Muslim schools were subsequently established. Ameer Ali died on February 15, 1973.

The Ahmadis claim that Muhammad was the final Prophet but Mirza Ghulam Ahmad was a reformer and the Promised Messiah. The Qadianis on the other hand believed that Mirza Ghulam Ahmad was a Prophet. Both groups are found in Trinidad.

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## Middle Eastern Influence

There were Muslims, Jews, and Christians among the early Syrian and Lebanese immigrants to the Caribbean. Those who remained Muslims often intermingled and sometimes intermarried with Indian Muslims. One of the first Muslim missionaries

from the Middle East was Abdel Salaam from Egypt. In the late 1960s, he taught Arabic at several centers in Trinidad. In the 1970s, nationals from Trinidad, Guyana, and Barbados were awarded scholarships to pursue studies in Egypt and Saudi Arabia. Their return provided a new turn of events for the Muslim community in the Caribbean. As was expected, their interpretations of Islam did not find favor with the traditional Muslims locally. They nevertheless found tremendous support from the youth who were largely disenchanted with the leadership of traditional Muslims. These new approaches to the practice of Islam provided an exciting escape from the traditionalism of the mainstream Muslim community. Young Muslims started to take pride in openly identifying with Islam. It was only around the mid-1970s that Muslim women began wearing the *hijab* or veil. Prior to this, the *ohrni*, an Indian head covering, was worn by older women only (Niehoff and Niehoff 1961).

## Wahhabism

The *Wahhabi* movement, often called “fundamentalist” in contrast to the “traditionalist” Hanafi Sunni tradition, was introduced into the religious landscape of the Caribbean initially from India and later from Saudi Arabia. This Muslim group has grown in size over the past two decades but is by no means homogeneous. The work of Muhammad Ibn Abdul Wahhab (1708–1792) has inspired many of today’s revivalist movements. Abdul Wahhab’s major focus was on the removal of accretions and innovations that crept into Islam over time. He was appalled by some religious practices found in his time, including the veneration of saints and their tombs. He saw such acts as *shirk* (polytheism), which is considered the most serious sin in Islam. Wahhabi Muslims are usually critical of popular interpretations of Islam, especially when they condone cultural practices which were not found among the Prophet’s generation. This movement advocates a return to the “fundamentals” or original sources of Islam, namely, the Quran and the Sunnah. They reject Sufi practices and destroy all idols, icons, tombs, and shrines or anything that they believe comes between God and humanity.

This trend in Caribbean Islam was initially influenced by an early missionary from India, Nazeer Ahmad Simab, who came to Trinidad and Tobago in 1935. He did not find favor with the local Muslims and was ostracized for his rejection of some of their allegedly “un-Islamic” practices. He was even condemned for saying that the Prophet was a man like us. This missionary played a key role in obtaining government recognition for the first non-Christian denominational school in the West Indies.

Subsequently, several groups in the Caribbean have advocated a return to the “fundamentals” of Islam. Like the Wahhabis, these “neo-revivalists” generally show high levels of religious commitment. Originally inspired by movements in South Asia and more recently by Middle Eastern and North American contact, they often find themselves at odds with “traditionalist” Muslims over the latter’s apparent overemphasis on ancestral traditions as opposed to following the *faraid* (“obligatory”) acts of worship. Many neo-revivalists are actively engaged in propagating



their faith among both Muslims and non-Muslims. Generally, members of this group do not follow the rulings of any one of the four recognized schools of Islamic law, and some find *ijtihad* (“personal judgment” in the implementation of the law) to be acceptable.

Recently, a form of *Wahhabi* Islam has been introduced into the Caribbean, the *Salafi* movement. They advocate using only original sources, strict orthodoxy, a literal “back to basics” approach to Islam, and are often criticized for making peripheral matters into central issues. This group is rather small but has grown over the past decade. It has been influenced mainly by the return of Saudi-trained scholars to the Caribbean.

Salafis are largely followers of the Hanbali school and several Saudi-trained scholars. Though a few may have gone on to support extremists, the majority do not condone violent extremism.

### **Moulvi Nazeer Ahmad Simab**

Moulvi Nazeer Ahmad Simab arrived from India in November 12, 1935. Simab had graduated with honors in Persian, Urdu, *tafsir* (commentary of Quran), and Islamic studies. Simab initiated the printing of *khutbahs* (Friday sermons) in English on one side of the page and in Arabic and Urdu on the other, distributing copies to every mosque in the country. He was also the first person in Trinidad to introduce sermons with English translation, both at weekly Friday and Eid prayers.

Not only did Simab make a significant contribution to the Muslim community in Trinidad, but he also made a remarkable impact on the educational system of the colony. He refuted the allegations that Islam was spread by the use of the sword made in the educational textbooks, *West Indian History Book 2* by Edward Daniel and *The Beginner's History* by J.B. Newman. After the controversy erupted in December 1939 between Moulvi Simab and Sydney J. Hogben, the Director of Education, these books were withdrawn from the school system on the instructions of the Colonial Office and the Department of Education. In addition to this victory, Moulvi Simab was instrumental in founding the first Muslim primary school in March 2, 1942. This became the first non-Christian school in Trinidad to receive state aid in 1949. He did not live to see this important occasion for which he had so struggled. Moulvi Simab died on December 10, 1942.

The attractiveness of “Westernization” was difficult to resist, and by the 1960s, many of the younger and more educated Muslims became assimilated into the culture of the wider Caribbean society. The Islam that was being taught as a body of rituals and traditions was irreconcilable with what was being taught in the “secular” educational system. Also by this time, most of the youth, having been educated in the English language, were unable to understand and speak Urdu. Many religious sermons were still being delivered in the Urdu language, while there was very little Islamic literature available in English.

Some studies have shown integration and acculturation among Indians as the twentieth century progressed especially with regard to religion and family life. It was

in the areas of religion and food that Indians remained most resilient as well as most creative. The rate of change was therefore more rapid among the urbanized and more educated and those experiencing higher rates of social mobility. On the other hand, isolated rural settlements showed greater resistance to change especially when they were living in poverty.

The subsequent arrival of learned persons who were able to teach Islam in the English language and the increasing availability of literature in English led to a reawakening of the local Muslims. This revival took place in Guyana and Trinidad simultaneously and was further strengthened by the return of qualified locals from abroad as well as contact with Muslims in North America.

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## Syncretisms

Syncretisms involving Islam and magical practices were also brought to the Caribbean from India. In several communities in Trinidad today, persons perform exorcism using Arabic prayers. Sometimes Arabic phrases are inscribed on paper and given to clients to ward off evil spirits. Services such as fortune-telling, healing of ailments, and detection of thieves are also offered. In the performance of this role, many parallels can be found with the Orisha priest or “Obeah” practitioner.

Common external pressures led to greater mutual respect and acceptance between Indian Muslims and Hindus in the Caribbean. Despite marked differences in beliefs, there was a cordial relationship between these two groups. Around the time of partition of India and the formation of Pakistan, Hindu-Muslim relationships became somewhat strained. However, the relationship was long and intimate enough to lead to the borrowing and sharing of customs. This mutual transfer of cultural traits began in India and continued in the Caribbean.

According to Khan (1987), some Muslim rituals as well as culinary practices in Trinidad have resulted from Hindu contact. There were many instances where Hindu or Muslim dishes initially distinguishable but were later shared by all Indians. Therefore, Indo-Caribbean dishes are of both Hindu and Muslim origins. These include the *paratha roti*, with flour enriched with ghee or butter. The *halwa* of the Muslims of Middle Eastern origin is similar to the Hindu *parsad*. At Divali and *Eid al-Fitr*, similar types of sweets are served. The popular Trinidadian street-food “doubles” originated among Indo-Trinidadian Muslims around the Usine-St Madeline sugar factory in South Trinidad.

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## Conflict and Change

After the period of indentureship, most of the debates among Muslims in the Caribbean focused on cultural practices that Muslims brought from India. There have been two major “camps” on this issue, one comprising the younger generation who preferred to abandon the Indian cultural heritage, and the other comprising the older generation who desire to preserve the Indian tradition. Today, those of the

younger generation who have studied in the Arabic-speaking world prefer Arabic over Urdu and link the Indian Muslim traditions to Hinduism. A continuous attempt has therefore been made to purge “cultural Islam” of “un-Islamic” innovations. As Samaroo 1987 states, “In modern day Trinidad and Guyana, where there are substantial Muslim populations, there is much confusion, often conflict, between the two types of Islam.”

### **Tabligh/Dar-ul-Uloom**

The *Tabligh* (literally, “preaching”) movement, based in India and found throughout the diaspora, was introduced into the Caribbean in the early 1970s. It also advocates a rigid system of adherence to the “fundamentals” of Islam and is dedicated to the propagation of Islam but only among Muslims. Although members of this group are Hanafi Sunni like the “traditionalists,” they do not follow Indian cultural practices which they consider to be *bida’h* (“innovations”). They refrain from polemics and adopt a fixed, literal, and cautious interpretation of Islamic texts. They seem indifferent to contemporary social and political issues and avoid conflict with established authority and controversial issues. Most of them are highly active in religious observance. Nevertheless, their rigid stance on many issues often contributes to their unpopularity among both “traditionalists” and other “fundamentalists.” Their activities revolve around the mosques and require little resources. Their missionary work follows a fixed format, which seldom involves the use of modern technology. They made it possible for a number of locals to obtain scholarships to pursue Islamic studies in India. Today, the efforts of the Tabligh movement have led to establishment the Dar-ul-Uloom Institute of Islamic Studies. The clientele of this institute comes from several Caribbean territories. Tabligh is generally apolitical and emphasizes adherence to Quran, Hadith, and Hanafi school of thought. The majority do not condone extremism.

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### **A Word on ISIS**

When scholars, journalists, and commentators discuss violent extremism, the question continues to be asked: What motivated some persons to leave Trinidad and Tobago and travel thousands of miles away into a strange unknown land? It must be something perceived as important.

There appears to be no link between the 1979 revolution in Iran, the attempted coup of 1990, and the extremist-related events of the last 5 years. Several attempts were made to analyze the attempted coup of 1990 (Ryan 1991; Deosaran 1993), but this was an isolated event that did not reflect the mood of the Muslims as well as the country then and now. Yasin Abu Bakr, leader of the Jamaat al Muslimeen has his own style and has never shown any leaning toward Middle Eastern extremist groups, though he was an avid supporter of Muammar Gaddafi. Abu Bakr did indicate however that the persons who left were so disenchanted with the existing state of

affairs in Trinidad and Tobago that they were willing to take the chance and be lured by the false idealism portrayed. The horror stories about the incarceration and even death of persons who joined ISIS there has made locals think twice about falling for the ISIS rhetoric.

Concerning the economic situation (used as one as the antecedent factors of both the 1970 Black Power Revolution as well as the attempted coup of 1990), this may not be a plausible reason. Compared to other Caribbean societies Trinidad and Tobago is relatively prosperous. Within recent times though, the economy has been experiencing a decline, but with its diverse resource base as well as its highly educated and skilled population, it is still a place of opportunity, as evidenced by the continued inward migration of people from all over the world such as China, the Middle East, Venezuela, and Cuba. Like other religious groups, the Muslims are relatively comfortable here.

The local Muslim community itself has come a long way and has integrated well in the society. They have access to opportunities and privileges unavailable to Muslim in most parts of the world. In fact Muslims of Trinidad have more rights and freedoms than even in most of the Muslim countries, including freedom of expression, freedom of association, and respect for the rights of women (Kassim 2017).

There is the availability of *halal* food, time off for *Juma* (Friday prayer), a public holiday for the *Eid al-Fitr* festival, and two Muslim television stations. Since 1956 there have been Muslims in the country's parliament and cabinet. The country also had a Muslim president from 1987 to 1997 as well as a Muslim serving as Acting Prime Minister. Currently, there are Muslim government ministers. The Islam attire (hijab) can be worn at all government schools and most denominational schools.

Therefore, the view expressed in an article by Simon Cottee (2016) quoting one ISIS fighter. Al Trinidad (aka Shane Crawford) vociferously condemned local Muslims at home for remaining in "a place where you have no honor and are forced to live in humiliation, subjugated by the disbelievers." He urged Muslims in Trinidad and Tobago "to wage jihad against their fellow citizens." He even condemned the Jamaat al Muslimeen for not being "militant enough" (Cottee 2016, 2).

This view does not represent that of Trinidad Muslims generally. Muslims are an integral part of the mainstream society. The Muslim community is generally very conservative and supportive of the status quo and has always been consulted by both the present and past governments on issues of national importance.

Nevertheless, international attention continues to be focused on Trinidad as a recruiting ground for ISIS fighters who have gone to Syria. According to McCoy and Knight between 89 and 125 Trinidadians would have gone. As such "this would place Trinidad, with a population of 1.3 million, including 104,000 Muslims, top of the list of Western countries with the highest rates of foreign-fighter radicalization; it's by far the largest recruitment hub in the Western Hemisphere."

Violent extremists have received undue media publicity but have limited influence locally. They have no legitimacy or support from the scholars as well as the leadership of the community, are geographically concentrated in a few areas (Cottee 2016), have little integration with the society, and have no history of political

activity. The majority have tenuous links with the Muslim community as well as the society generally. They were mostly persons with noninvolvement in mainstream society, e.g., the educational system, and they do not support voting at elections. Suspicious persons were arrested on two occasions, one in 2011 in a plot to assassinate the then Prime Minister and again in 2017 in a plot to disrupt Carnival. In both instances, they were released since the evidence was inadequate. The evidence indicates that only one individual from the time of the attempted coup of 1990 had relatives associated with ISIS. He claimed that he was unaware and had nothing to do with their involvement with ISIS (Cottee 2016).

The question is why people left Trinidad to join ISIS. The “push” and “pull” factors are as follows:

- Pull factors: recruitment strategy, marketing among youth, widespread use of social media, appeal to religious sentiments, appeal to rhetoric surrounding an Islam state and the caliphate, attraction to financial incentive (this was questioned by Cottee 2016)
- Push factors: hatred for disbelievers’ claims of being victims of discrimination, unemployment

After hearing of horrendous condition prevailing in Syria and other ISIS strongholds, including the imprisonment of ladies with children, lack of justice, lack of respect for human life, the alleged death of ISIS fighters, and stories of human suffering, it is unlikely that persons have been joining ISIS within recent times. As Cottee stated, “I think the motives of those who went were complex and mixed. Redemption through violent self-sacrifice is a pretty big draw, but I also think a lot of those Trininis who went, truly believed that the ISIS caliphate was the real deal, a kind of Islamic utopia where they could go with their families and be spiritually saved.”

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## Muslims and Formal Education

Historian Carl Campbell (1992) showed that there were several attempts to establish Hindu and Muslim schools from as early as the 1920s. Muslims with resources were eager to establish institutions to cater for the educational needs of the community. In 1924, 1925, and 1927 privately funded schools were established. Also, a Hindu-Muslim school started in November 1931 with 150 students. It was located in Chaguanas, a predominantly Indian area. Hindus and Muslims in the surrounding areas withdrew their children from the Canadian Mission schools and gave their support to the Hindu-Muslim school. This school was an attempt to check Indian conversion to the Presbyterian faith. This school according to Carl Campbell was “probably the most controversial elementary school ever started in the colony.” The Hindu-Muslim school though faced with many problems was closed in 1935.

According to Hallima Kassim, a high school was started in 1936 in Sangre Grande by a convert to Islam, Abu Bakr Beaumont-Benjamin, (Kassim 2002). In addition to religious instruction, academic subjects were taught. This opening of this

institution was an indication of the maturity and resourcefulness of the community, to have started a secondary school, at such a challenging era in history with so very little resources. Many social events were observed in the form of religious gatherings. The opportunities for social interaction helped in keeping the faith alive. Also, the close-knit Indian family system facilitated cultural transmission to the younger members of society. Under the new conditions, these cultural traits were inevitably adapted and modified. Several efforts were made to teach Indian-based languages. Hindi and Urdu classes were started in San Fernando in 1945 and in Marabella in 1938. The students included Hindus, Muslims, and Christians.

The Marriot/Mayhew report indicated that the Indians who comprised 38.5% of the population (1932 census) should have had their own denominational schools. Subsequently, the government considered both Hindus and Muslims capable of administering schools. Within a short time several Hindu and Muslim schools were established. In 1949, there were 250 Christian schools and 50 government schools. By 1952, Hindu schools started to receive state aid and by 1962, there were 46 Hindu schools and 15 Muslim schools (Campbell 1992).

There were also several efforts to establish private schools, but due to the absence of state aid, adequate resources were not available to provide viable alternatives to the Christian schools. The leaders of both Hindus and Muslims, including Nazeer Ahmad Simab and Ameer Ali agitated for years to obtain state aid for a non-Christian school. And their efforts did bear fruit when the El Socorro Islamia School was established by the Takveeatul Islamic Association (TIA) in 1942. This institution operated as a private school for 7 years before becoming the first non-Christian school to receive state assistance from 1949.

This period of decline and assimilation was exacerbated when Muslims had the opportunity for secondary and tertiary education (most assimilation occurred among those who were more financially endowed, received more secular education, achieved more social mobility, and had more resources). A dichotomy therefore developed between the traditionalism and stagnation of religion (as taught and practiced at the time) and the excitement and dynamism of modernity. These two worlds seemed irreconcilable.

At this time, most of the youth were being educated in the English language, but religious instruction continued in Urdu which the majority could not understand. Many of the Friday sermons were still given in the Urdu language. So as a result, those children who were better educated saw the modern, scientific, and progressive approach to life as more attractive and appealing than a seemingly backward, irrelevant, traditional way of life. The situation was therefore conducive to a decline in the knowledge and practice of Islam.

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## **New Educational Policy**

At the time of achieving political independence in 1962, there were drastic changes in the educational policy in Trinidad and Tobago. Of concern here was the introduction of the Common Entrance Examination and the increased

availability of secondary school places through the establishment of several government secondary schools. Of course, such a move was welcomed by the population in the face of the existing elitism in the secondary school system and the general lack of opportunities for members of the lower classes to achieve social mobility through education. Educational expansion also meant, however, a reduction in the power of the denominational boards and greater state control in education. In such a context, the Muslim schools had very little opportunity to blossom into independent institutions with their own school culture and traditions, without state interference. Even the existing church schools to a large extent lost their unique character in the face of deliberate attempts to promote a homogeneous society based on nationalistic and therefore secular ideals.

At this time the leadership of Muslim groups appeared to support the status quo and in return enjoyed some degree of privilege in accessing opportunities. They encouraged the community to support the dominant values of the wider society, and therefore their unique cultural identity was being eroded.

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### **Increase in Muslim Schools**

Within a decade after the establishment of the first school to receive state aid, the three existing Muslim organizations, the ASJA, the TIA, and the TML, established 15 primary schools: the Anjuman Sunnatul Jamaat Association (ASJA) had seven, Takveeatul Islamic Association (TIA) had five, and the Trinidad Muslim League (TML) had three. Though, initially there was rivalry and competition among the groups, the schools helped to foster the bonds of cohesion and therefore keep the community alive. There were also instances of teacher mobility from one board to another. Over the years there developed a very cordial relationship among these groups, leading to the formation of the Muslim Coordinating Council.

In 1969 two government-assisted Muslim secondary schools were opened, and in the year 2000, four additional government-assisted secondary schools were opened. It is also important to note that the student population at all these schools includes students of all religions, which reflects the religious and ethnic harmony that exists in the society generally.

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### **Religious Education**

According to many Muslims, there is no distinction between religious and secular education. Nevertheless, many Muslim leaders felt there was a need for specialist training institutions in religious studies; this was done by the Islamic Missionaries Guild, the Islamic Trust, ASJA, and Dar-ul-Uloom, among others.

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## The Islamic Trust

In mid-1975 Abdul Wahid Hamid, a Trinidad-born and British-trained historian, formed the Islamic Trust. It was a registered charity which attempted to work with all of the existing organizations. For fear of exacerbating the schisms in an already fragmented community, the Trust never identified itself as a Muslim organization but functioned as a service bureau and as a “catalyst” in the Muslim community. The Trust established a reference library and a bookshop and held classes at various venues throughout the country. It published numerous books and a monthly magazine called *The Muslim Standard* (from 1975 to 1983). The Trust was very vociferous on a number of social and political issues, leading the then Prime Minister of Trinidad and Tobago, Dr. Eric Williams, to comment that the Muslims had become aggressive in their missionary activity (Hamid 1978, 4). *The Muslim Standard* was eventually banned from mosques, controlled by mainstream organizations, mainly on account of its scathing criticisms of shortcomings in the traditional Muslim community.

Hamid, nevertheless, considered himself part of the mainstream Muslim community and encouraged his students to forge links with the existing organizations. The group had attracted many persons of African descent to Islam. In late 1977, Abdul Wahid returned to London and continued to write and publish several articles and books.

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## The Haji Ruknudeen Institute of Islamic Studies

With the aim of “providing a forum for comprehensive Islamic learning” a committee was formed by the ASJA in the mid-1970s, to explore the possibility of establishing an Islamic institute. This effort was headed by President of ASJA, Hajji Abdool Sattar, and included Dr. Nizam Mohammed, Zainul Khan, and Justice Anthony Edoe. It later included Hajji SS Hosein, Dr. Aleem Mohammed, and Hajji Hyder Ali in the mid-1980s. At this time, residential and nonresidential weekend courses were held. Funding was obtained for a new building, and the sod for this structure was turned in May 1991. In September 1995, the Hajji Ruknudeen Institute was formally launched. Maulana Dr. Waffie Mohammed was the principal. The staff included Maulana Siddiq Ahmad Nasir and Maulana M. Sulaimani. Several part-time and full-time courses were offered.

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## Dar-ul-Uloom Institute

Evolving out of the influence of the Tabligh is the *Dar-ul-Uloom* Institute of Islamic Studies, which offers courses in Arabic and Islamic studies.

This was started in 1984 by Trinidadian Mufti Shabil Ali, a graduate of India. Its main objective was to impart a sound Islamic as well as academic education. Dar-ul-Uloom is a private institution which today includes a Boys’ College and a Girls’



College, both offering full-time as well as part-time tuition. The curriculum includes Arabic language, Islamic jurisprudence, Islamic history, as well as several academic subjects. The students write the CXC examinations, as well as those set by the institution. Both colleges include dormitory facilities, and the student population includes locals as well as citizens of other countries. The full-time enrolment at the Boys' College (as of October 2006) is 100, including 20 foreigners, with 21 members of staff (Eid ul Fitr Brochure 1427A.H. October 2006). The Girls' College has an enrolment of 161, with 50 students boarding. There are 18 staff members at the Girls' College.

The institution offers a full-time secondary program, an 8-year Aalim program, a 5-year Aalim program, an associate's degree program, a Hifz course, and several Tajweed and Qari courses. In addition, there are several part-time programs, such as Arabic language, Tajweed, Hadith studies, and tafsir. Enrolment at the part-time programs is approximately 250.

In addition to the above, very vibrant religious institutions are currently attracting much interest. These include the Madinatul Ulum in Marabella, the Markaz al Ihsaan in San Fernando led by Maulana Dr. Waffie Mohammed, and the Ahlus Sunnah wal Jamaah Institute also in San Fernando, led by Maulana Siddiq Ahmad Nasir.

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## Conclusion

This chapter looks at Islam in Trinidad starting with the experiences of the African slaves as well as the Indian indentured immigrants. While Africans largely became assimilated in the society as a result of slavery, Indians were able to maintain their religious identity due to their isolation on the estates. The main factor that led to religious change among Indians was the efforts of the Canadian Mission started by Reverend John Morton in the 1860s.

The chapter looks not only at Muslims' survival but the establishment of places of worship, the evolution of Muslim organizations to seek their interests, lobbying to get legislation passed to protect their interests (e.g., for Muslim marriages) and establishing Muslim schools. It also discusses the conflicts and schisms arising in the 1930s and 1940s, due to ideological differences eventually leading to the formation of three main organizations by 1947. The various orientations that were discussed include Sunni, Ahmadis, Qadianis, Shi'ahs, Sufis, and Wahhabis.

It also examines the recent trend of youth radicalization and the development of extremist tendencies leading to the migration of persons to fight for ISIS.

The final section gives an overview of the Muslim involvement in education, both religious and secular, in Trinidad and Tobago. It examines the community's successful battle with the forces of acculturation and assimilation. The information indicates that the Muslim community has successfully struggled to maintain a visible identity, in the face of numerous challenges. Muslims have coexisted peacefully with other groups and have participated in mainstream politics, music, sports, business, as well as education. The community now has over 140 mosques, over 20 government-assisted Muslim schools, 3 theological institutes, 2 financial institutions, several

charities, and 2 television stations. Within its unity of belief and practice, a marked diversity exists, reflecting the variations in the Muslim ummah worldwide.

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## Part V

# Indigeneity, Gender, and Sexuality

## Part Introduction

The issues of indigeneity, gender, and sexuality are usually not seen as salient in mainstream discourses on ethnicity, although their significance in defining ethnic identities in the context of inequality and social marginalization cannot be ignored. This part examines some of the issues relating to indigeneity, gender, and sexuality and some of the challenges associated with them in different political and sociocultural contexts.

Despite attempts to protect their rights and livelihood, many indigenous groups around the world are now threatened by the encroaching corporate interests, which threaten to transform their social habitat into commercial enterprises. Jeffery Gardner and Patricia Richards examine this issue in relation to the impact of neoliberalism on indigenous rights in South America. Today many indigenous groups are still trying to deal with the impact of colonialism, a theme raised by Jessica Terruhn, who examines the situation of settler colonialism and biculturalism in Aotearoa/New Zealand. A less understood story was how Indigenous groups in the Pacific were subjected to exploitation during the cold war. Nick Maclellan discusses this issue with reference to nuclear testing and racism in the Pacific islands. In broader context of colonialism in the Pacific, Keakaokawai Hemi examines some of the issues relating to the sovereignty movement in Hawaii, while Michael Davis investigates some of the dilemmas relating to Indigenous Australian rights and identity in colonial and postcolonial contexts. Similar dilemmas are faced by the Nagas of northeast India, and this has inspired a vibrant Indigenous movement among the Zeliangrong Nagas, as discussed by Aphun Kamei. In a situation of political conflict, indigenous minorities often find themselves tangled up in complex situations of contestation over power. This is indeed the case in Mindanao, Philippines, where Jovanie Espesor analyses the exclusion of “second-order minorities” in the civil war. More or less, the same situation has arisen in Chinese modernization and development has led to ethnic unrest among Indigenous groups as in the case of Xinjiang, as Kate Hannan’s chapter shows.

The use of the gender lenses to frame ethnicity and indigenesness reveals interesting dynamics in relation to power, stratification, and identities based on

ideas of femininity and masculinity. Gender relations, division of labor, and status are shaped by the interplay between cultural, religious, political, economic, and ideological factors. In patriarchal-dominated societies, the subordination of women and LGBT are “normalized” through appeal to various cultural religious, legal, and political norms. In the Islamic world, the relationship between Islamic identity and sexuality is complex as explored by Sharyn Davies in the chapter on Indonesia. The reaction against masculine hegemony in Islamic societies has taken various forms.

The issues of gender and sexuality are closely associated in various ways and are often defined in relation to each other. It involves not just a male-female dichotomy but also the broader issue of alternative sexual preference and identification as Arjun Rajkhowa discusses in the chapter on LGBT and ethnicity. The relationship between the two does involve cultural transformation and power as Monique Mulholland expounds in the chapter on race and sexuality in the context of colonial, postcolonial, and contemporary forms of orientalisms. The dynamics of social transformation, especially in the context of migration and mixed races, has potential to raise challenges in relation to gender identity. Joseph Rukema and Beatrice Umubyey talk about how Congolese migrant men in South Africa are faced with managing their manhood.

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# Indigenous Rights and Neoliberalism in Latin America

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Jeffrey A. Gardner and Patricia Richards

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## Abstract

Neoliberalism in Latin America has resulted in social, political, cultural, economic, and environmental challenges for indigenous peoples in the region. In response, indigenous communities and movements have contested neoliberal projects as they simultaneously seek collective rights for recognition as peoples, redistribution of resources, and recovery of ancestral territories. This chapter traces the emergence of neoliberalism in Latin America and demonstrates how it has contributed to the social suffering of indigenous peoples. Emphasis also is placed on how indigenous peoples in the region have mobilized against neoliberalism. Latin American governments have reshaped the politics of recognition in relation to indigenous peoples by embracing “neoliberal multiculturalism,” a form of recognition that does not jeopardize the economic and political priorities of the state and elites. Questions about whether the region has entered into a “post-multicultural” or “post-neoliberal” moment are considered in relation

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J. A. Gardner

Department of Sociology, Sam Houston State University, Huntsville, TX, USA

e-mail: [jag175@shsu.edu](mailto:jag175@shsu.edu)

P. Richards (✉)

Department of Sociology, University of Georgia, Athens, GA, USA

e-mail: [plr333@uga.edu](mailto:plr333@uga.edu)

to indigenous rights claims. Furthermore, the chapter describes the potential of the “decolonial turn” and other recent trends for challenging hegemonic ontological and epistemological assumptions and pointing toward alternative modernities that center on indigenous worldviews.

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**Keywords**

Indigenous · Neoliberalism · Latin America · Multiculturalism · Rights · Post-neoliberal · Post-multicultural

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## Introduction

This chapter traces the effects of neoliberalism on indigenous peoples in Latin America, examining how some rights have been violated and others, seemingly, elevated. Throughout, it also examines how indigenous peoples have responded to the social scenario shaped by neoliberalism, showing how some have embraced the limited openings provided by neoliberal governments, others have created openings themselves through protest, and still others have opted to frame their protest as outside the system, focusing on rights to autonomy and self-determination beyond the neoliberal state.

The chapter proceeds as follows. The first section traces the emergence of neoliberalism in the region and demonstrates how it led to social suffering in indigenous regions and communities. It also highlights some early movement responses and ongoing resistance to the suffering imposed by neoliberal policies in the region. The following section discusses the politics of recognition under neoliberalism and the emergence of what has come to be called “neoliberal multiculturalism.” The final section considers whether the region has entered a “post-neoliberal” or “post-multicultural” moment and what this means for indigenous rights.

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## Neoliberalism, Social Suffering, and Early Resistance

Neoliberalism refers to a form of sociopolitical and economic governance characterized by privatization, economic deregulation, and withdrawal of the state from providing for social needs (Auyero 2012; Hale 2006; Harvey 2005; Peck and Tickell 2002; Postero 2007, 2017; Richards 2004, 2013). Neoliberal philosophies view the state as inefficient and, therefore, seek to minimize its role in relation to the market. At the same time, this form of governance is centered on trusting in the market’s ability to provide social goods to “responsible individual citizens” (Postero 2007: 15–16). Thus, an important aspect of neoliberalism has involved inducing nongovernmental and community organizations to perform what were once state responsibilities (Richards 2004; Roberts and Portes 2006). This section briefly describes a few examples of how neoliberalism manifested in Latin

America, detailing how neoliberalism has contributed to the suffering of individuals and communities (indigenous and nonindigenous alike) and tracing some of the early indigenous responses to neoliberal reforms in the region.

In the context of Latin America's harsh economic crises of the 1970 and 1980s, many governments faced coercive pressure to address their debts through neoliberal policies. Neoliberalism was put in place through the imposition of structural adjustment reforms, in most cases, impelled by international financial institutions such as the International Monetary Fund and the World Bank. These reforms entailed establishing an export-based economic strategy, opening the economy to international investment, eliminating trade barriers, privatizing state industries, devaluing currency, and replacing universal social services with programs targeting particularly needy sectors (Portes 1997).

Neoliberal reform took distinct trajectories in different parts of the region. For example, in Bolivia, the imposition of neoliberalism followed the standard narrative fairly closely. The government took on neoliberal economic restructuring in 1982 (with its return to democracy) and intensified these measures beginning in 1985, following a period of rising unemployment and a steady drop in agricultural commodity prices (Postero 2007). Embracing these reforms was a condition of structural adjustment loans provided by the International Monetary Fund and the World Bank. Bolivian workers suffered as a result of this "New Economic Policy," as unions were weakened through the deregulation of labor laws (Postero 2017). Additionally, thousands of miners lost their jobs when tin mines were privatized or closed. One unique point worth highlighting in the Bolivian case is that although neoliberalism generally has entailed minimizing the state, "the Bolivian version has always been tied to an ambitious state building project" (Postero 2007: 125). Nevertheless, in seeking to balance the state's budget, over time Bolivia's government reduced public sector employment by 10% and made vast cuts in spending on education, healthcare, and other services (Postero 2007).

In Argentina, in contrast, the last military dictatorship put in place some neoliberal policies during the late 1970s and early 1980s, but the primary period of neoliberalization occurred in the first half of the 1990s (Auyero 2012). In the short term, Argentina's neoliberal experiment created economic growth and monetary stability. However, the long-term cost of deindustrialization and privatization included massive layoffs in the manufacturing sector, high unemployment, and loss of protections from the state, unions, or other organizations (Auyero 2012; Villalón 2007).

In Chile, neoliberal reforms occurred much earlier and were arguably more severe than other parts of Latin America (Richards 2013). Around 1975, during the Pinochet dictatorship, the "Chicago Boys" (economists trained under the direction of Milton Friedman at the University of Chicago) persuaded Pinochet to embrace a "rightist shrunken state and extreme free market capitalism" (Richards 2013: 71). As Richards (2004: 9) explains: "The military regime liberalized trade, created incentives for foreign investment, privatized state industries, devalued the peso, weakened labor unions, deregulated markets, structured the economy around exports, and drastically decreased social spending." The regime's ability to

implement these structural adjustment reforms were coupled with gross human rights violations, including the execution and disappearance of about 3,000 people and tens of thousands detained, tortured, or exiled (Richards 2004). Although these reforms generated wealth and growth – indeed, Chile was hailed as a successful example of neoliberalism – they also produced abuse of human rights, environmental destruction, and severe inequality (Richards 2004).

The Concertación de Partidos por la Democracia (Coalition of Parties for Democracy) governments that led Chile for 20 years following Pinochet's dictatorship embraced neoliberal economic policy, even as they worked to reduce poverty and inequality (Richards 2013). Among other issues, ongoing neoliberal policies prioritized large-scale agricultural production for export, imperiling small-scale farmers (indigenous and nonindigenous alike). Likewise, the Concertación continued subsidies for the timber industry, contributing to conflicts with Mapuche indigenous communities in the country's South (Haughney 2006; Richards 2013).

In these examples and others throughout Latin America, neoliberalism led to social suffering among indigenous and nonindigenous citizens, as governments curtailed the provision of public goods like healthcare, nutrition, education, and housing (Albro 2005). Neoliberalization also entailed major layoffs and unemployment as a result of privatization and the shrinking of the public sector. Social suffering in many communities has been further exacerbated by environmental devastation, as governments have privatized industries, prioritized agro-exports, and increased the exportation of natural resources, such as timber and mining products.

Indigenous peoples have faced particular consequences – cultural, political, economic, and environmental – as a result of neoliberalism and often have mobilized in response to ensure their rights and sovereignty. This resistance has taken on different forms. For example, indigenous people have participated in trans- and international activism to recognize their rights. Indigenous peoples from throughout the region gathered at the Primer Congreso Indio de Sudamérica (First South American Indian Congress) held in Peru in 1980, which not only focused on resisting social and economic exploitation but helped plant the seeds of movements for indigenous autonomy. Also in 1980, the foundation was laid for the United Nations Working Group on Indigenous Affairs to oversee the development of a declaration regarding the protection of indigenous peoples' human rights. (The declaration was finally finished years later and adopted by the General Assembly in 2007.) And in 1989, the International Labor Organization passed Convention 169 (ILO 169), which recognized the cultural and political rights of indigenous peoples to language, identification, autonomy, self-governance, and territory, among others. Importantly, ILO 169 details indigenous peoples' right to consultation, as a means of assuring that the indigenous are involved in administrative and legislative decisions that affect them, their territories, and their resources and that states either come to joint agreement with them or garner their informed consent, before acting. ("Participation" is sometimes used in a similar sense and refers to being involved in establishing priorities, design, delivery, and evaluation of policies and programs of various sorts.)



In some places, indigenous peoples also contested neoliberalism from its early inception through protest. For example, in 1988, indigenous peoples protested against a large dam on the Xingú River in the Amazonian region of Brazil, which would displace indigenous communities along the river, devastate livelihoods, and harm wildlife and vegetation by flooding this ancestral territory. With support from international allies, indigenous peoples in the region protested against the proposed six dams along the river and continued this resistance against the Belo Monte Dam in the decades that followed.

The Zapatista uprising articulated a forceful early response to neoliberalism. In Mexico, as elsewhere, neoliberal restructuring began in the late 1970s and gained traction through the 1980s. Neoliberal reforms were especially ushered in under the direction of President Carlos Salinas de Gortari (1988–1994). Constitutional changes shrunk the government’s role in providing social services and opened its markets for imported goods, like grains, that were more cheaply produced in the United States (Stephen et al. 2006). These reforms were devastating for many rural farmers whose livelihoods were invested in domestic markets and production support from state subsidies (Stephen et al. 2006).

The Zapatista National Liberation Army (EZLN) initially emerged in Chiapas in 1992 in protest against amendments to Article 27 of the Mexican Constitution that ended land redistribution and the ability to petition the Mexican government for land (a move that directly impacted the many indigenous peoples living on disputed lands in Chiapas), as well as in protest against the 500th anniversary celebrations of Columbus’ arrival in the Americas (Stephen et al. 2006). But it was the morning of January 1, 1994, when the North American Free Trade Agreement (NAFTA) between Mexico, the United States, and Canada went into effect that indigenous peoples in Chiapas took up arms against neoliberalism in what came to be known as the Zapatista rebellion (Hernández Castillo 2001). Armed and unarmed indigenous peoples from Chiapas – Mam, Tzeltal, Tzotzil, Tojol’abal, and Chol – participated in the rebellion. The platform of their uprising was focused on “work, land, housing, food, health, education, independence, liberty, democracy, justice, and peace” (Stephen et al. 2006: xv). Following 12 days of armed conflict, the government was ready to negotiate with the EZLN. As Hernández Castillo (2001: xii) describes:

In their political discourse, Zapatistas talked about the immediate causes of their uprising, referring to the effect of neoliberal policies on the lives of thousands of indigenous peasants in Mexico and at the same time linking their struggle to the five hundred years of colonial and postcolonial indigenous resistance against racism and economic oppression.

The negotiations between the EZLN and the Mexican government led to the 1996 signing of the San Andrés Accords on Indigenous Rights and Culture that would ensure rights for indigenous peoples to autonomy and self-determination. Following the signing of the accords, however, the Mexican government refused to follow through with the agreements articulated therein and continued to prioritize neoliberal development over indigenous rights in addition to repressing Zapatista communities.

In spite of the social suffering faced by nonindigenous and indigenous citizens alike, most governments have, either voluntarily or in response to external pressures, continued to enforce neoliberal policies (Harvey 2005). Neoliberal philosophies continue to be pervasive across Latin America, shaping perspectives on the state's role, the content of public policies, and understandings of the relationship between citizens and the state. As Harvey (2005: 3) explains: "Neoliberalism has, in short, become hegemonic as a mode of discourse. It has pervasive effects on ways of thought to the point where it has become incorporated into the common-sense way many of us interpret, live in, and understand the world." Importantly, however, this so-called "common-sense" way of seeing and knowing the world has been contested by indigenous ways of knowing, based on epistemological and ontological perspectives that stand in contrast with Eurocentric ones. (More on this below.)

In sum, as governments embraced neoliberal reforms in Latin America, just as in other regions of the world, citizens (particularly the most vulnerable among them) faced socioeconomic and environmental suffering. The devastation wrought by neoliberalism has especially impacted indigenous peoples and their ancestral territories. Consequently, indigenous peoples contested structural adjustment reforms and neoliberal policies from early on, seeking recognition of their collective rights as nations, including the right to be consulted about projects that may impact them and Autonomy to govern themselves and their territories. Importantly, neoliberalism may continue to perpetuate social suffering even as governance takes on different forms in the region. The following section describes how Latin American states have attempted to mold indigenous collective rights demands to fit within neoliberal models, reflecting their own political and economic priorities.

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## Neoliberal Multiculturalism

In an apparent contradiction with the purported shrinking of the state and relatively restricted approach to social rights under neoliberalism, between the late 1980s and the mid-2000s, many Latin American governments enacted multicultural reforms in response to growing indigenous demands. However, such responses have inadequately addressed the demands of indigenous peoples. This inadequacy is particularly apparent when considering how governments have attempted to treat indigenous collective rights demands as malleable and to selectively shape them to fit within their own neoliberal agendas. This section details this process, also highlighting indigenous responses to this agenda.

The multicultural reforms enacted by Latin American governments focus on the Recognition of marginalized subpopulations by ensuring individual rights and, to a lesser extent, collective ones (Postero 2007). Multiculturalism refers to "the efforts of liberal democratic governments to accept and embrace [...] ethnic differences" among their citizenry (Postero 2007: 13). Ratification of ILO Convention 169 has been one of the most common reforms in the region. Some form of constitutional recognition of indigenous peoples is also common. For example, Article 2 of the Mexican Constitution defines Mexico as a singular ("única") multicultural nation.

It does not, however, acknowledge that there are many indigenous nations in Mexico that form part of a plurinational state. Similarly, in Guatemala, the 1995 Agreement on Identity and Rights of the Indigenous Population (also called the Indigenous Rights Accord) was part of the peace accords signed between the government and guerilla groups following the 36-year civil war. The Accord depicts Guatemala as a multiethnic, multicultural, and multilingual nation. However, the political and ethnic boundaries established in the Accord do not correspond to the plurinational social reality of Guatemala. In this sense, symbolic recognition has been easier for governments to adopt when they are able to do so without recognizing collective rights that could be perceived as threatening to the sovereignty of the nation state.

Likewise, many Latin American governments have demonstrated willingness to acknowledge cultural aspects of indigenous rights claims (such as ones focusing on identity and language) in social policy. For instance, “culturally inclusive” social programs, such as intercultural education and healthcare, often accompany governments’ discursive commitment to multiculturalism. Several have gone so far as to formally recognize a right to indigenous participation and consultation as well as limited versions of autonomy. As Richards (2013: 10–11) writes, “Multiculturalism thus has accompanied neoliberal reform in many parts of the region, representing, at least on the surface, a transformation in the relationship between indigenous citizens and the state.”

Scholars have wagered a range of hypotheses to explain the opening toward indigenous rights under neoliberalism. Brysk (2000) suggests that democratization logically led to the expansion of rights for all citizens. Yashar (1999), in contrast, maintains that expanding indigenous demands for political access, local autonomy, and participation were an unintentional by-product of incomplete processes of political liberalization combined with neoliberal cutbacks. And Van Cott (2000) argues that Latin American states have implemented multicultural reforms in order to prove their legitimacy as democratic actors on the world stage while also minimizing the potential for instability as a result of indigenous protest.

But rights and recognition are selectively granted to the indigenous only insofar as they do not threaten the state’s political and economic priorities (Richards 2004; Hale 2006). Indeed, Hale (2002) argues that analyses like those above play down the extent to which multicultural and indigenous policies are part of the neoliberal program. Hale (2002: 487) explains instead a process “whereby proponents of the neoliberal doctrine pro-actively endorse a substantive, if limited, version of indigenous cultural rights, as a means to resolve their own problems and advance their own political agendas” and undermine pressures for more radical change. The result is “neoliberal multiculturalism,” which Richards and Gardner (2013: 257) have defined as “a form of governance in which cultural recognition is promoted without the economic and political redistribution that would lead to greater equality.” Hale (2002, 2006) and Postero (2004, 2007) have been the major theorists of neoliberal multiculturalism, although many others have demonstrated the limits of symbolic rights, recognition, and multicultural discourses and policies under neoliberalism (among others, see Andolina et al. 2005; Assies et al. 2006; Gustafson 2002; Horton 2006; Richards 2004, 2013; Stahler-Sholk 2007; Leyva et al. 2008).

Some scholars have argued that there are openings in the neoliberal multicultural framework that indigenous actors can exploit in order to work toward autonomy and self-governance. One example of this can be seen in the ways that some indigenous activists may work within the system by taking up government positions. For example, in Guatemala, some indigenous activists work in the Ministry of Education or Academy of Mayan Languages of Guatemala (a government organization) while attempting to promote recognition of the nation's plurinational character in the resources they produce and distribute to educators (Gardner and Richards 2017). Such efforts have provided mixed results though, often generating implicit consent for state priorities. For instance, Mapuche workers in the Chilean government have acted in ways that both support and impede movement goals (Park and Richards 2007). Nevertheless, indigenous peoples "taking state resources to sow the seeds of dissent may ultimately be an important first step in challenging the hegemony of neoliberal multiculturalism" (Park and Richards 2007: 1335).

Most agree, however, that the type of recognition granted through the neoliberal multiculturalism framework does more to generate consent for the neoliberal project than to transform the relationship between indigenous people and the state. Indeed, while governments may highlight diversity and grant a limited measure of autonomy, they have tended to construe demands for radical redistribution, autonomous territory, and self-government as counterproductive for multicultural society (Hale 2002; Richards 2013). In this way, multicultural policies help states and elites avoid addressing claims against the injustices of neoliberal capitalism. Thus, scholars and indigenous activists alike have voiced skepticism about multiculturalism as it has been incorporated into state policies in the neoliberal context (Assies et al. 2006; Becker 2011; Hale 2006; Lucero 2009; Postero 2007; Stahler-Sholk 2007).

Bolivia and Chile both exemplify the neoliberal multicultural moment, although each of these countries has followed a somewhat unique trajectory. According to Postero (2007), the Neoliberal multicultural era in Bolivia, characterized by demands for recognition and indigenous rights as well as state-driven multicultural reforms, ran from the late 1980s to the early 2000s. The government responded to some indigenous claims by enacting decentralization and incorporating participation into budgetary decisions. Nevertheless, broader structures of inequality remained in place, and Postero argues that neoliberal reforms "reinforced the racialized inequalities long existing in Bolivia, laying bare the continued monopoly of power held by dominant classes and transnational corporations" (2007: 4). Adding multiculturalism into the mix did little to change this. Nevertheless, as shall be seen below, the reforms did provide skills and discursive repertoires that facilitated claims and actions against the state at critical moments, ironically creating some openings for indigenous peoples to contest the neoliberal multicultural framework.

In Chile, the demands of Mapuche communities and organizations have long centered on both redistribution and recognition (Richards 2004, 2013). Under the Concertación, the government responded with some recognition, but to a much more limited extent than elsewhere in Latin America. In the 1990s, while other Latin American states were engaging in limited forms of recognition, the Concertación framed Mapuche demands largely as a problem of poverty. This was the case despite

the creation of CONADI (the National Corporation for Indigenous Development) in 1993 and Orígenes (Origins, another indigenous development program) in 2001. The creation of a Comisión de Verdad Histórica y Nuevo Trato (Historical Truth and New Deal Commission) in 2001 and passage of ILO 169 in 2008 represented steps toward greater recognition, but constitutional recognition remained elusive. The limited scope of recognition in Chile is partly related to ongoing political and economic centralization, which forecloses the possibility of even the limited local or regional autonomy granted in other countries. But more importantly, beginning in the late 1990s, conflicts emerged over timber plantations, farms, and hydroelectric dams in ancestral Mapuche territory. A range of Mapuche organizations engaged in peaceful protests and land occupations and, in some cases, arson and equipment sabotage. In this situation, the Concertación was obliged to respond to Mapuche rights claims at the same time that it answered to demands from economic elites and the political right for harsher penalties against Mapuche activists. Ultimately, the Concertación paired multicultural developmentalist rhetoric and policies with the application of anti-terrorist legislation that originally had been designed to control Leftists during the Pinochet dictatorship, resulting in an indigenous policy that reinscribed notions of “good” and “bad” or, as Hale has put it, “permitted” and “insurrectionary” Indians (Hale 2002; Richards 2013). All told, while Chile was first in the region to embrace neoliberalism, it was one of the last to undertake multiculturalism.

Thus, even as Latin American governments embraced neoliberal multiculturalism into the twenty-first century, indigenous peoples continued to suffer from – and resist – the particular effects of neoliberal projects. Another example can be seen in Bolivia’s “Water War” of 2000. Under pressure from the World Bank and the Inter-American Development Bank, Bolivia privatized the city of Cochabamba’s water resources in a deal with the consortium Aguas de Tunari. Many Quechua citizens expressed their social suffering by describing how “their water rights [are] inherited through customary law” (Postero 2007: 194). Water rights are considered sacred as “a living being, and a resource for life” in the Andean *cosmovisión* (worldview) (Postero 2017: 32). After this back-door privatization, the consortium raised water rates and made illegal all private water collection schemes (Postero 2007). These actions ignited marches and other acts of resistance (e.g., public burnings of water bills) among indigenous and nonindigenous citizens, including rural irrigators, urban workers, local water collectives, and students (Albro 2005; Laurie et al. 2002). These acts of protest culminated in thousands fighting the police in the streets and the government cancelling its contract with the consortium (Postero 2017).

An additional example of continued indigenous mobilization against neoliberalism in the twenty-first century can be seen in Guatemala and southern Mexico, where indigenous people continue to contest transnational mining projects. Such projects have damaged local rivers, communities, animal life, and landscapes in their ancestral territories, which are understood as interconnected in the Mayan *cosmovisión*. The Mam, K’iche’, Sipakapense, and other indigenous peoples in the region have organized *Consultas Comunitarias de Buena Fe* (Community Consultations) to vote

against the mines and mining licenses granted by the Guatemalan government that provide transnational companies (such as the Canadian Goldcorp) access to explore and exploit the natural resources within indigenous ancestral territories. However, in spite of the backing of ILO 169, which was ratified by Guatemala in 1996, in many cases, the government has not followed through on the stipulation for governments to respect these consultations. Nonetheless, indigenous organizations such as the Council of the Mam Nation continue to demand recognition of their right as indigenous nations (or representatives thereof) to be consulted about transnational projects that could impact upon their ancestral territories (Gardner and Richards 2017).

Importantly, however, there is not a singular, homogenous, indigenous perspective about these development projects. Indeed, mining companies and timber corporations have even hired some local indigenous workers. But overwhelmingly throughout Latin America, indigenous mobilization efforts reject and resist such transnational mining projects and other development schemes contributing to environmental degradation because of the suffering these projects cause in their communities and ancestral territories and demand respect for their rights as peoples in these territories.

As described in this section, Latin American governments have responded to indigenous demands by enacting multicultural reforms that do not conflict with their own political and economic priorities. Indeed, neoliberal multiculturalism is an inadequate response to indigenous collective rights claims. Several Latin American governments have expressed interest in promoting the cultural rights of indigenous peoples while ignoring altogether the sociopolitical aspects of indigenous rights claims (e.g., rights to territory, autonomy, and self-determination). In this manner, states have avoided addressing the social suffering of indigenous peoples that is exacerbated by neoliberal capitalism. Nevertheless, as Latin American governments have continued to embrace neoliberal into the twenty-first century, indigenous peoples have been steady in their resistance.

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## **Post-neoliberalism? Post-multiculturalism?**

More recently, the debate has shifted from neoliberal multiculturalism to questions of whether Latin America is in a post-neoliberal and/or post-multicultural moment. This section reviews central issues surrounding these two interrelated questions and briefly introduces new directions for the field.

Scholars referring to a “post-neoliberal” moment argue that the election of Leftist governments throughout Latin America beginning in the 1990s and intensifying in the early 2000s demonstrates neoliberalism’s waning hegemony (Ruckert et al. 2017). However, seeing the election of governments on the Left throughout the region as the product of a single phenomenon is problematic. While the move to the Left in Venezuela, Bolivia, Ecuador, and Argentina resulted from social mobilization in response to neoliberalism’s failures, elsewhere, such as in Chile and

Brazil, the move was softer, involving neostructural policy reform seeking to “humanize” the free market fundamentalism of the neoliberal model (Leiva 2008).

The countries in which post-neoliberal policies have had the most relevance for indigenous peoples are, arguably, Ecuador and Bolivia. In the early 2000s, both countries explicitly addressed a new relationship with the indigenous by rewriting their constitutions and recognizing their nations’ pluricultural and plurinational character within them. They have also sought to reduce poverty and increase investment in social services, financing this in part through the nationalization of extractive industries (Ruckert et al. 2017). These steps have nevertheless led to new contradictions. For instance, as we discuss more fully below, Postero (2017) details how the building of the TIPNIS highway through indigenous territory and neoextractivism in Bolivia have entailed violations of indigenous rights by the government of Evo Morales, Bolivia’s first elected indigenous president. Most other countries have not addressed indigenous issues as a part of post-neoliberalization at all (Ruckert et al. 2017).

As Goodale and Postero (2013) have argued, even while neoliberalism was momentarily ruptured in countries like Bolivia and Venezuela, related discourses and practices have continued to shape economic and political decision-making throughout the region, leading many scholars and activists to wonder whether the post-neoliberal moment is more wishful thinking than reality. Indeed, the enduring prioritization of neoliberal development over indigenous rights has contributed to substantial skepticism on the part of indigenous movements throughout the region. For example, in 2018 when many Leftist organizations united in support of the newly elected Mexican President Andrés Manuel López Obrador and expected similar support from the EZLN, the Zapatistas refused to endorse the president-elect. Even while Lopez Obrador’s future head of indigenous affairs has suggested a constitutional reform implementing the San Andrés Accords, the EZLN has expressed its distrust in the Mexican government’s commitment to fulfilling such agreements.

The post-multicultural question is related to the post-neoliberal one in some cases (particularly Ecuador and Bolivia) but ultimately responds to a different set of issues, focusing especially on how neoliberal multiculturalism has coopted legitimate claims for recognition. Kaltmeier et al. (2012) trace the backlash against multiculturalism as having started at the beginning of the 1990s, although this likely varies depending on the trajectories of individual countries. It may be worthwhile, therefore, to trace the trend away from multiculturalism in a few countries to illustrate this process.

With the protests of the early 2000s in Bolivia, there indeed occurred a shift away from recognition as a central demand of indigenous protest. Kaltmeier et al. (2012: 107) attribute this shift at least in part to the contradictory results of neoliberal multiculturalism, pointing out that the neoliberal multicultural project did not solely produce domination and self-governing subjects à la Foucault. These authors refer to the 1994 Ley de Participación Popular (Popular Participation Law) in Bolivia which, they write, “triggered far-reaching projects of resistance and decolonization as it provided the formal grounds for the formation and



rise of political movements” including Evo Morales’s Movimiento al Socialismo (Movement Toward Socialism), leading to his election as president in 2005. With those changes, Postero (2007) argues Bolivia entered a “post-multicultural” era. Rather than returning to the class-based politics of prior periods, in this new era, indigenous and poor Bolivians demanded a new relationship with the state on behalf of *all* Bolivians. These demands included ending race and class inequalities and returning national patrimony to the people and ensuring that development would be for the people rather than corporations. Still, the election of Morales was important for achieving changes that specifically benefitted indigenous people as well, such as the 2009 Constitution, mentioned above, which not only recognizes Bolivia as a plurinational state but also grants limited autonomy to indigenous peoples and acknowledges rights of the *Pachamama* (Mother Earth). The contradictions of neoliberal multiculturalism, in this sense, may contain the seeds of its own undoing.

Other countries, too, have seen growing skepticism about the promises of multiculturalism, even when they not have experienced the radical changes that occurred in Bolivia. For example, although he characterized Guatemala as in the midst of a neoliberal multicultural moment, Hale (2006: 37) observes that by the early 2000s, formal recognition and autonomy no longer held a preeminent position among indigenous demands there. As the state granted some forms of autonomy “in the form of decentralization, participatory budgeting, and various other types of limited local control,” the challenge shifted to how to “prevail in negotiations over what that recognition actually means in practice.” Nevertheless, ongoing struggles linked to demands for autonomy, respect for *Consultas Comunitarias* opposing state-sponsored mining and dam projects, and cross-border recognition signal that not all Maya peoples abandoned recognition-related demands altogether (Gardner and Richards 2017). Nevertheless, the general point that indigenous actors have become suspicious of the neoliberal multicultural agenda holds true.

Similarly, Becker (2011: 56) argues that the nature of the changes incorporated into Ecuador’s 2008 Constitution, such as recognizing indigenous languages without granting them official status equal to Spanish, entails “minor cultural concessions” rather than the creation of “more inclusive social and economic systems.” Partly in anticipation of such shortcomings, Becker writes that indigenous organizations began to emphasize priorities that could benefit a wider population (e.g., nationalization of natural resources and universal healthcare) in conjunction with ethno-cultural demands related to territory, language, history, and culture. But Becker argues that even this strategy was subject to a reductionist reading by the Ecuadorian state. A 2010 issue of *NACLA Report on the Americas* sums up the limits of multiculturalism by arguing that because recognition as achieved has been of little substance, indigenous peoples throughout the region are “after recognition” and are instead transferring their energies to demanding socioeconomic redistribution and combating the ravages of capitalism, such as mobilizing against “extractivist economies, environmental devastation, and rampant social inequality” (NACLA 2010).



NACLA may be overstating the extent to which indigenous movements have changed the character of their demands. In cases like Bolivia and Ecuador, the constitutional changes must be recognized as an important achievement rooted in movement activism, even as it is not always certain what recognizing plurinationality will mean in practice. And in other cases such as Chile, it is clear that the struggle for recognition itself remains unachieved (Richards and Gardner 2013). Nevertheless, as the recognition granted so little resembles the recognition movements have fought for, many have begun to rethink their goals and strategies (Hale and Millaman 2006, 2018).

Even in Bolivia, the transition from a multicultural nation to a plurinational one has been contradictory and not unilaterally lauded by indigenous people. While Morales's government has taken important steps to reduce poverty and discrimination and has nationalized extractive industries, Postero (2017) shows how its developmentalist priorities have led to a lessening focus on indigenous recognition over time in favor of greater attention to agricultural exports and, especially, extractivism. She unflinchingly reveals how the Morales government has turned its back on many of its earlier promises related to indigenous sustainability and environmentalism. For example, in 2011, indigenous peoples protested a massive highway development project under the Morales government that would cut through the TIPNIS indigenous territory and national park. The Morales administration supported this project by suggesting that the road would be a necessary means of transportation for goods and services in the region. But indigenous organizations argued that the project's design was a threat to indigenous autonomy and destructive to the biodiversity of the TIPNIS park and its "divine importance as part of Mother Earth," showing that indigenous "ways of life clash with industrialization agendas" (Brysk and Bennett 2012: 121). Thus, in addition to reneging on earlier environmental priorities, the developmentalist goals of the Morales government have resulted in sacrificing the well-being of some indigenous communities, a tendency that, Postero (2017) argues, tragically reproduces colonial racism.

Martínez Novo (2014) documents a similar trend in Ecuador during the Leftist government of Correa (2007–2017), whereby centralization of decision-making and extractivism lead to conflicts with indigenous organizations over lack of respect for their autonomy and the right to be consulted over decisions that impact upon their territories. She writes that the "ethnic project of this postneoliberal government is not very different from that of neoliberalism: the government offers limited symbolic recognition and some targeted redistribution that disciplines indigenous peoples and separates 'permitted Indians' from recalcitrant ones" (p. 121). She further argues that "postneoliberal multiculturalism does not promote the kinds of tolerance that permeated earlier neoliberal attitudes," leading to higher levels of criminalization, prejudice, and violence in response to indigenous claims (ibid.).

In the face of such contradictions, rather than shifting to focus outwardly on the ravages of capitalism, some indigenous movements have turned inward in response to the disappointments associated with neoliberal multiculturalism and its Leftist successors. Burguete (2008) observes that after years of negotiating and

engaging in dialogue with the state, many indigenous peoples are seeking solutions and alternatives to the ravages of free market capitalism “from within their own roots.” She understands these efforts as drawing on a *reserva comunal rebelde* (communal rebel reserve). For example, Hale and Millaman (2018: 11) describe the position of Héctor Llaitul, leader of the Coordinadora Arauco-Malleco autonomist Mapuche organization, as focusing on two main issues: “recuperation of Wallmapu (Mapuche ancestral territory), as a politics of anticolonial struggle; and refusal of political strategies focused principally on state-recognized ‘rights,’ which contribute directly to the logic of colonial dispossession.” Hale and Millaman explain that “underlying both points is an insistence on Mapuche lifeways as the basis for autonomy, defined not as rights asked for and recognized by the state, but rather, as the recuperation and exercise of the self-determination lost with the military conquest and dispossession of the late 19th century.” As an example of the “turning inward” Burguete references, Llaitul’s is a much more radical claim than demands for rights to *either* recognition or redistribution.

The disillusionment with multicultural policies has also drawn a shift in academic work on the region, away from neoliberalism and multicultural policy and toward questions of ontological and epistemic difference and alternative futures. Some of this work comes out of the school of thought known as the “decolonial turn” (for instance, see Quijano 2007; Escobar 2007, 2010; Mignolo 2012; De la Cadena 2008). Like many indigenous activists themselves, scholars of the decolonial turn emphasize the importance of epistemological decolonization for indigenous and other subjugated peoples. They highlight the potential role of suppressed knowledges in constructing alternative modernities that stand in contrast to the hegemonic Eurocentric one. For example, Escobar (2007: 189) seeks to locate European modernity as “a particular local history.” If this is true, he suggests, “radical alternatives to modernity are not a historically foreclosed possibility.” Escobar (2007, 2010) thus explores epistemological and ontological challenges to the Eurocentric conception of modernity, particularly “relational ontologies,” typical of indigenous and Afro-descendants, that imply “a different way of imagining life” (2010: 4). He elaborates:

Relational ontologies [...] eschew the divisions between nature and culture, individual and community, us and them that are central to the modern ontology (that of liberal modernity). [...] these ‘worlds and knowledges otherwise’ have the potential to de-naturalize the hegemonic distinction between nature and culture on which the liberal order is founded and which in turn provides the basis for the distinctions between civilized and Indians, colonizer and colonized, developed and underdeveloped. (p. 39)

Decentering Eurocentric versions of modernity and drawing attention to the epistemic aspects of colonialism can open up space for seeking other, less exploitative, visions of the future. Nevertheless, despite its advantageous aspects, the decolonial turn has been subject to important critiques. Silvia Rivera Cusicanqui (2010), for example, contends that in a colonialist move, coloniality scholars reproduce knowledge originally produced in the Global South and by indigenous people

without giving them credit. And indigenous scholar activists, such as the members of the Comunidad de Historia Mapuche (2012), have objected to the term “coloniality” itself, pointing out that formal colonialism is still in place in their ancestral territories. The important point here is less the sophisticated theorization associated with the decolonial turn and more the realm of possibility opened up by turning to indigenous epistemologies and ontologies in thinking about collective futures.

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## Conclusion

As argued throughout this chapter, Latin American governments have embraced neoliberalism, even as it has contributed to environmental degradation and perpetuated the social suffering of nonindigenous and indigenous citizens alike. However, resistance against neoliberalism has consistently impeded the progress of neoliberal projects. Indigenous peoples in Latin America continue to actively utilize an array of strategies to contest neoliberal projects and work toward a future in which the autonomy and well-being of all beings are held sacred.

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# Settler Colonialism and Biculturalism in Aotearoa/New Zealand

# 48

Jessica Terruhn

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## Abstract

This chapter discusses biculturalism as the current political paradigm defining relations between the indigenous Māori population and the settler population of New Zealanders of European descent (Pākehā) in Aotearoa/New Zealand. Following a brief sociohistorical analysis of settler colonialism and the place of Te Tiriti o Waitangi/The Treaty of Waitangi, the chapter charts how biculturalism emerged in response to an indigenous rights movement that brought settler colonial injustices into clear view. Since its inception in the 1970s, state biculturalism has broadly encapsulated a politics of redress and reconciliation for the dispossession and destruction of indigenous communities at the hand of the settler state, but its scope and goals have been contested. In highlighting how biculturalism works in three key arenas – the Waitangi Tribunal, language revitalization, and social policy – the chapter discusses some of these contestations and their

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J. Terruhn (✉)  
Massey University, Auckland, New Zealand  
e-mail: [j.terruhn@massey.ac.nz](mailto:j.terruhn@massey.ac.nz)

implications. The chapter centrally contends that while processes of reconciliation and redress through treaty settlements, efforts to revitalize te reo Māori, and initiatives to tackle socioeconomic inequalities between Māori and Pākehā have made some difference to Māori communities, these strategies have fallen short of addressing indigenous rights to and aspirations for sovereignty.

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**Keywords**

Aotearoa/New Zealand · Settler colonialism · The Treaty of Waitangi · Te Tiriti o Waitangi · Māori · Pākehā · Biculturalism · Waitangi Tribunal

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## Introduction

This chapter discusses biculturalism in Aotearoa/New Zealand. This refers to the political relationship between two groups, the indigenous Māori population and the British Crown/New Zealand government, and, by extension, the settler population of New Zealanders of European descent (Pākehā) in the context of a settler society with a history of colonization.

Both Māori and Pākehā can be described as ethnic groups or, at least, as ethnic categories that can be, and are, measured in official statistics. However, in this discussion of biculturalism as a political arrangement, it is important to highlight those characteristics that determine the historical and contemporary relationship of these two groups. As such, Māori are more usefully defined as tangata whenua, the indigenous people of the land of Aotearoa/New Zealand, and Pākehā as “New Zealanders of a European background, whose cultural values and behaviour have been primarily formed from the experiences of being a member of the dominant group of New Zealand” (Spoonley 1993: 57). These definitions emphasize the two groups’ structural locations in Aotearoa/New Zealand which is important in understanding biculturalism not simply as a form of “ethnic” or “intercultural” relations but as shaped by the power dynamics of settler colonialism.

Te Tiriti o Waitangi/The Treaty of Waitangi is central to understanding colonization, biculturalism, and settler-indigenous relations in Aotearoa/New Zealand. Since its signing in 1840, Te Tiriti has been – on the settler side – variously breached, ignored, dismissed as void, celebrated as evidence of progressive race relations, and given a central role as the foundation of a post-colonizing partnership. Māori have called the Treaty out as a fraud and have persistently called on the Crown to honor the obligations laid out in the document. Most of all, its meaning and its place in Aotearoa/New Zealand have been, and continue to be, fiercely debated.

The aim of this chapter is to map biculturalism as the dominant national political imaginary that defines settler-indigenous relations in Aotearoa/New Zealand. The first part of the chapter sketches historical settler colonial practices of alienating indigenous lands and assimilating Māori into settler society and the parallel history of Māori resistance and protest which ultimately ushered in the era of contemporary biculturalism. The second part of the chapter outlines how biculturalism has developed and what it looks like. There is no catch-all definition. Instead, biculturalism

encompasses various facets: based on various Treaty principles, biculturalism largely focuses on reconciliation for past injustices, cultural recognition, as well as efforts to address persistent socioeconomic inequalities between Māori and Pākehā which are arguably the effect of settler colonialism. This chapter outlines how this plays out across a number of key domains, such as the Waitangi Tribunal which is tasked with investigating breaches of Te Tiriti; language revitalization strategies as an example of cultural recognition; and practices in the fields of health and education as prime arenas where inequalities between Māori and non-Māori are addressed.

Throughout, the chapter is premised on the argument that settler colonialism “is a structure not an event” (Wolfe 1999: 2). That is to say that even though colonization appears to be an event that lies in the past, and even though decolonizing efforts are made that address past colonial injustices and work toward reconciliation, the structures of the settler colonial society and state remain intact. As scholars within studies of settler colonialism emphasize, it is a contemporary phenomenon underpinned by the continued sovereignty of the settler state (Veracini 2010).

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## Te Tiriti o Waitangi/The Treaty of Waitangi

Te Tiriti o Waitangi/The Treaty of Waitangi was signed by representatives of the British Crown and several hundred Māori iwi (tribe) and hapū (sub-tribe) leaders on February 6, 1840 in Waitangi and subsequently in various other locations around the country. Te Tiriti/the Treaty was set up as a contract between the British Crown and Māori, who were acknowledged as a sovereign polity based on the Declaration of Independence signed in 1835. The document’s three articles laid out assurances designed to guarantee the protection of mutual interests.

Since its signing, there has been much debate about the meaning of the document. This uncertainty stems from the fact that there are two different versions, an English version (the Treaty) and a version in the Māori language (Te Tiriti). Māori rangatira (chiefs) were presented with, and signed, a text in their own language. The first article demonstrably guaranteed “Crown obligations to protect rangatiratanga [sovereignty] rights in exchange for Crown rights to occupancy and governance” (Fleras and Spoonley 1999: 9). However, in the first article of the English version, the Crown claimed *sovereignty* over Aotearoa/New Zealand. The two versions of the second article were equally disparate. While Te Tiriti guaranteed Māori “the *absolute Chieftainship* [tino rangatiratanga] of their lands, of their homes and all their treasured possessions,” the Treaty only promised Māori “the full, exclusive, and undisturbed *possession* of their Lands and Estates, Forests, Fisheries, and other properties (Walker 1990: 93, emphasis added).” The third article was similar in both languages and guaranteed Māori the rights and privileges of British subjects and Crown protection.

The Treaty of Waitangi is sometimes described as “a relatively enlightened social contract for its time” (Fleras and Spoonley 1999: 112) and it was, indeed, in part a result of a wave of humanitarianism that had emerged in England at the time. However, it was also undoubtedly a vehicle of annexation. With the English language version given preference, it paved the way for Crown sovereignty and rapid settler



colonization. As discussed in the next section, this ushered in the large-scale alienation of Māori lands and the systematic marginalization of indigenous communities alongside what academic and activist Ranginui Walker (1990) referred to as “ka whawhai tonu mātou” – a “struggle without end” on the part of Māori to fight for sovereignty.

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## **Settler Colonization: Alienation, Assimilation, and Activism**

The British colonization of Aotearoa/New Zealand formed part of an immense migration of 50 million people over 200 years that created “neo-Europes” throughout the New World (King 2003: 170). Compared to its forays into other parts of the world, European settlement in Aotearoa/New Zealand was slow to begin with. Even though European whalers, sealers, and missionaries had been coming to New Zealand shores since 1769, by 1830 there were still no more than 300 of them. By 1840, the year Te Tiriti o Waitangi was signed, there were still no more than 2000 Europeans (King 2003: 169), compared to at least 80,000–100,000 Māori. Up until then, relations between the indigenous population and these European sojourners and settlers were mostly amicable and often mutually beneficial but indigenous-settler relations were transformed by the large influx of British settlers after 1840. Over the course of a mere 40 years, the settler population surged to nearly half a million people who were drawn to New Zealand by “the promise of prosperity and healthier environments, prospects for social advancement without the hurdles of a class system and, for investors, opportunities to enlarge capital” (King 2003: 170). These expectations were perfectly encapsulated in New Zealand Company founder Edward Gibbon Wakefield’s vision of creating a “Better Britain.”

Building a Better Britain that could accommodate the steady stream of settlers relied on the availability of land, and prospective settlers were given the impression that the land was theirs for the taking. While some Māori were initially eager to sell parts of their land to European settlers for strategic and economic reasons (Belich 1996), their willingness diminished as settler tactics became more aggressive under Governor George Grey, who Walker (1990: 110) calls “the author of colonial dispossession.” In turn, Pākehā grew increasingly impatient with this reluctance and acquired land through various means, including forced purchases, legally sanctioned confiscation as punishment for rebellion, and the individualization of formerly collective land titles (Hill 2016). For instance, the Native Land Court, which was established in 1865, contributed greatly to land alienation by turning customary into individual land titles and allowing land sales to individual settlers rather than the Crown. Consequently, Māori were alienated from their traditional lands in large numbers. By 1865, 99 percent of New Zealand’s South Island was owned by the Crown or the New Zealand Company. On the North Island, land alienation happened more gradually, but steadily nonetheless: between 1860 and 1910, Māori ownership of land decreased from 80 to 27 percent. Dispossession progressed even further in the twentieth century, with Māori land ownership reduced to a mere 9 percent by 1939.

Over the course of the nineteenth century, the colony was transformed into a British settler nation. Alongside British settlers came British flora and fauna, values

and norms, names and knowledge systems, as well as British social, cultural, political, legal, and economic institutions. In 1852, the New Zealand Constitution Act laid the foundations for establishing a settler government and the first general election was held in 1853. Devolving legislative power over indigenous affairs to the settler government effectively entrenched settler colonialism and hastened the subjugation of Māori because it was arguably less concerned with their welfare than the Crown because they presented an obstacle to accumulating land for the benefit of settlers. Walker (1990: 111), for example, argues that the “white minority government” installed in 1854 constituted an “institutionalisation of racism at the inception of democracy in New Zealand [that] was the root cause of conflict between Maori and Pakeha in the North Island and the colonial spoliation which followed.” The fact that in 1867, four Māori parliamentary seats were established to represent the indigenous population is often cited as an example of progressive settler-indigenous relations in the colony of New Zealand, but it can equally be interpreted as a strategy to limit indigenous representation (Durie 2005b). To begin with, Māori population numbers at the time would have warranted 14 or 15 seats of a total of 76 (King 2003: 257). In addition, Ward (1995) argues, nominal equality before the law was based on ideas of homogeneity and European superiority that did not allow for alternative worldviews. Thus, while Māori were amalgamated into the nation-state as imperial subjects rather than expunged from it, they were nevertheless marginalized and subjugated to the control of the settler state.

The desire to assimilate Māori into the new settler nation was indeed an important building block of creating a British settler society. The idea of cultural assimilation conformed to dominant ideas about European racial superiority, paternalistic doctrines of protection, and the White Man’s burden of civilizing “the natives,” and was thus sometimes described as a privilege (Meihana 2017). Of course, assimilation also fit with settler colonial aspirations of acquiring land. Land alienation and the transformation from collective to individual land tenure, for instance, were a key part of assimilation. These practices not only destroyed the economic basis of Māori communities but also undermined tribal collective identity and belonging which were intrinsically linked to land. But there were many other institutional domains that furthered the project of cultural assimilation. Schools perhaps most prominently served this function. Māori children were punished for speaking their native language because English language proficiency was regarded as a gateway to civilization and social betterment. Over time, this eroded the social, economic, and cultural base of Māori communities and *te reo Māori* became endangered. Stark figures illustrate this point: *Te reo* proficiency of Māori school children declined from 90 percent in 1913 to less than 5 percent in 1975 (Durie 1998: 60).

Post-1840, the conflicting interests of settlers and indigenous peoples set in motion widespread resistance against Crown breaches of *Te Tiriti* and a fight for “social justice, equality, and self-determination” (Walker 1990). The indigenous struggle against colonization included armed and nonviolent resistance, court cases, petitions and submissions, occupation of land, as well as the *kīngitanga* (King movement), which aimed to unite Māori across tribal boundaries under a Māori king. The New Zealand Wars, which were fought between 1845 and the early

1870s in various parts of the North Island, form part of this historical contest between European settlers and Māori. Although land was central to these wars, they were ultimately a struggle over sovereignty.

Notably, all of these acts of Māori resistance were based on an interpretation of the Treaty as “a charter for biculturalism” (Walker 1986: 4), that is, a partnership of two sovereign peoples. However, The Treaty of Waitangi and the obligations it entailed receded from settler consciousness, not least because the rapid growth of the settler population had consolidated the British colony (Orange 1987: 185). In addition, the racism that pervaded the settler colonial project meant that ignoring or dismissing the Treaty was easily justified. In 1877, in a court hearing over contested Māori land, Chief Justice John Prendergast declared The Treaty of Waitangi void, stating that “the whole treaty was worthless – a simple nullity [which] pretended to be an agreement between two nations but [in reality] was between a civilised nation and a group of savages” (cited in King 2003: 326).

As Durie (2005a: 15) notes, Māori opposition to breaches of Te Tiriti waned as the nineteenth century progressed and towards the end of the century the belief that Māori were dying out took hold in New Zealand. The mass arrival of European settlers in Aotearoa/New Zealand had been matched by a steep decline of the Māori population as a result of both conflict and introduced diseases. In 1896, 42,500 Māori compared to approximately 700,000 Pākehā (Pool 1991). While some contemporaries expressed a modicum of regret, the decline in the Māori population was generally regarded as the inevitable result of the superiority of the white race. As Featherstone noted in 1881 (cited in Rangiwai 2011: 53), “the Maoris [sic] are dying out, and nothing can save them. Our plain duty, as good, compassionate colonists, is to smooth down their dying pillow. The history will have nothing to reproach us with.” Indeed, the notion of a “vanishing race” served to further naturalize the settler colonial project and gave impetus to the project of assimilation as the only way for the remaining Māori to survive.

Such settler colonial discourses of benevolence stand in stark contrast with the practices of land theft, control, and destruction of indigenous communities charted in this section. More than anything, settler colonialism vastly benefitted settlers at the expense of Māori. It conferred wealth and other privileges on the settler population while leading to collective and multigenerational disadvantage or “trauma” for Māori (Bell 2008; Borrell et al. 2018). However, contradicting settler predictions, Māori did not vanish; instead, their population began to recover after 1896 so that by the end of the Second World War the pre-contact figure of approximately 100,000 Māori was re-established. The following section maps the post-World War II indigenous rights movement that led to the institution of a bicultural polity in Aotearoa/New Zealand.

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## **Becoming Bicultural: Māori Protest and the Politics of Redress**

In the second half of the twentieth century, a “Māori renaissance” – a “major reassertion of their cultural, social, economic, and political aspirations” (Hill 2012: 273) – took hold. Its roots lie in the Māori urban migration which gathered momentum

after the Second World War: in 1946, nearly three quarters of all Māori lived rurally, while one quarter lived in urban areas. Thirty years on, the population stood at 276,000 and the urban-rural ratio was reversed. For the state and many Pākehā, urbanization held the promise of further assimilating Māori because it entailed greater distance to traditional home lands, less exposure to the Māori language and other customary cultural expressions, as well as increased proximity with Pākehā (Hill 2012; Ryks et al. 2016). In 1961, the Hunn Report revealed dramatic inequalities between Māori and Pākehā and proposed to hasten integration in order to uplift Māori into “modernity” (Harris 2004: 21). Typical for the time and congruent with racialized colonial discourses, deficit theories – which see the causes for inequalities in cultural or even genetic deficiencies of disadvantaged groups – dominated explanations for these inequalities and provided the justification for further assimilation under the new moniker of “integration.” This affected both rural and urban Māori. In rural areas, Māori schools were closed from 1969, while in the cities, the practice of “pepper potting” (dispersing Māori families throughout Pākehā streets) was used to encourage integration and avoid the formation of Māori enclaves.

Yet, rather than subduing Māori identities and tribal connections, evidence suggests that the integrationist approach played an important role in igniting a reassertion of indigeneity and catalyzing the sovereignty movement (Hill 2012). Against all expectations, urban Māori retained their *iwi*, *hapū*, and *whānau* connections and, in addition, developed complementary collective pan-tribal identities (Hill 2012: 263). Urban Māori initiated new networks and social groups and, in the process, new leadership developed to complement the traditional rurally based *rangatira* (Chiefs) and *kaumātua* (elders). Various new organizations, such as the Māori Women’s Welfare League (MWWL) and the New Zealand Māori Council (NZMC) – founded in 1951 and 1961 respectively – successfully argued that Māoritanga (Māori culture and language) needed to be nurtured and revived in order to assist Māori in dealing with the challenges the urban environment presented (Hill 2012: 267). Simultaneously, activist groups such as Ngā Tamatoa initiated street-level protests against land alienation, and the suppression of Māori language and culture, breaches of Te Tiriti o Waitangi, and systemic discrimination. Indigenous protests took various forms but the activism of the 1970s in particular was characterized by highly visible events. Landmark protests included the land march of 1975 which protested – under the slogan “not one more acre” – against contemporary government policies that enabled land alienation, for example, through the compulsory acquisition of what was deemed “unproductive” land (Harris 2004). In 1977–1978, Ngāti Whātua Ōrākei occupied Bastion Point in Auckland for 506 days in an attempt to hold on to a last remaining piece of land which had been gradually seized by the Crown since 1869. The nonviolent occupation ended with the forced eviction of the occupiers under the Trespass Act 1968 (Harris 2004).

The Land Rights Movement insisted on returning the stolen land as a way of honoring the obligations and rights laid out in Te Tiriti o Waitangi. Activists argued that the Treaty was a fraud. According to Donna Awatere (1984), calls to honor The Treaty of Waitangi within a bicultural framework amounted to relinquishing the

sovereignty Māori had tried to hold on to since 1840. The publication of Donna Awatere's *Maori Sovereignty* (Awatere 1984) – a powerful critique of settler colonialism – has been described as “one of those defining historical moments that challenged people’s perception of society” (Fleras and Spoonley 1999: 45). Such analyses of settler colonialism challenged hegemonic Pākehā narratives, eventually leading to “the realisation that New Zealand identity was inextricably linked with European culture, infused with colonial assumptions, overwhelmingly White in orientation, and larded with self-serving myths” (Fleras and Spoonley 1999: 43).

While the activism of that time fitted with the long tradition of Māori resistance since 1840, the movement’s visibility and connection to international liberation, civil rights, and anti-racist movements made it impossible to ignore. Broadcast into Pākehā homes only recently fitted with television sets, the protests revealed the colonial, racist underbelly of New Zealand society and the growing evidence of stark disparities between Māori and Pākehā across a range of social indicators and an inability of the state to improve the situation “made Māori challenges to the legitimacy of the state all the more potent and forceful” (Poata-Smith 2013: 150). The indigenous rights movement put substantial pressures on the New Zealand government, forcing it to address indigenous grievances “for broken Treaty promises, loss of their rangatiratanga, land and resources, and lack of social, political, and economic parity with non-Māori” (Sullivan 2016: 131).

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## **Biculturalism, Inequalities, and Neoliberalism**

There is neither a precise date nor one specific piece of legislation to pinpoint the adoption of biculturalism as a policy framework. Instead, various discourses, practices, and pieces of legislation that encompass biculturalism were implemented over time and continue to be in the making today. Perspectives and approaches have fluctuated with changing political environments. While generally centered on the idea that the state should meet its Treaty obligations, the lack of consensus in interpreting the Treaty has been one of the main sources of contestation over the meaning of biculturalism. Johnson (2008: 36) identified a continuum of definitions. At one end, “soft” approaches focus on mainstreaming Māori culture and abolishing discrimination and prejudice. “Moderate,” “inclusive,” and “strong” forms aim at alleviating inequalities, being culturally responsive and allowing Māori a degree of autonomy. At the other end, proponents of “hard” definitions work toward transforming society with a view to establish tino rangatiratanga. In practice, biculturalism has largely revolved around the middle ground of responding to, and accommodating Māori needs and the key goals, as defined by the settler state, has revolved around reconciliation, economic development, and recognition. The following sections briefly outline the following key aspects: the Waitangi Tribunal which investigates claims of historical breaches of Te Tiriti o Waitangi and determines appropriate settlements, strategies to revitalize te reo Māori, and social policies designed to alleviate inequalities.

To better understand how these goals developed, it must be noted that the beginnings of developing a Tiriti-based biculturalism coincided with another large reform program instigated by the fourth Labour government elected in 1984: the nation's sharp turn from welfare state to neoliberalism. This shift included greater emphasis on the power of the free market, globalization, and the privatization of public services. At the time, the introduction of these comprehensive economic reforms caused some optimism among many Māori leaders. Disenchanted with the paternalism and racism of previous governments, Māori were hopeful that the envisaged economic and social reforms with their promise of choice would be beneficial to indigenous communities. Especially the devolution of public services was regarded as an opportunity to develop by-Māori-for-Māori services that would be able to better meet the needs of Māori communities through greater self-determination and control over their own affairs (Smith 2007: 335).

However, one consequence of the neoliberal reform program was a vast increase in socioeconomic inequality over the course of the 1980s and 1990s. The reforms had far-reaching material consequences for all New Zealanders, but they hit Māori and Pasifika communities the hardest because their younger and less-educated populations were more vulnerable to economic restructuring than non-Māori when jobs in low-skilled occupations disappeared en masse during the 1980s (Poata-Smith 2013; Smith 2007). Between 1988 and 1992 alone, Māori unemployment rose from 13.5 percent to 27.3 percent (Poata-Smith 2013: 151), contrasting with a rise in the general unemployment rate from 5.7 to 10.8 percent in the same period (OECD no date). Māori remain overrepresented in many negative social indicators, and even though there have been improvements for all New Zealanders in some areas, the gaps between Māori and Pākehā have remained and in some instances widened.

In many ways, the elements that can be said to encapsulate biculturalism have become increasingly focused on Māori economic development. Settlements for breaches of Te Tiriti, as discussed below, fall into this paradigm in that redress for grievances consists primarily of financial compensation that is aimed at strengthening iwi economies (Bargh 2012).

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## Waitangi Tribunal Settlements

One of the primary sites of biculturalism and the politics of reconciliation is the Waitangi Tribunal, a statutory authority that examines Māori claims of breaches of Te Tiriti o Waitangi. The investigation of claims leads to a report of the Tribunal's findings and recommendations for appropriate remedies which are then negotiated between the government's Office for Treaty Settlements (OTS) and claimants. First established in the 1975, Treaty of Waitangi Act, the Waitangi Tribunal, was set up to investigate contemporary Treaty violations in response to widespread protest. In 1985, its remit was extended to include historic grievances. Grievances brought before the Tribunal are mostly land loss claims but there are also other types of claims, such as those relating to natural, commercial, and other resources. Most claims are lodged by iwi but there are also national claims such as the Te Reo Māori

claim which resulted in strategies to revitalize the language and make it one of New Zealand's official languages, as discussed in more detail further below.

The treaty settlement process is often seen as a pivotal element of decolonization and it has certainly benefitted indigenous communities in a number of ways. The decolonizing element is perhaps most manifest in the statement that "The Crown has accepted a moral obligation to resolve historical grievances in accordance with the principles of The Treaty of Waitangi" (Office of Treaty Settlements 2018). Major settlements have been achieved with a number of iwi across New Zealand. Deeds of settlement typically consist of financial compensation and a Crown apology but also variously include transfers of assets and property and other forms of cultural recognition, such as the renaming of places (Hill 2016; Office of Treaty Settlements 2018). These settlements have substantially increased the asset base of some iwi, making economic development and a degree of self-determination possible. Beyond that, the Waitangi Tribunal has also played an important role in revising dominant settler colonial historiography. For one, the process of recovering hapū and iwi histories as part of preparing a claim has catalyzed a "renewed sense of social and cultural identity" (Moon 2011: 524) among Māori but, secondly, it has also had an effect on the majority group and settler (state) – indigenous relations in so far as the research conducted by the Tribunal was part and parcel of a broader radical revision of history that exposed hegemonic settler narratives as myths (Sullivan 2016).

Notwithstanding these achievements, there are clear limitations to the settlement process. There are three main strands of critique. For one, the process is exclusively dictated by the state. As Ani Mikaere (2004: 43) has noted, the Tribunal's recommendations are not binding, and "claimants are typically presented with a 'take-it-or-leave-it' bottom line, with the Crown prepared to negotiate on minor matters only." Secondly, settlements are bound to a corporate approach. Maria Bargh (2012) argues that the ways in which the settlement process is aligned with neoliberal ideals of commodification and corporatism is at best unhelpful and at worst amounts to a form of neocolonization. Thirdly, settlements seldom involve any return of land (Hill 2016). Indeed, land rights have remained an issue. Following public concern that Māori might be able to claim customary rights to the foreshore and seabed of New Zealand beaches, the government made it impossible to test these rights in court by passing the 2004 Foreshore and Seabed Act which established exclusive Crown ownership of the contested area. This piece of legislation was criticized as "the most recent example of illegitimate colonial land confiscation" (Borrell et al. 2009). It caused much consternation among Māori, leading to large-scale protests, including a hīkoi from Northland to Parliament in Wellington reminiscent of the 1975 land march (Harris 2004). The protests against the Foreshore and Seabed Act culminated in the formation of the Māori Party which has been able to negotiate critical issues for Māori communities, especially once entering the government as the National Party's coalition partner in 2008. Repealing the Foreshore and Seabed Act was central to the party's platform. Interestingly, the eventual repeal stated that no one owned the Foreshore and Seabed (apart from private areas) but also contained a provision that gave the Crown the right to claim ownership over foreshore and seabed areas where resources (such as oil) were found.



A number of commentators have argued that one of the main limitations of Treaty settlements is that it stifles and contains Māori aspirations for tino rangatiratanga and in no way challenges the structures and sovereignty of the settler state (Bargh 2012; Bell 2008; O’Sullivan 2007; Sullivan 2016). This is especially palpable in light of the Tribunal’s 2014 finding in the WAI 1040 inquiry. The Ngāpuhi iwi had brought a claim before the Tribunal to argue that they did not cede sovereignty when they signed Te Tiriti o Waitangi. The Tribunal upheld this claim which presents a momentous new interpretation of Te Tiriti that asserts Māori sovereignty. However, following the announcement, the then Prime Minister John Key asserted that the finding had no bearing on “the Government’s authority to rule over New Zealand” (Stuff 2014).

As of now, most historical claims have been settled and Aotearoa/New Zealand is said to be entering a post-settlement era. It is conceivable that this will entail renewed debate about the place of Te Tiriti o Waitangi. Many members of the majority group of Pākehā will argue that the “full and finite” settlement of claims should bring an end to discussions of the Treaty while for many Māori, Treaty settlements are only the beginning of a much more substantial process of constitutional reform.

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## Cultural Recognition and Language Revitalization

The concern for – and initiatives to revitalize – te reo Māori also emerged out of the indigenous rights movement of the 1970s. As part of this, a number of iwi brought a claim to the Waitangi Tribunal to argue that the systematic destruction of the Māori language by the settler colonial power constituted a breach of Te Tiriti o Waitangi. In 1986, the Waitangi Tribunal found in favor of the claimants and recognized te reo Māori as a taonga (treasure) that is guaranteed Crown protection under Article 2 of Te Tiriti o Waitangi. The 1987 Māori Language Act, which was a result of the Tribunal’s finding, declared te reo Māori an official language of the country and tasked a newly established Māori Language Commission with finding ways to support the language. More precisely, the Commission’s function was to “promote the Māori language, and, in particular, its use as a living language and as an ordinary means of communication” (Parliamentary Counsel Office 2016).

Since then, strategies have focused primarily on education and broadcasting as avenues for encouraging the use and learning of te reo. Kōhanga reo (language nests for preschoolers), kura kaupapa (Māori immersion schools), and wānanga (tertiary institutions founded on kaupapa Māori principles) became instrumental in promoting te reo Māori. In addition, iwi radio stations and, more recently, a public Māori television channel (est. 2004) and a dedicated Te Reo channel (est. 2008) have worked under the remit of promoting indigenous culture and language. With regards to education, it needs to be noted that Māori themselves had begun this process well before legislation provided a more formal framing. For instance, kōhanga reo were not a new idea but a continuation of a flaxroots movement of whanau (families) that had initiated Māori immersion programs at the preschool level and had established more than 200 kōhanga reo by 1982, 5 years before the Māori Language Act. Today,



there are approximately 460 kōhanga reo, 72 kura kaupapa, and 3 wānanga (Higgins 2016: 32).

Such initiatives are internationally respected as exemplary efforts to revitalize indigenous languages and yet, te reo remains on the list of endangered languages. For one, the share of Māori speakers of te reo remained constant at approximately one quarter from the mid-1990s until 2006 (while the Māori population increased) but dropped to 20 percent in the 2013 census. Secondly, both the initiatives themselves and the ways statistics about reo proficiency are collected also suggest that te reo has been somewhat siloed and the responsibility of revitalizing the language has predominately fallen to Māori. Hill (2016) has described language revitalization as part of a move from assimilation to biculturalism, but for non-Māori, exposure to the language has certainly remained optional. While a range of Māori words have entered into every day and formal New Zealand English and public institutions often carry bilingual names, it is rarely used outside of settings such as marae (Māori meeting houses). Indeed, despite its status as official national language, there is still much debate about the place of te reo in New Zealand society. For instance, there have been complaints about the occasional use of te reo on “mainstream” public TV and on Radio New Zealand, a public national radio service, which suggests that for many Pākehā public displays of te reo are often only palatable when they are contained in a dedicated television channel. A further current debate revolves around the introduction of te reo Māori as a compulsory subject in school curricula. While the proposal to make te reo compulsory in schools remains contentious, there are also positive signs of an appetite for learning te reo as evident in the high demand for te reo courses offered by tertiary education providers.

Higgins (2016) argues that the Māori Language Commission and the strategies that have been implemented have failed to normalize the use of te reo as an ordinary means of communication as originally outlined in the Māori Language Act. Higgins makes a noteworthy argument that ties such considerations to Te Tiriti: She suggests that protecting te reo as a taonga (with reference to Article 2 of Te Tiriti) may have contributed to its treatment as a treasure that is only carefully used in certain domains of public life. Instead, the promotion of te reo should be regarded as a question of citizenship (as per Article 3) that all New Zealanders – not just Māori – should be invested in as part of “our landscape and our identity as a country” (Higgins 2016: 36).

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## **Biculturalism in Social Policy**

Some commentators have argued that more attention has been paid to cultural recognition than to improving the material wellbeing of Māori (Kennedy 2017) and research has shown that Pākehā are much more amenable to symbolic elements of biculturalism than to measures that entail a redistribution of resources (Sibley et al. 2005). However, addressing inequalities across a range of social indicators has been an important part of biculturalism. As mentioned earlier in this chapter, Māori (alongside Pasifika) were particularly affected by the neoliberal reforms of the 1980s which was reflected in negative statistics on employment, incomes, health, and

education. In 1998, Te Puni Kōkiri (the Ministry of Māori Development) drew urgent attention to these stark socioeconomic disparities in its report *Progress towards Closing the Social and Economic Gaps Between Māori and Non-Māori*.

These inequalities were addressed in government policy initiatives such as “Closing the Gaps” in the year 2000. However, as Humpage (2006) succinctly argues, New Zealand’s social policy approach at the time was dominated by a social exclusion/inclusion paradigm imported from Europe that sat in tension with indigenous rights discourses specific to the New Zealand context. Despite references to The Treaty of Waitangi, to Treaty principles such as participation, and to greater Māori representation and self-determination, it ultimately aligned with neoliberal prerogatives of individual responsibility and equality of opportunity rather than outcome (Humpage 2006). While policies such as “Closing the Gaps” ostensibly offer greater self-determination through devolution of services, this is debatable. Hill and Bönisch-Brednich (2009: 250), for instance, argue that devolution amounts to an “unburdening of the welfare state” partly in the guise of addressing Maori aspirations.” While the “pretext” argument may be seen as controversial, it is certainly the case that Māori service providers were “believed to most ‘efficiently’ reduce Māori disparity and dependency” (Humpage 2008: 255).

Despite such policy initiatives, notable inequalities between Māori and Pākehā persist. A recent gap analysis (Collins et al. 2014) shows that progress has been made in some areas and gaps are decreasing; in other areas, however, gaps have actually widened. As with the effects of neoliberalism in the 1980s and 1990s, the Global Financial Crisis has hit Māori and Pasifika communities the hardest. To give some pertinent examples, the gap in life expectancy at birth between Māori and Pākehā closed dramatically over the course of the twentieth century but began to widen again, so that in 2013, the gap was bigger than in the mid-1980s. Unemployment is a further interesting example in that even though the gap is narrowing, at the current rate it would take 150 years to close the gap. Rates of homeownership have been falling across the board as house prices have increased at a much faster rate than wages but the gap between Māori and Pākehā is widening. In 2013, only one third of all Māori in the age group of 25–44 owned their home, compared to 57 percent of Pākehā (Collins et al. 2014).

In 2018, a claim was brought before the Waitangi Tribunal in which Māori health leaders argue that “inequity and institutionalised racism in the health system exists and the Crown is failing to care for Māori health and wellbeing” (The New Zealand Herald 2018). The claimants argue that more autonomy and self-determination in health service delivery is necessary. National Hauora Coalition chief executive, Simon Royal, is cited as saying that “the ultimate solution lies in constitutional reform based on Te Tiriti o Waitangi that entrenches equity of outcome and Māori participation in achieving this.” This aligns with arguments made by other critical scholars in the field of health who have said that addressing disadvantage needs to be political work that tackles the causes rather than the symptoms of disadvantage and that also questions settler colonial practices (Came et al. 2018; Came and Tudor 2016).

In the domain of education, progress in reducing inequalities has been slightly more pronounced. For instance, the gaps in the percentage of school leavers with an

NCEA Level 2 qualification or with University Entrance have declined and are set to be closed within a few decades (Collins et al. 2014). Perhaps more so than in the domain of health, the approach to improving education outcomes for Māori has been dominated by a focus on cultural recognition and revitalization as a way to improve achievement. The Education Act 1989 determined that schools have to honor The Treaty of Waitangi, but this commitment is assigned to individual schools and, in practice, this is often very limited (Lourie 2016). According to the Education Review Office (ERO), schools and teachers have to provide evidence of bicultural practice, but often these do not extend beyond a minimum of symbolic acts. Indeed, a strong focus on culture pervades the Treaty discourse in education. According to Lourie (2016: 641), “promoting and affirming ‘traditional’ Māori culture was thought to be a means of eliminating, or at least reducing, ethnic inequalities.” This bears two dangers. One is the danger to essentialist Māori culture, disregarding the complexities within Māori as an ethnocultural group. The other danger is that culture overrides the more structural factors of socioeconomic inequalities in thinking through ways of addressing discrepancies in educational opportunities and outcomes.

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## Conclusion

The extent and effect of the transformations that have taken place under the umbrella of state biculturalism are contested. Some commentators, such as King (2003: 487), optimistically concluded that the set of measures designed to address grievances and inequalities “so changed the face of New Zealand life in the 1980s and 1990s that their cumulative effect could legitimately be called a revolution.” Others are much more cautious. Johnson (2008: 48), for instance, sees biculturalism as an “as yet unfulfilled promise,” and O’Sullivan (2007: 3) argues that, in its current incarnation, biculturalism keeps Māori in the position of a junior partner dependent on the government. One particular shortcoming is found in the focus on material disadvantage and individual needs, rather than on Māori as a collective with indigenous rights (Durie 2005a: 205). Some of these perspectives echo Awatere’s (1984: 60) early insistence that “the kaupapa is Maori Sovereignty. It must not be biculturalism. All efforts at biculturalism have only resulted in integration and assimilation, bitterness and tears.”

The politics of redress were undoubtedly matched by a wider acceptance of “symbolic” biculturalism by Pākehā (Hill and Bönisch-Brednich 2009), such as accepting Māori cultural expressions and worldviews; integrating Māori vocabulary into New Zealand English, making Māori protocol part of many official functions; and, to some extent, acknowledging the need for reparations and policies that address persisting inequalities. Nonetheless, a pronounced reactionary stance, and “Treaty fatigue,” could be discerned as early as the turn of the century (Hill and Bönisch-Brednich 2009: 246). Various commentators have noted an increasing resentment of Treaty settlements and policies specifically aimed at Māori (Barber 2008; Meihana 2017), and a more general “refusal” to see and acknowledge “poverty, racism, discrimination, and marginalization” as the pervasive social problems

they are (Smith 2013: 230). Don Brash's 2004 *Nationhood* speech, delivered against the backdrop of the Seabed and Foreshore debate mentioned earlier in this chapter, was perhaps the epitome of the revival of the "one people" paradigm. In this speech, Brash (2004), the then head of the National Party and leader of the opposition, attacked policies aimed specifically at Māori as preferential treatment based on race/ethnicity, and diagnosed a Māori "grievance industry" designed to keep Pākehā in a perpetual position of blameworthy colonizer. Such discourses of reverse racism continue today. For instance, "Hobson's Pledge" is a group who invoke the New Zealand Bill of Rights Act to argue that certain measures designed to address Māori grievances and inequities constitute discrimination on the grounds of race. Such discourses of Māori privilege rely on the racialization of Māori in order to deflect from indigeneity and a history of settler colonization as the basis for indigenous rights.

In many ways, The Treaty of Waitangi has been amenable to the settler government because it paved a way to re-legitimizing the presence of settlers and the sovereignty of the settler state through a "treaty-driven myth of the co-founding origins of New Zealand, within a bicultural vision of a common destiny with its accompanying ideological and political framework" (Pearson 2000: 102). Reconciliation, while arguably important, in some ways also protects the sovereignty of the settler state by aiming to subdue indigenous aspirations for sovereignty in favor of subsuming them into the reconciled nation. As such, Treaty settlements are important but cannot be the end point because they do little to enable Māori autonomy (Hill 2016).

In sum, the conclusions about the measures that can be said to encompass contemporary biculturalism can only be mixed. While processes of reconciliation and redress through the Waitangi Tribunal, efforts to revitalize te reo Māori, and initiatives to tackle inequalities have made some difference to iwi and Māori more broadly, the main problem is that they fall short of granting the sovereignty Māori never ceded when they signed Te Tiriti o Waitangi.

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# Nuclear Testing and Racism in the Pacific Islands

# 49

Nic Maclellan

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## Abstract

During the Cold War, between 1946 and 1996, the United States, United Kingdom, and France used Oceania as a laboratory for nuclear testing. The deserts and islands of Australia and the Pacific were perceived as vast, “empty” spaces, suitable for the testing of atomic bombs and thermonuclear weapons. More than 310 atmospheric and underground nuclear tests were conducted by the Western powers in their colonial dependencies or United Nations trust territories.

Debate over colonialism, racism, and ethnic identity was a central feature of this nuclear era. The policies of the Western powers promoted a “nuclear racism” against Pacific Islanders, based on a racialized hierarchy of “civilized” and “primitive” peoples. These notions of racial superiority opened the way for medical experiments on Pacific Islanders affected by radioactive fallout, without free, prior, and informed consent.

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N. Maclellan (✉)  
Melbourne, Australia  
e-mail: [nicmac3056@gmail.com](mailto:nicmac3056@gmail.com)

Beyond this, the radioactive contamination of land, water, and food had direct and indirect impacts on the cultural identity of Pacific Islanders. Cultural practices – from reliance on fishing and traditional root crops to the use of coconut oil in children’s hair – increased the risk of exposure to hazardous radioactive isotopes. The racialized hierarchy of the nuclear workplace also meant that colonial troops and local laborers were often allocated dirty, difficult, and dangerous jobs that increased their risk.

In turn, the long struggle for a nuclear-free and independent Pacific contributed to the creation of a collective sense of regional identity, as a defining element of contemporary Pacific cultural identity.

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**Keywords**

Nuclear testing · Pacific Islands · Cold War · Colonialism · Nuclear-free and independent pacific

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**Introduction**

During the 1950s, Merrill Eisenbud was director of the Health and Safety Laboratory for the US Atomic Energy Commission (AEC). He also served on the AEC’s Advisory Committee on Biology and Medicine and was a crucial medical advisor to the US military as it conducted a postwar program of nuclear weapons testing in the Marshall Islands.

Like other scientists, Eisenbud was excited by the possibility of studying the effect of radioactive contamination on human subjects (Eisenbud 1995). The opportunity came following the US nuclear test, codenamed “Bravo,” conducted on Bikini Atoll on 1 March 1954. Bravo was the largest US nuclear test during the series Operation Crossroads, with an explosive yield of 15 megatons (Weisgall 1994). It spread radioactive contamination across the Marshall Islands, especially the northern atolls of Rongelap, Utrik, Rongerik, and Ailinginae (Kunkle and Ristvet 2013).

For Eisenbud, the aftermath of the Bravo test provided a crucial opportunity for the study of radioactive contamination on human beings, as hundreds of Marshall Islanders had been exposed as winds carried fallout over their islands. At a meeting of the AEC Advisory Committee on Biology and Medicine in January 1956, he proposed “to go back and get good environmental data. . .so as to get a measure of the human uptake when people live in a contaminated environment” (AEC 1956, 232; Johnston 2007, 25).

Eisenbud suggested that studying Marshall Islanders would provide data that had not been previously available to the US military, even though the Pacific Islanders had a different lifestyle to American citizens:

While it is true that these people do not live, I would say, the way Westerners do, civilised people, it is nevertheless also true that these people are more like us than mice. (AEC 1956, 232)

More like us than mice. This chilling statement symbolizes the racist attitudes toward Pacific Islanders during the era of nuclear testing, which lasted for 50 years



between 1946 and 1996. More than 310 nuclear tests, combined with countless other nuclear experiments, left social, cultural, and environmental legacies that continue to this day.

There is a vast literature on the environmental and health effects of nuclear testing in Oceania. But this chapter will address the many ways that the colonial legacies of the nuclear era affected Pacific Islander identity and culture.

After briefly outlining the history of nuclear testing in the Pacific Islands, this chapter will look at the ethnic and cultural identity of Pacific peoples through the prism of the ocean. It will highlight the development of a collective regional identity, arising from attempts to protect the marine environment from nuclear testing and nuclear waste dumping.

It then details key areas where the attitudes and policies of the Western powers promoted a “nuclear racism” against Pacific Islanders. This involved judgements based on a racialized hierarchy of “civilized” and “primitive” peoples that opened the way for medical experiments on human beings without free, prior, and informed consent.

Beyond this, the contamination of land, water, and food by radioactive fallout had direct and indirect impacts on the cultural identity of Pacific Islanders. The cultural practices of some island communities – from reliance on fishing and growing traditional root crops to the use of coconut oil in children’s hair – increased the risk of exposure to hazardous radioactive isotopes.

The racialized hierarchy of the nuclear workplace also meant that colonial troops and local laborers were often allocated dirty, difficult, and dangerous jobs that increased the risk of radiation exposure.

The fact that nuclear testing in the islands continued for most of the second half of the twentieth century was a defining feature of Pacific cultural identity. The long struggle for a nuclear-free and independent Pacific, which continues to this day, forged a collective sense of regional identity that is amplified in the twenty-first century by the common struggle against the adverse effects of climate change.

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## **Creating Sacrifice Zones and Resistance**

During the Cold War, the United States, United Kingdom, and France used Oceania as a laboratory for Cold War nuclear testing. For 50 years between 1946 and 1996, the desert and islands of Australia and the islands of the central and eastern Pacific Ocean were perceived as vast, “empty” spaces, far from population centers. With the exception of Australia, a former British colony, the testing was conducted in colonial dependencies or United Nations trust territories administered by the Western powers.

Between 1946 and 1958, the United States conducted 67 atomic and hydrogen bomb tests at Bikini and Enewetak Atolls in the Marshall Islands, part of the United Nations strategic Trust Territory of the Pacific Islands (Niedenthal 2001; Johnson 2009, 2013). In 1962, the US military undertook 24 further atmospheric nuclear tests at Christmas (Kiritimati) Island in the British Gilbert and Ellice Islands Colony – today the Republic of Kiribati. The United States also conducted five atmospheric

airbursts and nine high-altitude nuclear tests, with warheads launched on missiles from Johnston (Kalama) Atoll and submarines (Maclellan 2017).

The United Kingdom tested nuclear weapons in Oceania between 1952 and 1958. There were 12 atomic tests in Australia, starting at the Montebello Islands in 1952 and then continuing at Maralinga and Emu Field in the desert of South Australia from 1953 to 1957 (Tynan 2016). These atomic tests were followed by nine hydrogen and atomic bomb tests at Malden Island and Christmas (Kiritimati) Island in 1957–1958 (Arnold 2001; Maclellan 1999, 2017).

France began its nuclear testing program in 1960 in North Africa, with four atmospheric nuclear tests in the Sahara desert at Reggane in Algeria. This testing program continued between 1961 and 1966 with 13 further underground tests at In Eker, in the Hoggar Massif mountains of the Sahara. Most of the underground tests were conducted after the 1962 Evian Peace Agreement that ended the bitter Algerian war between France and the Front de Libération Nationale (FLN) in its North African colony.

The continuation of testing for 3 years after Algerian independence gave enough time for the French military to establish the *Centre d'Expérimentation du Pacifique* (CEP – Pacific testing center) in French Polynesia, a French colony in the eastern Pacific (Regnault 1993). From 1966 to 1996, France conducted 193 atmospheric and underground tests at Moruroa and Fangataufa Atolls in French Polynesia (Danielsson and Danielsson 1974, 1986; Maclellan and Chesneaux 1998; Barrillot 1996, 2002).

The creation of nuclear sacrifice zones occurred in other parts of the world, although the Cold War testing conducted by the Soviet Union and People's Republic of China is outside the scope of this chapter (even so, the lived experience of Kazakh and Uyghur peoples parallels that of the Pacific survivors – see Kassenova 2016).

Today, there are varying levels of residual radioactivity on some contaminated atolls in the Pacific. Heavily contaminated locations such as Bikini, Enewetak, and Rongelap Atolls still face restrictions on the use of local food sources. This is due to the ongoing concentration of radioisotopes in the food chain, such as iron-55 in reef fish and cesium-137 in coconut crabs, trees, and fruit (Ruff 1990, 2015).

During the 1950s, there were a range of petitions and protests by Pacific Islanders against nuclear testing, even though none of the Pacific colonies had achieved political independence and sovereignty before 1962 (save the Kingdom of Tonga, which had links to the United Kingdom as a British protectorate).

In 1950, the charismatic Tahitian independence leader Pouvanaa a Oopa began collecting signatures from islanders in the Tuamotu archipelago, as a contribution to global efforts for the Stockholm Peace Appeal (Maclellan 1999, 18–19). In 1956, a petition was sent from the New Zealand trust territory of Western Samoa to the United Nations Trusteeship Council, seeking a halt to the planned British hydrogen bomb testing program. Similar complaints came from customary leaders on the Rarotonga Island Council in the Cook Islands and from church leaders across Oceania (Maclellan 2017, Chap. 4, *passim*).

These efforts mirrored petitions submitted to the United Nations by Marshall Islands *irioj* (chiefs) after the 1954 Bravo test. Despite the US Navy's control of the

UN Trust Territory of the Pacific Islands, the islanders saw that nuclear testing would threaten their lands and waters, which are central to their ethnic identity as Oceanic peoples.

These early protests were amplified in later decades as newly independent nations forged regional structures – the Pacific Conference of Churches (PCC) in 1966, the University of the South Pacific (USP) in 1968, and the South Pacific Forum in 1971. These pan-Pacific institutions mounted collective diplomacy to challenge the use of the region as a nuclear laboratory. This work was inspired by civil society protests from churches, trade unions, women’s organizations, and USP students.

The mobilization in the mid-1970s of the indigenous-led Nuclear Free and Independent Pacific (NFIP) movement was amplified by the international solidarity by Greenpeace, the World Council of Churches, and international disarmament organizations. The creation of the 1985 Rarotonga Treaty for a South Pacific Nuclear Free Zone (SPNFZ) and the declaration by Vanuatu, Palau, and Aotearoa-New Zealand that their land and waters were nuclear weapons-free were high points of the NFIP campaign. This struggle continues in the twenty-first century as New Zealand and Pacific Island nations sign the new Treaty on the Prohibition of Nuclear Weapons, which has crucial provisions obliging state parties to assist nuclear survivors.

The successes of the antinuclear struggle cannot fully diminish the physical, spiritual, and cultural scars left by the era of nuclear testing. Decades on, some atoll and desert locations in Oceania are nuclear sacrifice zones, still contaminated by radioactive isotopes that are hazardous to human health but have a half-life of thousands of years. Beyond this, the culture and identity of many Pacific peoples continues to be forged by the social, economic, and environmental legacies of this colonial era. As nuclear weapons expert Tilman Ruff has noted:

The social impacts of disempowerment; victimisation; abuse of basic human rights; disruption of traditional communities, ways of life and means of sustenance; displacement; justified concern about unpredictable long-term health impacts extending to future generations; and concern about transmitting genetic mutations to one’s children can all have profound and long-term direct and indirect physical and mental health consequences. Especially among the indigenous and traditional communities disproportionately impacted, these effects are not only individual and family, but extend to kin, communities and peoples. (Ruff 2015, 801)

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## Protecting the Ocean as a Source of Identity

When talking of “Pacific peoples,” there is an underlying assumption that all Oceanic societies are the same. In reality, there is vast diversity of social, political, and economic circumstances across the region. From the Highlands of Papua New Guinea – a Melanesian nation of 8 million people with more than 830 languages – to the small Polynesian atoll nation of Tuvalu, with just 11,000 people, the islands region spans a vast diversity of cultural, linguistic, and social structures (Lal and

Fortune 2000). Some countries are based on one high volcanic island, like Niue and Nauru. Others, like Kiribati and French Polynesia, are large ocean states that encompass numerous archipelagos within exclusive economic zones that span millions of square kilometers of ocean.

In spite of this diversity, some writers have argued that the nuclear era forged a collective sense of cultural identity among all Pacific peoples. The threat of radioactive fallout, symbolized by the mushroom cloud, resonated across the region – even for countries and territories at some distance from the actual test sites.

Indigenous disarmament campaigners across the islands region also made the connection between nuclear testing and self-determination, decolonization, and political independence. The countries whose land and waters were directly utilized for testing – Australia, Kiribati, Marshall Islands, and French Polynesia – have vastly different colonial histories and relationships with their former administering power. However, common threats forge common identity. The Western powers could only test nuclear weapons in the Pacific because they were colonial powers in the region. As the slogan went: “If it’s safe, test it in Paris! But keep our Pacific nuclear free” (Maclellan 2015).

The late Epeli Hau’ofa, one of the leading scholars and philosophers of Pacific Island culture, tied the identity of Pacific Islanders to their sense of place in the vast liquid continent – the ocean that unifies all Pacific Island nations. In a significant 1997 essay entitled “The Ocean in Us,” Hau’ofa argued:

It is of utmost significance for the strengthening of regional identity to know that our region has achieved its greatest degree of unity on issues involving threats to our common environment: the ocean. (Hau’ofa 1997, 49)

Hau’ofa states that these threats to the ocean reinforced cultural identities already forged in the period between the great canoe voyages, which carried the first settlers across the vast Pacific, and the later era of European exploration (voyages aided by the traditional knowledge of islanders who traveled on the European vessels, like Omai, Ahutoru, Lee Boo, or Ruatara, using their navigation skills and knowledge of neighboring archipelagos) (Lal and Fortune 2000, 160–161).

In “The Ocean in Us,” Hau’ofa suggested the unifying power of the ocean made important connections across diverse and far-flung language and cultural groups. He went on to argue that, in the modern era, collective identity as Pacific Islanders was reinforced and reaffirmed through struggles against nuclear testing, the dumping of nuclear waste, and other threats to the ocean environment:

The sense of a regional identity, being Pacific islanders, is felt most acutely the movement towards a nuclear free and independent Pacific, the protests against the wall of death drift netting, against plans to dispose of nuclear waste in the ocean, the incineration of chemical weapons on Johnston Island, the 1995 resumption of nuclear tests on Moruroa, and, most ominously, the spectre of our atoll nations and low-lying coastal regions disappearing under the rising sea level – all are instances of a regional united front against threats to our environment. (Hau’ofa 1997, 49)

## Civilized and Primitive Peoples

This evolution of cultural identity in the nuclear era has also been affected by Western tropes about “paradise” and the despoliation of “paradise lost.” In his 1992 study *Imagining the Pacific*, cultural historian Bernard Smith argued that a vision of Pacific “primitivism” developed as European scientists, writers, and artists explored the “New World” of the South Seas: “Novel first-hand information from the New World turned to the ideological usages of European primitivism, European religion and European power” (Smith 1992, 12). This in turn affected European notions of Melanesian savagery, contrasted to the exoticism of Polynesia (and especially Polynesian women).

These ideologies extended into the nuclear era of the twentieth century. Scholar and poet Teresia Teaiwa has looked at the militarization of the Pacific through gendered representations of ethnicity and sexuality. In her 1994 study connecting Bikini Atoll – a key site of the US nuclear testing program – with the bikini bathing suit, Teaiwa argued:

The bikini-clad woman is exotic and malleable to the same colonial gaze which coded Bikini Atoll and its islanders as exotic, malleable and, most of all, dispensable. The bikini is, in effect, more about European and American sex-gender cultural history than about Pacific islanders. But the bikini’s semi-nudity also reflects a conjuncture between conceptions of the neoclassical and the South Sea noble savage that began in 18th century European imagination. (Teaiwa 1994, 93)

The colonization in the Pacific by a range of European powers was based on Enlightenment concepts of the “civilizing mission” and the “noble savage.” Studying the artists and writers of the colonial Pacific, Graeme Lay has noted:

The racial hierarchies and assumptions of European superiority of the 18th and 19th centuries now seem patronising at best and offensive at worst. The word ‘racism’ was unknown; the phenomenon almost universal. (Lay 2008, 21)

But these ethnic hierarchies and concepts of European racial superiority are not simply a phenomenon of the misguided past. During the 50 years of nuclear testing in the Pacific Islands, political and military authorities regularly contrasted essentialized notions of “civilized” and “primitive” peoples, to justify the use of colonized Pacific Islands as testing grounds for atomic and hydrogen bombs.

As one example, UK Colonial Office archives include numerous examples during the United Kingdom’s nuclear testing program in Australia and Kiribati between 1952 and 1958 (Tynan 2016; Maclellan 2017). As British officials prepared for Operation Grapple and the testing of thermonuclear weapons in the British Gilbert and Ellice Islands Colony in 1957–1958, they informed the UK Defense Minister that: “Independent authorities agree that . . . only very slight health hazard to people would arise, and that only to primitive peoples” (Grapple 1956).

In November 1956, Grapple Task Force Commander Air Vice Marshall Wilfred Oulton circulated a study to senior members of the task force outlining the “danger

area” to be promulgated for the UK thermonuclear weapons tests. The top secret document defined an area to warn off shipping, aircraft, or fishing vessels that might intrude in the test zones around Malden Island and Christmas Island.

The chapter sets “several definitions of levels of radioactivity resulting from fall-out” (Oulton 1956). It reveals that the acceptable dosage of radiation was different for British personnel than for the islanders who lived on Christmas Island and on neighboring inhabited atolls such as Fanning, Jarvis, and Washington in the Line Islands or Tongareva (Penrhyn) in the Cook Islands. The dosage for so-called primitive peoples exceeded safety levels set by international health commissions that monitored radiation:

For civilised populations, assumed to wear boots and clothing and to wash, the amount of activity necessary to produce this dosage is more than is necessary to give an equivalent dosage to primitive peoples who are assumed not to possess these habits. For such peoples the corresponding level of activity is called level B’. It is assumed that in the possible regions of fall-out at Grapple there may be scantily clad people in boats to whom the criteria of primitive peoples should apply.

It is desirable that the Declared Danger Area should at least enclose the whole region in which there is a possibility that level B’ may be produced. The dosage at this level is about 15 times higher (for primitive peoples) than that which would be permitted by the International Commission on Radiological Protection. (Oulton 1956, 2–3)

People living in the Pacific Islands were understandably angry that they were being presented as “mice,” “guinea pigs,” or “primitive.” On 20 February 1957, as the UK military prepared for its hydrogen bomb testing in the British Gilbert and Ellice Islands Colony, the Indo-Fijian newspaper *Jagriti* editorialized:

Nations engaged in testing these bombs in the Pacific should realise the value of the lives of the people settled in this part of the world. They too are human beings, not ‘guinea pigs’. (Lal 1992, 158)

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## Medical Experiments and Body Snatching

Anthropologist Barbara Rose Johnston has argued that the use of these racialized terms by political and military authorities “suggests a hierarchical view of humanity and the presumed relative subordinate status of indigenous peoples. This view – that human groups are more or less evolved, with primitive ‘natives’ being biologically inferior to Western ‘civilised people’ – was a common and useful notion. Such ideas help dampen any moral qualms about the planned use of a Marshallese population in human radiation experiments” (Johnston 2007, 26).

For the Marshallese, the aftermath of the 1954 Bravo test led to tragic consequences. The US military and medical staff from Brookhaven National Laboratory, led by Dr. Robert Conard, saw an opportunity to research the effects of radiation on people living on contaminated land. Under Project 4.1, medical studies were

undertaken on at least 539 men, women, and children – often without informed consent – including experimental surgery and injections of chromium-51, radioactive iodine, iron, zinc, and carbon-14 (Cronkite et al. 1997).

Because of the secrecy surrounding nuclear testing programs, these medical studies lacked appropriate peer review and public critique by other scientists or doctors. Over time, the humanity of the subject “native” populations was diminished, with scientists regarding them as control groups rather than as individuals needing medical care.

As one example, Dr. Thomas Shipman, health division leader at the Los Alamos nuclear weapons laboratory, wrote to Dr. Robert Conard of Project 4.1 stating:

Many thanks for the copy of the most recent survey of the Rongelap natives ... The development defects in the small children are also of considerable interest, and I presume an attempt will be made to correlate these findings with what has been reported in Japan. (Shipman 1961)

With little irony, Shipman recalled the dangers of sunburn while visiting the Micronesian islands:

Maybe one of these days I can get back out when your survey team goes and sees the natives again. I will, however, be very careful about getting a sunburn comparable to the one I got on my previous visit to Rongelap. (Shipman 1961)

The hazards of sunburn paled into insignificance for the Marshall Islanders suffering from leukemia, cancer, and a range of reproductive health problems – including the phenomenon that Marshallese health worker Darlene Keju dubbed “jellyfish babies,” as women faced intergenerational effects with deformed, lifeless fetuses or children born with disabilities (Johnson 2013).

Over time, Marshall Islanders began to question the way that the medical studies were being conducted, as shown by the moving letter written in 1975 from Rongelap islander Nelson Anjain to Dr. Robert Conard:

I realise now that your entire career is based on our illness. We are far more valuable to you, than you are to us. You have never really cared about us as people – only as a group of guinea pigs for your government’s bomb research effort. For me and the people of Rongelap, it is life which matters most. For you, it is facts and figures. There is no question about your technical competence, but we often wonder about your humanity.

We don’t need you and your technical machinery. We want our life and our health. We want to be free... As a result of my trip, I’ve made some decisions that I want you to know about. The main decision is that we do not want to see you again. We want medical care from doctors who care about us, not about collecting information for the US government’s war makers. (Johnston 2007, 45–46)

Alongside Pacific Islanders working at the nuclear test sites or living in nearby locations, thousands of military personnel were also deployed to the Pacific for the nuclear testing programs by the United States, Britain, and France. It is beyond the scope of this chapter to fully analyze the experience of these soldiers and sailors, which has been documented in other studies (MacLellan et al. 1999; Cross and



Hudson 2005; Maclellan 2017; Van der Vlies and Seur 1997). However there was a common concern among military personnel, Pacific workers on the test sites, and neighboring island communities – that they were being used as guinea pigs, for deliberate experimentation on the effects of radiation.

These concerns were not simply paranoia. During the Cold War, the United States conducted a number of human radiation experiments on indigenous peoples, Sami and Inuit in Alaska, across the Andes and Amazon, with research in Chile, Peru, Argentina, and Brazil, as well as the Micronesians of the Marshall Islands (Johnston 2007). Through Project Sunshine and other government-sponsored studies on the spread of radioactive isotopes like strontium-90, many other people were drawn into medical experimentation and human radiation studies, often involving the collection of blood, bone, tissue, or genetic materials.

Many of these activities were only revealed after the Clinton Administration ordered a 1994 review of human radiation studies conducted by the United States between 1944 and 1974. The review by the Advisory Committee on Human Radiation Experiments (ACHRE) revealed “the perhaps surprising finding that officials and experts in the highest reaches of the Atomic Energy Commission (AEC) and Department of Defence (DOD) discussed requirements for human experiments in the first years of the Cold War” (ACHRE 1995, 24).

The ACHRE review found that Cold War practices included experiments on prisoners and invalids, including plutonium injections during the Manhattan project:

Sick patients were used in sometimes secret experimentation to develop data needed to protect the health and safety of nuclear weapons workers. The experiments raise questions of the use of sick patients for purposes that are not of benefit to them, the role of national security in permitting conduct that might not otherwise be justified, and the use of secrecy for the purpose of protecting the government from embarrassment and potential liability. (ACHRE 1995, 26)

Not surprisingly, the review found that: “Current policies do not adequately safeguard against the recurrence of the kinds of events we studied that fostered distrust” (Ibid).

Similar practices extended to the United Kingdom. The UK government was well aware that the atmospheric testing of nuclear weapons would contribute to the spread of strontium-90 around the globe. This radioactive isotope, with a half-life of 28.8 years, is produced by nuclear fission and was carried vast distances as the post-detonation mushroom cloud extended to the stratosphere and high-level winds.

By the mid-1950s, British researchers were involved in Project Sunshine, an initiative started by the US Atomic Energy Commission (AEC) to measure the amount of strontium-90 in the bones and tissue of human beings (RAND 1953). More than 19 countries were involved in this gruesome project, which involved the use of cadavers – often babies and children – for testing, often without the knowledge or consent of their families. US doctors and scientists in the Marshall Islands also removed both decayed and healthy teeth from Rongelap children and sent them to New York for testing (Johnston and Barker 2008, 158).



From 1954, the US AEC, the UK Atomic Energy Authority (UKAEA), and the UK Ministry of Agriculture, Fisheries and Food began testing for strontium-90 in food, animals, and plants. This was soon extended to human testing and the UKAEA tested bones from thousands of dead children. Samples from more than 6000 people who died in Britain were tested between 1955 and 1970 (Roff 2002; Redfern 2010, 405).

In Australia, the Atomic Weapons Tests Safety Committee began a program in 1957 to collect samples in Australia and the Australian-administered Territory of Papua and New Guinea. Bones and samples from more than 21,000 corpses – mainly babies – were incinerated, and the ash is sent to the United Kingdom for testing (ARPANSA n.d., 11).

On 18 January 1955, the US AEC held a conference to discuss how they could obtain more human material for the analysis of strontium-90. AEC commissioner Dr. Willard Libby told the meeting:

Human samples are of prime importance and if anybody knows how to do a good job of body snatching, they will really be serving their country . . . In 1953 we hired an expensive law firm to look up the law of body snatching. This compendium is available to you. It is not very encouraging. It shows you how very difficult it is going to be to do it legally. (Redfern 2010, 410–411)

Decades later, the Nuclear Free and Independent Pacific movement was still concerned about the ongoing “biopiracy” of genetic materials by Western researchers, collected from people living in isolated atolls or Highlands communities. In 1995, the NFIP secretariat in Fiji – the Pacific Concerns Resource Centre – hosted a regional consultation on indigenous peoples knowledge and intellectual property rights, which led to the drafting of a model treaty for “a life forms patent-free Pacific” (PCRC 1997, 196).

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## Loss of Land, Waters, and Cultural Identity

The threat to Pacific cultures and spirituality was exacerbated by the very real damage to land, water, and place that is central to indigenous identity across the region. In some cases, this was exacerbated by the relocation of communities from their home islands or desert country, producing profound loss and cultural dislocation that continues to this day.

In their early protests against nuclear testing during the 1950s, Islanders often highlighted the damage to land and livelihoods rather than the (often unknown or misunderstood) effects of radiation on human health.

Just weeks after the Bravo test on 1 March 1954, Marshall Islanders led by schoolteachers Dwight Heine and Atlan Anien and customary chiefs Kabua Kabua and Dorothy Kabua lodged a petition with the UN Trusteeship Council. The petition requested that “all experiments with lethal weapons in this area be immediately

ceased” and highlighted the importance of land as a source of culture and identity – land that was being vaporized or contaminated by US nuclear tests:

... the Marshallese people are not only fearful of the danger to their persons from these deadly weapons in case of another miscalculation, but they are also concerned for the increasing number of people removed from their land ... land means a great deal to the Marshallese. It means more than just a place where you can plant your food crops and build your houses or a place where you can bury your dead. It is the very life of the people. Take away their land and their spirits go also. (UN Trusteeship Council 1954)

The adverse environmental effects on the land continue to this day, and many Marshallese from the northern atolls are still displaced from their home islands. Food plants like breadfruit and coconut take up radioactive cesium-137 from the soil, and this hazard has persisted on Bikini, Rongelap, and other contaminated islands (Bordnera et al. 2016). Although the US Congress has allocated funding to finance a partial cleanup, only a small proportion of the northern atolls have been fully remediated. Exiled residents are calling for more comprehensive efforts before they return home.

After the Bravo test, Lemeyo Abon was one of the children relocated from Rongelap. This evacuation began a decades-long odyssey which has left many people still living in exile. After returning to live on the contaminated atoll for 30 years, she was again evacuated to Mejjatto Island in 1985 aboard the Greenpeace vessel *Rainbow Warrior*, just before it was attacked and sunk in Auckland Harbour by French intelligence agents (Robie 2015). She later moved to the Marshall Islands capital Majuro, still far away from her home island. Interviewing Mrs. Abon in Majuro in 2013, her loss was clear:

We are still living in this place in exile from our homeland, like a coconut floating in the sea. The United States has to live up to their responsibility and make sure our children and grandchildren will be cared for. (Maclellan 2017, 54)

Sadly, she died in exile in 2018, without returning to her home island.

The central relationship between land and identity was also played out in Australia during the period of British nuclear testing.

For decades, UK and Australian authorities had downplayed the hazards for nearby aboriginal communities created by the British nuclear tests, such as the Totem One test at Emu Field in October 1953, which generated a black mist and reportedly caused blindness for indigenous children like Yami Lester (Lester 1993). But in recent years, there is a growing body of literature which documents the adverse effects of nuclear testing on the desert communities, whose lands were taken for the Maralinga and Emu Field test sites (Mattingley 2009, 2016; Tynan 2016).

Nearly 30 years after the end of the UK testing program, the 1984–1985 McClelland Royal Commission into the British nuclear tests confirmed what indigenous people have long argued: that the testing grounds in the desert of South Australia were not empty, but were the homelands for the Yankunytjatjara and Pitjantjatjara peoples and a place of crucial cultural and spiritual meaning.

The Royal Commission report noted that “the country was still used for hunting and gathering, for temporary settlements, for caretakership and spiritual renewal and for traverse by people who move from location to other areas within and outside what became the prohibited areas.” While some Aboriginal people lived in contaminated zones for up to 6 years after the tests, others were relocated to coastal towns away from their traditional country. The Royal Commission recognized however that the denial of access to their traditional lands for displaced people “contributed to their emotional, social and material distress and deprivation” (Government of Australia 1985, 319, 323).

During the nuclear testing era in Marshall Islands, Kiribati, and French Polynesia, social structures and cultural identity were transformed by the presence of thousands of overseas military personnel and massive influx of capital, technology, and infrastructure.

This was most evident in French Polynesia during 30 years of nuclear testing, when French funding, economic investment, and changing employment patterns led to significant shifts in the culture and lifestyle of the indigenous Maohi people (Poirine 1992; Blanchet 1995). Thousands of Maohi workers were employed in a range of jobs at the CEP Pacific test center – today they have formed an association called *Moruroa e Tatou* (Moruroa and Us), seeking compensation for the illnesses they attribute to their exposure to hazardous levels of radiation in the workplace.

At the height of French nuclear testing, independence activist Jacqui van Bastolaer from the *Ia Mana Te Nunaa* party testified to the transformation of ethnic identity in the new consumer society created after the 1960s:

The attack of one civilisation against another can take on various forms – genocide, economic or cultural assault. After having lived through a period of military colonisation, the Polynesian Maohi have undergone an economic and cultural colonisation for a century. That economic and cultural colonisation specifically grew with the settling of the Pacific nuclear test centre in our country. While the external trade balance Polynesia was in equilibrium around the 1960s, it is today in a 98 per cent deficit. . .

The economic dependence on the outside world also resulted in a cultural dependence with regard to habits, mental outlook and the way of life, leaving the Polynesian people deeply estranged from their identity and traditional socio-economic balance. Now in the colonial society, which increasingly extends its influence to all the fields of life, the Polynesian has turned into the throwaway individual of a consumer civilisation. In our eyes, the Maohi people’s cultural estrangement is one of the most harmful aspects of colonisation. (van Bastolaer 1984, 43–44)

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## Cultural Practice and Medical Hazards

Nutrition in most Pacific atoll nations is reliant on ocean resources, from deepwater fisheries to the collection of crabs, limpets, and other seafood on coastal waterfronts and fringing reefs. For this reason, the norms of Pacific culture and diet were challenged during the period of atmospheric nuclear testing (1946–1974), when the spread of radioactive isotopes through fallout increased the risk of contamination for land, agricultural crops, and fisheries.

Across the region, the reef ecology of coral atolls was severely damaged by activities associated with the nuclear testing program, including drilling in the lagoon floor to create shafts for underground tests, reef blasting to create passage for naval vessels, waste dumping, and the actual detonation of nuclear weapons. A study published in the British medical journal *The Lancet* has linked such activities to regular outbreaks of the fish-poisoning disease ciguatera (Ruff 1989, 201–205). As nuclear researcher Dr. Tilman Ruff has noted:

Ciguatera has important nutritional, social and economic implications, interfering with local inshore, largely subsistence, traditional fishing and increasing dependence on imported foods, with their exacerbation of risk factors for chronic disease. (Ruff 1990, 32)

To reduce the danger of ingestion or inhalation of hazardous ionizing radiation, military authorities commonly banned the consumption of local fish, crabs, and seafood during periods of nuclear testing. These restrictions were aimed at Pacific workers on the test site, military personnel deployed for the testing program, and neighboring island communities. In reality, however, islanders regularly ignored such safeguards, ignorant of the hazards of accumulated nuclear particles in the food chain and reluctant to give up their traditional diet.

One example comes from the British hydrogen bomb testing program on Christmas (Kiritimati) Island. Banaban sailor Tekoti Rotan was deployed to the island in 1957, as part of the UK military task force. In an interview, he said that safety regulations limiting consumption of fish had little meaning for Fijians and Gilbertese islanders living on Christmas Island during the testing program:

The only warning we had before the test, was they warned the people: ‘After the test, don’t eat any fish!’ But you know, I’m from Kiribati. I love raw fish and this is the only dangerous thing after the test. They said: ‘Don’t!’ but I ignored them. I went to the Kiribati people and said: ‘Hey, raw fish, we’re not supposed to eat the raw fish!’ But they said ‘Oh, we’ve been eating it and nothing’s happened.’ That was the biggest mistake for them. (Maclellan 2017, 238)

Supplied with military rations such as bully beef and potatoes, Fijian soldiers and sailors deployed to Christmas Island regularly supplemented their standard rations with seafood, caught from the surrounding lagoon and reef. In an interview, Fijian soldier Eseroma Kuruwale recalled that islanders often ignored official regulations that banned the consumption of fish following a nuclear test:

When we Fijians were there, we used to go spear fishing along the shores. We ate the fish on the beach. During the time that the bomb was dropped, it wasn’t allowed to eat fish, but you know, we Fijians always do it anyway. We were always yearning for fish. After a day or one week, we used to look for crayfish. We ate the crayfish which was very tasty. (Maclellan 1999, 55)

Similar stories can be found in French Polynesia and the Marshall Islands, with some dietary traditions affecting women more than men. United Nations Special Rapporteur Calin Georgescu, who documented ongoing nuclear hazards in the Marshall Islands in a 2012 UN report, noted that radioactive isotopes accumulated in the food chain posed particular hazards for women and children:

Because of cultural differences and language barriers, Marshallese dietary customs were either unknown or ignored during the testing period. For example, the difference in dietary and other eating habits of men, women and children may have led to higher exposure of some members of the population, especially women. Women eat different parts of the fish to those eaten by men, especially bones and organ meat, in which certain radioactive isotopes tend to accumulate.

The differences in the retention of radionuclides by coconut and land crabs were not recognised by the medical profession in the United States. Apparently, women were more exposed to radiation levels in coconut and other foods owing to their role in processing foods and weaving fibre to make sitting and sleeping mats, and handling materials used in housing construction, water collection, hygiene and food preparation, as well as in handicrafts. (Georgescu 2012, 8)

Other common cultural practices, such as the tradition of washing hair with coconut oil, exposed young girls to even greater risk. These hazards were known at the time, as shown in contemporary documents from Joint Task Force 7 (JTF-7), the military command responsible for the Bravo operation. The final JTF-7 Radiological Safety Report acknowledged that “the heavy coconut oil hairdressing used by the Marshallese tended to concentrate radioactivity in the hair” (Barker 2004, 40).

Oral testimony from Marshallese women who survived these tests confirms this practice and the subsequent health impacts. On 1 March 1954, Rinok Riklon was a young girl living on Rongelap, 120 km to the east of Bikini Atoll, where the US government exploded the Bravo thermonuclear weapon. Winds carried radioactive fallout across Rongelap and other northern atolls. In an interview nearly 60 years later, Mrs. Riklon said:

People were playing with the fallout as it fell from the sky. We put it in our hair as if it was soap or shampoo. But later I lost all of my hair. (MacLellan 2017, 40)

On the day of the Bravo test, Lemeyo Abon was 14 years old, living on Rongelap:

We saw the bright light and heard a boom and we were really scared. We had no idea of what was happening. Later on something like powder came from the sky. It was raining when we went home and our parents asked ‘what happened to your hair?’ The next day our hair fell out. We looked at each other and laughed, saying ‘you look like a bald old man!’ But in our hearts we were sad. (MacLellan 2017, 40)

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## **Dirty, Difficult, and Dangerous Jobs**

Tanemaruata Michel Arakino was born on Reao, an island not far from Moruroa Atoll, site of 178 French nuclear tests between 1966 and 1996 (a further 15 nuclear tests were held at nearby Fangataufa Atoll).

For 17 years, Arakino worked with the French military research unit responsible for collecting biological samples at the nuclear test sites, to determine the

amount and spread of radioactive particles. Working as a scuba diver, he also dove into the lagoon at Moruroa Atoll to collect samples of water, seaweed, and sediments, just hours after underground nuclear tests had been conducted in shafts drilled deep into the atoll.

In my job, I was regularly in the so-called 'hot spots' together samples from the ground and the sea for biological testing on Moruroa and Fangataufa Atolls and across all of Polynesia, as well as for the testing of foods coming from outside the country. I was in charge of a garden with contaminated earth that we brought in from Fangataufa itself.

The Biological Testing Service wanted to know what happens to vegetables grown in contaminated soil. It is likely that while working in this garden and while diving to gather plankton above ground zero, I swallowed or breathed in radioactive particles. In no case did my senior officers inform me of the risks I might incur. (Arakino 2002)

For nearly 30 years, French government officials stated that there was no radioactive fallout from French nuclear tests or leakage of radioactivity into the lagoons at Moruroa and Fangataufa. However a major study by the International Atomic Energy Agency (IAEA), conducted after the end of nuclear testing in 1996, shows that there is significant radioactive pollution caused by the nuclear tests, in spite of decades of denials:

- Five kilograms of plutonium remain in the sediments of Moruroa Atoll's lagoon as a result of atmospheric nuclear tests and plutonium safety trials, with a further 3 kilos in Fangataufa's lagoon.
- The concentration of tritium in the Moruroa lagoon was ten times higher than in the open ocean, as a result of leakage from cavities created by the underground tests.
- Particles of plutonium and americium remain at the trial sites on Colette, Ariel, and Vesta islands on the north side of Moruroa Atoll.
- High levels of cesium-137 were found over small areas totaling several hectares on the Kilo-Empereur rim of Fangataufa Atoll (IAEA 1998).

Arakino's work is just one example of the dirty, difficult, and dangerous jobs allocated to Pacific Islanders in support of the nuclear testing programs. Such work meant that islanders could face greater risks than their metropolitan counterparts (although numerous Western military personnel were also exposed to dangerous levels of radiation during the testing programs, during accidents, as well as during the normal working day).

There is also evidence that islanders deployed by the military for the nuclear testing programs (such as the Fijian military personnel deployed to Christmas Island or the Maohi workers mobilized for French tests on Moruroa) were allocated dirty, difficult, and dangerous jobs. Indeed, some soldiers have testified that they believe this was deliberate, because they were colonial subjects.

For example, around 276 members of the Royal Fiji Military Forces (RFMF) were sent to Christmas Island as a small part of a much larger deployment of UK

troops. Fijian soldiers who staffed the test sites from 1958 to 1960 worked as engineers, laborers, and stevedores for the loading and unloading of ships. They were also given duties that increased the risk of exposure. After witnessing the tests, for example, RFMF soldiers were involved in cleanup operations closer to ground zero, such as capturing and killing birds blinded by the nuclear detonation.

Interviewed years after his deployment on the island in 1957, RFMF soldier Isireli Qalo reported that his crew of Fijians, supervised by just one UK soldier, were given a special task:

I was involved in the unloading of the first bomb for Christmas Island. A cargo boat escorted by several warships brought the bomb to Port Camp. My job was to secure the unloading area and oversee the work of the Fijian boys. Those doing the unloading were organised into sections. There was only one white fellow who was allowed in the secured area with me, to oversee the unloading. We took this thing from the Navy and took it onto the island. (Maclellan 2017, 228)

RFMF sailor Paul Ah Poy also served on Christmas Island, witnessing seven nuclear tests. On one occasion, he was ordered to dump drums of radiation-contaminated waste into the ocean:

One clear sunny day, there wasn't much traffic in the port area. A huge truck arrived alongside our vessel. The normal stevedores did not load the special cargo into the *Prowler*, our lighter. Some Air Force personnel did the loading supervised by a Royal Navy Sub-Lieutenant. My three crew and I gave a hand and I happened to sit on one of the 44-gallon drums, after all 60 drums were loaded.

All of a sudden a Marine Sergeant came and pushed me off the drum and we both fell down on the deck. I thought he was only playing. As we got up, he took me to one side and told me: 'Do you know what's your cargo, son?' I answered: 'No Sarg.' He told me: 'Since you are the Skipper of this tub, I'll let you in on what you are about to do. Don't ever sit or touch those drums, they contain nuclear waste. You will take it out to sea and dump them over the sides when we were about five miles west of the island.'

The Navy officer came to me and said: 'What say, Cox'n, are we far enough?' I answered that we were beyond the four miles limit and it's time we head for home. He said: 'Right ho, boys!' The RAF boys and our crew started rolling the drums over the side and we returned to port. (Maclellan 2017, 140)

Beyond these hazards, the risk of serious exposure was increased for people engaged in certain activities during the nuclear testing program – for example, during the early era of US and UK atmospheric nuclear testing, pilots dropping the hydrogen bomb from aircraft suffered from significantly increased rates of leukemia, cancer, and other illnesses (Maclellan 2017, 168ff). Because of this, some nuclear veterans claim that their exposure to hazardous levels of ionizing radiation was not accidental, but rather they were deliberately used as guinea pigs or “lambs to the slaughter” (Cross and Hudson 2005, 171).

## Conclusion

In September 2018, Presidents and Prime Ministers of the eight Smaller Island States (SIS) within the Pacific Islands Forum held their annual caucus. The SIS leaders agreed that the issue of nuclear contamination of their islands would be a standing agenda item for all future SIS meetings.

Well into this century, Pacific Island leaders still see the danger of radioactivity as a regional issue, meriting their attention. Led by the Marshall Islands and French Polynesia, island leaders are intensely worried about the effects of climate change – storm surges, sea level rise, and ocean acidification – on the Pacific sacrifice zones created by Cold War nuclear testing.

In French Polynesia, for example, the lagoon at Moruroa Atoll remains contaminated by plutonium and other long-lasting radioactive isotopes. As they dismantled the CEP nuclear test site after the end of testing in 1996, the French military dumped more than 2600 tonnes of nuclear-contaminated material into the waters off Moruroa (2580 tonnes at a site codenamed “Oscar” and a further 76 tonnes at site “Novembre”). The basalt base of the atoll is fractured by dozens of underground nuclear tests, creating fissures that may allow the leaching of radioactivity into the marine environment.

In the Marshall Islands, Runit Island in Enewetak Atoll hosts a massive concrete dome which covers tons and tons of nuclear-contaminated waste. The radioactive legacy of US nuclear tests on Enewetak was buried under concrete in the mid-1970s, in a giant crater created by a nuclear blast. Today, however, the dome is cracking, leaching contaminants into the ocean environment. Concrete laid in the 1970s cannot contain the problem as rising seas caused by climate change seep inside the nuclear waste dump, flushing out radioactive substances left behind from some of the world’s largest atomic weapons tests.

The creation of the sacrifice zone at Runit is mourned today by the people of the Marshall Islands. In her poem “Anointed,” Marshallese poet Kathy Jetnil-Kijiner asks: “You were a whole island once. Who remembers you beyond your death? Who would have us forget that you were once green globes of fruit, pandanus roots and whispers of canoes? Who knows the stories of the life you led before?” (Jetnil-Kijiner 2018).

These stories have been largely forgotten by the governments and citizens of the United States, United Kingdom, and France. But the memory – carried in the scarred land and the scarred souls of survivors – is a central part of the cultural identity of the peoples of the Pacific. Living with the memory of human radiation experiments; of dirty, difficult, and dangerous jobs; of the pollution of land and waters; and of cancers and other health impacts, the nuclear racism of Cold War colonialism lingers on.

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## Cross-References

- ▶ [Faamatai: A Globalized Pacific Identity](#)
- ▶ [Foreign Military Occupations and Ethnicity](#)
- ▶ [Kava and Ethno-cultural Identity in Oceania](#)



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# Nagas Identity and Nationalism: Indigenous Movement of the Zeliangrong Nagas in the North East India 50

Aphun Kamei

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### Abstract

Today, more than ever, the need for economic development and progress is felt much stronger by any group or community. This means that all groups or communities enter into direct or indirect competitions and conflicts at all times. As a result of this, each community is compelled to search for new technology and new cultural practices in order to acquire more wealth and prosperity. The widespread education and the process of modernization accelerates the economic growth and prosperity which ultimately connects every culture through circulating global markets, and this process helps people to come closer and increasingly found interlinked with one another. However, in such process, we see either a community being merged with the “mainstream” losing its identity or in the course of time assimilating within that same community. Therefore, this chapter deals with a particular community in the quest for economic progress and search for sustaining its identity and in the process leading to identity crisis. Major factors such as migration, colonialism, religious conversion, Meitei expansionism or “Meiteization,” modernization, and globalization are identified for the causes of identity crisis which ultimately led to the emergence of distinct and independent ethnic identities such as the Zeme, Liangmai, Rongmei and Inpui from a generic identity known as the “Zeliangrong.”

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A. Kamei (✉)

Department of Sociology, Delhi School of Economics, University of Delhi, Delhi, India  
e-mail: [k.aphundse@gmail.com](mailto:k.aphundse@gmail.com)

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**Introduction**

Today, all human societies have become increasingly interlinked with one another through global markets and the spread of a universal consumer culture. The need of development, which probably every country faces, creates a search for modern technology. This makes possible the development of the backward societies and accumulation of material wealth, and more importantly this process results in an increasing homogenization of all human societies, regardless of their origin or cultural inheritances. This process dictates inescapable unification of education pattern and replacement of traditional institutions like tribe, clan, or family by new economic units, in some cases resulting in progressive modernization or westernization of many societies (Saraswati 1996, p. 83). But, in this process of modernization and global markets, it is unfortunate to witness some societies or tribal groups being merged with the mainstream or consequently, losing their cultural identity. Therefore, it is pertinent to know what identity is and how it is formed.

Identity formation is a process through which people are made conscious of their distinct characteristics and group loyalty is established on that basis (Upreti 2001, p. 15). This formation is found in all societies, but the dominant cultural streams usually could not assimilate various smaller cultural groups within the majoritarian cultural streams. The smaller cultural groups fear their submergence in the larger culture. Hence, they try to assert on the basis of their distinct cultural identities. Such is the case in Pakistan, where Muhajirs have been struggling for their distinct cultural identity. Likewise in Sri Lanka, the clash of Sinhala and Tamil cultures has thrown the country in the vortex of serious ethnic conflict. In Bhutan too the problem of Nepali migrants emerged with the imposition of “cultural code” based on Drukpa culture on them. In Nepal, the hill people have been considering themselves as the repository of Nepal culture while Taraians as outsiders. This has brought the two communities, having distinct regional identities, into sharp conflict. The Nepalese ruling elite followed policy of “Nepalization” of the Tarai region: which is often seen as the cultural hegemony of the hill people over the immigrant Tarai people. The Mongolians are also resenting against the Hindu cultural domination.

The Tribal communities in South Asia, on the other hand, have also asserted their distinct identities. It is strange that while these communities aspire for modernization and development at par with other regions of the country, they do not want to lose their distinct cultural identities. The Baluch and Pakhtoon movements in Pakistan; Naga, Khasi, Mizo, in India; movement of Chitagong hill tribals in Bangladesh; “Limbuwan,” “Kiratavan,” and “Magarantik” movements in Nepal; etc. are such tribal cultural assertions (Ibid., pp. 18–19).

Any scholarly attempt to understand identity cannot ignore the works of Erik H. Erikson. As Ernest Hess rightly pointed, “Erik Erikson has been the person most responsible for bringing the concept of ‘identity’ and ‘identity-crisis’ into the common parlance.” (Hess 1991, pp. 22–23). Erikson’s concern centers mostly on the psychological aspect of an individual identity formation, but he relates “personal” identity closely with “cultural” identity recognizing the dynamic impact of the society on the individual’s identity formation. Identity formation, Erikson said, “deals with a process ‘located’ in the core of the individual and yet also in the core of his (or her) communal culture (Erikson 1968, p. 22). Though his psychological definition aims at an individual’s identity formation and development, his definition is helpful in comprehending the essential features of group identity as it provides us with a framework to devise the patterns and characters of group identity formation.

Identity is, therefore, complex since it requires one to ask, initially, questions about the “self” and the “other.” It means covering a whole range of variables and definitions: the notions about the self-individual and collective and the cultural “other” in terms of whether one referring to economic, social, or cultural dimensions. These debates are very active in the contemporary societies where development and progress has taken deep roots. Unlike the concept of community, identity has not been a major preoccupation with mainstream western sociology. Among the classical theorists of sociology, it is perhaps in the writings of Mead and Cooley that one finds detailed references to the question of identity. However, they too approached identity in a socio psychological manner rather than a politico-sociological one. They talked about *identity* while trying to understand the formation of an individual self in a collectivity through the experience of meaningful interactions as part of the socialization process (see Cooley 1962; Mead 1934). The most crucial point that Mead and Cooley made in their discussions on the subject was the significance of “others” in the formation of an individual’s self-identity.

Later sociologists emphasized that it was not sufficient for an individual or a collectivity to merely assert an identity. It also needed to be validated (or not) by those with whom one had dealings (Jenkins 1996, p. 210). Barth, in his classical work on ethnicity, insisted that sending a message about the distinctiveness of one’s identity was not enough. The message to be accepted by significant others before an identity could be said to have been “*taken on*.” Identities were therefore to be found and negotiated at the boundaries of the internal and external (Barth 1969, p. 23).

It was only in the 1970s and 1980s, with the rise of “*new*” social movements, including those by women and the subordinate ethnicities, that the question of “*identity*” acquired a political status in the western societies and academia. While it was in the 1970s that the west experienced what Anthony D. Smith called the “*ethnic revival*” (Smith 1981, p. 11), it was in the 1980s that the questions of identity and ethnicity came to acquire the center stage in Indian politics (Jodhka 2001, p. 20). The two most significant political movements that brought this about were the “*crises*,” experienced almost simultaneously, in the northeastern of Assam and the northwestern state of Punjab. A separatist’s movement in the border of Kashmir and the rise of a pan-Indian Hindutva identity followed soon after.

Following Stuart Hall, one can identify two different ways of thinking about “*identity*.” The first position defines cultural identity in terms of one, shared culture, a sort of collective “one true self,” hiding inside the many other, more superficial or artificially imposed “*selves*,” which people with a shared history and ancestry hold in common (Hall 1990, p. 223). It was within this framework that, until recently, the question of identity was thought of in many public and academic discourses on culture in reply to India. There is also a second and what Jodhka calls it “*open-ended view of culture*” that approaches community identities not in the primordialist or substantivist perspectives but as a process of, what Appadurai calls, “*conscious mobilization of cultural difference*” (Appadurai 1997, p. 15).

Like the above framework, Hall also argues, “cultural identity is a matter of ‘*becoming*’ as well as of ‘*being*’.” It belongs to the future as much as to the past. It is not something that already exists, transcending place, time, history, and culture. Cultural identities come from somewhere and have histories. But like everything there is historical, they undergo a constant transformation. Far from being eternally fixed in some essentialized past, they are subject to continuous “play” of history, culture, and power. Far from being grounded in a mere “*recovery*” of the past, which is waiting to be found, and which, when found, will secure our sense of ourselves into eternity, identities are the names we give to the different ways we are positioned by, and position ourselves within, the narratives of the past (Hall 1990, p. 225). Jenkins too makes a similar point when he says, “identity can only be understood as process. One’s social identity (or identities) is never a final settled matter” (Jenkins 1996, p. 5).

The question of ethnic identity in North East India, therefore, remains a complex subject on account of several sociological and historical reasons. In several cases, the identity question is intimately tied with the wider political aspiration of the people concerned (Singh 1982, p. 199).

The nomenclature, Zeliangrong, is a collective ethno-cultural entity of the people who speak the dialect of Zeme, Liangmai, and Rongmei (Kabui) including Puimei tribes of North East India. The term was used for the first time in 1947, when the “Zeliangrong Union” was formed to mean the same group of people sharing common origin, language, and culture. It is a combined name of kindred tribes of the Zeme, the Liangmai, and the Rongmei (Kabui) with the prefixes taken together to form the term “ZELIANGRONG” (Ze+Liang+Rong).

Many Naga traditions pointed Makhel in north Manipur as their original homeland. The legends, the ritual hymns, and traditions of the tribe refer to their coming out of a hole or cave in the earth, called *Taobhei* at *Ramting Kabin*, a deep gorge between the two hills which are deep and dark. Another view on the origin is traced from China with a scanty literature. T.C. Hodson in the beginning of the twentieth century, while officiating as the Assistant Political Agent in Manipur, visited this megalith and wrote, “At Makhel is to be seen a stone now erected which marks the place from which the common ancestors (of the Nagas) emerged from the earth” (1996, p. 13). From this place, they proceeded westward and arrived at Makuilongdi or Nkuilongdi meaning “round big mountain.” Makuilongdi has been known by many names like *Chawang Phungning* or *Guang Phungning*. Many Liangmai

lineages trace their migration from *Guang Phungning*, which according to them was the main village of the cluster of villages, commonly known as Makuilongdi. Many Rongmei hymns refer to this prosperous village of *Guang Phungning* as well.

It is believed that Makuilongdi became quite prosperous with enough land for agriculture. From a village it had become a cluster of smaller hamlets and settlements. Tradition has that 30 ceremonies of “ornamented ritual house” (locally known as *Tarang Kai*) were performed at Makuilongdi in a single year. Performance of such costly ceremonies reflected the plentiful harvests in the village and a surplus in food production. At Makuilongdi, a political system was developed under a Chief. It was a cradle of Zeliangrong culture with a total of 7777 households. From here, it was believed that the tribe migrated toward different directions. (There are two schools of thought – immediate cause and long-term one: According to the former, the migration from Makuilongdi was caused by the sudden exodus of the people at the divine warning of violating the law of nature and social discipline of the village by indulging in the performance of 30 sacrificial house constructions (locally called *Tarangkai*) in a single year without any break forgetting their lunar calendar of agricultural rites and devoted to enjoyment and merry making. Suddenly, insects flew to the village, and being shocked and terrified, the people moved toward different directions. A more rational and scientific reason for their migration was believed to be caused by the pressure on land due to the increase in population and differences on the issue of succession to the hereditary chieftainship.) What is interesting to see is that the tribe came to be known by various names in the course of their migration. The name, Zeme, was derived from their settlement at the hill range, which was the frontier of the Zeliangrong habitat, frontier, or periphery as “Zena” or “Nzie.” From this, the people were known as Zeme or Nzieme. The people who headed toward the northern direction came to be known as the “Liangmai”; the southerners came to be known as the “Rongmei” or the “Maruongmei.” Thus, following the whims of the more powerful and daring adventurers among them, many of them started migrating, batch by batch, to distant hill ranges which attracted them most.

The southerners’ (Rongmeis) settlement in the valley of Manipur is worth mentioning here. Since then they are referred to as “Kabuis,” probably a term given by the Meiteis of Manipur. During the pre-British period, when Manipur was under the Meitei Rajas, the Rongmei settlement in the Manipur valley started from the days of Maharaja Garibaniwaj (1709–1749). According to the Meitei Puyas (Meitei Chronicles), the Rongmeis who had rendered help to the Meitei Rajas in their war against the Burmese in 1934 were allowed to settle down on the Chingmeirong (now in Imphal East district) and Langthabal Hills (Imphal-West district). It is said that the Meitei Rajas of those days employed the Rongmei people in several capacities – some for husking paddy in the royal house, some for collecting and supplying fire woods, some in the Royal band party, and others in several other works of life. Therefore, many villages such as Majorkhul, Keishamthong, Mahabali, Kakhulong, Ragailong, Namthanlong, Sangaiprou, etc. started settling in and around the Imphal Valley of Manipur. A large number of Rongmei people living on eastern hill ranges facing the Loktak Lake had come down



the valley and started establishing a Rongmei village named “Thienjang” in the Loktak project area. Many of them have employment opportunities under the Loktak project schemes. Some of the Rongmei people from Mukten, Langteng, Daron, Juron, Charungkhon, Sengai, etc. who were, at one time, living on the top and not-easily-accessible-part of the hills moved down toward the plains. Many new villages came into existence in several parts of the Bishenpur area in Manipur. When the Naga underground movements were very active in the hills, life became insecure for many; and consequently, many of them were compelled to migrate to other states in North East India, Dhobi Nulla, Dimapur, Jaluke, Samjuram, and Beikapning, and other parts of Nagaland, while some in the Cachar district of Assam. The existing Rongmei villages in and around the Imphal Valley increased considerably in their household strength due to the influx of the immigrants from the neighboring hills.

The process of migration in the valley continued, and it was during the reign of King Garibniwaj that the Meiteis in the valley converted to Hinduism. Since then Meiteization (The process of “Meiteization” is because of the fact that the Meiteis enjoy a high social position in the valley, and the Meitei way of life became the “valley way of life,” and this has led to the formation of the “valley society” in Manipur.) came as a response due to their dominance in economic and cultural sphere. For instance, anything that Meitei did become the “valley way of life.” The Loi/Chakpa (other ethnic groups), Yaithibi started to use “Singh” as their title just like the Meiteis; have sacred places in their houses like them and even the hill tribes followed. The Rongmeis in the valley started adopting a religion like that of the Meiteis. Such process, according to M.N. Srinivas, is known as “Sanskritization.” However, it would be wrong to assume that ethnic groups in the valley converted to Hinduism in its entirety. The Meitei Muslims locally known as the Meitei Pangals adopted Meitei language and culture identified themselves distinctly. They followed “*purdah* system” and practiced Mohammedan faith. Likewise, the tribals especially the Rongmeis retain their tribal identity and manifested it in festivals, rituals, and ceremonies. It was a “fluid identity” which changes in time and space. Around this time in the early nineteenth century, Christianity came to the neighboring hills of the Zeliangrong region. (The first missionaries who had toured the hill ranges of Manipur were the Jesuit missionaries, Stephen Cacells and J. Gabral, through the Brahmaputra Valley in the North East. The purpose of their tour was, however, exploratory ostensibly to find a route into China and Tibet. Later, there grew up Catholic Churches in many surrounding areas. But the first significant contact with the Hill Tribes of Manipur was made by the *Serampore Mission of the British Baptist Missionary Society* in the early part of the nineteenth century. Curiously enough, the initiative for starting missionary enterprise came from the government officials. This was because of the realization of the futility of the policy of military expedition which produced jealousy and suspicion culminating in endless wars of retaliation and revenge. Thus, what could not be achieved by the military power could be gained by the power of the gospel. *American Baptist Foreign Missionary Society* was the next group of Missionaries who landed in the Naga Hills in 1871. Under the leadership of Mr. William Pettigrew, many tribals were converted especially the Tangkhul Nagas of Manipur. The next group of Missionaries who came in contact

with the Hill Tribes of Manipur was the *Welsh Calvinistic Methodist Foreign Mission Society* (WCMFMS) which were a conglomeration of Anglicans, Welsh Presbyterians, and Congregationalists (Independents) under Jacob Tomlin, an ex-missionary of London Missionary Society in India. These missionaries, in the course of time, succeeded in converting the Hill Tribes of Manipur. The single most important development that made the imagining of Nagas as a collectivity possible was their conversion to Christianity. Although they followed several sects and denominations, their conversion is considered as the most massive movement to Christianity in all of Asia, second only to that of the Philippines, in the words of historian Richard Eaton. Today, Christianity has become an essential part of Naga identity. But this conversion to Christianity was the result of their incorporation into a larger political, economic, and cultural universe, so was their journey on the road to Nationhood. For details see Dena (1988), p. 18; Bhuyan (1948), p. 3; Barpujari (1970); The Baptist Missionary Magazine, Boston, Vol. LXXV, pp. 308–309; F.D. Secret Proc., Nos. 24–24, January, 1895; Fortis Jyrwa (1980), p. 20; Eaton (1997.) The British conquest of the people was completed with their annexation of North Cachar in 1854, the establishment of the Naga Hills District in 1886, and the conquest of Manipur in 1891. During this period there were reasonably good numbers who have converted, and this gave rise to two faiths among the Zeliangrong Nagas. In the words of Prof. Gangmumei Kamei, “In the Zeliangrong area, there was not much help from the foreign missionaries. The Christian missionaries in their mission to spread Christianity tried to destroy the social and cultural life of the people. By bans on dance and music, on the dormitory system, rejection of the authority of the traditional village council, Christianity had caused great damage to the Zeliangrong culture” (2004, p. 300). The newly converts considered everything anti-Christian and started challenging their traditional faith and cultural practices. Probably, the greatest damage done to the people was the abolition of the *Morung* system (dormitory system). This institution was considered to be the center of their indigenous culture and practices. The abandonment is responsible for the disintegration of traditional values, music, and dances. This means that the British brought along many constructive changes (It would be wrong to say that the missionaries did not bring any constructive changes in the society. It was during the British colonialism that many developmental activities and opportunities were given to the hilly tribes: the introduction of formal education in schools and colleges and better transport and communication system, such as telegraph, telegram, radio, automobiles, electricity, and hospitals, and water supply and drainage system. It was the missionaries who introduced the art of writing which at later resulted in developing many distinct languages with proper grammar and pronunciation.); they brought a new religion with a new identity of the people. This is because the early converts started asserting their ethnic identity through Christianity which most often contradicts and challenges the traditional culture and practices of the people. The traditional chorus, drums, music, folksongs, and dances are replaced by the modern Christian hymnals, with guitars, keyboards, and western drums. The translation of the English Bible (Translation of the English Bible into Rongmei came in 1979, Zeme in 1979 and Liangmei in 1982.) into the vernacular dialects though encourage

reading and writing produced three distinct languages in the course of time which challenged the very foundation of the common ethnic identity. Many writings on the culture and people were found during the colonial period by the British administrators, officials, and political agents. These writings were more of their experiences with the tribals of the North East India. (Though references to the people are found in the Chronicles of Manipur, the first English account of the Zeliangrong Nagas was given by Captain R.B. Pemberton, in his *Report of the Eastern Frontier of British India* (1835). He was the first European to have visited the Zeme, Rongmei, and Puimei villages. He used the term “Koupooees” to mean the people. The second writer who refers to the same people of the present Manipur, Nagaland, and North Cachar was John Butler in his *Travels and Adventure in the Province of Assam* (1855). But the pioneer work on the tribe was Col. William McCulloch’s *Account of the Valley of Munnipore and the Surrounding Hill Tribes* published in 1859. McCulloch was a British Political Agent posted in Manipur for many years. He was known at that time as an expert on the state of Manipur and the surrounding hill tribes. But his use of Pemberton’s term “Koupooee” and the Puimei term of “*Songboo* and *Pooeeron*” as the two subdivisions of the tribe has left behind a trail of identity confusion. Otherwise his account reproduced elsewhere in this work is very important. In 1874, the *Statistical Account of Manipur* written by another distinguished British Political Agent, Dr. R. Brown, continued to add more to the knowledge of the “Koupois” tribe. He divided the tribe into three subgroups – *Songbu* (Rongmei), *Koireng* (Liangmei), and *Koupui* (puimei.) What is disturbing is that many of the writings were undertaken simply for administrative efficiency and used “theory of simplification” (This theory is a self-composition. It means that the colonizers did not see things as they are. They consider it as the version of previously known things and interpreted them. In the context of the whole North East India, the British used a very simple and random tool (which is not accurate) while classifying the various ethnic groups of the regions including Manipur. No doubt, this avoided complexities of the ethnic groups or tribes, but later it led to serious problems when their writings became officially recognized and used in all administrative accounts and official purposes. The classification of Nagas as “Kacha Naga,” and the “Puimei” term of “*Songboo*” and “*Pooeeron*” as the two subdivisions; use of “Koupooees” for “Kabui” or “Rongmei”; and “*Quireng*” or “*Koireng*” for “Liangmei”; use of “*Empeo*” to refer the “Zeme” tribe becomes a serious problem, which led to identity confusion in the study of the tribe.) which produced confusion of identity for the tribe when time came to rewrite their own history.

Independent India witnessed resurfacing of ethnic assertion from village identity to communitarian Zeliangrong identity. This is because of the fact that under this new political system, the various ethnic groups who had diverse culture, language, faith, and beliefs had to come together under the same rule of law. When such diversities are bounded under common territory (India), a crisis of adjustment soon follows. (It is because of the fact that each tribal village acted like a “little republic” quite independent and self-sufficient. The new political system challenged the hereditary chieftainship, customary laws, and practices of the people.) Under the new political setup, each ethnic group competes and struggles for ethnic survival.

Land becomes the exclusive property of the State. Laws and rules are then formulated and enforced. Those groups who adhere to these rules and regulations are accepted and recognized. Therefore, politics of identity start interfering with the society. However, the setback still remains as the tribe was divided in the various states of Manipur, Nagaland, and Assam and even in some parts of present-day Burma. The distance in interaction is thus widened, and the dream of unifying kindred tribes of Zeme, Liangmei, and Rongmei (Kabui) including the Puimei remains unrealistic. Today constitutionally, Zeliangrong is recognized as Kabui (for Rongmei and Puimei), Kacha Naga (for Liangmei and Zeme) in Manipur, and Zeliang in Nagaland state.

The struggle for unification of these three kindred tribes was first started in the early 1920s by a visionary man called Jadonang. Born at Kambiron (or Puiro) in the present-day Tamenglong District of Manipur, the village was a strategic place as it served as one of the resting places on the Manipur Cachar Road. On a regular basis, he observed the British officials, missionaries, soldiers, and traders from Manipur, Assam, and neighboring regions moving to and fro through the highway route and understood them. Around the same time, the hill tribes (with the British conquest of Manipur in 1891) were directly administered by the British officials. The British started imposing “house tax” which the people had never paid even to the Manipuri Maharaja. New systems such as *Pothang Bekari* (sometimes written as Begari) and *Pothang Senkhai* (*Pothang Bekari* was a kind of forced labor introduced by the British. Whenever any official of the State went on the tour in the hills, the villagers in those areas had to carry the goods and luggages without any payment. On refusal, they were usually punished mostly by whipping. *Pothang Senkhai* was a kind of forced contribution mostly in the form of money imposed by the British to feed the touring officials and other employees of the government.) were also institutionalized by the British which really hurt the sentiments of the Zeliangrong people. These systems of free services and taxes greatly affected the economic life of the already poverty-ridden people. Furthermore, these hilly people were imposed with oppressive forest laws (by declaring “restricted forest” or “reserved forest”) which prevented them to use and consume forest products such as bamboo, cane, and other useful trees which are used for making houses and other domestic purposes. This also displaces history and culture of the people because tribals are known by their social environment. Their habitat is a source of identity which any individual could easily relate to. Moreover, the people were asked to render free services for repair and maintenance of government roads, bridges, and dams, and the British Government failed to protect the Zeliangrong people when the Kuki rebellion (1917–1919) broke out in Manipur. (The famous Kuki rebellion of 1917–1919 was fought by the Kuki tribes against the British Colonialism. It was officially stated that the Rebellion started as a violent reaction against the non-recruitment of Kukis to the Manipur Labour Corps No. 22 by the British for the services in France during the First World War. There was a conflict in the style of recruitment. The rebellion started against the British and later targeted the Nagas, specially the Zeliangrong in the North West of Manipur and the Tangkhuls in North Eastern Manipur and in some tracts of Upper Burma. For details see Kamei (2004), pp. 132–141.) By this time,

there was huge Kuki migration into the land of Zeliangrong regions. This had created huge insecurity in the minds of the people. On the one hand, there were disunity, intertribal, and inter-village feuds, and on the other, the social and religious practices of the people were full of taboos and superstitions. Meanwhile, Christian missionaries had already gained momentum in the hills of Manipur, and as a result of it many people have converted to Christianity. In the valley, there was huge Meitei expansionism who began their rule by acts of invasion and subjugation on the hill tribes. They imposed duties and demanded payment of tributes, rendering of forced services to the Maharaja. The hierarchy in the society left many people hurt when they were labeled with derogatory names such as “*Haos*,” “*Chingmis*,” and “*Amangba*” (a notion of purity and pollution). Against these prejudices and discriminations, Jadonang started a movement which came to be known as the Zeliangrong Movement in 1925. The Movement which began in the early 1920s by Jadonang was perceived and described differently by many writers. J.P. Mills, the then Deputy Commissioner of Naga Hills and well-known anthropologist, romanticized Jadonang as “the Messiah King” of the Nagas. Robert Reid, a British Governor during that time described the movement as “Zeliangrong Uprising” (Reid 1942). However, he contradicted his very own writings in the book *Winds of Change* (1962) on the movement and called it “an outburst of a highly superstitious people and not as freedom fighters.” Ursula Graham Bower in her book *Naga Path* (For details, see Bower 1950) made a sympathetic reference to Jadonang as the religious mystic who visualized a kingdom for his people. J. Roy in *History of Manipur* (Roy 1958) described the movement as a challenge to British Imperialism. F.S. Downs in *Mighty Works of God* (Downs 1971) described the movement as heathen and anti-Christian. According to N. Joykumar Singh (1992), it was a millenarian tribal movement. Many leaders and writers like A.Z. Phizo, A. Dasgupta, Khuswant Singh, D.P. Stracey, B.B. Ghosh, and Hamlet Bareh referred to the movement as a “Naga revolt against British colonialism” (For details, see Gangmumei Kamei (1997), p. 3). Likewise many others have written and opined on the movement till date. However, what we need at the hour is to see how the movement started, reached the peak, and continued in different shapes and forms. It means to say that the movement is seen rather as a process of continuity and change. The earlier writers have concentrated the movement confining during the times of Haipou Jadonang and Rani Gaidinliu. As it coincided with India’s struggle for independence, the movement in that period gained definite attention. However, what is lacking is that they failed to notice the movement which even today is struggling after 69 years of India’s Independence.

The aims and objectives can be broadly divided as:

- (i) Reformation of traditional religion by abolishing irrational customs and superstitions
- (ii) By integrating tribes such as Zeme, Liangmai, and Rongmei (Kabui) including Puimei.
- (iii) Establishment of “*Makam Gwangdi*” (Makam Gwangdi, the kingdom of the Makam, refers to the establishment of Zeliangrong Kingdom. This was described by the British as “Naga Raj,” a concept of the present-day Sovereign

State. The term was first used by J.C. Higgins, the then British Political Agent of Manipur in his report to the Chief Secretary of Assam. The Makam Gwangdi of Jadonang was also referred to by Graham Bower in her work, "Naga Path," as a "millenium on earth" where there would be prosperity, no war, and no suffering. It soon became a political ideology which made Jadonang clashed with the colonial authorities, and his political struggle made his movement relevant to the Indian freedom struggle going on in other parts of India.) or proclamation of "Naga Raj" (a Sovereign State) by driving out the outsiders such as the British and the Kukis.

The outbreak of the movement was renaissance to the Zeliangrong people because it touched almost all aspects of the collective life of this tribe. However, Jadonang was arrested and imprisoned by the British for proclaiming himself as the King and for declaring the impending end of the British Raj. He was then released but rearrested on 19 February 1931 and hanged on 29 August 1931 for the alleged murder of four Manipuri traders.

Jadonang was succeeded by his disciple Gaidinliu when she was barely 17 years old. She used Gandhiji's name and Jadonang's songs in order to mobilize the people. She propagated that the British would be soon driven out with the help of Gandhiji and Nehru. It was believed that she had contacts with the Indian National Congress, the Bengali Congress Workers of Cachar District, Assam, and sympathizers from various other tribes such as Mao, Maram, Thangal, and Angamis of Khonoma. Pandit Nehru came to know of Jadonang and Gaidinliu's movement during his tour to Assam in the winter of 1937. In his article, "The Surma Valley: The Daughter of the Hills," he described the rebellion against the British Imperialism and called Gaidinliu, the "Rani." Since then she has been called Rani Gaidinliu.

Rani Gaidinliu followed the aims and objectives of the movement which was left unfulfilled by her mentor Haipou Jadonang. She propagated for securing socio-economic development of her people, trained young boys and girls, and fought the British with courage and vigor. In February 1932 they attacked the Assam Rifles patrols in North Cachar Hills in a broad daylight, and this has received a huge attention among the British. The British armed forces in retaliation burnt down several villages including the village of Bopungwemi in Naga Hills. The Manipur Government announced a reward of Rs.200/- later increased it to Rs.500/- and exemption of house tax for 10 years for anybody or any village who would give information leading to her arrest (Kamei 1997, p. 69). Finally, she was arrested on 17 October 1932 under the leadership of Captain Macdonald of Assam Rifles at Pulomi village and awarded life imprisonment. During her imprisonment, the movement continued in different forms under the leadership of Haido of Pabram and Ramjo of Bopungwemi. They took over the movement and asked the Zeliangrong villages not to pay taxes to the government. Unfortunately, Haido was arrested in May 1934 by the Assam Rifles at Henima (Tening) in Naga Hills and was killed. Likewise, Ramjo was arrested in July 1934 and died in the jail. Several leaders like Dikeo, Gomhai, and Areliu were also imprisoned by the Assam Rifles. The matter of movement against the British and the arrest of Gaidinliu came up for discussion in the British

Parliament. Nehru requested Lady Nancy Astor, the first lady member of the British House of Commons, to get Rani Gaidinliu released from jail. Lady Astor informed Nehru in a letter dated 10 May 1939 that the Secretary of State for India had stated that “the movement among the Nagas has not yet died down and would break out if she is released and that she is at present considered a potent source of danger to the peace of Manipur State and Province of Assam.” Pandit Nehru further urged Premier Gopinath Bordoloi of Assam to intervene in the matter and get Gaidinliu released from jail. Bordoloi was helpless as the Naga Hills district was at that time in the excluded area, which was not a part of Assam; and Manipur was a princely state. Likewise, the Akhil Manipuri Mahasabha of Manipur presided by H. Irabot Singh demanded her release in its annual session at Imphal in 1938, but Manipur Government refused to consider the demand. The Haripur session of Indian National Congress Party in 1939 under the presidentship of Nehru passed a resolution demanding the release of Rani Gaidinliu but again failed. When India got independence, the first Prime Minister, Pandit Jawaharlal Nehru, wrote to the authorities in Assam to release the freedom fighter, and, ultimately, after continuous intervention of the Prime Minister, the officials agreed to release her on one condition that she lived outside Manipur until further orders (Singh 1982, p. 82). Rani Gaidinliu spent the next few years at Yimrap near Mokokchung village in the present-day Nagaland State with a pension of Rs.15/- per month. This was after her 14 years of confinement in jail. Thus, there came a point of time when Zeliangrong Movement suffered a big blow with no successor. During this period, a mention can be made of “Kabui Samiti,” an organization that was formed in 1934 which became the highest body on custom, and it became the forum for the unification of the three tribes. It however could not continue to function during the Second World War, and in 1946 it was replaced by the “Kabui Naga Association.” The aim of the organization was to integrate the people by establishing a common organization to safeguard the rights and interests of the people, and this resulted in the formation of “Zeliangrong Council” on 15 February 1947. The meeting was convened at Keishamthong village in the present-day Imphal East District of Manipur and the representatives of all Rongmeis (Kabuis), Liangmei, and Zemes of Manipur, Assam, and Nagaland were attended. The outcome of the conference was that the name “Zeliangrong” was used for the first time to mean the Zemes, Liangmeis, and Rongmeis (Kabuis) including the Puimeis. The former “Kabui Naga Association” was then called as the “Manipur Zeliangrong Union” (MZU). However, due to leadership crisis, the MZU became “Zeliangrong Naga Union, Manipur” in 1960. The objective was aimed to address more on social, economic, cultural, and customary issues.

The struggle continued under various organizations demanding for integration of all “Zeliangrong inhabited areas” under one administrative and political unit and recognition of the tribe as “Zeliangrong” in the Scheduled Tribes list in the Indian Constitution. (It is a fact that *Zeliangrong* is recognized differently in many states. For instance, in Nagaland they are called “*Zeliang*”; in Manipur, they are known as “Kabui” for “Rongmei” and “Puimeis”; “Kacha Naga” for “Zemi” and “Liangmei.” In Assam, the tribe is not even mention. It is only referred to as “Any Naga tribes.” The Meiteis called the Rongmei Nagas living in the valley “Kabui,” and the hilly



Rongmeis are critical on the term since the term was continued to use in the constitution of India.)

The post-independence period witnessed many changes in the Zeliangrong society. The period between 1960 and 1993 was marked with lot of political and religious interfaces. By the end of 1950s, the Naga National Council (NNC) was gaining momentum. (The Naga National Council (NNC) is a Naga Organization demanding for a creation of separate Naga Sovereign State.) The beginning of 1960s witnessed a conflict between Zeliangrong movement under Rani Gaidinliu and the Naga's struggle for independence under A.Z. Phizo and T. Sakhrie. Rani Gaidinliu was labeled as "Indian Rani," and her religious beliefs were questioned describing it as "worship of spirits." Gangmumei Kamei, a noted historian, stated that "the movement was not opposed to the Naga independence movement. However, conflict erupted on religious issues" (Kamei 2004, p. 215). To respond to it, Gaidinliu had to adopt twin objectives of preservation and promotion of the "Heraka cult" (*Heraka* means a "new cult" believing in one high God in place of many, removing superstitions in beliefs and customs, organizing temples, introducing hymns and discourses, and uniting the tribes to establish an independent kingdom.) against the growing of new faith among the Nagas. However, a clash occurred between Gaidinliu's forces and the Christians at Tousem in 1966. This incident was misinterpreted by many as if the movement was against the Naga cause. However the fact remained that Rani Gaidinliu was not against Christianity (as religious institution) but was against the early converts per se who abandoned the rich culture and traditions of the Zeliangrong Nagas.

The demand for "Zeliangrong political unit" as a District, Union Territory, or State was expressed by the third conference of the Zeliangrong leaders of Manipur in October 1980. They demanded the integration of all Zeliangrong areas into a political and administrative unit at Tamenglong. The conference elected Rani Gaidinliu (in her absence) as the President of the "Zeliangrong People's Convention" popularly known as ZPC. On 7 June 1981, ZPC adopted the official slogan "Zeliangrong Ringtelou" which means "Long Live Zeliangrong" and subsequently submitted Memorandums one after another to Prime Ministers of India Smt. Indira Gandhi, Morarji Desai, and Rajiv Gandhi. The delegations met Mr. Bajpai (Former MP Lok Sabha), Mrs. Sheila Grewal in 1985 (former Principal Secretary to Prime Minister Rajiv Gandhi), Mr. Buta Singh in 1986 (former Home Minister), and many representatives of the Government of India. The North Eastern Council (NEC) under the guidance of the Planning Commission was instructed to study on the problems and developments of the Zeliangrong areas in 1985. The then Prime Minister Rajiv Gandhi directed the Department of Culture to entrust the Anthropological Survey of India to make a thorough investigation on the Zeliangrong cognate tribes (Zeme, Liangmai, Rongmei, and Puimei) and came up with a report that from linguistic and anthropological view, they belong to the same group of people. Despite many commitments and assurances, the Government of India did not come up with any concrete solution on the issue of integration and recognition of the name Zeliangrong. Then came the conflict between Kuki and Naga in Zeliangrong regions in 1992, and the political activities and demands remained standstill. The movement



again suffered a big blow with the death of Rani Gaidinliu on 23 February 1993 after prolonged illness.

Therefore, we see a sea change in the Zeliangrong movement in the search of their own identity. The struggle which originated in 1925 to drive away the British took the way to integrate the kindred tribes and demanded for recognition of Zeliangrong in the list of Scheduled Tribes in India. The movement attracted a lot of attention both at national and regional levels. It became a part of syllabus of NCERT textbook in the study of National Movements against the British colonialism and has included a chapter on Jadonang and Rani Gaidinliu's struggles. Besides a title "Rani," Gaidinliu was awarded with Tama Patra in 1972 by Indira Gandhi, Padma Bhushan in 1982 by the then President of India Neelam Sanjiva Reddy, Swarna Vivekananda Seva Award in 1983 by Bada Bazar Kumarsabha Pustakalaya, and Kolkata and Bhagwan Birsa Munda Purashkar Award posthumously in 1996. The Government of India issued a postal stamp in her memory, and Rani Gaidinliu Stree Shakti Puraskar Award was started by the Government of India in her memory which is given on March 8 of every year to veteran women social workers in recognition to the selfless sacrifice for the society.

However, the demand for integration and recognition of the tribe in the Indian Constitution though continued to be discussed and debated at the Prime Minister's level but was repeatedly turned down. Meanwhile, the continuous projection of identity was hit hard by several external factors such as migration, colonialism, conversion, Meitei expansionism, politics of identity, impact of modernization, and globalization. Even the widest claim of Anderson's "Imagined Community" seems to be a distant reality for the tribe. Following the tense "contested" course, the Zeliangrong people today are divided into the state of Manipur, Nagaland, and Assam and some parts of Myanmar (Burma), and the people identified with "Zeliangrong" (though there is common solidarity among the three cognate tribes) are now recognized separately in the list of Scheduled Tribes in the Indian Constitution. This is what cruel history had done to this people belonging to the same stock of family and race and in the course of time, began to be known by/with different names.

The above explanation shows how migration can lead to crisis in ethnic identity, and we shall see now how a theory of "push and pull" exists in a multicultural society with regard to culture and tradition. As already being explained, the migration of the Kabui (Rongmei) Nagas in the Imphal Valley started during the pre-British period when Manipur was under the Meitei Maharaja Garibniwaj (1709–1749 A.D.). They first settled at Chingmeirong and Langthabal villages which were surrounded by the dominant Meiteis. The Kabuis who were employed in military services of the King Chandrakirti were asked to settle in Majorkhul village (in the heart of Imphal city). A Kabui village in Keishamthong was established who were employed in the Royal band of the Meitei Raja. Likewise, many villages such as Kakhulong, Namthanlong, Ragailong, Mahabali, Sangaiprou, etc. were established in around the Imphal City. As this people lived near the Meiteis, they are largely influenced by them. As already being discussed, there was a process of Meiteization and Hinduization in the Valley. By then, the State of Manipur was

already declared as a Hindu State during the time of King Garibniwaz. It means that the theory of purity and pollution was very much prevalent in the early eighteenth century A.D. This hilly tribe who migrated in the valley was given many derogatory names such as “hao,” “chingmi,” “Amangba,” etc. Only those who followed the Meiteis way of life were accepted. Therefore, we see the Rongmei Nagas even adopting a religion like them. Not only this, we see the influence of the Meiteis in all spheres of life. Many cultural elements with relation to dance, songs, festivals, and language have had a tremendous impact on this tribe. Therefore, even today we see a huge difference in these cultural elements with that of the hilly Rongmeis in Tamenglong district of Manipur. The valley Rongmeis speak the Meitei language (Meiteilon) exactly like them. In this way, migration and interaction with other ethnic groups becomes a major factor responsible for identity crisis among the Zeliangrong Nagas.

Another important factor responsible for identity crisis is the impact of British colonialism. As already been pointed out, the British conquest of the Zeliangrong people was completed with their annexation of North Cachar in 1854, the establishment of the Naga Hills District in 1886, and the conquest of Manipur in 1891. Under the regime of the British, there came a change in the functioning of the society. We had witnessed how the power of the village authority gets weakened by the appointment of Lambus by the British. The practices of free services like “Pothang Bekari” and “Pothang Senkhai” are other instances which extremely affected the psychology of the tribe. Then came a policy of “divide and rule” used by the British against various ethnic groups of Manipur especially during the Kuki Rebellion (1917–1919). Most importantly, it was during the colonial rule that most of the literature on the tribe was written and published. These writings were instrumental in shaping the identity of the Zeliangrong Nagas as the tribe depended only on oral history, legends, and folksongs. What had resulted is that most literature were either distorted or written from their own perspectives. As a result of this fact, a “theory of simplification” was used to study the tribe for official and administrative records. At most instances they are wrongly spelt. Therefore, it is argued that these writings produce a wrong impression of the tribe.

British colonialism is accompanied by the coming of Christian missionaries. We have also discussed at length how the early converts came into being and how they are persecuted. Here, we safely argue that Christianity has no doubt brought lot of changes in the Zeliangrong society. The present Zeliangrong who are Christians believe that Christianity is instrumental in bringing development and modernity in the society. They argue that it is because of this religion that they could compete with the outside world. The present level of literacy rate which was a by-product of better educational system by the British helps them to have better understanding and wider outlook of other societies as well. This in return shapes them to grow and accommodate other cultures. Therefore, the Zeliangrong Christians believe that Christianity has provided new identity which is more relevant and suited to the present-day society. However, it has to be pointed out that the coming of Christianity in Zeliangrong society has affected the traditional structure of the society as the early

Christians abandoned all traditional dresses, songs, and dances. This difference has resulted in disunity within the tribe itself. For instance, the term “Kabui” is not comfortable among the Zeliangrong Christians.

The last factor responsible for identity crisis of Zeliangrong Nagas is the process of modernization. It began from the colonial period and accentuated in the India’s independent period. Modernization gave rise to material culture and accumulation of more and more wealth. In this process, people compete and fight for resources under the new laws which are altogether different from the traditional tribal structure. To survive and win, they are forced by the new social systems to come out and participate with other ethnic groups. It implies that the traditional culture is slowly being replaced by the new market force where they become a part of the system. As already being discussed above, this force of modernization came in the way of the traditional believers, and there came a point of time where they had to compromise with development and economic progress. They thought unless they imbibe the processes of change, the survival would be at risk. Therefore, modernity poses a threat in the tradition-making of the Zeliangrong Nagas.

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## Conclusion

Therefore, the study of identity and ethnicity in North East India is a complex phenomenon as it is an interwoven issue of several entities. On one hand, there are primordial questions, and on the other, there is an entity of social construction which is in a fluid state. As Stuart Hall suggested, “Cultural identity is a matter of ‘becoming’ as well as of ‘being’ (Hall 1996, p. 225) and in the process of becoming, it gets diluted.” As identity comes from somewhere and undergoes a constant transformation, it can be understood as a “process” as put forward by Jenkins. In this way, there is always a “narrative identity” which is to be passed on, and any society will sustain its identity only through a continuous process of such projection. Crisis of identity arrives when the society ceases this projection. Likewise, due to the abandonment of traditional sources of identity due to the abovementioned factors, Zeliangrongs today are faced with the challenge to revive and assert their ethnic identity. The need to preserve and protect traditional cultures, festivals and its rituals are constantly and consciously being felt by the people today. And, increasingly, each tribe i.e. Zeme, Liangmai, Rongmei (Kabui), and Inpui has asserted their distinct and independent identity from generic identity “Zeliangrong” which led to the problems of constructing generic identity.

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Keakaokawai Varner Hemi

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## Abstract

Various legal narratives are currently told about Native Hawaiians in American federal courts. Such narratives often draw on law historically specific to other minority groups including African Americans and Native Americans and often conflict with the realities of Hawaiian law and legal history as well as real-time discrimination and inequities seemingly attracted to Native Hawaiian identity.

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K. V. Hemi (✉)  
 University of Waikato, Hamilton, New Zealand  
 e-mail: [keaka.hemi@waikato.ac.nz](mailto:keaka.hemi@waikato.ac.nz)



These include racialized and federal recognition narratives which narrate Native Hawaiians as racists or a type of federally recognized tribe. Contemporary Native Hawaiian narratives sometimes echo those narratives, seemingly reflecting a legal identity crisis. Sovereignty is often the “go-to” narrative for many Native Hawaiians, but it too may have various limits in regard to the history and realities of the Native Hawaiian people. A fourth narrative also iterated by the Native Hawaiian community but sometimes given less attention is a remedial self-determination like that in international law. Such self-determination is guaranteed to all indigenous peoples in the UN Declaration on the Rights of Indigenous Peoples 2007. The Declaration may align more closely with Native Hawaiian understandings of sovereignty. Native Hawaiian understandings of sovereignty are rarely probed in federal courts but may be particularly valuable given the need for Native Hawaiians to validate such narratives themselves particularly as they seek consensus. This chapter explores the various legal narratives, their limits, and possibilities in terms of Native Hawaiians, with validation in mind. Education is used to focus and illustrate.

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### Keywords

Native Hawaiians · Indigeneity · Self-determination · Sovereignty · Education · UN Declaration on the Rights of Indigenous Peoples 2007 · Legal narratives · Equality · Discrimination

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## Introduction

Liloa sat on an elevated place with his feathered-staff bearers waving their staffs to and fro. ‘Umi leaped toward him and sat on his lap. The boy had broken another tabu. The chief looked at the boy sitting on his lap and asked, “Whose child are you?” The boy answered, “Yours! I am ‘Umi-a-Liloa.” Liloa noticed the tokens he had left for his son and kissed and wept over him. He ordered the kahunas to fetch the pahu and ka’eke drums at once and to take the boy to be circumcized and dedicated, as was the custom for children of chiefs. The chiefly drum, Halalu’, and the smaller ka’eke drums were sounded in Paka’alana. The chief said, “It was for this child of mine that I girded my loins with ti leaves and covered my shoulders with banana leaves. And [I also left behind] my palaoa.” (Kamakau *Ruling Chiefs* 1992b)

The story of ‘Umi-a-Liloa’s revelation as the son of Liloa is one of the most well-known legends of Hawai‘i. ‘Umi’s story is the fairytale-like saga of a boy raised in obscure circumstances who rises to become a great warrior and exemplary ruler after his parentage and genealogy are discovered but also as he demonstrates daring, hard work, and kindness. While this incident is often included in volumes of “mythology” and has been romanticized and embellished at times, the facts of his life are well known. ‘Umi was, in fact, a fifteenth-century high chief known for uniting the Big Island of Hawai‘i, for a just rule and his religious observance. ‘Umi appears in scholarly histories such as Samuel Mānaikalani Kamakau’s *Ruling Chiefs of Hawaii* (Kamakau *Ruling Chiefs* 1992b) and the royal genealogy of *The Kumulipo*

(Beckwith 1972) as the ancestor of eighteenth and nineteenth-century monarchs of the Kingdom of Hawai'i including the Kamehamehas, King David Kalakaua, and Queen Liliuokalani. Many Native Hawaiians today can trace their ancestry back to 'Umi, while others are cultural descendants of his life and deeds.

Ironically, the true legal identity of Native Hawaiians today, the emblems of their parentage and genealogy, and their political history and realities are often obscured, mythologized, or embellished in stories told in the law. The US federal court case of *Doe v Kamehameha Schools/Bernice Pauahi Bishop Estate* 295 F Supp 2d 1141 (D Haw 2003), aff'd in part, rev'd in part, 416 F3d 1025 (9th Cir 2005), 470 F 3d 827 (9th Cir 2006) (en banc) ('*KS*') provides a vivid example of such narratives, where three courts tackled one policy preferring Native Hawaiians in admission to a Native Hawaiian-established and Native Hawaiian-administered school. Despite the school's success in overcoming actual inequalities, Native Hawaiians were alternatively cast as a group of homogenous or anonymous individuals discriminating against other groups or individuals, a racial minority in need of temporary affirmative action, and something akin to a Native American tribe with potential rights to tribal sovereignty. Against the historico-legal context of the Native Hawaiian people, none of these narratives seemed quite right. The misapplied color-blind narrative applied by the second court was later overturned but had labelled one of the most vulnerable ethnic groups in the United States, essentially, as racists. The same narrative had been persuasive in the Supreme Court in a previous case, *Rice v Cayetano* 528 US 495 (2000) ("*Rice*").

While *KS* and *Rice* have created anger and even grief within the Native Hawaiian community, subsequent efforts by some Native Hawaiians to apply the same racist label to their own people have created a sense of the surreal, particularly given the belief among many Native Hawaiians that they remain a sovereign people in international law with rights of self-determination. Claims associated with sovereignty include the illegal occupation – and calls for de-occupation – of Hawai'i by the United States, claims that are sometimes just as controversial. Especially where they run parallel to law which seems to threaten Native Hawaiian self-remedies for disparities, the wide gamut of legal stories about Native Hawaiian legal identity seems to indicate that, just as 'Umi revealed himself, the stories his descendants tell about themselves may be the most revealing.

Part 2 of this chapter discusses the narratives wrestled with by federal courts in the *KS* case, including *race*, *federal recognition*, *sovereignty*, and a *remedial and restorative self-determination*, before comparing those to the legal stories Native Hawaiians are telling about themselves. Part 3 describes pressures on narratives arising from the need to validate them. With validation in mind, Part 4 discusses the narrative limits and implications of racialized and federal narratives, including their identity and historical specificity. Part 5 contrasts classic Western sovereignty narratives with sovereignty from a Native Hawaiian perspective. In Part 6, the United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP") 2007 is discussed as a multi-narrative toolbox of rights narrating Native Hawaiian identity and rights in multiple ways including as forms of remedial and restorative self-determination, equality, and nondiscrimination. Finally, the chapter discusses

present and future possibilities of Native Hawaiian sovereignty as real-time self-determination. Departing from the *KS* case, the chapter utilizes education to focus and illustrate.

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## Current Narratives

The idea that law is narrative in character, that it tells and retells stories, and that sometimes these stories conflict with each other is not novel. Beyond “rules and policies,” the law also inherently relates “stories, explanations, performances, [and] linguistic exchanges – as narratives and rhetoric” (Gerwitz 1996). Narratives “do not simply recount happenings; they give them shape, give them a point, argue their import, proclaim their results” (Brooks 2005). From a law and literature perspective, legal narratives may also “invent rather than reflect our lives, ourselves, and our worlds” (Maria Aristedou quoted in Birrell 2016). Via outcomes, precedents, catch-phrases, and doctrine, the law is laced with stories that gain power and momentum with each telling – whether or not the narrative is accurate or right.

This is especially true in case law, where judges customarily follow the doctrine of *stare decisis* by which the decisions of the highest, most authoritative courts create *precedents* that bind future equivalent and lower courts where facts are similar enough to justify applying the same rule – and sometimes where they are not (Hemi 2016). Stories commonly told and passed down in precedents include *who* rightsholders are or *which* claimants may be considered rightsholders, *what* rights they hold, and *which* legal tests one must pass in order to prove such identity and claims. Precedents almost feel like genealogies given such content and as present judicial decisions rely on the reasoning of past courts for authority. Precedents may also lose the feel of genealogy where applied broadly or blindly, as time and history move away from the original reasoning, or precedent is not applied to truly alike facts. While precedent demonstrates predictability and certainty in the law and displays rule of law features (Waldron 2012) amenable to justice, fairness, and liberal democracy, precedent may also limit the flexibility and responsiveness of the common law where facts are unique or should trigger “an all-things-considered” approach (Tushnet 1997). Rigid adherence to precedent may hinder judges from coming up with the “right” answer to law questions (Dworkin 1986).

In practice, precedent may push courts and parties to squeeze diverse facts into a limited number of narrative boxes wherein rightsholder identities and legal claims are further limited. Such narratives have tremendous discursive power as they limit *which* stories and *whose* stories are told in the law while excluding the stories of others (Hemi 2016).

## In Federal Courts

The power and limits of narrative precedents are well illustrated in the case of *Doe v Kamehameha Schools*. The tragedy began when a non-Native Hawaiian boy was

denied admission to the Kamehameha Schools, a private school system first established in 1883 by Princess Bernice Pauahi Bishop (“Pauahi”) specifically to help “indigent” Native Hawaiian children overcome alarming socioeconomic disparities. In her lifetime, Pauahi had witnessed disease, population decimation, landlessness, poverty, and other ills coinciding with Westernization impact her people. She almost seemed to predict the long-term effects of the later overthrow of the Hawaiian Kingdom by Westerners supported by agents of the American government – the assimilation, discrimination, and resulting socioeconomic disparities which would be multiplied over generations. Her goal in establishing the school was that Native Hawaiian learners would “compete” with other groups on an equal footing. Consistent with Pauahi’s wishes, the private school system continues to prioritize Native Hawaiians in admission. The preference has no blood-quantum requirement, and someone with 1% Native Hawaiian genealogy has as much right to it as someone who is full Native Hawaiian. Consequently, the school’s population is actually quite ethnically diverse (KS 2006).

The identity-aware policy seems to be highly successful. The private school has become not only a bastion of Native Hawaiian identity and culture but also of substantive equality as, without any government funding, the Native Hawaiian-run schools produce students who most often defy the negative numbers frequently associated with Native Hawaiians in various areas of human well-being. Native Hawaiian learners have been described in studies and reports as “severely disadvantaged” in education and “significantly lag[ging] behind” all other groups in the State of Hawai‘i, our own country. Native Hawaiians often appear to be the extreme: the *most* likely to be absent, in special education and below average in all subjects, and the *least* likely to attend school, graduate, and continue to higher education. At the Kamehameha Schools, however, 99% graduate and 92.6% go on to higher education (Hagedorn et al. 2005). These prep school statistics are by any measure impressive but particularly among a group of learners most commonly associated with public school outcomes.

The policy might be too successful, admission being highly competitive. Financed by color blindness campaigns devoted to eradicating affirmative action, the slight teenager who had always possessed a name and identity voluntarily became “John Doe” when he sued the Schools under name suppression. He was not the first Doe nor the last but represented by the same lawyers (Yamamoto and Betts 2008). In dogmatic language, they alleged the admissions policy violated Section 1981 of Title 42 of the US Code – legislation which, like the admissions policy, was designed to overcome de facto discrimination and disparities (KS 2006). Despite the Schools’ proven track record in helping an extremely disadvantaged group of learners to overcome discrimination and disparities – to actually level the proverbial playing field of liberal democracy – three panels of judges struggled to decide if the admissions policy *was* discriminatory or a measure of equality (Hemi 2016).

From the beginning, it was not entirely clear where Native Hawaiians fit. In the court of first instance, Judge Kay in the US District Court for the District of Hawai‘i recognized the fact that Native Hawaiians had historically been a sovereign nation

overthrown by Westerners, an event with causal links to ongoing disparities. Judge Kay held that a “manifest imbalance” in education between Native Hawaiians and other children justified the policy as a legitimate remedial measure, a concept most closely aligning with affirmative action aimed at disparities between racial groups. However, His Honor also found that the policy was consistent with the existence of a special trust relationship between Native Hawaiians and the federal government, a relationship implying federal Indian law and the kind of preference for Native Americans in hiring and other fora approved in the case of *Morton v Mancari* 417 US 535 (1974). Judge Kay also emphasized the “exceptionally unique historical circumstances” of the policy, or those elements of Native Hawaiian history and legal identity that did not fit a racial or Native American profile, and opined that “context matters” (KS 2006).

In 2005, on appeal, two of three judges in a partial sitting of the US Court of Appeals for the Ninth Circuit disregarded the context and trust relationship and “rigidly applied a formerly flexible contextual analysis” usually applied to private employment affirmative action policies (KS 2006). The court depended on a plethora of reverse discrimination cases in which white employees or students had successfully claimed the *same* rights as African Americans and courts had condemned racially aware policies including hiring or admission quotas. The majority equated the Kamehameha Schools admission policy with grandfather clauses, poll taxes, and similar devices by which white majorities in the South and elsewhere had deliberately targeted African Americans during the Jim Crow era.

This was partially due to previous precedent. In *Rice*, a non-Native Hawaiian landowner on the Big Island successfully argued that the voting scheme for electing members of the board of the Office of Hawaiian Affairs (OHA) was racially discriminatory because only Native Hawaiians were allowed to vote. Under Article XII Section 5 of the Constitution of the State of Hawai‘i, this state body fulfils trust duties toward Native Hawaiians and might constitute the nearest thing that they presently have to a governing entity. The assets it administers have been set aside for the welfare of Native Hawaiians. Given ample evidence of unique historico-legal context, questions of *racial* identity should have given way to those of *political* identity, and at least a *Mancari* preference. But somehow they did not. The *Rice* court infamously held that “ancestry can be a proxy for race” and that the historically unique voting scheme constituted racial discrimination of the same ilk as so-called grandfather clauses and other deliberately discriminative measures that had denied African Americans their constitutional rights in the Jim Crow era (*Rice* 2000).

In *KS*, the two-judge majority in the initial case and the dissent in the en banc panel in the Ninth Circuit relied on reverse discrimination cases including *McDonald v Santa Fe Trail Transportation* 427 US 273; 96 S Ct 2574; 49 L Ed 2d 493 (1976), *Regents of the University of California v Bakke* 438 US 265 (1978), *Gratz v Bollinger* 539 US 244 (2003), and *Grutter v Bollinger* 539 US 306 (2003). In these cases, the Supreme Court had declared racial quotas, racially separate tracks for university admissions and virtually any race-conscious admission scheme unconstitutional under the Fourteenth Amendment. Ironically, the Supreme Court, like the three-judge panel in *KS*, had previously relied on cases about the Japanese American

internment including *Korematsu v United States* 323 US 214 (1944) and *Hirabayashi v United States* 320 US 81 (1943) to argue that the Constitution is required to be color-blind (KS 2006). In those cases, the racial group was *deliberately* discriminated against on the basis of race – and the discrimination justified in terms of military necessity. None of these circumstances appeared to fit the seemingly *political* rather than racial identity of the Native Hawaiian people, state law, the actual de facto disparities impacting Native Hawaiians, or the actual good the policy has produced. Native Hawaiians were nonetheless cast as a racial group discriminating against all other racial groups – that is, somehow targeting an impossibly broad class of non-Native Hawaiians. Following *Gen Bldg Contractors Ass'n v Pennsylvania* 458 US 375 (1982), being purposefully conscious of Native Hawaiian ancestry equalled racial discrimination, and the policy was unconstitutional.

Ultimately, a slim 8–7 majority of a full sitting of the Ninth Circuit overturned the initial decision holding that the policy constituted a legitimate affirmative action policy aimed at racial parity after modifying the constitutional tests applied in the earlier employment cases of *United Steelworkers of America v Weber* 443 US 193 (1979) and *Johnson v Transportation Agency* 480 US 616 (1987). However, five members of the majority were also persuaded that the policy was justified by the exception made under *Mancari*. All seven members of the dissent concluded that the admission policy amounted to racial discrimination, though one judge suggested that the Native Hawaiian entity legally rebrand itself as a charity to protect itself from such lawsuits in the future (KS 2006). Ultimately, neither the racial nor Native American narratives appeared to really fit the historico-legal context of the policy. The hard-won decision allowed the Schools to continue to prefer Native Hawaiian children in admissions, but it was, at best, a tentative victory. Under imminent threat of appeal, the Schools settled with Doe for a sizeable sum in 2007. Upon announcing the settlement, the Kamehameha Schools' Board of Trustees described the situation as “a treacherous landscape” (Ing et al. 2006). While many Native Hawaiians breathed a sigh of relief, others grieved or were angry.

## Stories Native Hawaiians Tell About Themselves

The depth of emotion generated by *Rice* and *KS* is closely linked to identity. Identity matters in the law not least because certain identities entail rights, and what courts pronounce in terms of identity has and will determine the rights groups are *seen as* being entitled to. The narratives wrestled with in these cases range from an uncertain legal identity to a potentially racist identity, options which may further exacerbate a history of imposed Western law failing to protect Native Hawaiian rights.

The stories Native Hawaiians are telling in terms of identity, history, and rights may be more insightful. Ke'eaumoku Kapu has said, however, that the Native Hawaiian community is “in a cultural identity crisis” (Democratic Party of Hawai'i 2018). In fact, Native Hawaiians are reiterating a number of sometimes conflicting stories about who they are in legal actions and in the public square which illustrate this. Four narratives feature prominently in recent legal cases and legislation, within

the Native Hawaiian community and within the media. Each tells a different story of identity, history, and rights.

### **Race and Color Blindness**

The first adopts the position of the dissent in *KS* and the majority in *Rice* – that is, a *racialized* version of Native Hawaiian identity. The color blindness campaign behind Doe began advertising for new litigants almost immediately after settlement, vowing (Avis Kuuipoleialoha Poai and Susan K Serrano “Ali‘i Trusts: Native Hawaiian Charitable Trusts” in MacKenzie et al. 2015) to force the question to the Supreme Court where color-blind arguments had been successful in *Rice*. Another Doe represented by the same lawyers as the previous Doe sued Kamehameha Schools in 2010 (see *Doe v Kamehameha Schools* 625 F3d 1182 (9th Cir 2010)). The matter made it to the doors of the Supreme Court only to fall short because the Court would not allow that Doe to proceed anonymously.

Ten years later, the 2016 election of Keli‘i Akina to the OHA Board signalled the residual persuasiveness of color-blind, essentially dichotomous racial narratives of Native Hawaiians. Prior to his election Akina, a person of Native Hawaiian ancestry, led a controversial “think-tank” advocating color blindness. Akina was also a plaintiff in a lawsuit (see *Akina v Hawaii*, 141 F Supp 3d 1106 (D Haw 2015) (denying motion for preliminary injunction); *Akina v Hawaii*, 136 S Ct 581 (2015) (granting injunction in part); *Akina v Hawaii*, 835 F 3d 1003 (9th Cir 2016) (affirming in part and dismissing appeal as moot in part)) that halted the potentially historic Na‘i Aupuni election that would have created a Native Hawaiian governing entity (NHGE), from proceeding. Echoing *Rice*, Akina alleged the election was racially discriminatory.

The basis of such claims is that the Constitution of the United States, including the Fourteenth Amendment promising equal protection before the law and the Fifteenth Amendment prohibiting racial discrimination in elections, is the law of Hawai‘i. Hawai‘i did become a state in 1959, and federal law operates every day in the most remote archipelago in the world. In addition to the Constitution, various Civil Rights-era federal laws seemingly requiring identity blindness operate in the state.

### **Federal Recognition**

Many Native Hawaiians seek federal recognition, the special constitutional status enjoyed by various Native American tribes and Native Alaskan communities. Some recognize an inequity in the fact that of the three major indigenous groups in the United States, only Native Hawaiians do not have federal recognition. Following *Mancari*, federal recognition has provided a shield against reverse discrimination which upholds tribal sovereignty. Federal recognition promises increased self-determination over land and other natural resources, in education and other areas of Native Hawaiian well-being, and the right to deal with the federal government on a government-to-government basis. *Mancari* allows preferences, and *Santa Clara Pueblo v Martinez* 436 US 49 (1978) (*‘Martinez’*) also recognizes the right of tribes to determine membership, not unlike admission.



Federal recognition, however, has been problematic. In the wake of *Rice*, the late Senator Daniel Akaka drafted the Native Hawaiian Government Reorganization Act (“the Akaka Bill”), legislation designed to achieve federal recognition. Senator Akaka took various versions of the legislation to Congress on a yearly basis for a decade without success. The last, the Native Hawaiian Government Reorganization Act of 2011, faded away quietly when the 112th Congress adjourned in 2012. The body constitutionally tasked with determining federal recognition had not done so.

In June 2014, the Department of the Interior formally issued an Advanced Notice of Procedural Rulemaking (ANPRM) that proposed the initiation of an administrative – rather than legislative – process to re-establish a government-to-government relationship with the Native Hawaiian community. It conducted consultation with Native Hawaiians across the nation. The subsequent, so-called Final Rule – or Procedures for Reestablishing a Formal Government-to-Government Relationship With the Native Hawaiian Community 2016 – provided criteria by which it would re-establish a government-to-government relationship with a Native Hawaiian governing entity (NHGE) but left the exact shape of that relationship uncertain. Indigenous legal scholars suggested that future relationship might be “flexible” and “negotiable” (Anaya and Williams 2015). Akina encouraged President Donald Trump to rescind the order when he came into office and noted that Congress had not approved the idea of a “race-based government” (Andrade 2017). As noted above, he also took legal action to stop the Na‘i Aupuni election that could have established a NHGE capable of re-establishing a government-to-government relationship. Until such an entity is established, the process of federal recognition remains in indefinite limbo.

While some Native Hawaiians were disheartened by these failures, many others have vehemently opposed federal recognition. Some believe that federal recognition would result in many of the same outcomes experienced by Native American people with the same constitutional designation, including unilateral abrogation of treaties, state and federal encroachment into land and other rights, as well as benign neglect – despite *Mancari*’s shield.

## Sovereignty

Once described as a “household word” in Hawai‘i by Dennis “Bumpy” Kanahela (Wood 1994), the go-to narrative for many Native Hawaiians is *sovereignty*. Rejecting federal recognition, many Native Hawaiians insist that they have rights, not just to a federally determined version of tribal sovereignty but to the kind of sovereignty that nation-states such as the United States enjoy in international law. Others worry that accepting the narrative of federal recognition is historically and legally inaccurate and will endanger our ability to claim greater legal rights under other heads especially as a sovereign nation under international law.

The legal claims of various Native Hawaiian organizations rest on claims that the Kingdom of Hawai‘i was *and is* a sovereign nation that never relinquished its sovereignty and that the continuing presence of the United States in Hawai‘i constitutes an illegal occupation under international law. Multiple Native Hawaiian groups have sought remedies against the United States in international legal fora,



have created e-residency applications and established national cryptocurrencies, issue their own driver's licenses and license plates on a regular basis, and otherwise challenge the jurisdiction of state and federal law in Hawai'i (see *State v Lorenzo* 883 P 2d 641 (1994) and *Larsen v Hawaiian Kingdom*, Award, ICGJ 378 (PCA 2001), 5th February 2001, Permanent Court of Arbitration). Some of these organizations reject the labelling of our people as "indigenous" and a *Mancari* status.

Sovereignty is often framed in terms of remedying injustices and returning rights. Having had "everything" taken "from us – culture, identity, lands, everything," the goal of some is "to reclaim the inherent sovereign right of absolute political authority and jurisdiction in Hawaii." Many Native Hawaiians "want to leave the US entirely – or more accurately, want the US to leave Hawai'i" (Cluett 2011). Many question whether anything less than sovereignty will remedy historic wrongs or change current statistics for our people. Robin Danner, for instance, has said that sovereignty would allow Native Hawaiians to codify *hanai* (customary adoption) rights and preserve the Hawaiian language while also "creating jobs" and "battling diabetes" (Lyle 2017). Historically, Native Hawaiian efforts to restore sovereignty employed the language of *aloha ʻāina* (deep love of the land) as its motto (Silva 2004). A similar principle has more recently been at stake in protests regarding the Thirty Meter Telescope project on Mauna Kea approved by the State of Hawai'i in 2017. Native Hawaiians frequently express Native Hawaiian sovereignty as inseparable from Native Hawaiian identity. Failing to recognize Native Hawaiian sovereignty may deny Native Hawaiian history and identity. Thus, sovereignty raises fundamental issues of who Native Hawaiians are and almost "all-or-nothing" stakes.

In Hawai'i, few words create as much controversy as *sovereignty*. The term frequently sets Native Hawaiians against *haoles* and other non-Native Hawaiians but also Native Hawaiians versus Native Hawaiians. In the public square, in newsclips and soundbites, sovereignty is associated with tense exchanges between Native Hawaiians about whether sovereignty is the answer but also where parties agree sovereignty *is* the answer. Identity and authenticity are at stake as various Native Hawaiian organizations, many claiming to embody the historic nation-state, disagree about what sovereignty means or should mean for the Native Hawaiian people.

### **Restorative and Remedial Self-Determination**

While racialized, federal recognition and sovereignty narratives sometimes seem to garner the most publicity, another quieter, even taken-for-granted narrative is also frequently expressed: remedial and restorative justice. This narrative would recognize the admission policy as a form of restorative justice appropriate in terms of both historical injustices committed against Native Hawaiians and legitimate claims to an expanded self-determination arising from unique historico-legal context.

Native Hawaiian legal scholars Susan Serrano, Eric Yamamoto, Melody MacKenzie, and David Foreman, for instance, drafted amicus curiae briefs submitted during the *KS* case that justified the admissions policy as a restorative remedy for historical injustices perpetrated against Native Hawaiians by the US government

and the ongoing “harm” of that injustice. Rather than a “privilege[]” or “handout,” these scholars claim the admission policy represents a Native Hawaiian-generated remedy for “severe and systemic educational disadvantages” causally connected with historic injustices perpetrated by the United States. The amicus curae briefs argued that such self-determination would be consistent with the unique historical context of the admission policy and seemingly proportional to that harm. The amicus curae briefs universally disagreed with the application of equal protection tests to the admission policy (Serrano et al. 2007).

Each of these narratives – *race, federal recognition, sovereignty, and remedial and restorative self-determination* – demonstrates the interplay of identity and history in legal stories but also how much “getting” identity and history “right” means to Native Hawaiians. The diversity of opinions among Native Hawaiians about which narrative is right for them demonstrates the intelligence of the Native Hawaiian people (Carmen Hulu Lindsey in Democratic Party of Hawai‘i 2018) their knowledge about law and legal issues, as well as their willingness to discuss such issues. But it also clearly has the potential to divide efforts to remedy the past, seek legal redress, and make things right. The Final Rule specifically requires a NHGE that represents the collective but so do other options including sovereignty. Consensus appears crucial.

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## The Need for Validation

In her efforts to illuminate events after the Kingdom of Hawai‘i was overthrown by Westerners in 1893, Noenoe Silva wrote, “When the stories can be validated . . . people begin to recover from the wounds caused by the disjuncture in their consciousness” (Silva 2004). Validation may offer some perspective on the above narratives.

One meaning of validation is “proof that something is correct” or accurate (Cambridge 2018). Silva’s work in studying Native Hawaiian accounts of the overthrow and its aftermath written in the Hawaiian language revealed blatant errors in histories written by Westerners without access to those sources. Especially common was the assumption that Native Hawaiians had not resisted the Overthrow and subsequent events, an assumption with both communal psychological and legal impact. Silva’s scholarship showed that Native Hawaiians actively sought legal redress, formed political groups, maintained their language and culture despite discriminatory legal prohibitions, and otherwise made efforts to resist the occupation of their country and remain a distinct people from the Overthrow (Silva 2004). In fact, Native Hawaiian history continues to be mis-narrated by non-Native Hawaiians, including judges (Poai 2017). As Native Hawaiians continue to protect – and seek legal redress for the violation of – their rights, the ability to ground narratives in their own experience, to speak them in their own language and retain their voice is increasingly important if for no other reason than that, once again, external sources may not be getting the story right. Fact-finding may, of course, also impact legal validity.

The chance for a victim population to tell its own story is priceless in terms of accuracy but also as “confirmation,” “corroboration,” and “testimony,” related synonyms of validation (Merriam Webster 2018). This is the basis of various truth and reconciliation projects around the world seeking to move beyond colonization, civil war, and other violent histories that have impacted indigenous peoples, women and children, religious and ethnic minorities, and other groups (see, e.g., Murphy 2017). In sometimes heart-breaking fashion, facts are established, history in all its gory detail is presented, and victims and survivors given voice. Proof in this sense may include present statistics and research on Native Hawaiians in education and other areas of well-being – the earthy evidence of the ongoing impact of seemingly historic events. Valid legal narratives then are not abstracted from their subject but grounded in human experience and, sometimes, in gritty numbers and uncomfortable truths. The speaking of truth itself is seen as valuable. Narratives validated thus do, in turn, challenge other narratives – such as liberal equality – to prove their validity by the same quantifiable measures.

A third meaning of validation is to declare something legally or officially acceptable (Cambridge 2018). The right narrative must be valid in the sense that it actually fits the law. In terms of indigenous peoples, this means that it must fit the historico-legal context. Justice Joseph Williams of the High Court of New Zealand has said:

One of the mistakes of scholars... looking at this particular area of law [that is, indigenous issues] is to decontextualize it, decouple it from its history. And in this game, in law particularly... in Māori issues in particular, history is everything. (Williams 2013)

This most certainly also applies to the unique history of Native Hawaiians, so eerily like that of Native Americans and other indigenous groups in some ways but also peculiar in its uniqueness. History is the dividing line between certain rights and others and the fence between certain rightsholders identities and others. In the wake of global histories of colonization, some Native Hawaiian narratives overlap with other indigenous peoples in the United States, and others may not. Such similarities and differences in history and legal identity also open the possibility that multiple legal narratives are rightly applied to Native Hawaiians. To be valid, such narratives need to be accurate and proven according to international law and not merely domestic law. Even where state law is seen as being subject to federal law, the peculiarity of Hawai‘i state law and some of its unique features remain relevant in a validation exercise as historico-legal context and also where the narrative is simply a fact of law. Customary rights, for instance, are narrated as cultural values, indigenous rights, and human rights but also exist as law in fact where delineated in state and federal law, as well as treaties. Logically, acceptability is bolstered by this factual legality.

Validation as an act of potential consensus also requires acceptance at a deeper intellectual level. It must make sense *to* the community. The late Patrick Glenn’s work on legal traditions around the world uses the concept of the “past-present” – that is, legal information pulled out of the past by adherents of legal traditions

because that information continues to hold value in a world where a multitude of legal traditions and a “bran tub” of information is available. Glenn’s concept of a legal tradition is a dynamic one where legal principles are not frozen in time but are chosen instead of, and also with, information from other traditions where doing so continues to be relevant to the tradition (Glenn 2014). Thus, narratives pulled from the past – for instance, liberal equality or principles of Native Hawaiian custom and usage – should resonate *with* indigenous peoples. This may be no less true, perhaps, because Native Hawaiians are the ones who bear the burdens of narratives the most, those who have the most at stake in holding on against intense informational pressure from other traditions, including imposed Western narratives. Strong voluntary adherence to particular narratives despite such pressure demonstrates significant resonance.

The right narrative will also be capable of resonating *among* the community. It should have the capacity to form the basis of a certain amount of consensus. As Native Hawaiians pulling values from the past that continue to be valued highly, the narrative may need, for instance, to feel *pono* or right, maintain and promote core principles such as *aloha*, and otherwise demonstrate our cultural legal values. Validation in this sense might be challenging. It may resolve questions of law and may bear out in history but must also have a lived-in and internal aspect. While the internal aspect may seem at times to have less to do with the outcomes in courtrooms and more to do with the communal dialogue – and might even be seen as susceptible to external minimization or dismissal – such narratives, nonetheless, can and will have legal impact where validated by historico-legal context and are otherwise factually legal.

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## Validating the Narratives

With validation in mind, the four narratives can be examined more closely.

### Pre-loaded Narratives: *Everyone, No-One and Someone*

Education and knowledge was highly valued in Hawaiian culture long before European contact, and, by 1834, Hawai‘i had one of the highest literacy rates in the world. From the 1850s, however, Westerners overseeing the Kingdom’s education established a system aimed at “civilizing” Hawaiians. Not unlike African Americans and Native Americans at the time, Native Hawaiians were racially stereotyped as “filthy,” “ignorant,” and “lazy” heathen who “hardly know how to do anything.” Boarding schools in Hawai‘i became the prototypes for later schools on the continent that would similarly attempt to civilize African Americans and Native Americans, places such as the infamous Carlisle Boarding School where Native American children experienced generations of identity denigration and abuse (Okiihiro 2008). When a Westernized education system required students to be taught the Three R’s – reading, writing and arithmetic – in English, Native Hawaiian

schools taught in *‘ōlelo Hawai‘i* (the Hawaiian language) in a manner that was Hawaiian. Such schools resisted denigrating narratives and demonstrated agency (Goodyear-Ka‘ōpua 2009) despite being fiscally neglected (Lucas 2000). Following the overthrow, Native Hawaiian identity and education was directly assaulted by legislation that prohibited the speaking of Hawaiian.

While diseases such as influenza and smallpox are often credited with decimating the population, “cultural conflict,” “prostitution,” “despair,” “new social ills,” land alienation, and the imposition of a propaganda of “Western superiority” also impacted Native Hawaiians (Native Hawaiian Study Commission 1983). Legal changes resulted in what Jonathan Kamakawiwo‘ole Osorio has described as:

... a story of violence, in which that colonialism literally and figuratively dismembered the *lāhui* (the people) from their traditions, their lands, and ultimately their government. The mutilations were not physical only, but also psychological and spiritual. Death came not only through infection and disease, but through racial and legal discourse that crippled the will, confidence and trust of the *Kānaka Maoli* [Native Hawaiians] as surely as leprosy and smallpox claimed their lives and limbs. (Osorio 2002)

The formal guarantee of equality proclaimed in the 13th, 14th, and 15th Amendments is not without some attraction for a people with this history of racialized discrimination and disparities. However, the narratives entertained by the courts in *Rice* and *KS*, and punctuated in *Akina*, may raise several concerns relative to validation, including their identity and historical specificity and their abstraction of equality and nondiscrimination.

### **A Specific Everyone, No-One or Someone**

The dangers of a limited number of narratives are further exacerbated by the fact that such narratives are not neutral but come loaded with specific histories and identities. One of the ironies of invoking the Constitution in color-blind arguments, as Doe’s lawyers, *Akina*, and others have, is that the Constitution itself is not color- or identity-blind. This supreme law is narrative, telling and retelling very specific stories about certain groups. The Constitution speaks to very specific histories. Each of the narratives tested by the Ninth Circuit can be traced back to key moments in American history but most especially to what have been called the “burdens of history” (Arthur 2007) – that is, those moments that have most scarred the country constitutionally, socially, and otherwise. This body of law also narrates a particular history and legal relationships between the US and its indigenous peoples.

The original Constitution was drafted to protect the interests of slave owners and deliberately set slaves outside the rights guaranteed to citizens under the Constitution in the infamous Three-Fifths Clause (Arthur 2007). The homogenous and anonymous requirements of the 13th, 14th, and 15th Amendments hark back directly to the bloody repercussions of slavery and civil war. Given the exclusion suffered by African Americans on the basis of skin color and other superficial markers of humanity, it is reasonable that those amendments effectively specify that *everyone* has a right to the protections of the law and that *no-one* is to be discriminated against

(Hemi 2016). Promises to the “all,” and words such as “no” and “not” actually refer to the recently freed slaves of the Reconstruction era. The landmark Supreme Court decision in *Brown v Board of Education of Topeka, Kansas* 347 US 483 (1954) (“*Brown I*”), the Civil Rights Act 1964, subsequent civil rights legislation, and volumes of case law, likewise bear the imprint of segregation, Jim Crow laws (Hemi 2016) and Civil Rights “project[s]” (Yamamoto and Betts 2008). Frequently invoked together in law, *everyone* and *no-one* narratives form the *everyone/no-one* which can be described as a singular narrative given its discursive power and persuasion in federal courts. It can also be described as *adamant* given courts’ reliance on it despite de facto considerations of discrimination and the availability of alternative narratives (Hemi 2016).

Within such law, *race* and *color* are inherently dichotomous and binary terms pitting one group of rightsholders against another, *everyone* versus *no-one*, and privilege versus disparities. The Reconstruction-era amendments insist that African Americans be homogeneously treated the *same as* majority “whites,” as in *McDonald v Santa Fe Trail Transportation Co* 427 US 273 (1976), or anonymously avoid discriminatory identification as the *no-one* (Hemi 2016). The Supreme Court, however, has also approved the use of positive measures such as affirmative action to achieve equal protection of the law in, for instance, *Brown v Board of Education of Topeka, Kansas* 349 US 294 (1955) (*‘Brown II*), *Green v County School Board of New Kent County* 391 US 430 (1968), *Swann v Charlotte-Mecklenburg Board of Education* 402 US 1 (1971), and *Keyes v Denver School District No 1* 413 US 189 (1973). An exception to the rule of homogeneity and anonymity, this temporary identification of rightsholders has been allowed where necessary to achieve substantive equality and nondiscrimination – that is, where temporary identification of *someone* who is a member of a group historically subjected to discrimination is necessary until parity between groups is reached (Hemi 2016).

Despite its potential to remedy the ongoing impact of that history, this narrative is an uncertain one. The Supreme Court’s amenability to reverse discrimination arguments since the 1970s has undermined affirmative action programs that have – like the Schools’ admission policy – produced quantifiable outcomes. *Everyone, no-one*, and *someone* narrated law has otherwise failed to remedy de facto segregation at ground level, gaps between African Americans and other racial groups in education. This body of law is also integration rather than self-determination driven, an approach appropriate to the history of African Americans but not consistent with protecting the substantive good achieved by self-determined initiatives such as the Kamehameha Schools admission policy (Hemi 2016).

### **Real-Time Equality and Nondiscrimination**

There is an incredible dissonance and extremeness in holistic statistics on Native Hawaiians. Native Hawaiians are most likely to be arrested and incarcerated and to end up back in prison in their own country (OHA 2010). Native Hawaiians are also frequently identified with disparities in health, housing, and employment (Kana’iaupuni et al. 2005; Hagedorn et al. 2005). Despite association with “a number of resiliency factors,” Native Hawaiian children and adolescents have the

highest rates of infant mortality, mental health diagnoses, suicide, and obesity, ultimately carrying a higher “allostatic load” – or cumulative, chronic, cyclical, and even multigenerational stress loads (Liu and Alameda 2011). The same children are more likely to attend a school in need of “restructuring,” have less experienced and qualified teachers, have a disproportionate rate of excessive absences, and be in special education. Collectively, Native Hawaiians are consistently below the state median in math and reading achievement tests, have the lowest graduation rates, and are most likely to graduate late and require subsidized school lunches (KSBE 2009).

Native Hawaiians are the most socioeconomically disadvantaged ethnic group in Hawai‘i. The link between the history and such inequality is widely accepted (KS 2006; DOI and DOJ 2000; Kana‘iaupuni and Malone 2006) – as is the link between ongoing “multigenerational trauma and discrimination . . . poverty and inequities of housing, education, environment, healthcare access, and social capital” and statistics in specific areas such as health and education (Liu and Alameda 2011). Such disparities are organically interdependent and interrelated to disparities in various areas seemingly drawn to Native Hawaiian identity.

By contrast, the Kamehameha Schools’ statistics evidence an actual levelling of the proverbial playing field, a de facto equality that somehow transcends discrimination and disparities. Significantly, this has been accomplished without any welfare, subsidization, or other privileges from the public or at any great expense to other individuals since funds, expertise, and other resources have come from the Native Hawaiian community. Ironically, because students may qualify for the preference with *any* amount of Native Hawaiian blood, the Schools’ student population is extremely diverse, representing some 60 ethnic groups (KS 2006). Such statistics and realities are seemingly consistent with the liberal promises of the 14th Amendment and other civil rights law.

Although pre-loaded with specific histories, *everyone/no-one* and *someone* narratives have become historically abstract. For instance, reverse discrimination advocates rely heavily on the case of *Brown I* to justify a color-blind approach without recognizing its substantive requirement. In the wake of Jim Crow laws and forced racial segregation, *Brown I* required equality to be homogenous and anonymous. It was not, however, the formal existence of the schools themselves or their identity-aware admission policies that most concerned the Court and violated equal protection but the tangible and less tangible de facto outcomes and educational experience of students sharing a particular racial identity. Importantly, the Court recognized education as a right essential to long-term human outcomes. The positive steps required by the Court in *Brown II* and later cases included bussing and other measures designed to produce substantive change rather than merely formal promises.

Following such landmark precedent, de facto discrimination and disparities that defy constitutional guarantees of equal protection and nondiscrimination in real time should differentiate measures designed to overcome discrimination and actual discrimination. Despite reverse discrimination’s current persuasive power in federal courts, substantive equality requires a closer look at the existence of segregation in fact and statistics that frequently depict African Americans as



one of the most vulnerable groups in all areas of well-being, including education. The fact that Native Americans often fare worse than African Americans in similar measures of well-being further emphasizes the seeming failure of *everyone/no-one* guarantees to deliver to all in the manner anticipated by the Supreme Court in *Brown I* (Hemi 2016).

Ironically, the 13th, 14th, and 15th Amendments, *Brown* and subsequent civil rights legislation are premised on an insistence that African Americans, a racial group historically discriminated against, have the same rights as whites. Reverse discrimination instead argues that whites should be given “the same right. . .as is enjoyed by white citizens” (see *McDonald* discussed in KS 2006) when they were already “white citizens.” In other words, such litigants claim the same right as African Americans or other minorities to try to reach parity when parity is not the issue for a group lacking the history of racial discrimination and slavery which drives *Brown I*, Section 1981, and other Civil Rights legislation. This is the position of the majority in *Rice*, the dissent in *KS*, and the majority in *Akina*. The current prioritization of and discursive persuasion of *adamant everyone/no-one* narratives, and especially reverse discrimination, appears to be, therefore, historically abstract and to contradict *Brown I* and *II*.

### **Anachronistic Equality and Nondiscrimination**

In addition to displaying historical and factual abstraction, federal narratives also appear to be anachronistic given wider narratives of equality and nondiscrimination. Since World War II, the human rights regime in international law has evolved from a largely *everyone/no-one* narrative of fundamental rights to a complex toolbox of rightsholder identities and remedial rights. The drive behind this evolution is the increasing interpretation of equality and nondiscrimination according to substantive outcomes and not merely formal guarantees. Rights such as education act as *organic multipliers* in terms of the denial and realization of other human rights – that is, they act as bridges to or gatekeepers for other rights (Hemi 2016). The ability to read, for instance, will impact rights such as freedom of thought and speech, voting, and property ownership, as it also impacts rights to education, health, and employment. Certain identities, including gender, age, race, disability and indigeneity, also multiply outcomes because they are highly vulnerable to de facto, indirect, systemic, and even cumulative or compounded discrimination (CESCR 2009; Hemi 2016).

Earlier postwar declarations and treaties including the Universal Declaration of Human Rights 1948 (UDHR), the twin International Covenants on Civil and Political Rights (ICCPR) and on Economic Social and Cultural Rights (ICESCR) 1966, and the Convention on the Elimination of All Forms of Racial Discrimination (“the Race Convention”) speak in homogenous terms such as “everyone” and “all” and in anonymous terms such as “no one” and “shall not.” However, Article 27 of the ICCPR and its later elaboration, the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (“the Minorities Declaration”), recognize that parallel institutions may best provide substantive outcomes for members of subnational religious, linguistic, and cultural minority groups. The Convention on the Elimination of All Forms of Discrimination against



Women 1979 (CEDAW) features a dichotomous narrative largely guaranteeing women the same treatment as men, while the UN Convention on the Rights of the Child 1989 (UNCROC) and the UN Convention on the Rights of Persons with Disabilities 2006 (CRPD) recognize multiple identities including gender, race, indigeneity, disability, and age.

All three conventions recognize the necessity and desirability of “special,” “positive,” or “effective” measures undertaken to achieve substantive equality. Under federal law, such measures are only temporary, but most human rights, including substantive equality and nondiscrimination, have no time limit. Moreover, these expanded narratives are not mutually exclusive, and individuals may bear multiple rights simultaneously under various rightsholders identities, for example, as an indigenous person, a girl, and a human being with disabilities. Under international law, identification is not evil but necessary to ensure a universal coverage and legally emphasize the rights holdings of groups historically discriminated against and even dehumanized.

Although it recognized education as a “right” in *Brown I*, the Supreme Court denied that there is a fundamental constitutional right to education in the case of *San Antonio Independent School District v Rodriguez* 411 US 1 (1973) (“*Rodriguez*”). The United States frequently demonstrates exceptionalism in terms of human rights conventions including those it has signed and ratified. The US government has also failed to ratify conventions recognizing a strong right to education including the Children’s Convention and CEDAW. Their frequent legal recognition across international and domestic law, however, has earned equality and nondiscrimination *opinion juris* status in international law – that is, they are considered peremptory norms of the highest order that are binding on states whether they have signed a specific treaty or not. This status is apparent in the potential reach of Article 26 of the ICCPR – a treaty signed by the United States – to all economic, social, and cultural rights, including those not iterated in the civil and political rights-focused ICCPR (see *SWM Broeks v The Netherlands* Communication No 172/1984, CCPR/C/OP/2 (1990) and Joseph et al. 2004).

A substantive interpretation of equality and nondiscrimination consistent with international law has some capacity to account for real-time disparities that defy the notion of a level playing field and for the real-time good of the *KS* admission policy as a positive or special measure. The increasing identity-specificity of such instruments indicates an awareness of how discrimination works in real time and how it is seemingly attracted to certain identities including indigenous identity. This *every-one/no-one* and *someone* narrative allows the possibility that identity-specific measures may constitute measures of equality and not just exceptions to the rule.

## The Limits of Federal Recognition

Upon statehood, the state of Hawaii assumed partial responsibility for the previous trust relationship between the federal government and Native Hawaiians. Through the Hawaiian Homes Commission Act 1921, the US government set aside 200,000

acres of land for “Native Hawaiians” to homestead for the purpose of “rehabilitation.” As in the case of other indigenous peoples in the United States, this land is held in trust for Native Hawaiians and currently administered by the Department of Hawaiian Home Lands, a state agency. The State’s trust responsibilities are most apparent in Section 5(f) of the Admission Act 1959 that directs that income from public lands be used for “the betterment of the conditions of Native Hawaiians” among other areas. The creation of OHA in Hawaii’s 1978 Constitution derives from this responsibility.

Hundreds of pieces of federal legislation (KS 2006) evidence a legal relationship between Native Hawaiians and the federal government that greatly resembles the special trust relationship between the federal government and other indigenous peoples in the United States. *Mancari*, the Native American Reorganization Act 1934, and other federal laws have historically protected Native Americans against lawsuits based on the 14th Amendment and charges of unconstitutionality. Federal recognition might also recognize a tribe-like sovereignty including self-determination over land, justice, education, and other social and economic development. This narrative, however, raises validation issues including identity- and historical specificity and basic questions of equality and nondiscrimination.

The preference for Native Americans allowed under *Mancari* originates in another extremely specific legal history from which derives the special trust relationship between the federal government and Native American peoples. Native American rights and legal identity are still defined by precedent set by the Supreme Court in the early nineteenth century in the so-called *Marshall Trilogy*. In *Johnson v M’Intosh* 21 US (8 Wheat) 543, 5 L Ed 681 (1823), Chief Justice John Marshall defined Native American peoples first by the doctrine of discovery by which they retained some customary usage rights but did not own their land outright. Discovery justified conquest by European nations. In *Cherokee Nation v Georgia* 30 US (5 Peters) 1 (1831), he rewrote the political status of native peoples in America as “domestic-dependent nations” or “sovereign and independent states” that remained “tributary and feudatory” under the “protection” of the federal government. Under the Commerce Clause of the Constitution, Congress has the power to make treaties and otherwise deal with such nations. Thereby, it has the power to determine federal recognition that affords formal status as tribes and access to various protections and government benefits. And in *Worcester v Georgia* 31 US (6 Pet) 515 (1832), the Chief Justice narrated the relationship between the federal government and Native Americans as that of a “guardian” and “ward” in a “special trust” relationship.

This narrative is an exception to *everyone/no-one*. The *Mancari* preference was political and not racial. Later, in *United States v John* 437 US 634 (1978), tribal sovereignty was also genealogically determined and not solely the right of federally recognized tribes (Hemi 2016). According to the Supreme Court in *Mancari*, the preference was designed to meet the needs of Native Americans, further self-government, and give effect to the special trust relationship. The Constitution similarly sets Native Americans apart. Former UN Special Rapporteur on the Rights of Indigenous Peoples James Anaya has described this narrative “as an exception to the norms of equality and non-discrimination, rather than their embodiment.” This

body of law has historically kept “equal protection discussions within a constitutional framework” and “away from Native Americans” (Anaya 2007). While *Mancari* is best known, the shield of tribal sovereignty was also apparent in *Martinez*, where it was upheld against an *everyone/no-one* congressional act drafted to undermine it.

This narrative is also heavy with bias and uncertainty. Lumbee scholar Robert Williams has written that it “entail[s] a superior and unquestionable power on the part of Congress unrestrained by normal constitutional limitations” and has attributed a “free reign” and “broad discretionary powers” to Congress which Williams links to ongoing, fundamentally prejudicial presumptions about Native Americans – that is, a “legal consciousness that at its core regards tribal peoples as normatively deficient and culturally, politically and morally inferior to Europeans” (Williams 1986).

In contrast to some of its promises, this narrative is often externally defined by Congress and the courts. In practice, the special trust relationship has been differentiated from a true fiduciary relationship (see *United States v Jicarilla Apache Nation* 564 US \_\_\_, 131 S Ct 2313 (2011)) and has often seemed one-sided, with treaties and adjacent legal rights capable of being unilaterally terminated, abrogated, or “broken” at the whim of Congress depending on the policy mood of the federal government, whether assimilationist or open to self-determination, for instance. Following *Seminole Nation v United States* 316 US 286 (1942), this trust relationship is a “self-imposed policy” whereby the federal government “has charged itself with moral obligations” and is, consequently, not legally enforceable against Congress. Tribal sovereignty is regularly infringed upon by states, and the Supreme Court has virtually repealed treaties and legislation, despite Congress’s plenary power (Pevar 2012; Getches 2001).

The Ninth Circuit itself predicted that “*Mancari*’s days are numbered” in the case of *Williams v Babbitt* 115 F 3d 657 (9th Cir 1997). The recent decision in the federal district court case of *Brackeen v Zinke*, No 4:17-cv-00868 (N.D. Tex. Oct. 4, 2018), where a federal district court judge declared portions of the Indian Child Welfare Act 1978 unconstitutional, illustrates how real this threat may be. The act is a landmark piece of legislation that requires states to consult tribes and prefer tribal placements of Native American children in foster care and adoption. Relying on *Rice* and echoing the dissent in *KS*, Judge Reed O’Connor skirted *Mancari* and interpreted indigenous identity as a racial one and the act’s requirements as an illegal racial preference. The case has been described by Native Hawaiian leaders as a “wave that’s coming” for Native Hawaiian people and the greatest present legal threat to Native Hawaiian rights (Brendon Kalei’aina Lee and William J Aila respectively in Democratic Party of Hawai’i 2018).

While the current self-determination era of federal Indian policy has seen an increase in self-remedying education by tribes and other indigenous nations for their own people and in their own languages (Harvard Project 2008), statistics for Native Americans in education, and other areas of well-being generally remain concerning. Many Native American communities still bear the burdens of the boarding school experience that stole generations of indigenous children from their communities in

an effort to subdue tribes and “civilize” them (Okiihiro 2008). Various studies have shown that these events continue to impact present health outcomes. Post-traumatic stress disorder, Type 2 diabetes, depression, and other illnesses that present-day Native Americans suffer from in disproportionate numbers have been linked back to those events via science including epigenetics (Whitbeck et al. 2004; Pember 2016). Native Hawaiians can relate to this history and impact, but Native American learners actually fare worse than all other ethnic groups – including Native Hawaiians – in negative education outcomes despite federally recognized rights to tribal sovereignty (Hemi 2016).

Ultimately, *Marshall Trilogy* sovereignty and the *Mancari* preference seemingly offer a biased account of indigenous identity and history that may also be arbitrarily undermined by Congress and the Courts. Like *everyone, no-one, and someone* narratives, this indigenous narrative is pre-loaded with particular identities and histories that, despite being the closest federal law now comes to interpreting Native Hawaiian identity and history, is fundamentally prejudicial toward Native Americans and may yet be inherently prejudicial toward and biased against Native Hawaiians. At the same time, this narrative at least formally offers the control over land, resources, governance, and everyday decisions that many Native Hawaiians see as essential to remedying current socioeconomic statistics and other effects of colonization. Thus, this narrative remains controversial.

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## Sovereignty Validated

Most Native Hawaiians do agree on a particular history. Most rarely dispute the fact that Native Hawaiians were a “people” prior to 1778. Historian Robert Hommon has actually described the society that existed in the Hawaiian Islands at the time of contact with Captain James Cook in 1778 as one of the world’s “primary states” akin to Mesopotamian, Incan, and Indus River Valley civilizations. This state had a complex bureaucracy complete with tax collectors (Hommon 2013) and a legal system that prescribed and prohibited behavior according to spiritual principles such as *tapu* and *noa* but also contained rule of law features such as Kamehameha I’s *Kānāwai Māmalahoe* or “Law of the Splintered Paddle” and the reciprocal duties of *ali’i* (the chiefs) toward *maka’ainana* (the commoners) (Melody Kapilialoha MacKenzie “Historical Background” in MacKenzie et al. 2015).

Kamehameha I united all the Islands under his leadership by 1811. On 23 December 1826, the polity his descendants ruled entered into “articles of arrangement” promoting commerce and “friendship” with the US government (Stauffer 1983). Later, the Kingdom of Hawai’i signed bilateral treaties with other nation-states through diplomats received in the British court and elsewhere. Eventually this fledgling, hybrid Westministerian/American legal system featured the familiar three branches of government, a written constitution and a Western-style land tenure system (Hemi 2016). Those legal changes would majorly disrupt social, economic, and political units of Hawaiian society, and the same constitutional monarchy was later illegally overthrown by Western businessmen aided by the American

government. Hawai‘i was annexed by the United States in 1898 and became a state in 1959. The legality of these events is frequently challenged by Native Hawaiians and responsibility for these wrongs often accepted by the federal government, for instance, in the 1993 Clinton Apology. Crucially, at no point did the Native Hawaiian people “directly relinquish[] their claims to their inherent sovereignty as a people...either through their monarchy or through a plebiscite or referendum” (Melody Kapilialoha MacKenzie chapter “Historical Background” in MacKenzie et al. 2015). Despite evidence of resistance (Silva 2004), the nation and its citizens’ rights were simply taken, a fact that continues to drive claims of sovereignty.

## Native Hawaiians as Nation-State

The most familiar rendition of sovereignty is a Western and Eurocentric narrative of nationhood that comes pre-loaded with specific histories and identities. Older ideas of sovereignty arise in Roman ideas of *imperium* (rule and the state) and *dominium* (ownership and property) (Benton and Straumann 2010) – ideas that later featured significantly in the application of the doctrine of discovery to indigenous peoples (Barker 2005). The concept was also associated with the divine right of kings and then legislative bodies such as the English Parliament who embodied the sovereign. The events of the Thirty Years’ War, a religious conflict that threatened to fragment Europe and ended with the Peace of Westphalia in 1648, also shaped notions of sovereignty and particularly concerns about state fragmentation (Osiander 2001; Krasner 2001). Philosophical works during the Enlightenment, including Thomas Hobbes’ *Leviathan* (1651) and John Locke’s *Two Treatises on Government* (1681), respectively, portrayed the sovereign as the source of order and the protector of inalienable rights such as property. Post-World War II, sovereignty has also been associated with the right of some colonized peoples to decolonization outlined in UN Resolutions 1514 and 1541.

Traditionally, sovereignty displays certain features. In *The Prince* (1513), Machiavelli defined sovereignty as “a supreme authority within a territory.” Classic sovereignty also implies authority *over* a territory. Sovereignty in this sense may be viewed as a “chunk” – that is, possessed “in full or not at all” (Lenzerini 2006). Sovereignty also corresponds to legal even “constitutional independence” unfettered by human rights or other external legal systems (Laughland 2007). Such authority operates as a “right” and lends legitimacy (Weinrib 2019). Other states respect such authority by not intervening in a sovereign state’s domestic affairs. This creates “sovereign equality” between states. These features remain evident in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations 1970, Resolution 2625, which vehemently condemns violations of sovereignty.

Various aspects of sovereignty should – and do – appeal to a people with a history like that of Native Hawaiians. Certainly, many sovereignty claims directly or indirectly convey aspirations for more control over the destiny of *the* Native

Hawaiian people, an aspiration prompting questions of self-determination, a right sometimes associated with the Westphalian state's sacrosanct status but also integral to the more complex concept of "people." Sovereignty could clarify Native Hawaiian legal "status" (Straumann 2008). Native Hawaiians and other indigenous peoples recognize "the importance of semantics" and the legitimacy that comes with a recognition of sovereignty (Barker 2005).

Sovereignty may also protect identity. Self-determination recognizes a people's ability to make their own decisions about political, social, economic, and cultural development, including whose history is taught and which stories, literature, art, and language are transmitted to future generations within classrooms. In this sense, it may be as much about maintaining cultural integrity and identity as maintaining political authority. A loss of cultural integrity may equate to a loss of sovereignty. Similarly, the concept of popular sovereignty sources the authority to rule in the people and increasingly requires a reconciliation between sovereignty and democracy (Tansey 2011; Donnelly 2018).

Western concepts of sovereignty are also problematic in terms of addressing Native Hawaiian grievances and aspirations for a number of reasons. In the wake of dominium, discovery, and Hobbesian and Lockean thought, sovereignty has also been about claiming what is "mine" and appears to demonstrate the "possessive logic of patriarchal white sovereignty" (Moreton-Robison 2011) rather than the collective goods articulated in most Native Hawaiian narratives. The *everyone/no-one* narratives in *Rice*, the dissent in *KS* and *Akina*, reflect this kind of entitled individualism once again attempting to access indigenous assets. These *mine* narratives may re-affirm the right of Native Hawaiians to possess their assets and land but have little to do with remedying discrimination and disparities or correcting historic and ongoing injustice. Sovereignty has, for instance, been the dividing line between the supposedly uncivilized and civilized in Western legal thought. The Marshall Trilogy made indigenous peoples quasi- and partial sovereigns as opposed to the full sovereigns of Western colonizers. Full self-government, territorial integrity, and cultural autonomy are missing (Barker 2005). In other places such as Aotearoa, New Zealand, treaties and declarations affirmed sovereign status prior to treaties intended to cede sovereignty. In these ways and others, sovereignty has created an exclusive club that has often disadvantaged indigenous peoples.

Similarly, sovereignty is *believed* and sometimes "blurry" (Diez et al. 2011). It has traditionally relied on recognition by other members of the sovereignty club, nation-state to nation-state, but also recognition within the state. According to Immanuel Wallerstein:

[s]overeignty [in a classical sense] meant that no power outside their state had the right to interfere in their state's decisions. It also meant that no power within the state could fail to carry out the decisions of the state. The double orientation (external and internal) was crucial to the concept. (Wallerstein 2018)

The external and internal features are troubling in the wake of unilateral historical actions taken against Native Hawaiians that have disregarded the vestiges of

sovereignty and subsequent failures by other states including the United States to enforce Native Hawaiian rights. Internal resonance also remains challenging. Sovereignty, as a narrative, has not yet gained universal support among Native Hawaiians. Ultimately, as Wallerstein has noted, “Simply asserting sovereignty was obviously not enough. The state had to implement these claims” (Wallerstein 2018). While Native Hawaiian groups have implemented some aspects of sovereignty, consensus and wholesale implementation remains elusive.

Decolonization also requires that certain criteria be met, criteria, in fact, designed to claw back the postwar invitation of sovereignty where it might lead to fragmentation of states. Territorial integrity is prioritized in the so-called Salt Water Thesis in UN Resolution 637 which limits the right to decolonize to states surrounded by oceans or “blue water.” This and other UN statements reflect a fear of secession and, at a deeper level, a fear of conflict and war such as that in World War II. While Hawai’i appears to meet such criteria, territorial integrity appears to be biased against decolonization. Decolonization has often required intense struggles against colonial powers, despite recognition of the right of the colonized to do so. Although approximately 80 countries have decolonized globally since World War II – including several in the Pacific – decolonization has been rare among US territories in the Pacific.

Recent examples of Pacific peoples contemplating decolonization illustrate potential challenges for Native Hawaiians. In early November 2018, New Caledonians voted not to sever ties with France. Voters included indigenous Kanaks, French and others – a demographic situation resembling that in Hawai’i during the 1959 plebiscite and at present. The French also designated French Polynesia a *pays d’outre mer* in 2011, a category entailing certain aspects of greater autonomy though not the full sovereignty sought by many of its citizens (Moyrand and Angelo 2010; Gonschor 2013). Both states should meet the Salt Water Thesis, but decolonization has progressed slowly even where prompted, for example, by civil war in New Caledonia. While federal courts threaten to subsume Native Hawaiian rights in the wrong narrative, the United States has increased its presence in the former Non-Self-Governing Territory of the Republic of the Marshall Islands and the current Non-Self-Governing Territory of Guam, particularly through militarization (Illarmo 2010). Guam is currently pushing for an indigenous-only vote on decolonization (Kelleher 2018).

Sovereignty, generally, appears to be uncertain. In 2005, Richard Haass said:

Thirty years from now, sovereignty will no longer be sanctuary. Powerful new forces and insidious threats will converge against it.

Nation-states will not disappear, but they will share power with a larger number of powerful non-sovereign actors than ever before, including corporations, non-governmental organizations, terrorist groups, drug cartels, regional and global institutions, and banks and private equity funds. Sovereignty will fall victim to the powerful and accelerating flow of people, ideas, greenhouse gases, goods, dollars, drugs, viruses, e-mails, and weapons within and across borders. Sovereign states will increasingly measure their vulnerability not to one another but to forces of globalization beyond their control (Haass 2005).



Haass's statement while dramatic has been borne out to some degree in the increasingly recognized vulnerability of the once sacrosanct concept of sovereignty to an extreme form of legal pluralism in which the Westphalian nation-state is no longer the only polity or entity claiming or being recognized as possessing sovereignty. Beyond human collectives and physical polities, "data sovereignty," "food sovereignty," and similar claims utilize the term to advocate for greater self-determination in various areas of human well-being that clearly exceed the traditional law-making and political roles of the state, having less emphasis on authority and more on self-determination. Such claims risk blurring the lines between aspirational and legal claims, something that risks undermining legal acceptance. Ultimately, as Joanne Barker has noted, sovereignty appears to be in a state of "flux" and difficult to define at present (Barker 2005). Like Native Hawaiians, sovereignty too may be undergoing an identity crisis.

The potential benefit of this uncertain narrative, however, may be twofold. In its uncertainty it is also malleable, perhaps more so than ever before. While aspirational claims may lack substantive punch, legal claims will not, especially where accurate, proven and internally acceptable. Where narratives of sovereignty resonate with Native Hawaiians and the law, they may have the potential to reconcile the stories told.

## **Ea and Other Pre-Western Understandings of Sovereignty**

Since the 1980s, Native Hawaiians have created many self-remedying education initiatives at the grassroots level besides the Kamehameha Schools. Following the approach of Māori in New Zealand, Native Hawaiians created Pūnana Leo – or language nests – where preschoolers have learned *‘ōlelo Hawai‘i* from an early age and parents have played an integral part of their education and the classroom. Pūnana Leo were created at a time when the language prohibition was still in place and represent agency and resistance. As in the Māori case, parents of Pūnana Leo children created Kula Kaiapuni Hawai‘i – or Hawaiian environment schools – when their children were ready to enter elementary school and there were no options for immersion learning. More recently, the Native Hawaiian Charter School Alliance has sought to not only increase Hawaiian language fluency but to improve the overall quality of teaching that Native Hawaiian learners receive (MacKenzie 2012). Native Hawaiian educators also pushed for the drafting of the federal Native Hawaiian Education Act 1988 that repeats almost verbatim the Clinton Apology and provides for some Native Hawaiian decision-making in the disbursement and use of federal funds for Native Hawaiian education.

Mohawk scholar Taiaiake Alfred has written that "the actual history of our [indigenous] plural existence has been erased by the narrow fictions of a single sovereignty" (see chapter "Sovereignty" in Barker 2005). Alfred Kilipaka Ontai has noted that Native Hawaiians "struggle to define a native form of self-determination, but they reach for sovereignty models that are rooted in Western traditions instead of their own spiritual/cultural experience" (see chapter "A Spiritual Definition of



Sovereignty from a Kanaka Maoli Perspective” in Barker 2005). Current initiatives also echo much older ideas. Native Hawaiian *kupuna* (ancestors) had their own concepts of sovereignty – or something like it – prior to Western models, a fact that is sometimes overlooked.

In a validation exercise, sovereignty may need to be narrated in indigenous language, in words that may have no exact translation in English, and intellectual and legal concepts that derive from a Native Hawaiian worldview. In Mary Kawena Pukui and Samuel H Elbert’s authoritative *Hawaiian Dictionary*, sovereignty is translated into Hawaiian as “ea,” but the word is much more complex. *Ea* is translated into English as the nouns “sovereignty, rule, independence” but also as “[l]ife,” “breath,” and “spirit,” as well as the verb “to rise” or “go up” (Pukui and Elbert 1986). Pukui and Elbert’s translation, considered the most authoritative on the Hawaiian language, illustrates the multifaceted and holistic nature of sovereignty. According to Ontai, the state motto of Hawaii, *ua mau ke ea o ka aina i ka pono*, demonstrates the close ties between life and sovereignty. The motto is usually translated as “the *life* of the land is perpetuated in righteousness,” but the motto comes from Kamehameha III’s response upon the British rescinding claims to sovereignty over Hawai‘i in 1843 after the so-called Paulet affair. Thus, it could easily be translated as “the life/sovereignty of the land is preserved in righteousness” (see Ontai in Barker 2005).

Historically, various other concepts inform *ea*, including spiritual principles, reciprocal responsibility, the people, and the land. Spiritually, the chiefs or *ali‘i* were responsible to do what was right by the *akua* (the gods). Kamakau records that ‘Umi was instructed by his father, “This is the one thing that you must do, take care of the god. Whatever you have, remember him.” Chiefs who failed to do what was *pono* or right, who failed to observe this responsibility, as in the case of ‘Umi’s older half-brother Hakau, could be removed (Kamakau *Ruling Chiefs* 1992b).

Hakau had been given the government partially because of his mother’s rank as a chiefess (Kamakau *Ruling Chiefs* 1992b), and one’s place and ability to govern in Hawaiian society also relied on genealogy. Despite not having a written language, precontact Hawaiians possessed a wealth of oral histories and genealogies connecting them with their *ohana* (family), *aina* (land to which one was bound by genealogy), and *aumakua* (ancestors) (Kamakau *Ka Po‘e Kahiko* 1992a). They were to be caretakers of the land and to demonstrate *aloha aina*. Chiefly authority was also embodied in the noun *mana* (supernatural or divine power) that enabled one to govern. As a verb, *mana* meant “to place in authority, empower, [and] authorize” (Pukui and Elbert 1986), concepts implying legitimacy.

Reciprocity plays a sometimes subtle but crucial role in this version of sovereignty. Hawaiian sovereignty was as much about responsibility as it was about authority. Ali‘i had reciprocal duties toward the *maka‘āinana* (commoners) who could go to a higher authority if their local alii was not fulfilling his duties (MacKenzie in MacKenzie et al. 2015). Another Hawaiian word for authority is *kuleana* translated as “right, privilege” and “jurisdiction” but also “responsibility.” *Kuleana* both “entitle[s]” one to rights and assigns responsibility (Pukui and Elbert 1986). This included the highest chiefs, or *mo‘i*. Kamehameha I’s 1797 Kānāwai

Māmalahoe, for instance, affirms rule of law protections for “everyone, from the old men and women to the children,” echoing earlier instructions from the chiefess Mahu-lua to her son, Ku-ali‘i to “[t]ake care of the god, and take care of the big man, the little man, and the fatherless.” ‘Umi, for instance, was a renowned warrior and military commander but is remembered for humility, kindness and care of his people as well as spiritual observance (Kamakau *Ruling Chiefs* 1992b).

Pauahi and other *ali‘i* who established trusts in the late nineteenth century to look after Native Hawaiians were also exercising this type of sovereignty. Trusts still operating today address education, the needs of orphans, the poor and the elderly, and medical care. In so doing, these trusts:

... reflect the reciprocal duties of the *ali‘i* and the *maka‘āinana* (common people). Traditionally, the *maka‘āinana* had the duty to care for the land, and wise management of the people and land enhanced the right of the *ali‘i* to rule. Productive use of the land and mutual cooperation ensured the right of the *maka‘āinana* to live off the land and use its resources. Although the traditional social structure was dramatically altered through the creation of private property rights in the mid-nineteenth century and the transition from a subsistence to a market economy, the creation of these trusts suggests that the *ali‘i* continued to understand and attempted to fulfil their obligation to provide for the needs of their people. (Poai and Serrano in Mackenzie et al. 2015)

The older law remains embedded in Native Hawaiian understanding of what sovereignty is. Silva’s work – along with that of other scholars (including Preza 2010; Beamer 2008) – reveals the degree to which Native Hawaiians have gone to remain a distinct people and to preserve cultural values and practices despite the imposition of Western law and culture. This scholarship demonstrates agency rather than a passive response to Westernization and self-remedies rather than handouts or buy-in to imposed sovereignty. Modern Native Hawaiians continue to express their desire to remain a distinct people and to practice traditional forms of sovereignty including *kuleana*.

Despite the efforts of the Doe’s and other color-blind campaigners, the Kamehameha Schools/Bishop Estate, the Queen Lili‘uokalani Trust, the King William Lunalilo Trust, and the Queen Emma Trust remain legal fact, less pulled from the past as much as “perpetual” (Poai and Serrano in MacKenzie et al. 2015). Trusts protecting Native Hawaiian lands and other assets take a familiar Western legal form but express the reciprocal duties of Native Hawaiian sovereignty. Under Articles X, XII, and XV, Hawai‘i’s Constitution recognizes Native Hawaiian language and education rights and:

reaffirm[s] and protect[s] all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua‘a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778.

These legal facts are part of the larger historical continuum of Hawaiian customary law which continues to be recognized in law (Forman 2008). A number of state cases have affirmed custom and usage as the current law of Hawai‘i, including *Pub Access*

*Shoreline Haw v Haw County Planning Comm'n* 79 Hawai'i 425, 903 P.2d 1246 (1995), *Pele Defense Fund v Paty* 73 Haw 578, 837 P 2d 1247 (1992), and *Kalipi v Hawaiian Trust Co*, 66 Haw 1, 656 P2d 745 (1982) (Forman 2008). The everyday operation of customary rights over land and resources as well as self-remedies in education, health, and the environment demonstrate the continuing operation of this older but legally valid form of sovereignty.

These traditional narratives of sovereignty, under intense informational pressure, represent strong adherence to a Hawaiian legal tradition. The existence of this law is an embodiment of past-present-ness. In fact, it has survived aggressive informational pressure from Western narratives meant to assimilate which inherently discriminate against Native Hawaiian values and legal information. The resilience of this narrative and the strong adherence of Native Hawaiians against such odds speak for its continuing internal resonance and acceptance among Native Hawaiians.

By comparison, sovereignty in the traditional Western sense is about authority, territorial integrity, non-interference, sovereign equality, diplomatic relationships, and treaty-making. The classic concept speaks little about care of one's people, love of the land, or generations. Current iterations require some reconciliation with democracy and perhaps wider norms of human rights, such as equality and non-discrimination, but, at least initially, cannot account for indigenous narratives that precede liberal projects. In fact, the principle of non-interference has often prevented the community of nations from intervening where other states commit grievous human rights abuses even where treaties to the contrary should dictate state behavior. While non-interference may resonate with Native Hawaiians given the history of external interference, this version of authority is formal, top-down, and not necessarily reciprocal. It does not emulate 'Umi's example nor the current everyday efforts of Native Hawaiians in terms of education which are actually achieving positive outcomes for Native Hawaiians.

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## **A More Complex Narrative: the UN Declaration on the Rights of Indigenous Peoples 2007**

The disparities that depict Native Hawaiians as the most extreme in education and other areas illustrate what, from the perspective of restorative justice, have been called "deep harms." Such harms are embedded in the psyche and social experience of Native Hawaiians, are pervasive, even "comprehensive", encompassing resources, culture, and governance; 'sustained' over generations; 'systemwide,' implicating national and local governments, businesses, and citizens" (Yamamoto and Obrey 2009). Native Hawaiians are not alone in experiencing such harms causally connected to colonization. Historical trauma research has shown how adverse childhood experiences have lifelong and multigenerational impacts on health. Epigenetics and other research have linked disproportionately high rates of suicide, alcoholism, heart disease, and diabetes with the boarding school experience of previous generations of Native American communities (Whitbeck et al. 2004; Pember 2016). Across the world, indigenous peoples are usually the poorest and

most marginalized members of their societies (Eversole and McNeish 2005). Such factors seemingly predict future harms, thus creating “once-and-future wrongs” which are both historical and actual but also incredibly current and actual (Hemi 2017).

Such harms, attracted to indigenous identity, apparently undermine the supposedly homogenous and anonymous coverage of *everyone/no-one* narratives and must be reconciled in order to be valid. This type of harm may reveal the lasting effect of significant breaks in the “collective memory” of “intergenerational groups” – that is, indigenous peoples’ own legal and cultural narratives about who they are – that must be addressed if present ongoing disparities are to be remedied (Spinner-Halev 2005). According to Yamamoto and Obrey, “The remedies must be tailored to the harm. That is, when the injuries are long-term and systemic, so must be the response” (Yamamoto and Obrey 2009). Their answer, and that of others, is a proportionate self-determination. Self-determination is especially vital where current legal and political arrangements have not “remed[ied] the historical injustices suffered by” indigenous peoples nor provided “the accommodations necessary to exercise and freely develop their culture, including religious practices and traditional governance, or allowed them to exercise their fair share of political power” (Anaya 1994). The restoration of “identity-affirming Indigenous institutions” and the return of a self-determination resembling that which might have been without historical interference is arguably vital to overcoming historic, ongoing wrongs associated with colonization (Sanderson 2012).

The larger the group who can relate to deep harms, to gritty numbers and uncomfortable truths – the greater the number who can corroborate the narrative – the greater the validation perhaps. Colonization and imperialism have had a common modus operandi, apparent in a global history of colonization that links ethnically, religiously, and linguistically diverse peoples across various countries, climates, and geography and across centuries. The Native Hawaiian experience remains peculiar given the community’s specific historico-legal context, but it is also eerily echoed over and over again in the experience of many other indigenous peoples. This global story is reiterated in one of the most quoted and discussed statements of human rights in the early twenty-first century. The UN Declaration on the Rights of Indigenous Peoples 2007 is the culmination of the evolution of the human rights framework and the result of a massive truth-telling project about this bigger story. It is also an exercise in proportionate self-determination.

## **Indigenous Self-Determination, Equality, and Discrimination**

For 22 years, the Declaration was drafted, debated, and defended by indigenous peoples, including Native Hawaiians, who interacted in an unprecedented way with states in creating international law and setting human rights agendas about indigenous peoples (Augusto Willensen Diaz “How Indigenous Peoples’ Rights Reached the UN” and Asbjørn Eide “The Indigenous Peoples, the Working Group on Indigenous Populations and the Adoption of the UN Declaration on the Rights

of Indigenous Peoples” in Charters and Stavenhagen 2009). It represents the evolution of principles such as equality and nondiscrimination from *everyone/no-one* narratives to specifically indigenous ones. It appears to represent a multi-narrative toolbox of rights that might more immediately identify and clarify sovereignty, principles of equality and nondiscrimination, and the remedial and restorative nature of such rights. While it affirms *everyone, no-one* and *someone* rights, its fundamental principle is a more complex version self-determination that may most closely align with restorative and remedial narratives but also with what Native Hawaiians want most from sovereignty.

The Declaration’s preamble indicates a truth and reconciliation project and embraces historico-legal context as it responds to past and ongoing human wrongs, even assimilative and “racist” “doctrines, policies, and practices” and other “historic injustices” arising from “colonization.” While earlier human rights documents such as the UDHR express a repugnance for war, the preamble recognizes the “urgent need to respect and promote” human rights and to “bring an end to all forms of discrimination and oppression wherever they occur.” Many of its provisions address indigenous-specific human rights violations commonly associated with colonialism including deprivation of identity, “forced assimilation or integration,” and “any form of propaganda designed to promote or incite racial or ethnic discrimination directed against” indigenous people.

The Declaration also recognizes the residual political status of indigenous peoples – even their prior sovereignty. In contrast to previous instruments, such as ILO Indigenous and Tribal Peoples Convention No 169 (1989), most of UNDRIP’s rights are held, not by indigenous individuals or members of minority groups but by indigenous *peoples*. The prioritization of indigenous collectivities as UNDRIP’s primary rightsholders is unmistakable. The term “peoples” is used at least 98 times in UNDRIP, while “individual” or “individuals” are only used 11 times. Out of a total of 46 articles, 30 relate to indigenous peoples alone, while only 2 can be claimed by indigenous individuals alone. Another 12 – including Articles 1 and 2 which guarantee equality and nondiscrimination – recognize both “peoples” and “individuals” as UNDRIP’s rightsholders. These collective and individual rights sit side-by-side without ready categorization or hierarchy. Ultimately, the term “indigenous” preceding both “peoples” and “individuals” itself references a specific collective identity – and history (Hemi 2016).

More than liberal equality, self-determination underwrites UNDRIP. Placed immediately after Articles 1 and 2’s equality and nondiscrimination, UNDRIP’s Article 3 changes “*All*” to “*Indigenous*” but otherwise repeats core human rights treaties, including the UN Charter, ICCPR, and ICESCR, almost verbatim: “Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” The Article 3 right to self-determination is the “fundamental underlying principle” of the Declaration (WGIP 2001). The Preamble “affirm[s] the fundamental importance of the right to self-determination of all peoples” consistent with the UN Charter, ICESCR, ICCPR, and the Vienna Declaration and Programme of Action 1993 (“the Vienna Declaration”).

Closely related, Article 4 recognizes “the right to autonomy or self-government in matters relating to their internal and local affairs.” This *internal* aspect resembles certain features of the *Mancari* exception recognized in American federal Indian law. This internal self-determination seems to embody the right to “opt out” as it were. Article 5 recognizes “the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining the right to participate fully, *if they so choose*, in the political, economic, social and cultural life of the State.”

Beyond *Mancari* and the whims of federal recognition, the Declaration also seemingly recognizes a historical continuum of virtually timeless, permanent indigenous rights. In view of numerous articles on the preservation, protection, and transmission of indigenous identity and culture, the rights-holder under UNDRIP is part of a once-and-future community of rightsholders. For instance, Article 11 protects “the right to maintain, protect and develop the past, present and future manifestations of culture.” Article 45 likewise looks forward to assure indigenous peoples that nothing in the Declaration is meant to diminish or extinguish existing indigenous rights now *or* in the future. Thus, the Declaration recognizes pre-existing rights rather than merely prescribing or imposing liberal rights to address present disparities. Such rights are not seen as “special,” exceptional, or temporary *someone* rights but are, under Article 43, “minimum standards for the survival, dignity and well-being of the indigenous peoples of the world” (Hemi 2016).

## A Multi-narrative Right to Education

Article 14 of UNDRIP is consistent with other multi-narrative conventions such as UNCROC and the CRPD but premised on self-determination. It recognizes that:

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 14(2) references *everyone* (“all”), *no-one* (“without discrimination”), and the *complex someone* – “particularly children.” This learner is specifically guaranteed previously promised universal individual rights to a public education but also the option to attend a parallel indigenous educational institution such as Kamehameha Schools, as well as rights to an education in their own culture and language where they constitute a minority.

In name and substance, however, all Article 14 rights are owned by the indigenous learner. Under Article 14, the rights-holder is both the indigenous learner *and* their community. Preference for the indigenous learner in admissions is implicit and emphasized by the repeated use of the possessive pronoun “their.” While all children have a universal right to education and while Article 14 is consistent with previous *everyone/no-one* instruments, the right to be preferred in admissions at the Kamehameha Schools, Punana Leo, and other Native Hawaiian institutions and education systems – and to establish and control them – is owned by collective indigenous learners. Significantly, the right actually precedes Article 14’s non-discrimination and minority-like provisions that also belong to indigenous peoples.

The Declaration might be limited by state sovereignty in multiple ways. Technically, the Declaration is a General Assembly resolution rather than a treaty and, at least on its face, is not legally binding. Article 46(1) emphasizes the old worry of sovereignty, territorial integrity, while Article 46(2) places democratic limits on the Declaration’s application. Most often, despite textual and genealogical consistency between Articles 3 and 4 and previous core instruments with no such limit, the right to self-determination in UNDRIP is usually limited to the internal aspect (Xanthaki 2011). In 1973, the Supreme Court said that there was no constitutional right to education in its decision in *Rodriguez*. The federal government is known for an exceptionalist and “pick-and-choose” position in regard to human rights generally (Ignatieff 2016) and has not signed and ratified core human rights instruments that enshrine the right to education such as the ICSECR, UNCRoC, and CEDAW. Reasons include inconsistency with the Constitution and charges that so-called economic, social, and cultural rights amount to state subsidized welfare and not true rights – allegations resembling special advantage arguments in *Rice*, *KS*, and *Akina*. Perceived clashes between indigenous rights, and especially the right to self-determination recognized in the Declaration, were included in the US’ Explanation of No Vote in 2007, a move repeated by other settler states including Canada, Australia, and New Zealand. When the United States finally endorsed the Declaration in 2010, the State Department distinguished the Declaration as an “aspirational” rather than legal document.

## The Potential for Consensus

The Declaration’s rights, however, are premised on a more substantive form of equality and nondiscrimination, remedial and restorative self-determination, human rights considered to be universal and inalienable, and specifically indigenous rights. This combination has much to offer in terms of validating narratives about Native Hawaiians.

A decisive majority of the world’s nations – 143 of 190 member states – endorsed the Declaration in September 2007 and states such as the United States eventually endorsed the Declaration after significant international and internal pressure. Rights such as Article 14 affirm a substantive version of *everyone*, *no-one*, and *someone* that demands outcomes and not merely formal guarantees, the recognition of the



indigenous and not merely *everyone/no-one*. Famously, the Declaration does not create any new rights but textually and genealogically links back to core instruments of the international human rights framework. Despite its status as a declaration rather than a treaty, it upholds and consistently narrates preemptory norms of equality and nondiscrimination whose status as *opinion juris* in international law is seen as binding on states regardless of whether a treaty has been signed (S James Anaya “The Right of Indigenous Peoples to Self-Determination in the Post-Declaration Era” in *Charters and Stavenhagen* 2009; Dorrough and Davis 2014). The Declaration also harks back to Western sovereignty via Article 3 but is anchored by a more complex and indigenous self-determination. This self-determination itself acts as a multiplier of equality and nondiscrimination. As if echoing ‘Umi’s sovereignty, the Declaration even requires that “[p]articular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration” under Article 22.

Rather than dogmatically repeating polarizing and adamant narratives, the Declaration reconciles *everyone/no-one* and *someone* with narratives of sovereignty and remedial and restorative self-determination. It also seems to clarify and challenge the *Mancari* shield and the limits of tribal sovereignty, grounding self-determination in supra-domestic human rights evidencing consensus and morally resonance rather than legislative, administrative, or political arbitrariness or temporariness. Rather than attempting to force Native Hawaiian historico-legal context, identity, and rights into an extremely limited number of uncertain narrative boxes that do not fit, the Declaration provides narrative complexity and flexibility. Importantly, the Declaration’s stories have been narrated by indigenous peoples themselves, including Native Hawaiians.

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### **Ka mo‘opuna i loko o kā mākou mau lima: “The Grandchild in Our Arms”**

Validation has one additional requirement. Native Hawaiians have a responsibility not only to the ancestors but also to the *mo‘opuna* – the grandchildren – and those that will come after generally. A valid legal narrative about Native Hawaiians must speak across generations, anticipating the past, present, and future. Such a narrative will be validated where it is accurate and legally acceptable and resonates internally across time.

The Declaration’s multi-narrative certainly has a once-and-future aspect. Potentially speaking to our past, Article 37 states, “Nothing in the Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements.” Speaking to our present and the future, Article 45 states that “Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.” This aspect enhances narrative choice, even creates narrative options, rather than closing them down.



As such, this multi-narrative statement of human and indigenous rights does not preclude sovereignty. It may, however, offer more immediate clarification of rights than, for instance, waiting for treaty-making and other external recognition. The right of indigenous peoples – the right of Native Hawaiians – to self-determination exists now in international law regardless of federal recognition issues and ongoing questions about sovereignty. As Ken Coates notes, “[t]he United Nations, after all, has spoken. Clearly, national governments must respond” (Coates 2013). In doing so, a majority of the world community recognized indigenous peoples’ self-determination and Article 14’s multi-narrative as *rights*.

Countries like Bolivia have already incorporated the Declaration into their constitutions. In an American first, the Declaration has also been incorporated into Hawai‘i State law. Act 195, signed by Governor Neil Abercrombie in 2011, reiterates Article 3 of the Declaration. Textually and genealogically, it links state law specific to Native Hawaiians back to core instruments of international human rights law including the ICCPR that the US has signed and ratified. Putting aside potential issues about the propriety of state or federal governments framing Native Hawaiian sovereignty, the narrative heart of the Declaration is now black letter law in Hawai‘i and not merely aspiration. Admittedly, Act 195 is aimed at creating conditions for federal recognition but uses the language of international law, human rights and indigenous rights, as well as the nation-state – language which may prove malleable and less arbitrary than federal narratives.

Act 195 is an anomaly in American law and represents the arrival of new norms of sovereignty. It brings the historico-legal context of colonization and the postwar evolution of the international human rights framework from a homogenous *everyone* and anonymous *no-one* to a complex, specifically indigenous narrative of equality and nondiscrimination. It carries the moral persuasion of these peremptory norms and the drive and push of human rights in general away from merely formal guarantees toward real-time outcomes. The increasing discursive power of substantive equality and nondiscrimination explains the arrival of new norms of sovereignty. In international law, *everyone*, *no-one*, and *someone* are increasingly required to deliver equitable outcomes. Narratives alone cannot deliver. This at least partially explains why indigenous peoples are acting in legal spaces previously reserved for sovereign states.

The Declaration affirms the malleability of a sovereignty checked by human rights and reinterpreted. It leaves open the possibility of various decolonization models and a negotiated power-sharing, suggesting Erica-Irene Daes’ concept of “belated state-building.” State-building is usually a post-conflict process driven externally or internally. *Belated* state-building is a *postcolonial* process by which “[i]ndigenous peoples [who] were never a part of State-building” – for instance, establishing the territory or state of Hawaii – “have the opportunity to participate in designing the modern constitution of the State in which they live, or share, in any meaningful way, in national decision-making” (Daes 1993). Belated State-building is a “peaceful” and internal form of self-determination exercised by indigenous peoples “within existing State

structures and orders” through which historical injustices are addressed “by imposing obligations on States to accommodate Indigenous Peoples through constitutional means in order to share power democratically” (Buick-Constable 2002).

As noted above, the ANPRM may have offered malleability. The exact shape of federal recognition that might emerge from a similar future administrative process is not a foregone conclusion but something that might be dialogued. Recent discussions on another possible constitutional convention for the State of Hawai‘i also represent an opportunity for dialogue and even belated state-building. The 1978 Constitution Convention that designated Hawaiian an official language of Hawaii and created the Office of Hawaiian Affairs was the result of one such “ConCon.” However, the ConCon put to Hawai‘i voters in 2008 was backed by conservative elements and opposed by those who feared that Native Hawaiian rights would be eroded in the process (Nakaso 2008). Both opportunity and concern are currently voiced in the Hawaiian community.

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## Conclusion

The number of narratives about Native Hawaiians currently apparent in law and in the public square is at times cacophonous. The present legal environment continues to be a treacherous legal landscape (Ing et al. 2006) fraught with multiple threats to Native Hawaiian identity and rights, including thinly veiled attempts to gain access to Native Hawaiian assets, previously protected in trusts or the special trust relationship, as in *Rice* and *KS*. Time is also passing while the merits of sovereignty are debated, during which narratives such as those in *Rice*, *Akina*, and *Brackeen* continue to gain momentum in federal courts. The difficulty and challenge of formally achieving sovereignty may also overshadow the actual everyday expression of the local, homegrown self-determination evident in Native Hawaiian education, ali‘i trusts, and other self-remedying initiatives – as well as court cases that have been won, black letter law in place, and the larger historical continuum of custom and usage.

However, the biggest current threat to Native Hawaiian rights may be a lack of consensus among Native Hawaiians, a state requiring a degree of resonance. Whether Native Hawaiians agree with federal recognition or not, the ANPRM highlights the need to collectively identify a Native Hawaiian nation and its governing entity. Claims of sovereignty must similarly stall or fail if Native Hawaiians do not come together and identify what most resonates with them internally and what is most accurate and most acceptable. Ultimately, Native Hawaiians may need to decide on a complex multi-narrative, not from a limited number of ill-fitting legal boxes but from all possible narratives including their own. As descendants of ‘Umi-a-Liloa, Native Hawaiians may need to be as daring as he was in declaring their birthright. Their greatest act of bravery may be in finding a consensus that anticipates the generations that come after as much as those that have come before.

## Cross-References

- ▶ [Affirmative Action: Its Nature and Dynamics](#)
- ▶ [Nuclear Testing and Racism in the Pacific Islands](#)
- ▶ [Settler Colonialism and Biculturalism in Aotearoa/New Zealand](#)
- ▶ [Stereotypes of Minorities and Education](#)

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# Perpetual Exclusion and Second-Order Minorities in Theaters of Civil Wars

# 52

Jovanie Camacho Espesor

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## Abstract

This article is a departure from a mainstream inquiry of giving too much credence to ethnic minorities that have the agency to mobilize revolutionary armies against the state. There is a need to pay attention to the plight of second-order minorities who do not have the capacity for rebellion but are usually victims of violence and displacement. The knowledge is sparse about the plight of subaltern communities that are in constant struggle for recognition of their rights and demands for representation in conflictual societies. Therefore, this chapter aims to answer the question of why second-order minorities in conflict-ridden communities are frequent subjects of marginalization, exclusion, and deprivation. Using two case studies of Aceh, Indonesia, and Bangsamoro, Philippines, this chapter seeks to

J. C. Espesor (✉)

Department of Political Science and International Relations, University of Canterbury, Christchurch, New Zealand

Department of Political Science, Mindanao State University, General Santos City, Philippines

Center for Middle East and Global Peace Studies, Universitas Islam Negeri Syarif Hidayatullah Jakarta, Tangerang, Indonesia

e-mail: [jce50@uclive.ac.nz](mailto:jce50@uclive.ac.nz)



contribute to the limited state of knowledge about considerably powerless second-order ethnic minorities in communities that are theaters of domestic wars. This chapter concludes that weaker groups who constitute the second-order minorities are facing repression and their demands for recognition of their identity and territorial domains are often undermined or subordinated to the wishes of dominant ethnic minorities who went into negotiating tables with governments.

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**Keywords**

Second-order minorities · Aceh · Mindanao · Exclusion · Conflict

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## Introduction

The conflict issue in war-torn communities in Southeast Asia such as Aceh, Indonesia and Mindanao in the southern Philippines focuses on state and rebel contestation. Scholars of ethnic conflict in these contested environments tend to concentrate their investigations on minority groups that are leading the separatist organizations. The *Gerakan Aceh Merdeka* (GAM) or Free Aceh Movement that represents the minority Acehnese received major attention from scholars and peacebuilding actors when it went into armed uprising and eventually entered into a political settlement with the Government of Indonesia in 2005. In Mindanao, the Moro National Liberation Front (MNLF) gained widespread attention when it demanded independence and eventually signed the 1996 Final Peace Agreement with the Philippine government. In the same vein, MNLF's splinter group, the Moro Islamic Liberation Front (MILF), is currently earning global popularity because of its desire to give up its separatist claim in favor of greater political autonomy in the Bangsamoro. Both insurgent groups claim to represent the aspirations and legitimate grievances of the Moro people in Mindanao.

The provision of autonomy and installation of political structures that accommodate pluralism and power-sharing schemes have become the typical strategies employed by states in managing ethnic conflicts (Gurr 1993). These strategies were also applied in Aceh and Mindanao, which are both theaters of civil wars. Nonetheless, these conflict management mechanisms are seen to favor the interests of minority ethnic groups that are driving the rebellion, such as the Acehnese GAM and the Moro MNLF and MILF. The Governments of Indonesia and the Philippines granted the demands for greater autonomy of these belligerent groups, which are mobilized along ethnic lines, as a political tool to conclude decades of violent conflicts.

Autonomy has produced varying success in Aceh and Mindanao in resolving the issue of insurgency. The provision of special autonomy to Aceh is, to some extent, effective in terminating GAM insurgency. In Mindanao, such strategy yielded a negative outcome when the 1989 and 2001 autonomy laws failed to stop acts of separatism. The enactment of the Bangsamoro Organic Law (BOL) in the Philippine Congress in July 2018 constitutes another political experiment of using autonomy as a tool to solve protracted conflict in the Bangsamoro. Although autonomy offers



potential solutions to address the issue of deprivation popularized by ethnic groups that rebel against the states, it can also facilitate local tensions. Autonomous regions are also home to second-order minorities or ethnic communities that are not part of the dominant ethnic groups that are leading the rebellion. Second-order minorities tend to pose resistance to autonomy because of the pressure to assimilate in a political environment, where the rule of the game is dictated by first-order minorities (Barter 2018). Second-order minorities refer to indigenous groups who are not part of dominant minority groups, while first-order minorities pertain to national minority groups, but constitute a regional majority block in conflictual communities.

This chapter is a departure from a mainstream inquiry of giving too much credence to ethnic minorities that have the agency to mobilize revolutionary armies against the state. There is a need to pay attention to the plight of second-order minorities who do not have the capacity for rebellion, but are usually victims of violence and displacement. The knowledge is sparse about the plight of subaltern communities that are in constant struggle for recognition of their rights and demands for representation in conflictual societies. Therefore, this chapter aims to answer the question of why second-order minorities in conflict-ridden communities are subjects of marginalization, exclusion, and deprivation. Using two case studies of Aceh and Mindanao, this chapter seeks to contribute to the limited state of knowledge about considerably powerless second-order ethnic minorities in communities that are theaters of domestic wars. These case studies are based on ethnographic field research in Indonesia and the Philippines. From 2016 to 2017, the author travelled to Jakarta and Aceh in Indonesia and to different conflict-prone localities in the southern Philippines. In both countries, the author interviewed government officials, rebel commanders, university professors, civil society representatives, and tribal leaders.

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### **Case Studies: Aceh, Indonesia, and Mindanao, Philippines**

To draw a better understanding of the plight of second-order minorities in war-torn polities, the succeeding sections present case studies of Aceh, Indonesia and Mindanao in the southern Philippines. Aceh and Mindanao have histories of violent conflict in which ethnicity is a major component of campaigns toward separatism by insurgent groups. Moreover, both communities are home to ethnic groups that constitute the second-order minorities who are often subjects of political exclusion and discrimination. It begins with Aceh that is considered as a post-conflict community (Espesor 2019) due to the non-recurrence of violence between GAM and the *Tentara Nasional Indonesia* (TNI) or the National Armed Forces of Indonesia after the signing of the 2005 Memorandum of Understanding (MoU) in Helsinki, Finland. In post-conflict Aceh, non-Acehnese ethnic minorities experienced social, economic, and political marginalization during and after the GAM rebellion. Meanwhile, Mindanao is a war-ridden community where its present socio-political environment is characterized by insecurity due to the existence of active armed conflicts between the Armed Forces of the Philippines (AFP) and multiple non-state

armed groups. In Mindanao, non-Muslim indigenous communities, collectively known as *lumads* (see International Crises Group, *henceforth* ICG 2011, 1), have for decades suffered the brunt of violent conflict whose human rights and fundamental freedoms have been constantly violated by powerful actors, particularly warlords and military, in the conflict zone.

The following sections illustrate who are the second-order minorities and give their territorial concentration in two conflictual communities. The power asymmetries and dynamics between the ethnic majorities and minorities will be given emphasis to substantiate the central argument presented in this chapter that the rights and welfare of second-order minorities are constantly marginalized and sidelined in both conflict and post-conflict environments.

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## Second-Order Minorities in Post-conflict Aceh

The province of Nanggroe Aceh Darussalam (NAD) is located in the northern tip of the Indonesian island of Sumatra. Aceh has gained the attention of the international media due to the catastrophe brought about by the 2004 Indian Ocean Tsunami that devastated most of the western coast of the province, including the capital Banda Aceh. It is known for its strong legacy of internal war and demand for independence from the Government of Indonesia since the onset of the GAM rebellion in 1976 (Barter 2018; Barron et al. 2013). Furthermore, it is also hailed as a post-conflict community and an abode of peace owing to the success of the internationally mediated 2005 MoU that was facilitated by the former Finnish President Martti Ahtisaari, chair of the NGO Crisis Management Initiative (CMI) (Kingsbury 2006; Shea 2016). Present-day Aceh serves as an actual referent or evidence of a successful peacebuilding operation of liberal actors, particularly the CMI that facilitated the peace talk and the European Union that led and financed the activities of the Aceh Monitoring Mission (Feith 2007; Smith 2017). Moreover, the Aceh peace process is a significant milestone in the political career of former Indonesian President Susilo Bambang Yudhoyono, that enabled him to gain international prestige by concluding the three decades of violent insurgency in NAD (ICG 2007). (The annual population growth rate of Aceh from 2010 to 2013 is 2.08% (Badan Pusat Statistik 2014).)

Aceh is a multiethnic society with a population of 4,811,100 as of 2013 (Badan Pusat Statistik 2014, 78). (The annual population growth rate of Aceh from 2010 to 2013 is 2.08% (Badan Pusat Statistik 2014).) Majority of the people in NAD are ethnic Acehnese (approximately 72%) who generally supported the separatist claim of GAM from 1976 to 2005 (Barter 2018, 303). (The scholars provided varying population estimates of Acehnese in NAD. Ansori (2012, 38) claims that this ethnic group comprises 80% of the total provincial population. In McCulloch's research (2005, 10), the Acehnese composes 90% of Aceh's population.) Although, the Acehnese constitute the majority in NAD, they are considered to be an ethnic minority in Indonesia. The Javanese is the largest ethnic group that is accounted for, totalling around 42% of the country's entire population (Indonesia-Investments 2017). Hence, the label first-order minority is aptly suited to refer to the Acehnese

that comprise the regional majority ethnic block in NAD. As regional majority, it is no longer surprising for the Acehnese to dominate the political landscape in the province during and after the conflict. Most scholars who are interested in the Aceh conflict focus most of their investigations on GAM, which was an ethnic Acehnese belligerent organization (see Sulistiyanto 2001; Reid 2004), and eventually on its successor political parties, such as the Aceh Party and Aceh National Party (Hamzah 2009; Barron et al. 2013). Other ethnic groups that composed the second-order minorities also exist in NAD; however, unlike the Acehnese, they do not receive significant attention.

The Acehnese constitute an overwhelming majority in NAD with more than three million members (see Table 1). Being the largest ethnic group, they represent the regional majority and first-order minority in Aceh. Due to the transmigration policy of the Indonesian Government, NAD has become home to some national majority Javanese settlers that comprised around 8% of the provincial population. Table 1 also presents an idea of who are second-order minorities and why there is a looming inter-ethnic contestation in NAD. The ethnic groups Gayo (7%) and Alas (3%) in the central highlands of the province are the indigenous inhabitants of Aceh. The province is also home to some Malay people such as the Kluet and Singkil that make up around 4% of Aceh's population (Barter 2018; Ansori 2012). Although the province is also home to other ethnic minorities like Simeulue, Batak, and Minangkabau (Ananta 2007), in this chapter, I focus on the Gayo, Alas, Kluet, and Singkil (GALAKSI) as the second-order minorities in post-MoU Aceh (Fig. 1).

As shown in the map, the Gayo people are territorially concentrated in *kabupaten* (regencies) in the central highlands of NAD, particularly Bener Meriah, Aceh Tengah, Aceh Timur, and Gayo Lues. These regencies are home to the Gayonese subgroups, namely, Gayo Lot, Gayo Lokop Serbajadi, Gayo Lues, and Gayo Linge (McCulloch 2005). These ethnic groups are progenies of the North Sumatran animist Karo and Dairi tribes, which later embraced Islam (Ramly 2005). Another indigenous group, the Alas, are relatives of the Gayo, and most members are located in Aceh Tenggara adjacent to the Province of North Sumatra. Meanwhile the Malay ethnic group Kluet is territorially concentrated in the hinterlands of Aceh Selatan, and the regency of Aceh Singkil is the ancestral abode of the Ulu Singkil. The

**Table 1** Population of Aceh by ethnicity

Ethnicity	Approximate number	Percentage (%)
Acehnese	3,235,968	72
Javanese	359,552	8
Gayo	314,604	7
Alas	134,832	3
Kluet and Singkil	179,776	4
Simeulue, Batak, and Minangkabau	269,664	6
Total	4,494,400	100

Source: Computed by the author based on the 2010 National Population Census of Indonesia (Badan Pusat Statistik 2014, 78) and the estimates provided by Barter (2018)



**Fig. 1** Map showing the location of second-order minorities in Aceh. Note: This map of Aceh is original to this chapter and was generated using Global Information System software. The location of second-order minorities in Aceh is based on the scholarship of McCulloch (2005) and fieldwork interviews

territorial concentration of these second-order minorities in NAD in their respective regencies makes them distinctively separated from the Acehese society. The division between the second-order minorities and the dominant ethnic Acehese is not only from a geographic point of view. The relationship of Acehese and second-order minorities has been characterized by social cleavage and mutual alienation even during the height of GAM insurgency up to the present-day Aceh.

Inter-ethnic dynamics between the Acehese and indigenous groups Gayo and Alas is more evident compared to the tension between the former and the Malay minorities, Kluet and Singkil. The indigenous communities in the central highlands experienced social disturbance and security instability during the height of civil war and military emergency in Aceh. This is due to the geographic proximity of Gayo- and Alas-dominated regencies to the so-called daerah hitam or black areas controlled by GAM, such as Pidie, Bireuën, and Aceh Utara. These indigenous people have become victims of abusive practices perpetuated by the warring parties. The dubious exploitations against Gayo farmers were allegedly carried out by both TNI (McCulloch 2005) and *Tentara Nasional Aceh* (TNA), the armed wing of GAM (Barter 2015). There are no documented cases of gross abuses against the Singkil during the civil war in Aceh. Aceh Selatan and Singkil are closer to North Sumatra and considerably remote from the conflict-infested regencies of Aceh. However, Barter (2014) claims that the previously peaceful Malay communities in the border of Aceh and North Sumatra had been saddled with violence and tensions, especially after the collapse of the ceasefire agreement in 2003. GAM was suspicious of the Malays who experienced threats and intimidation from the rebel forces (Barter 2015).

The ethnic tension between the Acehese and second-order minorities has predated the 2005 Helsinki agreement. Despite geographic isolation from GAM strongholds and centers of military operations, Aceh's second-order minorities have experienced atrocities and security problems during the height of civil war. Gayonese suffered from violence because TNA launched a series of offensive attacks against Javanese people residing in their communities. It was the intention of GAM to expel Javanese migrants from their ancestral homeland (Barter 2018, 2014). Some members of the TNI were responsible for exploitation and abuses experienced by the Gayonese during the conflict. There are allegations that members of the TNI deployed in the central highlands were extorting money from Gayo farmers to finance the operations of anti-GAM militias. The regencies in the interior of NAD have fertile agricultural lands that are conducive for the production of high-grade Sumatran coffee and other high-valued crops (McCulloch 2005). According to Dr. Otto Nur Abdullah, commissioner of the Komnas HAM or National Commission on Human Rights, Indonesia there were cases of gross human rights violations that took place in Gayo-dominated regencies. He claims that there were reported cases of *orang hilang* or missing persons in Bener Meriah and Aceh Tengah during the height of the conflict, especially when Aceh was under *Daerah Operasi Militer* (DOM) from 1990 to 1998 and martial law when the Cessation of Hostilities Agreement collapsed in 2003 until the signing of the 2005 MoU.

The Kluet-dominated regency of Aceh Selatan also suffered from the inhumane treatment of the TNI. A day before former President Megawati Sukarnoputri placed Aceh under a state of military emergency and martial law in 18 May 2003 (see Hedman 2005), the TNI carried out an offensive military operation in the village of Jambu Keupok in Bakongan sub-district of Aceh Selatan. The TNI forces were looking for TNA renegades who were hiding in Jambu Keupok (Adyatama 2016). Consequently, civilians in the village experienced horrendous treatment at the hands of the Indonesian military. Allegedly, TNI soldiers killed many innocent civilians in cold blood (Author's interview with Dr. Otto Nur Abdullah, Komnas HAM Commissioner, Jakarta, Indonesia, 13 May 2016). Based on the report of the Komnas HAM submitted to the *Lembaga Perlindungan Saksi dan Korban* or Witness and Victims Protection Agency of Indonesia, TNI soldiers are accused of committing human rights violations in Aceh Selatan by killing 16 people through shooting by guns, then burning. They are also implicated in the torture of 21 others (Adyatama 2016). Moreover, the Kluet in Aceh Selatan, whose lives are dependent on the forest, were affected by illicit logging business ventures by local GAM commanders and TNI officials (McCulloch 2005; Aspinall 2005).

TNI launched offensive attacks in Aceh Tengah and Aceh Selatan because some of the inhabitants there had joined the GAM rebellion (Ramly 2005). Every time TNI had operations to annihilate GAM rebels in these regencies, ordinary Gayo and Kluet civilians were the frequent victims of violence and displacement. These civilians, including innocent children, were often caught in a crossfire of warring combatants. The people in these regencies had not only experienced military-sponsored brutality. They also suffered abuses from GAM who killed helpless civilians, including women and children, and burned houses. During the Humanitarian Pause in Aceh in 2000, the Gayonese, together with some Javanese migrants in Aceh Tengah, resisted GAM by arming themselves with homemade weapons (Schulze 2005).

In post-Helsinki Aceh, Komnas HAM is confronted with the challenge of investigating *orang hilang* cases in Bener Meriah and Aceh Tengah and the Jambu Keupok massacre in Aceh Selatan. The human rights commission is facing the difficulty of gathering concrete evidence to indict perpetrators, especially those powerful members of the TNI- and GAM-turned political leaders. Victims and their families are unable to clearly identify TNA rebels and TNI soldiers who were responsible for the force disappearance and extrajudicial killings of innocent civilians, particularly those members of ethnic minorities. Without sufficient evidence, Komnas HAM is not in a position to endorse a case to the *Jaksa Agung* or Attorney General of the Indonesian Government and prosecute potential perpetrators in the Human Rights Court (Author's interview with Dr. Otto Nur Abdullah, Komnas HAM Commissioner, Jakarta, Indonesia, 13 May 2016). The Gayo and Kluet people, like other civilians who were victims of human rights abuses, are still longing for transitional justice in post-Helsinki Aceh. It is apparent that Aceh's second-order minorities who do not have the capacity to wage rebellion, unlike the Acehese GAM, are more vulnerable to hostilities and abuses committed by both state soldiers and rebels. Unfortunately, many victims of extrajudicial killing, rape,



torture, arbitrary detention, and other forms of human rights abuses are likely to experience denial of justice due to the prevailing culture of impunity in Indonesia. Human rights institutions like the Komnas Ham and Komnas Perempuan (National Commission on Violence Against Women) have limited jurisdiction and weak investigatory power, especially when human rights cases involved high-ranking military and government officials (Author's interviews with Adriana Venny Aryani, Komnas Perempuan Commissioner and Dr. Otto Nur Abdullah, Komnas HAM Commissioner, Jakarta, Indonesia, 13 May 2016).

According to Fajran Zain, a member of the *Komisi Kebenaran dan Rekonsiliasi* (KKR) or Truth and Reconciliation Commission in Aceh, "victims of human rights abuses do not enjoy peace" in post-conflict Aceh. He adds that these victims and their families are earnestly demanding compensation, restitution, and justice through a fair court trial. It took 10 years for the *Dewan Perwakilan Rakyat Aceh* (DPRA) or local parliament of Aceh to create the KKR on 20 July 2016, after the signing of the 2005 Helsinki Agreement (Gade 2016). Some human rights activists have alleged that the delay in the establishment of KKR in Aceh is due to the political alliance and collusion of Aceh Party leaders and some military-politicians (Confidential interviews). The creation of KKR brings new hopes for human rights victims, particularly members of second-order minorities, to demand compensation and finally to achieve justice. Nonetheless, there is some scepticism that the Commission will not be able to achieve comprehensive success in dispensing justice for those who suffered human rights violations that took place during the conflict. Post-conflict transformation, including transitional justice, is no longer a priority of the national and provincial governments. The investigation of KKR is greatly hampered by a phenomenon of "memory decay" because some human rights victims have reached old age and others have passed away (Author's interview with Fajran Zain, Commissioner of KKR, Banda Aceh, Aceh, Indonesia, 25 May 2016). Moreover, women victims are discouraged by family members and religious leaders to report their experiences of sexual violence. According to Nur Djuli, "in our culture nobody wants to speak about rape" (Author's interview, Banda Aceh, Aceh, Indonesia, 20 May 2016). Sharing stories of sexual abuses and harassments is deemed forbidden in the Islamic community of Aceh (Wandita 2014). A woman NGO leader, Leila Juari says, "truth telling is a taboo. It is something bad for the family and dirty for the community. We have to forget and therefore, there is no healing for victims of sexual harassment and rape and those who are stigmatized by the members of the community" (Author's interview, Banda Aceh, Aceh, Indonesia, 24 May 2016). It is apparent that such Islamic-inspired norms and practices constitute an obstacle for the KKR to dispense justice for victims of human rights abuses during the height of conflict in Aceh.

## Post-Helsinki Aceh and Second-Order Minorities

The conclusion of the three-decade-long insurgency when GAM and GoI reached political settlement brought euphoria to Aceh. People in NAD celebrated the return

of peace to their homeland, particularly when the TNI pulled out its forces in Aceh. The successful peace agreement also earned the attention of local and international media outfits. In exchange of greater autonomy for NAD, GAM finally gave up its separatist claim; decommissioned TNA; and transformed into political organizations. It is worth noting that a year before the political settlement, communities in the northern coast of the province, including its capital Banda Aceh, were struck and devastated by the 2004 Indian Ocean Tsunami. Notwithstanding its hesitation to internationalize the domestic conflict (Herrberg 2008), the Indonesian Government to some extent was forced to allow the presence of international organizations and NGOs due to the urgent need for large-scale humanitarian operations following the tsunami-induced catastrophe in Aceh (McCulloch 2005).

The missions of most international humanitarian organizations in Aceh were carried out for post-tsunami emergency relief and rehabilitation and not to facilitate post-conflict transformation. A bulk of foreign relief and development assistance was given to Acehnese-dominated regencies because of the massive devastation brought about by the tsunami on the northern coast of the province. Some NGO workers sent to NAD were not even aware that Aceh was not only devastated by the tsunami; it was also ruined by decades of domestic war (Author's interview with a director of a foreign NGO, Banda Aceh, Aceh, Indonesia, 27 May 2016). The focus of post-tsunami reconstruction and concentration of the assistance of foreign organizations in predominately Acehnese regencies was somewhat justified and acceptable. External organizations were authorized to operate in Aceh mainly to help communities affected by the tsunami and not to perform conflict transformation intervention, which is primarily led by the Indonesian National Government (Espesor 2019).

The marginalization of second-order minorities in Aceh tends to continue from the civil war period to post-Helsinki settlement. Dr. Ardi Adji, a Gayonese leader based in Jakarta, claims that since the 1980s, Gayo regencies are left behind in terms of public infrastructures and quality of healthcare and education services. He also asserts that there is a prevailing perception among the Acehnese that they are superior to other ethnic minorities in NAD (Author's interview with Dr. Ardi Adji, Professor at the Paramadina University, Jakarta, Indonesia, 20 June 2016). Aside from the Gayo, the Alas and Singkil people have also experienced the same discriminatory treatment and sociopolitical marginalization by the dominant Acehnese group (Ansori 2012). The estranged social relationship of Acehnese and second-order minorities generates an emerging pattern of conflict in post-war Aceh.

The wide array of social and political challenges, particularly inter-ethnic strife that rose in post-Helsinki Aceh, are due to the inherent weakness of the 2004 MoU and the 2005 Law on Governing Aceh (LoGA). Teungku Nasruddin Ahmad, a senior GAM leader attributes the current problems on the insufficiency of the peace agreement. According to him, both the MoU and LoGA do not contain sufficient details that can accommodate the interests and welfare of other groups, particularly that of the women and second-order minorities in Aceh. Based on the content of the 2005 MoU, the ultimate goal of the peace accord was to conclude the violent conflict and pave the way for rehabilitation of Aceh after the tsunami. The



peace agreement is a short document that is overladen with provisions that grant political incentives and material rewards for GAM that is mainly composed of ethnic Acehnese. Apparently, the sentiments and grievances of second-order minorities and civil society groups were not accommodated in the MoU. Due to the urgent demand for the rebuilding of Aceh after the tsunami disaster, Ahtisaari acted as what Touval (1982) labels as a mediator with muscle. Under Ahtisaari's style of mediation, the entire course of negotiation was exclusive to Indonesia and GAM. No other parties were allowed to participate in order to reach settlement in a short span of time. The exclusion of civil society from the peace process was admitted by Nur Djuli. He claims:

It is true that civil society organizations were not included in the negotiation. Based on our previous experience, it is not very conducive to include civil society knowing the nature of the Acehnese society in which many will insist on their own interests. Although there are a lot of criticisms against Ahtisaari, I should say, had we included civil society; probably we would not have achieved what we have achieved today. (Author's interview, Banda Aceh, Aceh, Indonesia, 20 May 2016)

Based on that statement, it is clear that the main goal of the peace accord is to merely end violent insurgency in Aceh and satisfy demands of GAM for greater autonomy despite the absence of broad conflict transformation mechanisms that are acceptable and favorable to all groups in Aceh, particularly the non-Acehnese ethnic minorities. Hence, there is a widespread perception among second-order minorities that the peace agreement is exclusively beneficial to the Acehnese GAM (Ansori 2012), especially former rebel leaders who received an ample amount of political and economic concessions (Aspinall 2008; Aditjondro 2007).

Starting in 2005, Aceh has received a huge amount of foreign aid from different international funding institutions and donor countries to finance the democratization projects of different NGOs. Democracy promotion has been the typical scheme carried out by external liberal agents to initiate transformation of a post-conflict community, like Aceh, into a peaceful polity that is receptive of liberal-democratic values, norms, and practices. As observed, most donor-funded NGOs concentrated their democracy and peacebuilding projects on Acehnese GAM. International and local NGOs were simply following the directives of their respective donors. NGO proposals that were not designed to meet the interests of GAM were likely to be disapproved by funding agencies. Peacebuilding projects of different humanitarian and development agencies from 2005 to 2008 were intended to help GAM transform into political organizations. Facilitating the reintegration of GAM combatants through capacity-building training and provision of livelihoods was also in the "menu" of funding agencies (Author's interview with Dr. Saifuddin Bantashiam, Director of the Aceh Peace Research Centre and UNDP Programme Officer, Banda Aceh, Aceh, Indonesia, 19 May 2016). The *Sekolah Perdamaian dan Demokrasi* or School for Peace and Democracy (SPD), for instance, is a local NGO that focused heavily on building the political agency of former Acehnese GAM rebels. SPD was established by Nur Djuli, who is an influential GAM leader, and it has an extensive network with donor agencies (Espesor 2019). Although SPD had an emancipatory

purpose of educating and building the capacities of former combatants in politics and governance, it was seen as exclusively beneficial for Acehese people who were part of the rebellion. Well-funded peacebuilding initiatives like SPD and skills-development training were mostly given to Acehese people, while second-order minorities were virtually absent in the peacebuilding architecture in post-Helsinki Aceh.

The overwhelming amount of foreign assistance given to the Acehese and the ascent of rebel leaders into political power appear to be the entitlements and rewards of GAM for abandoning its armed struggle toward independence. Nonetheless, the new power-sharing scheme after the peace agreement in NAD was greatly in favor of the dominant Acehese group. Second-order minorities have the collective feeling that they have been subjects of marginalization and exclusion by the ethnic Acehese majority (Ansori 2012). The brewing ethnic tension between the Acehese and second-order minorities has led to the demand to carve out and create new provinces from the present territorial domain of NAD in the year 2000. A group of local activists consisting of district politicians, religious leaders, students, and civil society representatives in the central highland regencies of Aceh Tengah, Aceh Tenggara, Gayo Lues, Bener Meriah, and Aceh Singkil formed a movement that called for the establishment of a new province, which they called Aceh Leuser Antara (ALA). The *pemekaran* or blossoming, which is the present decentralization framework of the Unitary State of Indonesia, constitutes a legal justification for the demand to create the ALA as a province (ICG 2008; Ehrentraut 2010). (ALA was joined by another movement that also pushed for the creation of another province, Aceh Barat Selatan, comprising of Aceh Jaya, West Aceh, Nagan Raya, Southeast Aceh, Simeulue and South Aceh (Ehrentraut 2010).) Nonetheless, the proponents of ALA failed to convince the national government in Jakarta to subdivide NAD into two or three provinces (Author's interview with Murizal Hamzah, Journalist, *Netralitas*, Jakarta, Indonesia, 3 May 2016). Former Indonesian President Yudhoyono issued a decree that imposed a moratorium on administration subdivisions in the entirety of Indonesia (ICG 2008). Yudhoyono hesitated to support the creation of new provinces as it would undermine and violate the territorial provision of the 2005 MoU. GAM-turned politicians vehemently opposed the establishment of ALA and Aceh Barat Selatan (ABAS) out of Aceh (Ehrentraut 2010).

Despite the lack of support from Jakarta and the strong objection from Acehese provincial elites, the ALA-ABAS movement has been persistently active in pushing for the birth of a new province under the *pemekaran* scheme (Serambi Indonesia 2016). The leaders of the movement continually promote the narrative that they are neglected in the process of development in NAD to popularize and legitimize their demand to create a new province. Second-order minorities felt that most of the political benefits and economic incentives brought about by the 2005 peace agreement went to ethnic Acehese-dominated regencies (Author's interview with Murizal Hamzah, Journalist, *Netralitas*, Jakarta, Indonesia, 3 May 2016). Hence, there is a growing perception among members of the second-order minorities that the Acehese-biased development scheme in NAD can only be rectified through the establishment of the ALA-ABAS province. In the study of Ehrentraut, he claims that

ALA-ABAS leaders are consistent with their claim that “development in highland districts is far behind coastal areas” because the provincial government is perceptibly absent in these regencies (2010, 12). Nonetheless, GAM leader Nur Djuli does not fully agree with the narrative put forward by ALA-ABAS leaders. According to him, while “it is true that they are left behind, I do not put the total blame to Banda Aceh. The decentralization scheme of the government dictates that money [public funds] should be given directly to the regencies and not through the province. If we compare Bener Meriah and Banda Aceh, of course the latter got more money, but if we based the comparison on per capita allocation, the former is richer due to its small population. If we look at the funds of these highland regencies in terms of per capita allocation, they have huge government funds” (Author’s interview, Banda Aceh, Aceh, Indonesia, 20 May 2016). Muzakir Manaf, Chair of the Aceh Party and former GAM Supreme Commander, concurs with Nur Djuli’s statement that non-Acehnese regencies are not marginalized when it comes to the allocation of government funds. Manaf said that all regencies in Aceh directly received their *Dana Alokasi Umum* (DAU) or General Purpose Grant from the national government and therefore, the provincial government is not in control of the allocation and utilization of DAU (Author’s interview, Banda Aceh, Aceh, Indonesia, 19 May 2016).

The low level of development of regencies in the central highlands, where second-order minorities are the dominant groups, is due to the rampant practice of corruption. District leaders and members of the local parliaments are allegedly involved in graft and corrupt practices in ALA-ABAS regencies. Nur Djuli criticized the national government in Jakarta for its weak regulatory oversight over the local affairs in Aceh. According to him, the *Komisi Pemberantasan Korupsi* or Indonesian Corruption Eradication Commission is not interested in investigating corruption cases that are taking place at the district level in Aceh (Author’s interview, Banda Aceh, Aceh, Indonesia, 20 May 2016). It is clear that Acehnese influential figures, such as Nur Djuli and Muzakir Manaf, are trying to counter the narratives promoted by ALA-ABAS leaders that they have been marginalized and disenfranchised in the process of socioeconomic development in NAD. However, ex-GAM leaders simply focused on invoking the decentralized disbursement scheme of DAU to invalidate the marginalization claim of second-order minority groups. Aside from DAU, there are many sources of funds from the national government that are under the control of Aceh’s provincial government. The *Dana Aspirasi* or aspiration fund, for instance, was primarily allocated and disbursed in favor of regencies which are known strongholds of GAM. In 2017, IDR 917.5 billion (approximately USD 68 million) was earmarked as *Dana Aspirasi* or “pork barrel” funds of the members of the DPRA. The Regency of Bener Meriah, which is predominately Gayonese, received the lowest allocation of aspiration fund (Haris 2017). Moreover, Ehrentraut (2010) made an interesting claim that ALA-ABAS leaders are constantly motivated to demand for the partition of Aceh into two or three provinces in order to receive more government funds from Jakarta, particularly DAU and *Dana Alokasi Khusus* (DAK) or Specific Purpose Grant. DAK is intended to finance the establishment of bureaucratic structures and public infrastructures in newly created provinces.

The inter-ethnic divide between the regional majority Acehnese and second-order minorities underpins the inherent nature of conflict even in a post-conflict milieu. The end of insurgency in 2005 when GAM decommissioned its armed wing and transformed into political organizations does not mean that conflict is no longer existing in Aceh. Several minor pockets of tensions are emerging in Aceh, particularly the estranged inter-ethnic relationship between the Acehnese and second-order minorities. This inter-ethnic contestation is manifest in the political and social sphere in post-conflict Aceh. During the height of conflict, second-order minorities in the upland regencies supported Indonesia in its campaign to crush the GAM rebellion. Some of them were recruited in the anti-GAM militias set up by the TNI (Ansori 2012). The animosity between Acehnese, who generally supported GAM, and second-order minorities during the civil war period trickles off in present-day Aceh. Acehnese provincial elites are accused of not paying attention to the legitimate grievances of second-order minorities because they did not take part in the rebellion. It is also observed that non-Acehnese regencies typically support national parties like Golkar, Nasdem, and PAN in local elections and not the political parties that succeeded GAM. Aceh Party and Aceh National Party are only popular in vote-rich regencies, which are GAM's former strongholds (Ehrentraut 2010). Moreover, based on the current composition of the DPRA for the term 2014–2019, it is obvious that the second-order minorities do not have adequate parliamentary representation in Aceh (DPRA 2018).

Social institutions that were established because of the 2004 MoU and 2005 LoGA are considerably meaningless for members of the second-order minorities. For example, the installation of the former Prime Minister of GAM, Malik Mahmud Al Haythar, as the new *Wali Nanggroe*, or guardian of the state, in 2013 did not receive support from the non-Acehnese people of Aceh. Malik Mahmud was chosen by the DPRA to succeed GAM's founder Hasan di Tiro who died in 2010 as the *Wali Nanggroe* (Ali 2013). According to Nur Djuli, the MoU envisions the *Wali Nanggroe* as a non-political post and should have a cultural leader who should act as the symbol of unity for the people of Aceh and work for the preservation of Acehnese traditions, languages, and customs (Author's interview, Banda Aceh, Aceh, Indonesia, 20 May 2016). However, only the ethnic Acehnese pay respect to the institution of the *Wali Nanggroe*. Members of the second-order minorities, especially the Gayonese, do not recognize Malik Mahmud as their traditional leader (Author's interview with a Gayonese leader and program officer of an international organization, Jakarta, Indonesia, 17 May 2016). Hence, Acehnese-centric institutions in the post-Helsinki environment continue to face resistance and are often at odds with extant beliefs and institutions held by the members of the second-order minorities in Aceh.

Among second-order minorities, the Singkil people have become the major subject of discrimination and coercion against religious minorities in present-day Aceh. Based on the 2010 Population Census of Indonesia, 98.64% of the people of Aceh are Muslims (Ananta et al. 2015, 267), which explains the dominance and prominence of Islam in shaping the sociocultural fiber of the Acehnese society. The Christian minority in Aceh Singkil, in particular, is complaining that its members

have been victims of religious intolerance and sectarian violence that are carried out by Sunni Muslims and various radicalized Islamic organizations operating in Aceh (Espesor 2019). In October 2015, Indonesian President Joko Widodo called for the immediate stoppage of violence in Aceh Singkil via *Twitter*, when radical groups assaulted and burned down Christian churches there. However, local authorities and radical organizations in Aceh typically invoked the Religious Harmony Law to justify their coercive actions against Christian minorities in Aceh Singkil and other regencies. Human rights activists who are fighting for religious equality are not in the best position to call for protection of religious minority groups, especially the Singkil Christians. Sunni Islam defenders often branded human rights groups as the “enemy of God,” and that made them vulnerable to attacks by extremist groups, particularly the *Pemuda Peduli Islam* or Islamic Youth Movement (Author’s interview with a senior researcher of the Human Rights Watch, Jakarta, Indonesia, 17 May 2016).

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## Second-Order Minorities in Conflict-Ridden Mindanao

Another theater of a protracted civil war that also hosts second-order minorities is Mindanao in the southern Philippines. The conflict in Mindanao is considered as the longest-running insurgency and domestic war in the world (Morales 2003; Whaley 2014). Unlike the rebellion in Aceh that involved a single separatist organization, GAM, the AFP is fighting several Muslim belligerent groups, terrorist outfits, and the communist New People’s Army (Espesor 2017a). Presently, Mindanao is gaining significant global attention from media, donor communities, and international organizations because Philippine President Rodrigo Duterte signed the BOL on 27 July 2018. (This law is otherwise known as the Republic Act No. 11054). This law enforces the provisions of the 2014 Comprehensive Agreement on the Bangsamoro (CAB) between the Philippine government and MILF and creates the Bangsamoro Autonomous Region (BAR) in the southern Philippines. Nonetheless, Mindanao is far from becoming a post-conflict community like Aceh, despite the passage of the organic law and the anticipated creation of the BAR. Terrorists, lawless armed groups, and political warlords’ militias continue to threaten the peace and security environment in post-BOL Mindanao. Despite a wide array of security and development challenges ahead, ethnic Moro communities, particularly MILF sympathizers, are celebrating the passage of the BOL as a significant milestone in the history of the Mindanao peace process (OPAPP 2018).

Conflict-ridden communities in Mindanao are the ancestral homelands of some major ethnic Moro groups, particularly the Maguindanao and Maranaw in Mainland Bangsamoro and the Tausug, Sama, and Yakan in the island provinces of Basilan, Sulu, and Tawi-Tawi. (For a complete list of Moro ethnic groups in Mindanao, see Rodil (1994)). The ethnic Moro people, although considered a national minority in the Philippines, constitute the regional majority in the Bangsamoro. Hence, they can be considered as a first-order ethnic minority in the Philippines. One of the major challenges in post-BOL Mindanao is facilitating the inclusion into the political

**Table 2** Population of *Lumads* in Mainland Bangsamoro

Ethnicity	Population
Teduray	110,559
Dulangan Manobo	2904
Lambangian	3139
Higaonon	161
Agusan Manobo	93

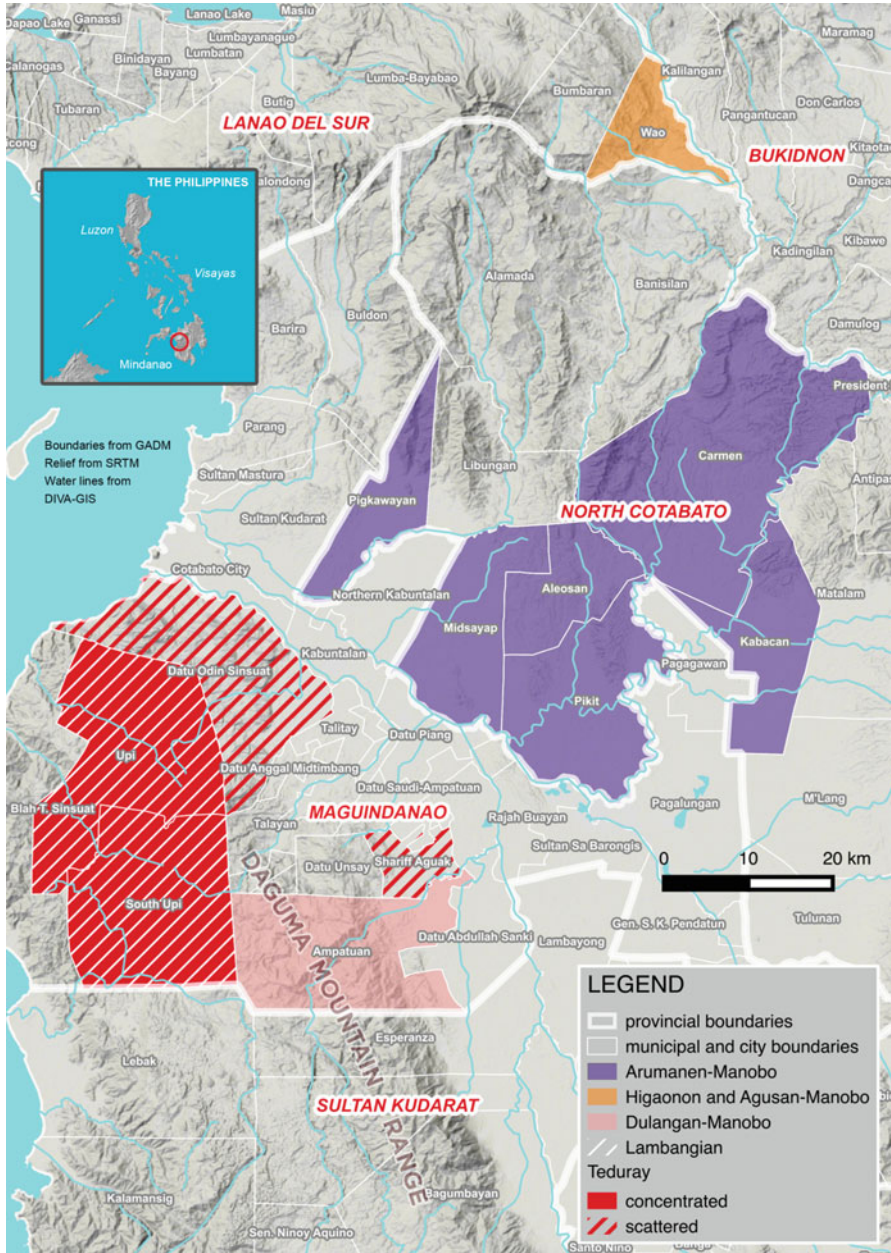
Source: Konrad-Adenauer-Stiftung (2014)

sphere of the *lumads*. The Bangsamoro is also home to some indigenous cultural communities that do not adhere to the Islamic faith and claim to have a distinct identity from Muslim Filipinos. These *lumads* are the second-order minorities that endured for decades the impact of violent conflicts in Mindanao (Table 2).

A sizeable number of *lumad* communities can be found in the mainland provinces of Maguindanao and Lanao del Sur. The Maguindanao and Maranaw people comprised the biggest ethnic Muslim groups in these provinces (see Rodil 1994). The demographic profiling survey on indigenous peoples of mainland ARMM conducted by the German NGO, Konrad-Adenauer-Stiftung (KAS), and its southern partner, the Institute for Autonomy and Governance (IAG), illustrates the presence of *lumad* communities within the core territory of the Bangsamoro. Apparently, the ethnic group Teduray constitutes the dominant group among all non-Moro indigenous groups, with a population of 110,559. The Lambangian and Dulangan Manobo people have a combined population of more than 6000 that is obviously smaller compared to the Tedurays. Some few members of other ethnolinguistic groups, the Higaonon and Agusan Manobo, are also residing in some conflict-ridden communities in the Bangsamoro. Nonetheless, the data of KAS and IAG do not include the population of Arumanen Manobo whose ancestral domains are situated in the border of Maguindanao and Cotabato, which is not part of the ARMM. Like the Tedurays, Dulangan Manobos, and Lambangians, the Arumanen Manobo has also experienced decades of violent armed skirmishes between the AFP and different non-state armed militias (Fig. 2).

The map shows the territorial concentration of second-order minorities in the Bangsamoro. The three major ethnic groups comprise the Teduray, Lambangian, and Dulangan Manobo, and they claim the Daguma Mountain Range as their shared ancestral homeland (KAS 2014, 6). Most of the members of the Teduray and Lambangian ethnic groups are currently residing in the municipalities of Upi, South Upi, Datu Odin Sinsuat, and Shariff Aguak in Maguindanao (Rodil 1994). A small pocket of the Dulangan Manobo community can be found in the Municipality of Ampatuan, Maguindanao. Most of the Dulangan Manobos are occupying the hinterland communities in the Daguma Mountain Range within the political jurisdiction of the Sultan Kudarat Province (KAS 2014, 6). Meanwhile, the Arumanen Manobos are territorially concentrated outside the ARMM core territory. The members of this ethnolinguistic group are presently scattered in the





**Fig. 2** Map showing the location of second-order minorities in the Bangsamoro. Note: This map of Bangsamoro is original to this chapter and was generated using Global Information System software. The location of second-order minorities in the Bangsamoro is based on the scholarship of Rodil (1994), KAS (2014), and fieldwork interviews

municipalities of Aleosan, Carmen, Kabacan, Midsayap, Pigkawayan, and Pikit in Cotabato Province. (It is worth noting that 39 *barangays* (smallest political unit in the Philippines) in these municipalities under the newly signed Bangsamoro Organic Law will become part of the Bangsamoro Autonomous Region. For more information, see Article 1, Section 3 paragraph C of the Republic Act No. 11054.) Moreover, the presence of small pockets of Higaonon and Agusan Manobo tribes are documented in Wao, Lanao del Sur (KAS 2014, 6).

Displacement and marginalization are aptly suited descriptions that depict the plight of second-order minorities in the Bangsamoro. These ethnic groups have been constantly exposed to violence and suffered from constant displacement since the outbreak of insurgency in the southern Philippines in the 1970s. The Teduray, Lambangian, Dulangan Manobo, and Arumanen Manobo whose communities are in the conflict zones have been pushing for the recognition of their right to self-determination by asserting their unique cultural identity that is different from the Muslim people and by the Christian inhabitants of Mindanao. Nonetheless, these second-order minorities, unlike the Muslim first-order minority, do not have the capacity to demand recognition through an armed rebellion like the MILF and MNLF. Instead, they have not only experienced minoritization, but they have been marginalized by the protracted conflict that has marred their communities for more than four decades. Displacement and hunger have become a day-to-day reality among members of *lumad* communities in times of war.

According to a tribal chieftain of Arumanen Manobo, the frequent armed confrontations between the AFP versus the rebels have become part of their lives (Author's interview with a tribal chieftain of Arumanen Manobo, Davao City, Philippines, 23 April 2016). Second-order minorities do not have the option of controlling the situation in their communities. They need to be prepared at all times to vacate their houses and flee to the nearest evacuation centers. Hence, it has been observed that the second-order minorities in the Bangsamoro are the most vulnerable to the devastating impacts of armed conflict. This situation has facilitated an internalized sense of powerlessness among members of the *lumad* groups owing to their inability to control the precarious situations in their localities.

The United Nations High Commissioner on Refugees reported that 3154 families from different *lumad* communities in south-central Mindanao have experienced displacement and human rights violations due to the massive military operations and retaliatory assaults of various non-state armed groups in their villages (UNHCR 2015). Whenever there are skirmishes between the soldiers of the AFP and renegades of various non-state armed groups, second-order minorities have been forced to abandon their homestead and livelihoods in their respective villages to escape violence. They typically move and settle in relocation camps set up by the government and NGOs for conflict-displaced civilians. Some of them opted to seek refuge in Christian-dominated communities that are relatively far from the conflict zones (Author's interview with a senior program officer of a Moro NGO, Cotabato City, Philippines, 21 July 2016). Therefore, flight has become the primary mechanism that is available for members of second-order minorities in the southern Philippines to protect themselves from harm and avoid being caught in the crossfires of warring parties.



The intermittent outbreak of armed violence in Mindanao has been severely detrimental to the welfare and safety of poor and innocent civilians, both Muslims and members of second-order minorities. These considerably powerless civilians have to flee for their lives every time there are armed atrocities in their communities. It is common to witness civilians, particularly women, children, and elderly folks, being transported in government-owned trucks in the conflict zones when there are military operations and encounters with armed groups. The uprooting of civilians from their respective villages, especially members of second-order minorities, is primarily induced by a lack of security guarantee in the Bangsamoro. Armed violence may occur at any time because of the existence of multiple armed groups and proliferation of illegal weapons in conflict-affected communities in Mindanao.

The concept “hybrid violence” is an appropriate description of the nature of conflict in the southern Philippines (Krause 2012, 40). Hybrid violence pertains to the cohabitation of vertical and horizontal forms of conflict in insecure polities like Mindanao. Horizontal forms of violence are characterized by *rido* or clan wars (Torres 2007) and armed encounters of warlords’ private militias versus rebels and among different armed groups operating in Mindanao. Some forms of horizontal conflict such as family feuds over control and ownership of land precede insurgency in Mindanao. In some cases, horizontal violence transforms into vertical conflict when the AFP and rebel groups intervene and participate in the wars of feuding families. The escalation of low-intensity conflict into full-blown war is often reported by the national media as a vertical conflict because of armed encounters between the state’s security forces and rebel outfits due to lack of understanding of the local dynamics in the war zones. Either vertical or horizontal, the occurrence of conflict has led to massive displacement of people, particularly the relatively powerless second-order minorities in the Bangsamoro and its neighboring localities.

Members of the second-order minorities are prone to human rights abuses. The intermittent outbreak of armed fighting between the AFP and different non-state armed groups and among warring clans facilitated the victimization of the *lumads* in Mindanao. Like powerless Muslim civilians, second-order minorities have experienced frequent displacement and land dispossession. Thomas McKenna (1998, 119) claims that the “indigenous inhabitants of the region had long responded to perceived external threats by moving *en masse* out of harm’s way.” McKenna’s observation remains true in present-day Mindanao. Second-order minorities have been uprooted in their ancestral domains due to enormous threat brought about by active conflicts and harassment from warlord politicians. Indigenous peoples do not have any option but to abandon their respective villages, including their livelihoods and farm animals, and settle in nearby localities to escape violent armed clashes (Dwyer and Guiam 2010). Ethnographic evidence shows that second-order minorities, especially women and children, have faced layers of marginalization and exclusion during the state of displacement in host communities (Espesor 2017b). According to a senior official from the Commission on Human Rights, local politicians of host communities are reluctant or often refuse to extend humanitarian help to those internally displaced minorities who fled to their localities. In law, local governments have the responsibility to protect these vulnerable populations through

provision of temporary shelters and basic food supplies. The hesitation of local politicians to provide emergency relief interventions to displaced communities is rooted in their self-vested interest. As observed, they are unwilling to help war-displaced *lumad* communities that do not support them in elections (Author's interview with a human rights investigator of the Commission on Human Rights, Cotabato City, Philippines, 20 July 2016). The action and willingness of local politicians to help beleaguered communities, particularly that of second-order minorities, is highly politicized and largely influenced by patronage politics and not by legal mandate to protect the rights of internally displaced persons. Local strongmen typically employ their exclusionary power to deny material favors to people outside their patrimonial networks and political constituency. Controversially, some military officers have a negative perception of the real intention of the *lumads* of abandoning their communities. Allegedly, the displacement of *lumad* communities is seen as a "*taktikang bakwit*" or "evacuation tactics" that refers to the New People's Army strategy of using ethnic minorities to obstruct offensive military operations in communist-infested areas in Mindanao (UNHCR 2018, 2).

Armed conflict is not the only phenomenon that facilitates marginalization of the second-order minorities in the Bangsamoro. The complex power structure in the conflict zones, which highlights the dominance of warlord politicians with multiple sources of power, constitutes another source of exclusion to the detriment of *lumad* communities (see Espesor 2017a). In Maguindanao, Teduray and Lambangian people hold a legitimate grievance that their ancestral homelands were taken away from them by powerful Moro politicians and some Christian settlers. The former Governor of Maguindanao and patriarch of the powerful Ampatuan clan, the late Datu Andal, for instance, is notoriously known for grabbing lands from powerless Muslim and *lumad* families through the use of his private armies (Author's interview with a political warlord in Mindanao, Pasig City, Philippines, 22 November 2017). Meanwhile, members of the displaced members of the Arumanen Manobo tribe faced the difficulty and security challenges of reclaiming their ancestral domains, particularly in Carmen, Cotabato. The decade-long inter-ethnic conflict that exists between the Arumanen Manobo and Muslim people has forced both groups to abandon their respective communities. Violent skirmishes between them ignited when the AFP started to provide arms to some members of the Arumanen Manobo as paramilitary recruits. Muslim people on the other side received military support from the MILF. This series of low-intensity inter-ethnic conflict led to the abandonment of some villages in Carmen that have been converted into banana and oil palm plantations. These thousands of hectares of agricultural plantations are owned by highly influential Christian politicians who are using private militias to prevent *lumad* and Moro people from reclaiming their previously abandoned lands. Controversially, some local politicians in Cotabato refused to cooperate with peacebuilding programs of civil society organizations, particularly peace interventions that seek to reconcile the warring Muslims and *lumads*. Allegedly, local politicians ordered the abduction of an Arumanen Manobo leader with the intention of co-opting him and spoiling civil society's efforts toward reconciliation. Nonetheless, despite threats and pressures from local politicians, most people from both groups are able to return to

their respective villages through the help of some military officers who have been schooled in liberal peacebuilding (Author's interview with a senior programme officer of a Moro NGO, Cotabato City, Philippines, 21 July 2016).

## Mindanao Peace Process and Second-Order Minorities

The Philippine government attempted to solve insurgency in Mindanao through provision of autonomy and political settlements with the major rebel outfits. Several laws were legislated by the Philippine Congress that paved way for the creation of the ARMM, specifically the Republic Act No. 6734 in 1989 and subsequently amended by the Republic Act No. 9054 in 2001. In 2018, these laws were repealed and superseded by the Republic Act No. 11054, which enforces the 2014 CAB. Nonetheless, these legislations are seen as political incentives for Muslim insurgents for negotiating peacefully with the Philippine government. Political settlements are perceived to serve largely the interests and welfare of the first-order Muslim ethnic minorities and to undermine the rights of *lumad* communities within the Bangsamoro territory (Author's interview with a political anthropologist and NGO worker in Mindanao, Cotabato City, Philippines, 21 July 2016).

It can be argued that the efforts of the Government to facilitate local state-building through autonomy for the Bangsamoro have marginalizing and exclusionary impacts on second-order minorities. *Lumad* groups in Mindanao do not enjoy the same rights and privileges that are afforded to indigenous groups in the other parts of the Philippines. The 1997 Indigenous Peoples' Rights Act (IPRA), which provides for the articulation and codification of the right to ancestral domains of indigenous peoples in the Philippines, does not automatically apply in the ARMM (ICG 2011). The application of IPRA in the autonomous region was a reserve power of the Regional Legislative Assembly. An enabling law has never been legislated (Casauay 2015), although the aforementioned organic laws that created the ARMM recognized the rights of indigenous cultural communities. It is no longer surprising that the Legislative Assembly fails to adopt and come up with a local version of the IPRA. Major power brokers in the executive and legislation offices in the autonomous region are from the dominant Muslim tribes, who are not inclined to pay attention to the plight of second-order minorities.

The Mindanao peace process is apparently Moro rebel-centric. All the peace accords were negotiated and signed by the Philippine government with the Moro rebel outfits. According to the International Crisis Group (2011, i), the *lumads* in the Bangsamoro are "angry that they are not one of the parties at the negotiating table because they have not taken arms against the Philippine government." Obviously, second-order minorities have low impacts on the peacebuilding operations in the southern Philippines (Candelaria 2018). It is the collective sentiment of the *lumads* that the peace process heavily favors the Moro, particularly the MNLF and MILF that are in the forefront of the rebellion against the state. The voices of second-order minorities who are among the most vulnerable groups in violent conflicts have been largely undermined and excluded in previous and present peace agreements

(Author's interview with a tribal chieftain of Arumanen Manobo, Davao City, Philippines, 23 April 2016). Small population, economic impoverishment, frequent displacement, and presence of ethnic cleavages are the major factors that constitute obstacles for the *lumads* to make a unified stand. Moreover, their handful of leaders, unlike Moro political elites and rebel commanders, have meagre agency to influence the overall peacebuilding operations in the southern Philippines (ICG 2011).

The multiple layers of marginalization experienced by the members of second-order minorities served as a motivating factor for the *lumads* to express their predicaments while the Philippine Congress was deliberating the proposed BOL. They are worried about their diminishing identity and shrinking ancestral territory as a non-Moro population in a predominantly Muslim Bangsamoro Autonomous Region. Despite some resistance, BOL receives significant support from several indigenous groups which are pushing for the implementation of IPRA in the Bangsamoro (Torres 2015). Two commissioners from *lumad* communities are in the Bangsamoro Transition Commission, a body that drafted the organic law for the Bangsamoro (Arguillas 2017). Based on the content of the BOL, the new autonomous region is more inclusive and provides an avenue for representation of the second-order minorities. The law explicitly states,

The Bangsamoro Government recognizes the rights of the indigenous peoples and shall adopt measures for the promotion and protection of the following rights: native titles or *fusaka inged*; indigenous customs and traditions; justice systems and indigenous political structures; equitable share in revenue from the utilization of resources in their ancestral lands; free, prior and informed consent; political participation in the Bangsamoro including reserved seats from the non-Moro indigenous peoples in the Parliament; basic services; and freedom of choice as to their identity. (Article 9, Section 3, Republic Act No. 11054)

The law also acknowledges the IPRA and all international conventions that uphold the rights of second-order minorities in the BAR. There are two major factors that explain the inclusion favorable provisions for the *lumads* in the Bangsamoro. First, there are liberal agents, which are actively involved in the peace operations and have significant efforts in promoting the rights and interests of the *lumads* in the peace process. These agents, which champion minority rights, include NGOs like IAG and KAS and the supranational organization, the European Union. Second, it is a strategic mechanism of the MILF to reinforce its legitimacy and build constituency in *lumad* communities by accommodating the demands of second-order minorities. It also boosts the MILF's popular support from the international community. The inclusion of pro-*lumad* provisions in the BOL illustrates the insurgent's liberal character that it is willing to uphold rights of subaltern communities. However, like previous autonomy laws, there is no guarantee that these pro-*lumad* provisions in the BOL will be enforced and carried out. It remains the prerogative of the Bangsamoro Government to formulate local legislations and programs that are responsive to the needs of the *lumads*. Hence, there is a need for second-order minorities to constantly assert their rights and demand for representation once the Bangsamoro is created as a new political entity in the southern Philippines.

## Conclusion

In both theaters of civil wars, second-order minorities are usual subjects of marginalization due to their meagre political value and weak agency to assert their legitimate grievances unlike first-order minorities, particularly those with the capacity of rebelling against the state. As demonstrated in two cases, second-order minorities are likely to experience perpetual exclusion and disenfranchisement in both conflict and post-conflict environments. Conflict transformation mechanisms that follow the signing of peace agreements are generally observed to favor the interests and agenda of dominant ethnic groups that are leading the insurgency movements. Political concessions and material rewards are often granted to members of dominant ethnic communities such as the Acehnese in Indonesia and the Moro in the Philippines. To end violent fighting and to make the rebelling ethnic minorities feel that they are in control of charting their own future through ascent in politics appears to be the ultimate goal of any peace process. The provision of autonomy and new power-sharing schemes tends to enable influential members of first-order minorities to occupy key positions and dominate the politics of the autonomous regions in the aftermath of civil wars, as seen in Aceh and Mindanao. However, this new political arrangement, especially additional territorial autonomy, is not widely acceptable to all ethnic groups in conflictual societies. As evidenced in the case of Aceh and Mindanao, weaker groups who constitute the second-order minorities are facing repression, and their demands for recognition of their identity and territorial domains are often undermined or subordinated to the wishes of dominant ethnic minorities who went into negotiating tables with governments.

It is demonstrated in both cases that the second-order minorities in Aceh and Mindanao have not subscribed to the expression of identity promoted by dominant ethnic groups that are in control of power-sharing institutions in post-conflict environments. Both GALAKSI in Aceh and *lumads* in Mindanao continue to resist the assimilation efforts of regional ethnic majorities. They constantly assert their distinct cultural identity and inherent birthrights over ancestral domains. It is worth noting that second-order minorities in Aceh and Mindanao have the shared narrative that they have been marginalized and ultimate victims of armed conflicts and sociopolitical discriminations. This narrative is to some extent strategic to elicit the support and sympathy of the central governments and members of the international community. However, these subaltern communities are in constant struggle to fight for their rights and political representations as minority ethnic blocks in autonomous regions. The absence of unified positions, their small population size, and their lack of political champions are the major factors that facilitate relative deprivation of considerably powerless second-order minorities even in a post-conflict setting.

Finally, the case studies illustrate the need to put in place effective mechanisms in peacebuilding operations that are inclusive and sensitive to the needs of conflict-driven populations, especially those who belong to minority ethnic groups. The peacebuilding experiences derived from Aceh offers lessons for Mindanao that is in the crossroad of transition from a conflictual community to an abode of peace. Conflict transformation strategies should be carefully designed that do not only

serve the interests of insurgents and members of the first-order minorities who previously supported the rebellion. Local and international peacebuilding agents should take into consideration the equitable distribution of peace dividends by providing a fair share to second-order minorities who suffered from violence and deprivation for decades because of protracted conflict. The provision of political incentives to the participants of rebellion and the transformation of coercive groups into constituents of peace do not constitute an inclusively genuine conflict transformation. Peacebuilding efforts should be geared toward generation of confidence and building of civic capacity among minorities for the protection of their identity, rights over ancestral homeland, and meaningful political representation.

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## Cross-References

- ▶ [Ethnic Conflict and Militias](#)
- ▶ [Ethnic Conflicts and Peace-Building](#)

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# Indigenous Australian Identity in Colonial and Postcolonial Contexts

# 53

Michael Davis

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## Abstract

This chapter presents a survey of writings about Australian Indigenous identity formation, from the beginnings of European intrusion, through racialized identities in the colonial-settler era, and up to the era of self-determination and rights and recognition, wherein Indigenous peoples assert their own identities. The chapter includes brief discussion on identities within the nation-state, Aboriginality and ethnicity, and discourses and representations of identity.

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M. Davis (✉)

Department of Sociology and Social Policy, The University of Sydney, Sydney, NSW, Australia  
e-mail: [michael.davis@sydney.edu.au](mailto:michael.davis@sydney.edu.au)

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**Keywords**

 Aboriginality · Indigeneity · Identity · Postcolonial identity · Indigenous ethnicity
 

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**Introduction**

For many decades, from invasion by the British, through colonization and settlement, Australian Indigenous peoples' (Aboriginal and Torres Strait Islander peoples) identities have been largely shaped by outsiders. These identities have been transformed over time by the particularities of the colonial period, through present-day postcolonial situations. In more recent decades, with politicization and the realization of rights, Indigenous peoples have determined and asserted their own identities.

This chapter presents a survey of approaches to Australian Indigenous identity and ethnicity, including as these are articulated in terms such as "Aboriginality" and "indigeneity." The chapter reviews ideas about identity from before colonization to postcolonial situations, where Indigenous self-determination informs recognition and rights and the mobilization of forms of identity and Aboriginality.

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**Indigenous Identity Before Colonization**

The idea of Aboriginality as a unitary form of identity for Australia's Indigenous peoples, in a sense, is predicated on the act of colonization. Prior to British occupation of the country now known as Australia, the land was settled and occupied by many different Indigenous language groups, with no single, collective noun such as "Aboriginal." Aboriginal people did not identify themselves as "Aboriginal" but instead "saw themselves as members of a tribe or group of tribes (Kamilaroi or Cammeraigal, Aranda or Pitjantjatjara) or of a group whose minimal cohesion depended upon the sharing of specific ceremonies" (Wentworth 1973: 9). Tonkinson notes that "Ethnographic evidence clearly indicates that before the arrival of Europeans, numerous distinct groups existed on the Australian continent" and that "There is no evidence that the indigenes perceived themselves as a homogeneous group in the way that Europeans perceived them." She argued that the size of Australia and other factors such as the dispersal of Aboriginal people over this vast continent would have made homogeneity "impossible" (Tonkinson 1990: 191; also see Hollinsworth 1992: 138). The collective identity of Aboriginal people, argues Hollinsworth, "was literally inconceivable in the absence of a contrasting group of 'non-Aborigines'" (1992: 138). Pointing out that the concept of an "Aborigine" is a European one, Crick explains:

it was the situation of culture clash which categorized some of them as 'Aborigines'. It is dispossession and racial oppression that have required these contemporary Aboriginal political and ideological responses. Traditionally, where identity was in terms of local grouping, ceremonial category, or language group, there was probably no sense of unity such as that engendered by the ensuing situation of racial conflict. Modern Aboriginality is necessarily an oppositional concept. (1981: 58)

Keen states “Aborigines in ‘settled’ Australia form part of a distinct, though heterogeneous and loosely bounded ethnic category.” Using the term “ethnic category,” he thought that “The categories ‘Aborigine’ and ‘Aboriginal’ arose, of course, through interaction with colonising peoples mainly from Europe . . . .” He wrote that “In pre-colonial Australia, as now in areas more remote from European settlement, manifold ethnic categories divided the Aboriginal population according to criteria of language, locality and descent” (Keen 1988: 3).

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## Tribal Identity

Indigenous peoples’ identities are intertwined with their social and political organization. The “tribe” and other entities such as “clan group” have been employed to describe these forms of organization. Although these are analytical constructs imposed upon Indigenous peoples by non-Indigenous outsiders (typically, by anthropologists), the term “tribe” is sometimes also used by Indigenous people to refer to themselves. Anthropologist Catherine Berndt regarded the “tribe” as a conservative form of organization. Based on her work with Aboriginal communities in parts of the Northern Territory, she described what she interpreted as the loss of a “tribal” identity, especially through loss of language and land brought about by colonization and missionization. She stated that the Aboriginal person “is caught within the orbit of perhaps largely benevolent but also largely impersonal forces which are engaged in deliberate and concerted attempts to change his whole short style of living, in short, to redefine his identity” (Berndt 1961: 17). As such, she posited that “. . . the perspective of each ‘tribe’ was a limited one” (Berndt 1961: 17). The tribal unit could be thought of, in her view, “as a series of overlapping, inward-looking, social and cultural worlds: some larger than others, some readier to adopt new things or ideas, but all concerned primarily with maintaining or transmitting their own particular version of the Aboriginal way of life” (Berndt 1961: 18). Ronald Berndt also construed the tribal unit as “intensely localistic” and inward-looking, “providing socio-psychological insulation, underlining traditional Aborigines’ concentration on their own affairs” (Berndt 1977: 2–3). Based on his work with Western Desert communities, he argued that the concept of the “tribe” is a vague one “outside the sphere of specific ethnographic generalisation.” Elaborating on this, he stated that “not only in the Western Desert there seems to be no real advantage in speaking of ‘tribes’ as empirical the term is most useful insofar as it is employed as a conceptual construct, need not correspond exactly with any existing social unit, but serves one broad ‘type’ of social relationships as contrasted with others” (Berndt 1959: 106).

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## Identity Concepts: Aboriginality, Indigeneity, and Ethnicity

The concepts of Aboriginality and ethnicity warrant some investigation. Tonkinson notes that the term Aboriginality “is being increasingly used to denote Aboriginal identity, usually in the broadest sense” but that its “meaning remains imprecise”

(1990: 195–196). Wentworth wrote that “the creation of an ‘Aboriginal identity’ is in itself a very un-Aboriginal process, for which there is no historical substructure” (1973: 9), while von Sturmer saw Aboriginality as a “fiction which takes on meaning only in terms of white ethnocentrism” (von Sturmer 1973: 16). In discussing Indigenous identity, it is more appropriate to refer to plural identities that embrace identities imposed by other, non-Indigenous people, as well as those formed by Indigenous peoples themselves. There are also several aspects to the latter. Tonkinson considers at least two dimensions of Aboriginal identity. One is the “identity of specific local or regional groups sharing history, culture, and social organization, while another is a more inclusive pan-Aboriginal Australian identity” (1990: 193). Crick also points to a range of identities, writing that “There is no great sense, perhaps, in talking about ‘Aboriginality’ in general, because the social situation Aboriginal people are in and the degree of tradition surviving varies so much between Milingimbi, Oenpelli, Alice Springs, Melbourne, Warrnambool and Geelong” (Crick 1981: 56). Drawing attention to what he considers “a long and contentious history” of the definition of Aboriginality, Gardiner-Garden wrote that:

Different classification systems (many with significant personal and social consequences) have moved in and out of fashion. . . . One, predominating in legislation, defines an Aboriginal as ‘a person who is a member of the Aboriginal race of Australia’. The other, predominating in program administration but also used in some legislation and court judgements, defines an Aboriginal as someone ‘who is a member of the Aboriginal race of Australia, identifies as an Aboriginal and is accepted by the Aboriginal community as an Aboriginal. (Gardiner-Garden 2003: 1)

Crick describes a balance between community-based and imposed legislative notions of Aboriginality, writing that “Aboriginality is partly a matter of semantics, for ‘identity’ is a question of meaning. Of the currently accepted criteria for ‘being an Aborigine,’ one is biological (descent), but the other two are questions of meaning – how one identifies and whether that identification is accepted by the community” (Crick 1981: 56). There is also, in a political sense, a notion of Aboriginality being defined as an oppositional tactic, to regain rights and recognition: the suggestion that “We are Us, and not You.”

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## Indigenous Identity and Ethnicity

In discussing Aboriginality, the question of “ethnicity” also warrants inquiry, as this term has been used sometimes to denote Indigenous peoples and, more commonly, to refer to the many immigrant peoples or “ethnic groups” in Australia. This raises questions such as the status of Indigenous peoples vis-à-vis the concept of ethnicity in Australia and the relationship between Indigenous peoples and the polyglot ethnicities that make up Australia’s plural, multicultural society. Weaver suggests that definitions of ethnicity “can play a major role in relations between a nation-state and its cultural minorities, but it is a complex and poorly understood role” (Weaver 1984: 182). She defines “ethnicity” as “the recognition of cultural differences between

collectivities or groups in a nation-state . . .” (1984: 184). Tonkinson writes that “The British created ‘Aborigines’ as an ethnic category based on European notions of culture and heredity and imposed Aboriginal ethnicity on the indigenes” (Tonkinson 1990: 191). Jordan sees Aboriginality and ethnicity within a multicultural society as relations of reciprocity, stating that “It is important for Aborigines, in their construction of identity, to be able to locate themselves in the developing multicultural identity of Australian society.” At the same time, she asserts, “the promotion of an Australian identity as a multicultural society demands a conceptualization which incorporates Aborigines into this identity without denying their unique history and culture and their unique place in a multicultural society” (Jordan 1986: 26).

In the context of discussions about ethnicity, it is important to recognize that Indigenous peoples have a distinct identity as Australia’s First Peoples, rather than being another ethnic group. This distinct status, argues Dyck, “permits the formulation of arguments based on the legal consequences of prior occupancy of a territory” (Dyck 1985: 13). Levi and Dean write that Indigenous identity “is not isomorphic with ethnic identity” (Levi and Dean 2003: 5), while Gold and Paine suggest that Indigenous peoples do not identify as ethnic groups, but rather, “they see themselves as separate peoples with special collective rights” (Gold and Paine 1984: 7). In another, alternative view on indigeneity versus ethnicity, Morris, based on his work with Dhan-gadi Aboriginal people of the North Coast of New South Wales, discusses “the positions that are ascribed to Aborigines within the discursive practices of multiculturalism.” He examines the Aborigines’ “. . . positioning as a cultural entity within the ‘new nationalism’ generated by multiculturalism, where Aborigines are increasingly defined as the ‘first Australians’ or the ‘first immigrants’ rather than an indigenous people” (Morris 1988: 65). Other authors also draw attention to the blurring between ethnicity and Indigenous identity. Beckett, for example, writes that, although Aboriginality “must be considered as a form of ethnicity, it retains distinctive features, particularly occupation of the country prior to colonisation and the lack of a mother country beyond the seas” (Beckett 1988a: 5). Tonkinson conflates both terms, “Aboriginality” and “ethnicity,” stating that “The question of Aboriginal ethnicity is certainly a postcolonial one.” She suggests that “The British created ‘Aborigines’ as an ethnic category based on European notions of culture and heredity and imposed Aboriginal ethnicity on the indigenes” (Tonkinson 1990: 191).

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## Aboriginality as a Fluid Concept

Aboriginality is not a fixed, stable concept. Aboriginal academic and activist Mick Dodson argues that “to even begin to speak about Aboriginality is to enter a labyrinth full of obscure passages, ambiguous signs and trapdoors.” He argues that “The moment the question is asked ‘Who, or what is Aboriginal?’, an historical landscape is entered, full of absolute and timeless truths, which have been set in place by self-professed experts, and authorities all too ready to tell us, and the world, the meaning of Aboriginality” (Dodson 1994: 4). Cowlshaw points to the indeterminacy of the notion of Aboriginality, stating that “Perhaps more than other social or ethnic

groupings, Aboriginal identity is not predictable or knowable in any formal sense” (Cowlishaw 2004: 8). Noting the changing definitions of Aboriginality over time, Beckett writes that it has, “at any given time . . . been ambiguous in certain respects and subject to dispute” (Beckett 1988a: 2). Describing “Aboriginality” as a “cultural construction,” Beckett explains that “Instead of an authorised version of Aboriginality in Australia, there has been a medley of voices, black and white, official and unofficial, national and local, scientific and journalistic, religious and secular, interested and disinterested, all offering or contesting particular constructions of Aboriginality” (Beckett 1988a: 7). Aboriginality is therefore a fluid and dynamic construct and “. . .there need be no one definition that is ‘true’ even for a particular period, still less for all time.” As Beckett notes “Aboriginality, like other nationalisms, is in a constant process of creation and it may have many definitions that compete for acceptance, among particular groups of Aborigines or Europeans, or in the society at large” (Beckett 1988a: 7). Jordan states that “. . . the identity offered by white society has not been predictable or stable. The dominant group, at different periods, has offered different identities to Aboriginal people” (Jordan 1988: 111). De Costa suggests that “the category ‘indigenous’ as it is used in Australia is something that has emerged from the contacts of indigenous and non-indigenous peoples in myriad social, cultural and institutional settings” (de Costa 2006: 9).

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## Discourses, Representations, and Essentialism

Indigenous identity formation is as much an epistemological concern as it is a concrete one, as identities have been shaped discursively and through multiple representations. As Dodson notes “Since their first intrusive gaze, colonising cultures have had a preoccupation with observing, analysing, studying, classifying and labelling Aborigines and Aboriginality. Under that gaze, Aboriginality changed from being a daily practice, to being ‘a problem to be solved’” (Dodson 1994:3). Within a framework of discourses and representative practices, there has, throughout Australia’s history, been an unequal power relation between Aboriginal people and the intruders. As Moreton-Robinson states, “Aborigines have often been represented as objects – as the ‘known.’ Rarely are they represented as subjects, as ‘knowers’” (Moreton-Robinson 2004: 75). Hollinsworth “seeks to show how the ideological materials for the construction of Aboriginality have been shaped by prevailing racist and colonial discourses.” He identifies “three major discourses within which to conceptualize and construct Aboriginal commonalities. These are: (a) ‘blood’ – notions of biological descent; (b) cultural heritage and continuities; and (c) common experience of dispossession and racism, and ‘survival’ as an identifiable people” (Hollinsworth 1992: 138). He concludes that “The construction and deconstruction of Aboriginality is a highly political and contradictory endeavour. It is made particularly complex by commonsense beliefs that Aboriginality is a ‘natural’ and unproblematic category which operates above and outside other socially constructed categories” (1992: 150–151). This highlights the plurality and multiplicity of discourses of Aboriginal identity, which also have implications ideologically and politically within the nation-state. Keeffe discusses Aboriginality in terms of “an ideology composed of

two key themes,” which he identifies as “Aboriginality-as-persistence and Aboriginality-as-resistance” (1988: 68). In this scheme, elements that comprise “Aboriginality-as-persistence” include “the persistence of an inherently unique identity,” cultural continuity, and a “common sharing of these by all Aboriginal people in Australia” (Keeffe 1988: 68). Here, “Aboriginality-as-resistance” is dynamic, comprising elements such as “resistance to white authority, political struggle and collective solidarity.” These are not mutually exclusive, as Keeffe states that “The two notions underlie all Aboriginal discourse on Aboriginality but in any particular context one may be submerged or muted by the other” (Keeffe 1988: 68). In Hollinsworth’s view, “Arguments about the nature of Aboriginality and the means of claiming, contesting and authenticating Aboriginal identity are central to both the future of Aboriginal Studies as an academic area of study and to political and ideological struggles over Australian nationalism and the position of indigenous peoples within it” (Hollinsworth 1992: 137). Hollinsworth argues that “While there have been multiple, shifting and contradictory discourses of Aboriginality over the last 200 years, the dominant official construction since the 1940s has been framed in terms of proximity to a narrow and static concept of ‘traditional’ culture” (1992: 138). He suggests that this “dominant discourse” of what he terms “Aboriginalism” was “largely generated within anthropology,” and “is hegemonic and has potent consequences for those termed ‘urban’ Aborigines.” He argues that there can be discerned “three principal alternatives in contemporary Aboriginal political debate” that can be seen to contradict or stand in opposition to the “dominant discourse.” These, he says, “can be identified as framed in terms of biological descent (‘blood’), cultural persistence and political resistance.” Hollinsworth examines each of these discourses “in terms of its ideological potential to construct a powerful national identity” (Hollinsworth 1992: 138).

Also within a frame of discursive strategies and representations of Aboriginal identity, and racialized representative practices, Fforde et al. (2013) discuss what they describe as a “deficit discourse.” They define this as “the prevalence of an erosive mindset of deficit which pervades many Aboriginal communities and its attachment to notions of identity, which includes perceptions of authenticity widely adopted from similar views held about Aboriginal people by non-Indigenous Australians” (Fforde et al. 2013: 3). Elaborating on this, they write that:

to describe a mode of thinking, identifiable in language use, that frames Aboriginal identity in a narrative of negativity, deficiency and disempowerment. We argue that such a discourse adheres to models of identity still embedded within the race paradigm, and is interwoven with notions of ‘authenticity’, commonly expressed by language about who is a ‘real Aborigine’ and who, in deficit comparison, is not. (Fforde et al. 2013: 162)

Discursive representations of Indigeneity and Aboriginality perform multiple functions. From an Indigenous perspective, Dodson explores some aspects of the “mirroring” of such representative practices, suggesting that “Our constructed identities have served a broader purpose of reflecting back to the colonising culture what it wanted or needed to see in itself.” He argued that “The constructions of Aboriginality, in all their variations, have marked the boundaries which define and

evaluate the so-called modern worlds. Whether Indigenous peoples have been portrayed as ‘noble’ or ‘ignoble,’ heroic or wretched has depended on what the colonising culture wanted to say or think about itself” (1994: 8). He states that “constructions of Aboriginality are directly linked to the policies of ‘management’ and control of Indigenous peoples.” These policies, Dodson argues, “form part of the ideology that creates the framework in which the state can act upon and justify its treatment of Indigenous peoples, however disrespectful or abusive of our rights it may be” (Dodson 1994: 7). For various reasons, including for the mobilization of their political authority, there is some utility in the formation of a unitary identity as Aboriginality. But such constructions can also obscure or deny the heterogeneity of Indigenous peoples, where Indigenous identity is based on presumed uniform characteristics and, as such, risk essentializing Indigenous peoples. Levi and Dean explain:

Broadly speaking, essentialism refers to the conviction that groups or categories of persons or things have one or more defining traits particular to all members of that group or category. Some approaches to indigenism assume the presence of essential characteristics distinguishing indigenous from nonindigenous identity. (Levi and Dean 2003: 14)

Beckett sees some utility in defining an Aboriginal identity based on presumed shared characteristics, arguing that “There are two ways of conceptualising the Aboriginal presence in Australian society” (Beckett 2014: 65). In one sense, Beckett suggests, Aboriginal people “occupy a position that is defined primarily in terms of subordination and dependence.” He goes on to explain:

Within this frame, the Aboriginal voice is counter-hegemonic, in the sense of contesting and resisting, but within the terms set out by Australian cultural hegemony. There is an alternative view, which argues that essential Aboriginal qualities, such as spirituality and an affinity with the land, are the wellsprings of Aboriginal survival and resistance. Accepted uncritically, this amounts to a romantic essentialism, yet it is important to grasp that Aboriginality arises not simply in reaction to colonial domination, but out of a space in which Aboriginal people are able to produce and reproduce a culture that is theirs. (Beckett 2014: 65)

Although, in Levi and Dean’s view, the term Indigenous “occludes the heterogeneity and divisions among the people it refers to,” they state that “it remains a convenient conceptual construct for distilling and representing complex, and in many regards contradictory, social and historical processes – even when it refers to social and cultural relationships far less clearly defined than the single term *indigenous* would seem to imply” (Levi and Dean 2003: 13).

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## The “Remote/Urban” Issue and “Authenticity”

The complexity of Aboriginality as a mode of Indigenous identity in Australia has had profound implications for policy and governmentality, as well as for all levels of society. A persistent influence on policy and administration has been a, perhaps exaggerated, distinction between “urban” and “remote” Aboriginal



people, with the latter often seen as somehow more “authentic” and therefore representative of a “true” Aboriginal identity. This “rural/urban” dichotomy also plays out as a set of discursive and representational practices. Beckett explains some aspects of this:

In formulating a national policy for Aborigines, the Commonwealth avoided making distinctions among people of Aboriginal descent, opting instead for self-identification and/or recognition by a community. The remote Aborigine nevertheless remained the touchstone of Aboriginality: the point of ultimate reference in definitions of Aboriginality by descent; and the source of fetishized forms of Aboriginal culture, enshrined in museums, galleries, demonstrations and institutionally framed “sites of significance.” (Beckett 1988b: 207)

Kolig takes a somewhat less nuanced view, suggesting there are “real” differences between urban and remote Aboriginal communities:

In considering Aboriginal identity and its emergence, one has to distinguish between southern, urban Aborigines on the one hand and “tribal”, tradition-oriented, northern Aborigines on the other. . . . Among southern Aborigines this identity surely has a meaning totally different from that among northern Aborigines. (Kolig 1977: 35)

In general terms, the urban/remote dichotomy, with its connotations of “authenticity,” has been a pervasive and entrenched trope that has ramified throughout all sectors of society and continues to have deep implications for the ways that non-Indigenous peoples have thought about, represented, and governed Indigenous peoples.

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## Racialized Identities

Race and blood were key tropes in identities or classifications imposed on Indigenous peoples in Australia by Europeans for many decades. A classificatory hierarchy of “full-bloods,” “half-castes,” and various shades of “blood/color” in between comprised a dominant discourse among observers, missionaries, administrators, anthropologists, and settlers. Weaver suggests that Aboriginality “was closely associated with full-bloods who looked Aboriginal, [who] tended to live in remote areas of northern and central Australia, were seen as needing protection, and continued in attenuated form their traditional culture” (1984: 187). This notion of an “authentic” kind of Aboriginality existing in remote areas is a recurring theme in many non-Indigenous narratives, as will be seen.

The discipline of anthropology has had a prominent role in constructing Aboriginal identity. Cowlshaw, for example, argued that the work of anthropologists “has been significant in determining how the category of Aboriginal Australians has been defined and reproduced for most of this century” (1987: 221). Cowlshaw writes that:

Anthropologists' definitions of Aborigines were always dependent on notions of their cultural integrity and homogeneity. No concepts or theories were developed in Australian anthropology which could deal with either relationships between the indigenous population and the invaders or with changes in either. When anthropologists did conduct research with non-traditional groups the very vocabulary of 'caste' and 'blood' with which such groups were described relied on biological notions of race . . . (1987: 224)

The many decades of administration, regulation, and classification of Australia's Indigenous peoples along race-based categories of "blood" and "purity" were a persistent and dominant aspect of the colonial era and have lasting implications. Tatz emphasizes the absurdity of employing race as a category for defining Aboriginal people:

race came to mean 'full-bloodedness', 'purity' of blood. Based on some dubious genetics and even more spurious haematology, 'blood' was divided into and equated with social characteristics on the premise that somehow blood could be titrated in a laboratory, filtered into full drops, half drops, white drops. But since we didn't have geneticists or haematologists (even bad ones) to guide us, we defined degrees of mixture and alleged 'impurity' on the sole criterion of what our eyes told us was full or half or quarter. (Tatz 1980: 353)

McCorquodale explores the legislative framework and colonialist assimilationist policies of the time that regulated blood-related racialized identification. His study showed that there was a "dichotomy based on 'blood' by which those having Aboriginal or other 'coloured' blood or strains of blood were singled out for special legislative treatment." He noted that Aborigines and "'half-castes,' in particular, were subject to increasing refinement as legislative subjects in the several jurisdictions" and observed that "A bewildering array of legal definitions led to inconsistent legal treatment and arbitrary, unpredictable, and capricious administrative treatment" (McCorquodale 1986: 7). Pettman too outlines some of the history of racial categorization of Aboriginal people, in which they were "excluded from citizenship and subject to an inferior and racialized legal status as wards of the state." She writes:

This status varied over time and place, and often involved a complex racialized hierarchy of control, distinguishing between "full-bloods" and "half-castes" The former were largely neglected and expected to die out, the latter were increasingly subject to state intervention and control, and through the twentieth century until the 1960s liable to direct institutionalization. (Pettman 1995: 70)

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## Land, Heritage, and Culture

Over time, and all too slowly, as racialized identity constructs of Indigenous peoples gradually faded, and self-determination, rights, and recognition began to take hold, the importance of Indigenous culture, heritage, and land came to the fore, as these are at the heart of Indigenous identity. Gibson emphasizes the connection to land in concepts of Indigeneity, arguing that "it is clear that concepts of 'identity,' 'rights,'

and ‘responsibilities’ within many indigenous societies retain an essential geopolitical element – constructed in relation to land” (1999: 55). The importance of empowerment through land rights, she suggests, “provides arenas in which Aboriginal people can define distinct cultural identity, whilst maintaining a plurality of dynamic lifestyles” (Gibson 1999: 57). Mulcock too sees Indigeneity as embracing concepts of belonging and place, stating that “To be indigenous, is after all, to be autochthonous, to be born of the land” (Mulcock 2007: 63). The recognition of Indigenous land, heritage, and culture then, not only for Indigenous peoples themselves but equally, if not more importantly by the wider society, continues to contribute to the calls for identity rights and for Indigenous peoples’ rights to form their own identities in self-determining scenarios.

The central place that land occupies in identity formation for Indigenous peoples cannot be underestimated, and it has many dimensions. For some writers, there is a sense of an ancient, primordial, and sacred (or “spiritual”) rootedness in the land that is at the heart of Aboriginality and that might be harnessed to a wider Australian national identity. For example, in a somewhat romanticized idea about Aboriginality, Tacey calls for a revitalization of spirituality or the sacred in Australian society, a sacredness that, he argues, had been more typically associated with the Aboriginal people or an “Aboriginality”:

The archaic dreaming soul, which is buried beneath the busyness of contemporary white rationality, is the missing ingredient necessary for Australia’s psychological health and cultural stability. That dreaming soul is what we must integrate, not by consuming Aboriginality itself, but by way of cracking open our own consciousness to find the deeper, primal layers buried there, waiting to be released into life. (Tacey 1995:12)

He bases his argument on the close relationship that Aboriginal people have with the land: the “source,” in a sense, of their Aboriginality:

The Aboriginal people can be seen as, and see themselves as, part of the symbolic continuum of the landscape, and so perhaps the usual Western distinction between people and the land does not properly belong here. By becoming attuned to the land, one is, almost involuntarily, becoming attuned to Aboriginality, or as it were to the “source” of Aboriginality. (Tacey 1995: 14)

Notwithstanding the romantic, pastoral vision that Tacey’s argument evokes, he nonetheless captures something of the deep and profound sacredness of land for Indigenous peoples, and the spirituality embodied in the land, that forms a fundamental aspect of Aboriginal identity.

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## Indigenous Identity and the Nation State

Identity formation for Indigenous peoples in Australia has been intricately interwoven with the nation-state. Maybury-Lewis writes “Indigenous peoples are defined as much by their relations with the state as by any intrinsic characteristics

that they may possess” (Maybury-Lewis 2002: 44–45). Indigenous relations with the nation-state are ones of power and, historically, of inequality, as illustrated by Dodson’s claim that Aboriginality “became part of the ideology that legitimised and supported the policies and practices of the state” (Dodson 1994: 7). Before the coming of the Europeans, suggests Tonkinson, “Aborigines in precolonial Australia were not without self-conscious group identities, but power relations were of an order different from the politics of the modern nation-state, and this difference heightens the significance of ethnicity” (Tonkinson 1990: 191). The modern Australian nation-state has been fashioned largely by immigration, with a diverse range of ethnicities forming a multicultural society, and by its First Peoples, the Aboriginal and Torres Strait Islander peoples. In the kind of nation building borne of a multicultural society that Australia has sought to define itself as, notions of identity and ethnicity are often discussed in the context of the diverse ethnicities of immigrant peoples. The complex relations between Indigenous and ethnic-migrant identities in the formation of the nation-state have presented a subject for considerable reflection and discussion. In 1988, Australia’s bicentennial year, anthropologist Jeremy Beckett summed up the situation over the previous 20 years regarding recognition of Aboriginal people in the nation-state, commenting that “Australia may be said to have transformed its indigenous population from virtually passive colonial subjects, situated inside the state but outside the nation, to a political constituency consisting of citizens who are simultaneously a minority.” He concluded that “The Australian state has formed its Aboriginal people into a constituency which, however, now exists in its own right. While its economic and political dependence is inescapable, its origin in the historic encounter between native and settler gives it a cultural legitimacy in terms that the state cannot wrest” (Beckett 1988c: 17). The positioning of Indigenous identities within the Australian nation-state is also explored by Moran, who discusses “the history and development of Australian settler nationalism,” and an “indigenizing settler nationalism,” that “develops and elaborates an impulse that has existed for a long time in Australian settler nationalism, fore-grounding the importance of the indigenous contribution to national culture.” He argues that this “adopts a position that calls upon the nation to reconstruct itself through a fuller recognition of the indigenous and their claims as a central component of the national identity” (Moran 2002: 1014).

As an attempt to capture something of the complexity of minorities and plural peoples within the nation-state, Dyck employs the discourse of “Fourth World.” Although no longer in wide use, this term nonetheless still has some validity as an analytical frame, “as a concept produced by a particular historical moment, as an artifact of the form of welfare capitalism that developed in Western liberal democracies following the Second World War” (Dyck 1985: 23). Dyck states that “Unlike other ethnic minorities, Fourth World peoples are not immigrants but the original inhabitants of lands that today form the territories of nation-states. . . . the tiny internal colonies that make up the Fourth World are fated always to be minority populations in their own lands” (1985: 1). He argues that:

The notion of a Fourth World, like the assertion of indigenous status, denies the assumptions of the nation-state. It declares that indigenous peoples are no longer merely minorities within liberal democracies. They are members of these nation-states, but they will no longer accept being recognized as anything less than distinctive members with special rights. As Fourth Worlders, they escape the image of being known either as members of groups defined by their poverty or as just another ethnic group. (Dyck 1985: 22)

The history of colonization and settlement, and the formation of the nation-state, has been instrumental in fashioning Indigenous identities. Levi and Dean argue that “Without a recognition of the historical impact of colonialism and the various forces of global modernity –including the conflation of spatial, temporal, and cultural boundaries – it is virtually impossible to comprehend the creation and conceptual import of indigenesness, whatever else the term conveys about rootedness and complex ties to land” (Levi and Dean 2003: 11). In another view on the complex relations between immigrant and Indigenous peoples, and the nation-state, Pettman argues that “binaries” such as those between Aboriginal people and non-Aboriginal people “limit our understanding of racism and sexism, and undermine alliances and strategies against them.” Instead, she seeks to “analyse the complex ways in which the politics of difference relate to and reflect multiple and interrelated structures of power in Australian society” (Pettman 1995: 65).

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## Forging Identity from Adversity

One aspect of the identity formation of Indigenous people by the non-Indigenous wider society was oriented toward using identity classification to determine Indigenous peoples’ eligibility for funding and welfare. Thus, in the colonialist and neocolonialist regimes, Indigenous identity was determined on a basis of entitlement or lack of entitlements. Tonkinson explains that “The experiences of Aboriginal people and hence the formation of their personal and cultural identities have been in contexts created largely by white Australians” (Tonkinson 1990: 214–15). She states that “Those experiences have been marked to a great extent by color prejudice, segregation, and legalized discrimination. This I believe accounts in large measure for the concerns, the aims, and the rhetoric of the current Aboriginal political movement based on the notion of Aboriginality as an identity and an ideology” (1990: 215). From the colonial experience of genocidal, paternalistic, and racist policies and subjugation and dispossession, from being classified and stereotyped, regulated, and controlled, including having identities thrust upon them, Indigenous Australians are now reclaiming their rights, including their rights to form their own identities and to use these strategically for advocacy and political negotiations.

Beckett outlines the radical changes in policy, in a shift away from assimilation, in regard to Aboriginal peoples’ identities, in the wake of the election in 1972 of the Whitlam Labor Government:

Previous governments had formally defined Aborigines in genetic terms, while practically defining them through application of the special powers; now an Aboriginal was someone

who identified as such and whose identification was recognized by other Aborigines. The implication was that Aboriginality was an honourable estate, entailing entitlements rather than disabilities, for which someone might freely opt. Many did opt for these entitlements, so that one might say that the government's working, if tacit, definition of Aboriginal was those who availed themselves of its services for Aborigines. The fundamental entitlement of Aborigines under the new dispensation was to be recognized as a people – if not quite a nation – with their own values and culture, which they must be allowed to pursue as long as they wished. Indeed, as victims of colonial oppression they must be assisted to do so. They must also be assisted to articulate and communicate their aspirations to those who handled their affairs. (Beckett 1988c: 12–13)

Major transformations have taken place over the decades in the political landscape, with a shift toward self-empowerment, and increasing politicization of Indigenous peoples, including recognition of rights in land, heritage, and culture and improved participation in the national polity.

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## Identity, Recognition, and Rights

In today's society, Indigenous identities that were imposed by outsiders are sometimes harnessed by Indigenous peoples themselves, as part of their political struggles for recognition. As Tonkinson observes, "Today, Aboriginal leaders seek to build upon the notion of an Aboriginal ethnicity originally imposed upon them. Aboriginality is a tool of contemporary Aboriginal political struggle and is viewed by its proponents as a positive force. Yet this identity was in the past defined negatively, institutionalised, and legally codified by the dominant European society" (1990: 192). In fashioning their political identities, Tonkinson suggests, "A number of symbols, themes, and activities can be identified among Aborigines who espouse Aboriginality as the basis for national unity, if not nationhood. Foremost among these is the focus on land" (1990: 196). Suggesting that "The assertion of Aboriginality is part of a political process" (Tonkinson 1990: 215), Tonkinson comments that:

The notion of Aboriginality has emerged in a climate of political change among Aborigines, and among white Australians as well. It is perhaps not a coincidence that official policy shifted from assimilation to self-determination about the same time a self-conscious promotion of Aboriginal identity by Aboriginal people (and their white sympathizers) was taking place. (Tonkinson 1990: 196)

Writing in the late 1980s, looking to a future, Tonkinson suggests that:

The question of what constitutes Aboriginality will not be resolved in the short term. . . . I can say with confidence that in contemporary Australia Aboriginal people share the consequences of colonization and oppression and are building political unity by identifying common values, characteristics, and goals. (Tonkinson 1990: 201)

In this context of increasing empowerment by Indigenous peoples and capacity to determine their own futures and identities, Dodson states "Alongside the colonial

discourses in Australia, we have always had our own Aboriginal discourses in which we have continued to create our own representations, and to recreate identities which escaped the policing of the authorised versions” (Dodson 1994: 9). He writes that these are “Aboriginalities that arise from our experience of ourselves and our communities. They draw creatively from the past, including the experience of colonisation and false representation” (1994: 9). Dodson is among a number of writers who see the politicization of a conscious Indigenous identity as crucial to the project of self-determination and recognition of rights. As he puts it “Those Aboriginalities have been, and continue to be, a private source of spiritual sustenance in the face of others’ attempts to control us. They are a political project designed to challenge and subvert the authorised versions on who and what we are. Self-representations of Aboriginality are always also acts of freedom” (1994: 10). Kolig also draws attention to the agency of Aboriginal people; they are not just the passive subjects of classifications, and identifications imposed on them by the dominant society have agency in transforming their own histories:

Aborigines embedded in a wider society as they are now, have to find identity in relation to “the others” and this situation really is induced or even enforced. But as Aborigines do so, they draw on *their* social intellect and the result ultimately is their Aboriginality, and not a by-product of white encroachment. (Kolig 1977: 51, emphasis in original)

One key moment in the transformation of Indigenous identity was the 1967 Referendum, the outcome of which, suggests Beckett, “was both the culmination of the movement for Aboriginal citizenship and, paradoxically, the basis for the construction of a special Aboriginal status” (Beckett 1988b: 204). The Referendum, suggests Nielsen, “is prominent in the national memory as a watershed moment in the political relationship between white Australia and Indigenous peoples” (Nielsen 2016: 15).

In recent decades, a global movement of Indigenous identity has developed, which also has profound implications for Australia’s Indigenous peoples in asserting their identity rights. Through the growth of global and transnational networks and increased representation in international standard development, Australia’s Indigenous peoples have become more politicized and assert their rights and claims for recognition. Smith, Burke, and Ward explain:

Globalisation can involve a redefinition of identity on many levels. Integral to this is the complex interplay of forces tending towards nationalism and/or the emphasis of local Indigenous identity on the one hand, and those of globalisation and broader notions of identity on the other. (Smith et al. 2000: 5)

De Costa remarked that “The remarkable growth of a network of indigenous peoples who are increasingly able to identify collectively is poorly understood.” He argues that “The struggle of indigenous Australians adds greatly to our understanding of the role of shared histories in identity-formation and transnational processes of solidarity, the spread of global ideas such as decolonisation, self-determination and human rights, and the impact of new transport and communications technology” (de Costa 2006: 12). The globalization of Indigenous

identities and rights is also noted by Tonkinson, who wrote that “Changes within Australian society and global changes in the position of indigenous peoples have contributed to a modern notion of pan-Aboriginal identity, which is being institutionalized in political movements, evocative symbols, and personal actions” (1990: 192–3). These wider, global movements of a pan-Indigenous identity have been central to the international development of standards and treaties recognizing Indigenous peoples’ rights. The United Nations Charter of Human Rights encodes recognition for minorities and for the right to ethnic and plural differences, including cultural, religious, and other rights. The 2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP) provides for recognition of the rights of Indigenous peoples as distinct peoples. Recognition is also provided in the International Labour Organization Convention 169 on Tribal Peoples, although Australia is as yet not a signatory to this Convention. Domestically, Indigenous peoples’ identity rights are supported in various ways through land rights and native title laws. In the Australian context, Indigenous peoples’ identity formation is an ongoing political and cultural process, as Tonkinson suggests:

...many Aborigines are consciously and actively working to establish positive images of themselves and their cultures. This involves the rejection or reversal of white people’s definitions; the promotion of color as a desirable feature rather than a taint; and the revival, invention, or adoption of distinctly Aboriginal cultural behaviors and symbols – in short, the construction of a new identity in which all Aboriginal people can share and that will evoke acceptance and respect from the rest of Australian society. (1990: 215)

As an ongoing process, fashioning and self-fashioning Indigenous identities will continue to develop in complex, and increasingly important ways in the life of the nation. Tonkinson writes that Aboriginality “is still a new concept that does not fully describe identity as it is perceived by many Aboriginal people. The emphasis on nationwide common bonds and shared characteristics almost requires an outside view. This view is essential in building solidarity among a minority population and endowing it with political force in the Australian nation, but it downplays the great emphasis placed by many Aborigines on the uniqueness of their own small community, language group, or extended kin group” (1990: 215).

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## Conclusion

Australian Indigenous peoples’ identities are multiple and complex. From a long history of experiences of dispossession, marginalization, and racialized classification, their identity formation has been shaped in part by adversity and struggle. Yet in today’s highly mobile and globalized world, Indigenous peoples have reclaimed their self-determined rights to recognition of their intrinsic identities as First Nations and harness these in negotiated relations with the wider society.



## Cross-References

- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [The Significance of Ethno-politics in Modern States and Society](#)

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# China: Modernization, Development, and Ethnic Unrest in Xinjiang

# 54

Kate Hannan

*Despite... rising living standards and large-scale improvements in infrastructure and services, China's western borderlands are awash in a wave of ethnic unrest not seen since the 1950s. (Hillman and Tuttle 2016, p. i)*

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## Abstract

China's ethnic Uyghur population are restive and repressed. The Chinese government has presided over almost three decades of considerably improved living standards for the majority of its people. This is commendable, but rapid modernization and development have also presented problems. While China's leaders have attended the national interest, they have not given adequate consideration to particular concerns, and when "episodes and pockets" of grassroots discontent erupt, the government responds with repression and force. Discontented workers, students, villagers (particularly those subject to heavy-handed land acquisition

K. Hannan (✉)

Department of History and Politics, University of Wollongong, Wollongong, NSW, Australia  
e-mail: [katehannan0@gmail.com](mailto:katehannan0@gmail.com)

and the effects of environmental pollution), and ethnic minority groups have not had adequate response to their petitions, demonstrations, and in some cases violent opposition to government policy and behavior. China's Uyghur ethnic group are paying a particularly high price for the pressure their unrest, discontent, and violence have put on the government. Beijing insists on continuing its policy of promoting "economic and social development" as "the fundamental solution to China's ethnic problems," while on the ground in Xinjiang, the government's use of force and intimidation is increasing. The use of violence to restore social order is viewed by many (both inside and outside China) as ill-advised and a sign of policy failure.

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**Keywords**

China · Xinjiang · Government policy · Ethnic identity · Protest

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## Introduction

For almost half a century, China's leaders have employed the goal of modernization and development as a political tool. Successful economic development has been proof of the leadership's claim to have superior knowledge of the interests of the Chinese people.

Modernization and development have been presented as the Chinese leadership's goal since the Deng Xiaoping government introduced economic reform in 1978/9. In almost 50 years since, this goal has substantially lifted the living standards of the Chinese people to the point where, today, the Chinese economy is presented by Xi Jinping leadership as having "transitioned from a phase of rapid growth [promoted by low wage/low cost production] to a stage of high-quality development" (Xinhua, 5 March 2018g). High-quality development is predicated on greater capital investment, particularly in technology. The Chinese economy has also "gone global" with the centerpiece of this policy now taking the form of the Belt and Road – "the Silk Road Economic Belt and 21st Century Maritime Silk Road." The Belt and Road Initiative is a consequence of (and leverages) China's growing international economic and political influence.

While China's modernization and development program have undoubtedly allowed the country's leaders to maintain and reproduce their political rule, there are pressing issues that must be addressed. Throughout the reform and modernization era, there have been "episodes and pockets" of social unrest initiated from below. These have usually been confined to opposition by particular groups to specific policies and issues and have often been a direct consequence of the process of modernization.

The Tiananmen Incident of 1989 is the most internationally reported example of open opposition to Chinese government rule and policies. There had been a series of student demonstrations in the previous period (with very obvious student discontent at the end of 1986), but the Tiananmen Incident of June 3/4, 1989, tapped mounting urban anger that reached beyond student demonstrators. Students and then workers spilled out onto the streets of Chinese cities. While rapid economic change had

improved living standards for many, it had generated increased inequality. There were high rates of inflation funnelled into the price of necessities, particularly food. Government factionalism and mismanagement at various levels were also resented, and from the students' point of view, unnecessary and petty rules governing university life and inappropriate post-university placements had fed political dissatisfaction. Two decades after the Tiananmen Incident, the Chinese government found its actions in response to social unrest initiated from below again widely reported in the international press. There had been ongoing ethnic unrest in Tibet and Xinjiang, and in 2008 and 2009, this unrest escalated. The extent of the increased unrest not only presented a challenge to national unity but also challenged the authority of the Chinese Communist Party (Odgaard and Nielsen 2014, p. 535).

On March 10, 2008, on the anniversary of the 1959 Tibetan uprising against Chinese Communist Party rule, demonstrations took place in Lhasa, and by March 14, there were attacks by Tibetans on Han and Hui immigrants. There was also looting and structural damage. As they had at the time of the Tiananmen Incident, Chinese authorities used force to re-establish "social stability" (Odgaard and Nielsen 2014, p. 536). Then on the 5th of July 2009, particularly violent protests erupted in Xinjiang Uyghur Autonomous Region. China's leaders were "obviously shocked by the scale of the rioting [in Xinjiang]. . ." (Yufan Hao and Weihua Liu 2012, p. 205).

The extent of the 2009 Urumqi riots is evident in the following description:

The unrest began with a peaceful demonstration by over a thousand Uyghurs in People's Square in Urumqi. . . As darkness approached, the city descended into a macabre theatre of violence: marauding Uyghur youth hunted down and then butchered innocent Han civilians (or those perceived to be Han). . . Hundreds of vehicles and shops were looted and then set ablaze. . . Sporadic violence continued throughout the night and the following days. Security personnel rounded up thousands of Uyghur residents. Mean-while, Han vigilantes took to the streets. . . (Leibold 2013, p. 10)

As had happened at the time of the Tiananmen Incident decades earlier, the government used disproportionate force (Odgaard and Nielsen 2014, p. 535) against the demonstrators, and again as in the case of the Tiananmen Incident, China's leaders declared that just a few hooligans ("black hands" and foreigners) were responsible for the events of the day. It has been estimated that there had been more than 3,000 Uyghur rioters and that at least 197 people had been killed and 1,721 injured (Odgaard and Nielsen 2014, p. 535). In the decade since, Uyghur unrest has persisted with an ever longer list of incidents involving violence. These incidents have also been followed by the disproportionate use of government-sponsored force.

In Xinjiang (and Tibet), ethno-nationalism has increased further since 2008 and 2009. This has happened "despite significant economic investment by the Chinese government" (Zelcer-Lavid 2018). Indeed, persistent social unrest and ongoing social tension and violence have made it clear that promoting modernization and development in China's largest ethnic minority areas has not promoted (or bought) national unity.

In Xinjiang's rural sector improvement in living standards has been remarkable. The per capita net income of farmers was estimated to be 28 times more in 2008 than it had

been in 1978 when the Deng Xiaoping government introduced its program for economic reform (Yufan Hao and Weihua Liu 2012, p. 208). More recently, in 2017, an estimated 300,000 people (mostly rural residents) were estimated to have been lifted out of poverty in Xinjiang (Xinhua, 26 January 2018e), but the government's preferential development programs have gone hand in hand with the increasing and disproportionate use of force to quell violence and re-establish control. In other words, the two approaches taken by the Chinese government consist of (a) an overarching policy of implementing preferential economic initiatives (encompassing both infrastructural investment for resource exploitation and industrialization and the provision of social infrastructure and services) and (b) using force to address immediate social resentment and disorder. Some commentators have characterized this approach as the use of (a) soft power and (b) hard power (Odgaard and Nielsen 2014, p. 536).

The introductory outline above makes clear that there is much to discuss in relation to grassroots discontent and the potential for unrest initiated from below that would undermine the political authority of China's leadership. This chapter focuses on the discontent manifest by the Uyghur people resident in the Xinjiang Autonomous Region of Western China. The often-asked question "Why Didn't Chinese Investment Ease Ethnic Tensions in Xinjiang?" is discussed (Zelcer-Lavid 2018).

Development and modernization projects have received privileged funding in China's ethnic minority areas, particularly in Xinjiang, together with social policies including preferential school admissions and funding of a wide range of education and housing projects. There have also been government attempts to promote preferential access to employment. Living standards have improved, and greater social equity is expected to have been promoted, but minority people's discontent has grown and grown. This discontent has now reached the point where scholars and commentators talk of "problematic privilege in Xinjiang" (Zenz 2017; New York Times, 2 May 2014). Commentators (within China and internationally) recognize that the region is drifting toward evermore violence.

A number of issues related to the question of why Uyghur nationalism and discontent are increasing in spite of Chinese government investment and promotion of development and modernization will also be discussed in this chapter. They include Han paternalism, the cost of exploiting natural resources in the Xinjiang national minority region (including the cost of using the region as a transit hub for Belt and Road projects), and, above all, the ongoing use of government-sponsored force and the threat of force. The latter includes the situation where, "in 2017, security measures in Xinjiang reached a new level with recruitment of 100,000 new police officers, widespread installations of police stations, and new surveillance regulations on the Uyghur population. . ." (Zenz 2017; New York Times, 2 May 2014).

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## China's Ethnic Groups

Every Chinese citizen carries a registration card usually used in much the same way as a driver's license or passport is used for identification in many countries. The Chinese registration card indicates a person's "nationality." The official Chinese government

position is that there are 55 ethnic groups plus the Han in China. The Chinese government recognizes over 90% of China's citizens as Han Chinese with just 8% making up the country's "national minorities," but when these numbers are used as stand-alone numbers, they are misleading. The numbers infer that the minority people are an "insignificant minority" in China's total population, but this minority population occupies some 64% of the country's land territory. Those critical of the way Beijing profiles the ethnic makeup of China's population using population numbers alone have extended their argument by pointing out that the present 90-plus/8% approach is not only misleading but is "seriously misleading" in light of the geographic distribution of the Uyghurs, Tibetans, and Mongolians (Dillon 2018, pp. 13 and 14).

China's government defines nationality by using a definition presented by Stalin in 1913 (Mackerras 2003, p. 2). This definition establishes a "minority nationality" as "a historically constituted, stable community of people, formed on the basis of a common language, territory, economic life, and psychological make-up manifested in common culture" (Mackerras 2003, p. 2). It is a definition that, as the much respected China scholar Colin Mackerras points out, has obvious anomalies. For example, many "nationalities" do not have a common territory, and some like the Manchu no longer speak their language. Some groups are very similar to the Han Chinese majority; some have histories, cultures, and languages that are very different. A preferred definition rests on the idea of an "ethnic group." This definition "would appeal to ancestry, a shared history, and a common language and culture, possibly including religion." Other commentators have then argued that "a necessary accompaniment" would be "some consciousness of kind among members of the group" (see Mackerras 2003, p. 3).

According to the Chinese government's 2010 census, there are 18 minority groups with populations of over 1 million: "the Zhuang, Manchu, Hui, Miao, Uyghurs, Yi, Tujia, Mongols, Tibetan, Bouyei, Dong, Yao, Korean, Bai, Hani, Li, Kazak, and Dai." There are 17 minority groups with populations between 100,000 and 1 million, "the She, Lisu, Gelao, Lahu, Dongxiang, Va, Sui, Naxi, Qiang, Tu, Xibe, Mulam, Kyrgyz, Daur, Jingpo, Salar, and Maonan," and 20 groups with populations estimated to be between 10,000 and 100,000: "the Blang, Tajik, Primi, Achang, Nu, Ewenki, Gin, Jino, De'ang, Uzbeks, Russian, Yugurs, Bonan, Monba, Oroqen, Derung, Tatars, Hezhen, Gaoshan (excluding the Gaoshan population in Taiwan) and Lhoba" (Rudolph and Szonyi 2018, p. 33). China's national minority populations range in size from the largest, the Zhuang with over 16 million who are "rather similar culturally to the Vietnamese" (Mackerras 2005, p. 814), down to the smallest – the Lhoba with just 3,000 (China Daily, 17 March 2011).

At the time of the 2010 Census, there were an estimated 112 million people in China belonging to an ethnic group. By anyone's reckoning it is "a large number" (Rudolph and Szonyi 2018, p. 33). Most of these groups make up a "silent majority." They "do not employ confrontational strategies towards the Chinese state" (Han et al. 2014). The exceptions are the Uyghurs of Xinjiang, the Tibetans, and to a lesser extent the Mongolians. The traditional areas of these three groups account for 55% of the Chinese landmass (Han et al. 2014, p. 4) and a large percentage of the country's natural resources. Xinjiang alone occupies a region covering almost 641,000 square miles, an area almost three times the area of France (Xiaobing Li

and Fuliang Shan 2015, p. 91). The resource reserves of this area plus its geographic position make it “quite crucial to Beijing’s national interests” (Yufan Hao and Weihua Liu 2012, p. 224).

The minority groups that stand out as being very different from the Han Chinese “are the Turkic peoples of far north-western China, such as the Kazaks, Kirgiz and Uzbeks, and most importantly the Uyghurs. . . .” Their languages are Turkic (very close to Uzbek) and they are Muslims. Uyghur (plus Arabic) is used in Xinjiang’s mosques (Yufan Hao and Weihua Liu 2012, p. 224), and, as scholars and commentators are noting, “Islam is gaining in strength among the Uyghurs both culturally and socially” (Mackerras 2005, p. 816). Some commentators go on to wonder if this situation could offer some explanation for why “inter-ethnic polarization and antagonism of Han Chinese is seen to be more acute in Xinjiang. . . than in Tibetan areas” (Han et al., p. 5). There is no doubt that there has been an increase in Islamic religious belief and practice in Xinjiang, particularly in the almost decade since the 2009 riots. There are changes in behavior that are clearly visible even to people walking in the streets, for example, in women’s dress codes and men’s beards. Changed behavior is also made clear by “the disappearance of alcohol from many Uyghur restaurants, the call to prayer beeping out from mobile phones, [and] new enthusiasm for the Ramadan fast” (Han et al., p. 7).

### **Quickened Economic and Social Development ‘the fundamental solution to China’s Ethnic Issues’ – (PRC State Council White Paper 2009, p. 9).**

An aspect of Chinese government policy that is surprising is how much overarching policy stays the same rather than changing in response to the steady stream of “episodes and pockets” of unrest initiated from below. For example, after only a relatively short period of stabilization, the Chinese leadership doubled down on economic reform policies after the Tiananmen Incident of 1989 (Mackerras 2003, p. 38). When it comes to China’s ethnic groups, in spite of continued ethnic unrest and ever louder agreement among domestic and international scholars and commentators that “ethnic minority policies have failed,” Beijing persists with the same policy formula. The Chinese government continues to insist that modernization and economic reform predicated on quickening the economic and social development of minority communities and minority areas are the solution to China’s ethnic issues (PRC State Council White Paper 2009, p. 9).

In 2012 alone some \$US5.93 billion was spent on improving the quality of farmland (China Daily, 7 September 2012), but in Xinjiang (where more than 80.5% of the Uyghur labor force is engaged in agricultural production [China Daily, 12 March 2018b]) in the period immediately following (in 2013), there was the highest incidence of political violence since the 2009 Urumqi riots (Xiaobing Li and Shan 2015, p. 90). Today, preferential investment in Xinjiang continues unabated. The list is long and, from an economic investment point of view, very impressive. It includes upgrading the rural power grid; investment in improved water resource management;



\$US420 million expansion of Xinjiang's rail and road networks; metro construction underway in Xinjiang's capital – Urumqi; and 80,000 houses built in Xinjiang for “the rural poor” (Xinhua, 26 February 2018f; Xinhua, 6 April 2018j). There is also a new industrial park to provide impetus for Xinjiang's manufacturing industry and expansion of Urumqi Airport and a direct air route operating alongside direct rail routes linking Xinjiang with Western Europe (OBOReuropa 2018). The already extensive list continues with Xinjiang's regional government allocating \$US70 billion to be invested in infrastructure in 2018. The same amount – \$US70 billion – was allocated by the local Xinjiang regional government for infrastructure construction in the previous year (2017): a 50% increase year on year from 2016 (Xinhua, 5 March 2018g).

Commentators (both scholars within China and international scholars) agree that in spite of the ongoing social unrest among Xinjiang's Uyghurs, the “ending of minority preferences is unlikely” (Leibold 2013, p. 50). They recognize that these policies will “be employed for a long time to come” (Sautman 1998, p. 87). Beijing's position is holding in spite of over a hundred self-immolations in the years since violence that broke out in Tibet in 2008 and in spite of bombings and attacks in Urumqi and beyond. There has been ongoing Uyghur-associated violence in cities both inside and outside Xinjiang, including in Beijing, in the decade since the uprising in 2009 (BBC Report, 26 September 2014).

Accompanying the obvious failure of the Chinese government's economic approach to addressing ethnic unrest, there are a number of further issues, particularly the government's ever-increasing use of force to ensure social stability. As a result of the government's lack of success in smothering or even dampening ethnic discontent with significant infrastructural investment and despite the promotion of educational institutions and other social services including privileged access to employment opportunities for members of ethnic groups, above average access to medical services, and measures such as training more judges to speak ethnic languages (China Daily, 27 June 2018d; China Daily, 2 September 2016b), there is increased reliance on the use of force by government agencies to re-establish social stability. The government's use of force then provokes violent protest, and the cycle of unrest becomes further established. It is in this context that the security measures adopted in Xinjiang in 2017 including the “recruitment of 100,000 new police officers, widespread installations of police stations, and new surveillance regulations on the Uyghur population. . .” (Zenz 2017) can be understood. At least one academic observer who managed to spend a short period of time on the ground in Xinjiang has reported that “the feeling is of being in a war zone.” He added that in this circumstance the government's message is “shrill” (Australian National University seminar discussion, 26 September 2018). There are police stations every few blocks and reports of situations where, for example, the party secretary of Xinjiang (Chen Quanguo) addressed police with 10,000 officers dressed in black riot gear lined up in neat columns. It was an impressive show of force (NPR News, 26 September 2017).

Apart from the above, there have also been central government moves to educate local Xinjiang authorities “to use peaceful instruments to deal with popular dissatisfaction.” However, these “peaceful instruments” include “expanding a ‘grid management’ . . . system of high-tech surveillance and control. . .” (Leibold 2013, p. 50;

Odgaard and Nielsen 2014, p. 536). It is reported that many towns, particularly in southwest Xinjiang, are effectively sealed off using police checkpoints (Time, 4 August 2014). In the first half of 2017 alone, around \$US6 billion was spent on security. These funds are drawn from central government subsidies (NPR News, 26 September 2017). And, since the regional counter-terrorism law was passed by the central government in May 2016:

editors and contributors of Uyghur-language websites have been detained for criticising government policies on religious observance; in some towns and cities, fences are being built around areas where large numbers of Uyghurs live to allow the police to carry out security checks more easily; more prisons are being built; and the security forces have been equipped with modern, sophisticated equipment for counter-terrorism operations. ... (Dillon 2018, p. 113)

Passports have been confiscated, and an ominous network of “training schools” have been established to reeducate Uyghurs deemed “to be susceptible to separatist or Islamist ideas” (Dillon 2018, p. 116). Measures have also been undertaken by government authorities to counter Islamic education and religious activities. Mosques have been monitored. It has been reported that civil servants and students have been banned from fasting during Ramadan and Uyghur restaurants have been forced to stay open during Ramadan. It has also been reported that cadres have been billeted in private homes to monitor families. These measures, together with others relating to matters such as dress, “abnormal” beards, and refusing hotel accommodation to local Uyghur residents (local officials are also reported to have been banning people in Islamic dress and with long beards from boarding buses), serve to embarrass, intimidate, and terrorize the Uyghur community (Torrey 2017). These issues are an obvious “source of great resentment that is likely to erupt into further conflict” (Torrey 2017).

It has recently been reported in the Western press that because the government sees “web cleansing” as an important tool to prevent Uyghur residents’ access to terrorist information, “everyone in Xinjiang is supposed to have a spyware app. on their mobile phone.” Failing to install the app is an offense, and phones are regularly checked when residents are in public places, often at street checkpoints (Economist, 31 May 2018). Other reports note the government collection of information from health records. They note the use of up-to-the-minute techniques for collecting biometric information that includes blood types, voice patterns, and facial imagery. There is concern that the information collected is providing data for a new identification card system (Kuo 2017).

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## **Han Paternalism, Backward and Ungrateful Minorities, and Chinese Nationalism**

As argued above, development, modernization, and raised living standards buttress the Chinese leadership’s political legitimacy, but there is more to the story in the case of China’s ethnic groups. The Chinese government’s ethnic region economic and

development policies are embedded “in paternalistic notions that arise from the social evolutionism that pervades elite thinking about Han-minority relations” (Sautman 1998, p. 88). China’s “overwhelming” Han majority has a culture that they claim “is more ‘advanced’ than minority cultures” (Sautman 1998, p. 87). Han Chinese are recognized as feeling “compelled to assimilate and civilize” national minorities (Xiaobing Li and Fuliang Shan 2015, p. 220) with Chinese government officials publicly arguing that “the backwardness of minority nationalities” means they have a need for development and a “need to learn from the more advanced culture of the Han Chinese” (Williams 2008). It is said that while the Uyghurs see Xinjiang as their land because they have lived there for thousands of years, Han Chinese believe they have a right to the resources and to be resident because they built a modern economy. They have brought “modern culture” and a “modern lifestyle,” and by this “they mean the culture and lifestyle of modern Han China” (Economist, 31 May 2018).

China’s ethnic minorities should, many Han argue, be grateful for being “lifted out of their previous misery.” After all, “over the last few decades, non-Han communities have seen unjust forms of human exploitation ended, poverty eradicated, diseases eliminated, life spans extended, education expanded, transportation and infrastructure enhanced, and the standard of living in general quite significantly raised. . .” (Rudolph and Szonyi 2018, p. 35). The argument then is that non-Han Chinese owe their country a huge debt of gratitude and that complaining and rebelling rather than recognizing their debt to the party and its policies (and to the Han) is “perverse and unreasonable” (Rudolph and Szonyi 2018, pp. 35 and 36).

Scholars commenting on China’s ethnic issues have noted that “racist taunts are *de rigueur* on the Chinese language Internet (even on more ‘liberal’ spaces like Weibo). . .” They note there are “constant gripes” in this medium “about how the Chinese state is ‘spoiling’ those ‘ungrateful’ and ‘backward’ Uyghur and Tibetan minorities” (Han et al. 2014, p. 8). Ethnic groups are said to have been spoilt because they have been afforded “too much privilege.” This charge has, in turn, been identified as “Chinese victimhood.” Han Chinese see themselves as victims “in the hands of minorities,” and worse the victim approach is being “shared by an increasing number of Chinese scholars and politicians” (Han et al., p. 9). Adding to this situation, there are discussions focusing on ethnic unrest that are prone to using “a number of ideologically inflated terms.” These include “Chinese colonialism, nationalism, or imperialism” on one side and “minority splitism or terrorism” on the other. This approach obviously fans “the intense emotion or indignation expressed by both sides” (Han et al., p. 9).

Chinese nationalism is enjoying an additional boost under the Xi Jinping government. The concept is also bound up with Han paternalism and chauvinism. The link is clear when commentators note that “since its origins [Chinese nationalism] has been fundamentally about ensuring that the Han people remain masters of the Chinese nation” (Rudolph and Szonyi 2018, p. 40). They then add that this situation does not engender non-Han inclusion in the national project (Rudolph and Szonyi 2018, p. 40), and as Mackerras has noted, “it seems evident that Chinese nationalism is in tension with any rise in minority identities.” He goes on to note that with the rise

in Chinese nationalism, “the state will give even less space than formerly to any form of ethno nationalism. . .” (Mackerras 2003, p. 37).

With Mackerras’ observation about the reducing room for any form of ethno-nationalism in mind, it is timely that Chinese academics, particularly the well-respected Beijing University sociologist and ethnologist Ma Rong (a member of the Hui ethnic group), have been advocating changes to their government’s ethnic policies. Ma Rong contends that “the fragile state of ethnic relations in China is now the nation’s biggest social issue” (Leibold 2013, p. 14). He also argues that the language with which ethnic issues have been discussed and perceived in China should be changed. He notes that the language used in ethnic debate by the Chinese policy establishment has been combined with clear territorial identification (particularly in the case of Xinjiang, Tibet, and Mongolia). This language has then been coupled with preferential economic policies. The result is that ethnic identities and consciousness have been underlined and promoted and barriers to integration have been created (Sautman 2010, p. 73). Ma Rong argues that ethno-cultural differences have been amplified contributing to a general lack of ethnic interaction and understanding (Leibold 2013, p. 14).

Ma Rong’s thesis has been the basis of a “second generation” of ethnic policies with high-profile Chinese academics such as Hu Angang joining Ma Rong in arguing that ethnic identities should be attenuated and a single national identity promoted (Leibold 2013, p. 40).

The problem often identified with Ma Rong’s argument is that while it will obviously find favor with the Han majority, it will not be favored by ethnic groups. This is precisely (a) because it no longer amplifies their ethnic identity and (b) because it denies them long-established preferential economic policies (Dillon 2018, p. 218). On the other side of the ledger, we have a situation where privileged funding for ethnic groups has not provided redress for grievances, but Beijing will not alter this policy because (a) it would undermine the claim that policy has worked and (b) it would risk further expression of destructive ethno-nationalism.

Ma Rong has addressed the problems in his argument by recommending that policies favoring minority ethnic groups should be *gradually* replaced by policies favoring “all residents of poor areas.” This would be a move in government policy “from ethnic favoritism to individual support.” Ma Rong’s argument is that government assistance must become national minority blind (*minzu-blind*). All individuals in need should be the target of government assistance programs (Leibold 2013, p. 18).

Before leaving this brief outline of Ma Rong’s argument, it can be noted that while Beijing continues to insist that there will be no change of policy to the point of effectively freezing public discussion of problems associated with national minority issues (Dillon 2018, p. 219) when it comes to privileging economic support for national minority areas, there is some (albeit limited) hope for Ma Rong’s recommendations. For example, in the recent government announcement by the Xinjiang Autonomous Region on the topic of building subsidized housing, it was stated that of the planned 300,000 subsidized houses to be built in Xinjiang this year (2018):

about 210,000 will be for families in extreme poverty, those receiving the minimum living allowances. . . [and over time] Xinjiang is to build enough new houses for all underprivileged households in rural areas. . . (Dillon 2018, p. 219)

Nothing was said about housing for Uyghur minority people, even though they would be the primary beneficiaries of housing for poor rural households in Xinjiang. The announcement is only about housing for “families in extreme poverty” (Dillon 2018, p. 219). This approach appears to be a case of quietly and gradually introducing the “national minority blind” social policies that Ma Rong has advocated.

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## **Development and Modernization, Resource Exploitation, and Uyghur Resentment**

Xinjiang’s energy resources are considerable. There are large coal, oil, gas, and petroleum reserves. The region has coal reserves of an estimated 2.19 trillion tons that account for 40% of China’s total reserves (Xinhua, 20 January 2018a). Petroleum and natural gas reserves are estimated to be 30 billion tons (a quarter of the nation’s total), and oil reserves are estimated to be 21 billion tons with new deposits continuing to be found. Xinjiang’s coal, oil, and gas reserves have been referred to as an “energy hat trick” (Wong 2014).

Apart from its coal, oil, and gas resources, Xinjiang also provides transit for much of the fuel imported from Central Asia. The region is crisscrossed with pipelines. It is also crisscrossed with high-voltage wires (Wong 2014). Xinjiang began outbound power transmission in 2010 with extra-high-voltage power transmissions continuing to increase with an ongoing increase in output capacity (Xinhua, 20 March 2018h). By 2018 government sources were estimating that “northwest China’s Xinjiang autonomous region had supplied electricity to 250 million people in 16 provinces and cities across the country” (Xinhua, 20 March 2018h).

The substantial investment in oil and gas extraction, coal production, and power generation has taken place in northern Xinjiang, and this substantial level of investment in the north of the region means that this part of Xinjiang has attracted far more investment than the agricultural south.

There are numerous examples of heavily invested and very large projects in northern Xinjiang, including China’s State Grid Corporation and China National Petroleum Corporation (PetroChina). The latter is the country’s largest oil and gas producer (China Daily, 9 February 2018a). PetroChina’s Xinjiang refinery is said to be the company’s most profitable. It processes more than 6 million tons of oil per year (Wong 2014). There is also the Tarim Oilfield. It is estimated to have sent 200 billion cubic meters of natural gas to eastern China over a 13 year period. The Tarim Oilfield company boasts that between 2004 and 2017, it benefitted “400 million people and 3,000 enterprises in more than 120 cities.” The company is also “a key provider” for a 4,000 km pipeline bringing natural gas from China’s west (Xinjiang) to the east. A direct pipeline runs from the Tarim Basin to Shanghai (Xinhua, 2 January 2018b), but all this “success” fuels Uyghur resentment.

The profits from exploiting Xinjiang's resources go to the largest state-owned enterprises in China. They are delivering natural resources and power to "cities across the country," while the pollution from coal, oil, and gas exploitation and power production (unlike the profits) remains in Xinjiang. For example, Xinjiang has long been plagued by underground fires in coalfields. Currently there are at least 46 coalfield fires in Xinjiang with three large fires totalling some 1.42 million square meters burning an estimated 890,000 tons of coal annually. Beijing has had to admit that the pollution from these fires in the form of greenhouse gases, toxic gas, and smoke dust is considerable. The government in Xinjiang has undertaken to "put out all fires in the three coal fields by 2020" (Xinhua, 21 March 2018i), but the same government has not even been able (or willing) to stop resource exploitation in designated nature reserves. The environment ministry in Beijing has recently resorted to admonishing Xinjiang officials for their "ideological problems." Local government officials are accused of acting only on their belief that "Xinjiang is an underdeveloped area that should take advantage of its resources such as coal, oil and minerals" (Sixthtone, 4 January 2018).

Beijing has recently announced it "is accelerating its efforts to open up upstream oil and gas resources." In Xinjiang this opening will be promoted by "auctioning five more oil and gas exploration sites" (China Daily, 15 December 2017). Beijing has also offered Xinjiang as one of four bases for converting coal to gas and gasoline. This process is recognized to emit "a huge amount of planet-warming carbon dioxide" (Xinhua, 20 March 2018h). In addition, the process of coal gasification or coal-to-petrol conversion uses an unreasonable amount of water in an area that "suffers from acute water shortages" (Wong 2014). (There has also been an "enormous growth" of cotton production in Xinjiang in recent years. Cotton is regarded as a Han crop because "it is mainly the Han who profit from the cotton industry." It is a very thirsty crop. It also drains the region's precious groundwater [Mackerras 2005, p. 820].)

Apart from its coal, oil, and gas resources, Xinjiang is recognized as housing 122 minerals. Some are the largest reserves in China and include beryllium, muscovite, natron, saltpeter, pottery clay, and serpentine. Reserves of iron ore are estimated to be 730 million tons, and there are gemstones, asbestos, and jade (China.org, 8 July 2018). It is against the background of natural riches that government officials in both Beijing and Xinjiang must stand accused of simply thinking of Xinjiang as "an underdeveloped area that should take advantage of its resources – such as coal, oil, and minerals – to speed up development" (Sixthtone, 4 January 2018). At the same time, a matter that has exacerbated Han/ethnic minority tension in Xinjiang (and in Tibet and elsewhere) is the arrival of large numbers of Han immigrants. Their numbers have surged with the exploitation of natural resources and the opening of China's west. In 1949 only 6% of Xinjiang's population identified as Han Chinese. By 2015 the number was estimated to be 38% and is now higher (Rudolph and Szonyi 2018, p. 39). Estimates used by the popular Western press vary. A recent opinion piece cited the present figure as 46% Uyghur compared to 41% Han Chinese (Australian, 12 September 2018).

Han migration to Xinjiang was considerably increased by measures associated by the “Go West” policy. This policy was announced in 2000 as the Great Western Development campaign. It has been promoted by Beijing as a development project that will further the modernization and development of central and far-western provinces. In Western cities such as Chongqing, the “Go West” policy has promoted the use of local (and cheaper) labor and production services, but in Xinjiang there is the added scenario of significant and increased exploitation of natural resources funded by substantial investment in an ethnically sensitive area. It has meant the adoption and use of modern technology and the associated technical expertise needed have led to a stream of skilled Han workers being imported from eastern China. At best, lesser skilled and less well-paid employment is left for local Uyghur workers, but even this work has not usually benefitted local residents. The unsurprising result is that the influx of “Han Chinese engineers, technicians and workers . . . have increased the anxiety of Uyghurs. . .” (Dillon 2018, p. 103).

Local Xinjiang residents see themselves as being “marginalized in their own land.” This is happening in spite of programs to educate Uyghurs in the use of Mandarin Chinese from a very early age (Xinhua, 24 May 2018k). The Chinese government proudly claims that 95.95% of the 1.37 million kindergarten students in Xinjiang have access to 3 years of preschool education in Mandarin (Xinhua, 24 May 2018k). Access to Mandarin language education then continues at higher levels of schooling making the education of ethnic students bilingual. The problem with the considerable coverage of Mandarin is that it opens the way for resentful Uyghur locals to charge that the government is in the business of language replacement. In other words, the government is engaged in cultural and linguistic assimilation (Torrey 2017; Zenz 2017). Others talk of “the Hanification of education and language practices” (Williams 2008). By way of contrast, a part of Ma Rong’s argument is that the Chinese government unwittingly established two education systems. There are ordinary schools for Han students and *minzu* (national minority) schools where minority students are educated, often in their own language. Their languages are then preserved, but students from ethnic groups are separated from the mainstream (Leibold 2013, p. 15).

It is widely recognized that the Xinjiang oil boom has seen “oil companies employ some Uyghurs, but not many.” It is also noted that when other projects are undertaken, the same exclusion of Uyghurs takes place, for example, when it came to rebuilding the old center of the city of Kashgar (on the southern fringe of the Taklimakan and “as far from Chinese cultural influence as possible. . . the home of the most traditional Uyghur culture. . .” [Dillon 2018, p. 93]). Chinese developers from outside Xinjiang took the opportunity on offer. They were awarded contracts, and they brought their predominantly Han workforce with them. This led to resentment among local Uyghurs who were not considered suited for either highly technical work or for relatively unskilled building construction jobs (Dillon 2018, p. 95). And, as noted above and has been the case elsewhere, Han migrant workers and their families were seen to be arrogant. (Few of the incoming migrants even “bother to learn the local language.”) Uyghur resentment was then exacerbated when new housing was disproportionately allocated to the Han migrants (Rudolph and



Szonyi 2018, p. 39). This situation feeds the argument among disgruntled locals that the rebuilding of urban areas benefits Han companies and immigrants while extinguishing Uyghur architectural inheritance and offering little, if any, benefit to local Uyghur residents. (There is debate over whether the new concrete buildings are “Han-style constructions” or “simply modern buildings, an inevitable part of modernization” [Leibold 2013, p. 14].)

In addition to the issues canvassed above, the nascent ethnic minority middle class in Xinjiang that (in spite of bias against local residents) has managed to grow on the back of investment funding flowing into the region “complain that [even] they are treated as inferior to the Han Chinese and have comparative limited opportunities for social mobility” (Odgaard and Nielsen 2014, p. 547). These local Xinjiang residents (usually urban-based Uyghurs and some Kazaks) are members of “an entrepreneurial class” that is emerging among most of China’s ethnic minorities (Dorsey 2018). They depend on and gain immediate benefit from investment, but they too are denied *equal* benefit compared to that afforded to Han immigrants. More pessimistic scholars have noted this situation and then identified the growing ethnic entrepreneurial class as a group ripe to “become a future source of popular uprising” (Odgaard and Nielsen 2014, p. 547; Mackerras 2005, pp. 818 and 824).

It is not surprising that “many Uyghurs say they resent Han rule.” They resent many aspects of government policy, particularly the disproportionate use of force. They resent government intimidation and increasing surveillance and “reeducation.” They resent increasing government resistance to their religious and cultural identity and practices. They resent “the reaping of their homeland’s resources,” and they resent Han immigration and disproportionate Han opportunity and privilege (Wong 2014).

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## **The Belt and Road: Xinjiang, China’s Northwest Doorway to Central Asia**

Xinjiang is now an evermore important part of China’s land bridge to Asia. The region will (and is already) play a key role in the Belt and Road Initiative actively promoted by the Xi Jinping government.

China’s Belt and Road has many faces, but at its core it is intended to ensure China’s ongoing strong economic performance and “sustainable economic competitiveness” using investment, commerce, trade, and the promotion of transport and communication networks (Hong Yu 2017, pp. 354 and 355). Beijing’s boast is that the Belt and Road has the potential to affect an area that “covers 55% of world GNP, 70% of the global population, and 75% of known energy reserves” (Godement and Kratz 2015). The Initiative has been aptly described as “a mega vision” (Xinhua, 28 March 2015; Godement and Kratz 2015; China Daily, 5 September 2018i).

Beijing’s Silk Road Economic Belt (the Belt part of the Belt and Road) includes Eurasian economic corridors linking China-Mongolia-Russia; China-Central Asia; and China and the Indo-China Peninsula. There will also be direct Xinjiang-Western Europe rail connections, a Trans-Asia Railway connecting Laos, Malaysia, Thailand, and Vietnam; and then there are the Bangladesh-China-India-Myanmar and the



China-Pakistan Economic Corridors. The transport infrastructure either presently under construction, constructed, or intended includes rail and road infrastructure, oil pipelines, port facilities, aviation networks, cross-border optical cable networks, improved satellite information passageways, and transcontinental submarine optical cable projects. For Xinjiang with its long Western border abutting countries including Pakistan, Tajikistan, Kyrgyzstan, and Kazakhstan, the effect of the Belt and Road Initiative is considerable. Already, in 2017, 70% of China-Europe trains exited China from Xinjiang, and in 2018 Urumqi is expected to send 1,400 Chinese trains to Europe (Xinhua, 6 January 2018c).

Transport links are promoted by Beijing as a vital means of increasing interaction among states and facilitating regional integration. Transport links routed from and through Xinjiang are obviously “improving connectivity with Central Asian and European cities” (Xinhua, 6 January 2018c). The first China-Europe train left Urumqi in May 2016, and now three trains daily leave reaching 5 Central Asian countries and 17 European countries (Xinhua, 6 January 2018c). The Alataw Pass is the largest border land port in northwestern China. This port on the China/Xinjiang-Kazakhstan border saw more than 1,320 China-Europe freight trains pass through in just the first 7 months of this year (2018). The trains carried more than 577,600 mt of freight (China Daily, 17 August 2018g). Rail transport to Central Asia and Europe via Xinjiang is recognized as being more efficient and much faster than road transport or sea freight. It is deemed to be only 20% of the cost of moving cargo by air, and it is three times quicker than shipping by sea (Xinhua, 24 January 2018d; China Daily, 29 August 2018h).

The Belt and Road Initiative has also substantially increased Xinjiang’s two-way trade with a range of countries bordering China, particularly with Mongolia, Pakistan, and Kazakhstan. Trade with these countries increased by 84%, 60%, and 49%, respectively, year on year in 2017 (Xinhua, 23 January 2017a). Last year, in 2017, machinery and appliances were the second largest contributors to export growth in Urumqi with items increasingly being transported on the China-Central Asia-Europe freight routes.

Orders are coming from a number of areas, including Central Asia and the Middle East. The head of the China Railway Construction Heavy Industry company’s Xinjiang branch describes this market as “full of potential” (China Daily, 19 May 2018c).

Chinese government sources often stress Xinjiang’s status as “an important hub” for the Belt and Road. The rail links noted above plus the direct air links between Xinjiang and Western European cities (e.g., the Chengdu-Urumqi-Rome route operated by Air China [China Daily, 1 September 2016a]) and a long list of other infrastructural projects, including an optical fiber link being laid down between China and Pakistan, serve to reenforce Xinjiang’s “important hub” status (Xinhua, 6 January 2018c; OBOR, 2 February 2018; 4 July 2018e). Another large and important project involving Pakistan centers on the city of Kashgar. As a part of China-Pakistan Economic Corridor, “all-weather connectivity” will be established between Kashgar and Gwadar Port in Pakistan. The port is already partially operational. The port is charged with bringing a so-called sea change to the Arabian Sea.

Beijing sources note that Gwadar, located at the entrance of the Gulf peninsula, is “a major energy trade route between the Middle East and the rest of the world” (China Daily, 7 July 2018f).

In a Chinese government-approved publication, it has been pointed out that “many countries have achieved progress and prosperity after doing away with their geostrategic policies and focusing on geo-economic realities” and that Pakistan is now looking at its geo-economic realities that have been much improved through direct investment made available under the auspices of the Belt and Road Initiative. The result “will define and decide the destiny of generations of Pakistanis” (China Daily, 4 July 2018e). Yes – and a similar argument can be made in relation the Xinjiang. The geo-economic reality is that Xinjiang has considerable natural resources that have already been (and will continue to be) exploited for the nation’s energy needs. Now, the geo-economic reality is that Xinjiang has a Western border providing vital access for a myriad of projects that form the basis of Beijing’s Belt and Road Initiative. The result of this geo-economic reality will obviously also “define and decide the destiny of generations” of Xinjiang’s Uyghur residents.

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### **The “Three Evils”: Splitism, Separatism, and Terrorism**

Pronouncements from Beijing have long stressed that “Xinjiang is an inalienable part of Chinese territory.” These pronouncements go on to declare that the Chinese leadership considers the preservation of China’s territorial integrity to be non-negotiable and that Xinjiang “is rooted in the rich soil of Chinese civilization and is an indivisible part of it” (Xinhua, 13 September 2017b).

An increasingly resentful Uyghur population concentrated in a particular geographic area with their difference in religion, language, and culture presents a formidable challenge to the goals and rule of China’s leaders. This is particularly the case when the solution the leadership stubbornly offers to the problem of Uyghur ethnic tension is (a) to further promote modernization and development, regardless of specific and local side effects of the policy, and (b) to impose social stability by force while making a concerted effort to “fight splitism [and] eliminate the influence of wrong ideas” (Xinhua, 13 September 2017b). The latter project, according to the Chinese government, relies on “strengthening national consciousness and civic education.” These measures are said to be needed to “oppose ethnic splitism and safeguard national unity” (see Leibold 2013, p. 20).

Ethnic splitism is a quite widely used term within China in relation to ethnic tension, even though it has been argued that Beijing’s propensity to see discontent as a separatist issue is “unhelpful” (S. Rajaratnam School of International Studies, 15 March 2012). The Chinese government’s severe treatment of separatist action has led to a great deal of international criticism. Much of this criticism centers on accusations of human rights abuses, including religious persecution. It is widely recognized that ethnic unrest and tradition in Xinjiang are “profoundly religious” (S. Rajaratnam School of International Studies, 15 March 2012). Islam is central to Uyghur identity, and this means that Beijing views Islam as “a core obstacle to national stability,” but

government “regulation” of religion in Xinjiang “is not about the Muslim religion” per se. It is “about breaking the Uyghur ethnic identity” (Torrey 2017).

Western scholars and commentators are also keen to point out that “the Xinjiang situation is characterised by a lack of facts” (S. Rajaratnam School of International Studies, 15 March 2012). Outside media, particularly independent journalists, are usually barred from Xinjiang. The Xinjiang regional government has also initiated a legislated crackdown on dissent. Tight controls have been placed on domestic print and on-line media sources. Hefty fines, public criticism (and now quite possibly re-education) are to be imposed on “website operators who create, compile, spread, release or copy information considered harmful or false.” The national Party approved *People’s Daily* website has helpfully noted that the measures adopted relate to content “harmful to national security” and “destructive of religious harmony” and content that “spreads ethnic hatred and division” or “seeks to overthrow the socialist system” (World News, 8 December 2016). At the end of the day, the bulk of relevant information comes mainly from two sources. There are the official Chinese-approved media sources, and there are Uyghur activists resident overseas with contacts (including extended families) living in Xinjiang who offer their views and information. The data provided is often difficult to reconcile. This difficulty in reconciling information has recently been played out before a panel informing the findings of the United Nations Committee on the Elimination of Racial Discrimination delivered at the end of August 2018. (It is the United Nations’ committee’s first review of China’s Uyghur minority since 2009 [Reuters, 31 August 2018b]).

Researchers have used satellite photographs, and a survey of government construction bids to attempt to establish the scale of reeducation camps in Xinjiang. Their work has fed into the widely reported conclusion made by United Nations’ sources. The latter is said to be based on “many credible reports” that there are as many as one million ethnic Uyghur dissidents interned in Xinjiang making the region into “a massive camp that is shrouded in secrecy, a sort of no rights zone” (Reuters, 13 August 2018a). A German academic whose work has been reported in the Western press has looked into the procurement contracts for as many as 73 reeducation camps built in Xinjiang with a total cost of RMB 682 million (US108 million), “almost all spent since April 2017.” Researchers and commentators also draw attention to the extrajudicial status of the camps with detention based only on reports by police or party officials (Economist, 31 May 2018). For their part, dissident members of the Uyghur diaspora have appeared before a United Nations’ panel arguing that there may well be as many as “1 million to 3 million in detention” (Reuters, 13 August 2018a). (Considered reports in the Western press note that “approximately 120,000 people” are held in the city of Kashgar. The city is reported to have at least four camps [Economist, 31 May 2018]). Overseas Uyghur dissidents have gone as far as arguing that “the Chinese government’s goal is to completely erase the Uyghur ethnic identity.” By way of contrast, the deputy director general of China’s United Front Work Department (Hu Lianhe), who is charged with overseeing ethnic minority affairs, has insisted that “the widely cited one million United Nations” estimate [of Muslim ethnic minority prisoners in internment camps in northwest Xinjiang] is “completely untrue” (Wall Street Journal, 13 August 2018).

It is reported that speaking on the 2nd day of the panel reviewing China's protection of the rights of ethnic minorities, Hu Lianhe turned to accusing "foreign terrorists and extremists of trying to ignite secessionist forces in Xinjiang." He added that this situation had led to "assassinations, arson and poisonings" (Reuters, 13 August 2018a). This is a version of the "black hands," hooligans, and foreign entities argument used by Chinese leaders at the time of the 1989 Tiananmen Incident. Beijing has accused overseas Uyghur organizations of inciting unrest with Chinese government officials warning that "foreign terrorists and extremists try to ignite secessionist forces in Xinjiang." These same officials note that "those deceived by religious extremism. . . shall be assisted by resettlement and education" (Reuters, 13 August 2018a).

Chinese sources have specifically accused the World Uyghur Congress of inciting unrest in Xinjiang, but local Uyghur sources are keen to point out that protests and incidents "are acts of the local Uyghur lashing out at Beijing's 'systematic oppression'" (S. Rajaratnam School of International Studies, 15 March 2012).

Academics and the international media have charged Beijing with attempting to promote threats to security based on the actions of outside forces promoting Uyghur unrest when it is "dysfunctional" government policies "rather than outside influence and the infiltration of foreign terrorism" that has resulted in ethnic protest (Xiaobing Li and Fuliang Shan 2015, p. 200). The government's foreign terrorism charge has, it seems, been a useful prop for the disproportionate and increasingly heavy-handed government use of violence, reeducation, and intimidation, though it should also be noted that a number of Chinese academics have stressed that "Xinjiang affairs are complicated." They recognize that "implicit support from some countries penetrates into Xinjiang from abroad." They therefore argue that Beijing must be made aware that it could have "to cope with ethnic tensions that may involve ethnic groups beyond China's borders" (Yufan Hao and Weihua Liu 2012, p. 225). The "connectivity" promoted by Belt and Road will obviously promote this situation, and at the same time, political stability in Xinjiang will be vital to the ongoing success of the Belt and Road Initiative.

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## Conclusion

It is a mistake to assume that substantially raising living standards among communities will extinguish "episodes and pockets" of discontent. In China funding and promoting projects to advance modernization and development will not provide an antidote to discontent from below based on specific issues. Indeed, the same development and modernization programs that ensure the ever-rising living standards of Chinese citizens as a whole, and so buttress the authority and legitimacy of China's leaders, have been a repeated source of grassroots discontent.

Beijing has had to contend with a catalogue of protests and unrest initiated from below. For example, in the wake of the 2008 Global Financial Crisis, groups of China's migrant rural-to-urban workers held a number of demonstrations and rolling strikes when their already low wage rates had been reduced further during the

financial crisis and then not restored. The migrant workers returned to work when their wages increased and their working conditions improved (see Hannan 2017).

China's leaders have also had to recognize long-standing and persistent opposition and discontent associated with heavy-handed land acquisition, resource exploitation, and environmental issues.

Since the introduction of economic reform, modernization, and development, grassroots discontent has often been associated with widening urban boundaries and associated infrastructural needs. The "massive protests against construction of chemical projects" are an example of this situation. In 2013 discontent was "rising at multiple places across the country, indicating more people are seeking to block any growth that sacrifice[s] the environment and public health" (China Daily, 28 August 2013). Alongside grassroots resentment over environmental and public health problems caused by resource exploitation associated with urban and industrial expansion and pollution, there are ethnic groups who "have found that their environment has deteriorated sharply due to excessive mis-use and mining and a range of other resource related projects" (Xiaobing Li and Fuliang Shan 2012, p. 221). A clear example is the environmental pollution imposed on Xinjiang, including air pollution from coal mines that continue to burn and considerable pollution from projects converting coal to gas. There is also pollution from power plants and the misappropriation of groundwater, and, under the Belt and Road Initiative, there will be a substantial increase in the already extensive use of Xinjiang as a transit area for pipelines, railways, and highways. There is also a long list of exploitation and abuse of natural resources by Han Chinese interests in Tibet, including deforestation, inappropriate infrastructure, and polluting factories built by Han Chinese. And in Mongolia, where unrest has been relatively muted compared with Xinjiang and Tibet, hundreds have demonstrated when coal-mining vehicles "damaged the steppe and grassland and killed local people" (Xiaobing Li and Fuliang Shan 2012, p. 221).

Apart from the Chinese leadership's insistence on maintaining the integrity of China's national boundaries, the resource reserves and the geopolitical position of Xinjiang make the region crucial to Beijing's interests. "Xinjiang is the most important energy and raw material base in China, and also the gateway to the Silk Route" (Yufan Hao and Weihua Liu 2012, p. 224), but, in Xinjiang (as elsewhere), the Chinese government has missed opportunities to more effectively settle specific, in this case ethnic, discontent. Apart from the lack of redress for environmental pollution and a range of other environmental-related issues, there is a clear example of Beijing's lack of care in the presentation of its investment policy. Beijing has lumped all "privileged" investment and expenditure which afforded Xinjiang into a single category. In other words, funding has been provided without regard for the difference in investment in (a) resources and infrastructure primarily benefitting the nation and Chinese people as a whole and (b) investment in social infrastructure aimed at increased local education and employment opportunities, improved housing, increased agricultural output on smaller landholdings, and poverty alleviation primarily for the benefit of local (usually Uyghur) residents. There is then the added complication of entrenched Han chauvinism and preferential on-the-ground access to employment and housing enjoyed by Han immigrants. There is also what many Uyghurs see as the adoption of the insensitive implementation of policy options in relation to matters such as the provision of Mandarin language classes for ethnic students

even at kindergarten level. Policy insensitivity has meant that Mandarin language classes have not been seen by Xinjiang residents as primarily a means of improving the future employment opportunities of ethnic minority students. The classes have provided opportunity for local ethnic residents, already unhappy and resentful of government policy and behavior, to present the government's Mandarin language initiatives as a vehicle for promoting language replacement. The policy is seen as cultural and linguistic assimilation and "the Hanification of education and language practices" (Torrey 2017; Zenz 2017; Williams 2008).

In relation to Xinjiang, and with regard to a range of other cases of discontent and unrest initiated from below, by far the greatest misstep by China's government is the ready use of force and intimidation against its own people. The use of violence to restore social order is, quite rightly, viewed by many as a sign of policy failure (Leibold 2013, p. 2). In today's China, disproportionate force is being used by government agencies, and stronger and stronger government management has been used to control increasing ethnic tension, particularly in Xinjiang. It is in this context that a number of academics and commentators within China publically argue that the use of force by government entities is not handling problems "properly." They warn that "under the current growth model whereby problems are not handled properly, economic growth would not be sustainable and [more wide-spread] social crisis may follow" (China Daily, 28 August 2013).

With government-sponsored violence and intimidation ratcheting upward, Xinjiang's ethnic Uyghur population have been paying a very high price for the pressure their unrest and resentment have put on "national unity" and on the legitimacy of the Chinese leadership, but Beijing is not heeding the advice of its own well-meaning intellectuals and advisers who argue that "the Xinjiang issue" must be handled "delicately with extra care." This is the only way "to make sure it does not turn into a time bomb. . ." (Yufan Hao and Weihua Liu 2012, p. 225).

China's leaders have based their political authority on their claim that they know the interests of their people better than the people themselves. They must continue the process of modernization and development with its attendant increased living standards for the majority (particularly for the urban elite resident in China's eastern provinces) if they are to meet their people's overall expectations and so buttress their leadership credentials. At the same time, there is a high price paid by those who oppose particular issues and have specific grievances and especially by Xinjiang's Uyghur ethnic group.

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# Ethnicity and Class Nexus: A Philosophical Approach

# 55

Rodrigo Luiz Cunha Gonsalves

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## Abstract

The following chapter aims at a critical comprehension of ethnicity and class through a philosophical approach. Instead of an exhaustive account, this chapter examines only recent portrayals of these notions in philosophy, science, and film. Having this proposition in mind, this chapter follows different stages of critical comprehension concerning these terms. Thus, ethnicity and class are put under a critical lens as scientific categories in general and specifically as categories for human sciences, as associational elements, specifically through a psychoanalytic reading of a recent cultural production, the film *Get Out* (2017), and finally as a philosophical case study of the Badiouian notion of the generic. Furthermore, this chapter will discuss the need for opening ethnicity and class as categories for thinking to further explorations conditioned by the idea of political procedure.

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R. L. C. Gonsalves (✉)  
European Graduate School (EGS), Saas fee, Switzerland  
University of Sao Paulo (IPUSP), Sao Paulo, Brazil  
e-mail: [rodrigo.gonsalves@egs.edu](mailto:rodrigo.gonsalves@egs.edu)

The chapter also explores psychoanalysis and psychoanalytic formulations in order to examine subjectivity, ethnicity, and class. This means to discuss their approximations and disparities regarding different theoretical points of view, having Badiou's *communist hypothesis* at the horizon of possibility in the name of political creations. Through a critical short-circuit between these various instances, this chapter presents important questions regarding sociability and alterity.

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### Keywords

Ethnicity · Class · Psychoanalysis · Philosophy · Ethics · Fantasy · Uncanny · External intimacy (extimacy)

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## Introduction: Ethnicity and Class as a Necessary Tension

It is important to formulate a philosophical approach to ethnicity because to engage with such notion usually produces more questions than necessarily provides solid answers. So, instead of thinking of ethnicity as a safe conceptual place, as a common and given notion to be used within humanities, social and human sciences, or even philosophy itself, the intention here is to provoke such notion. The first level of this complex theoretical formation is that ethnicity as a question, encapsulates an intriguing ontological clash between negativity and substance (Moder 2017), something like the philosophical actualization of thinking about being and nonbeing. In an overly simplified exposition, negativity concerns the affirmative incompleteness of being, while substance would concern an ontological render on objecthood. To put it in order words, to think about ethnicity will always request a discussion about being in a deeper sense. And why take a philosophical preference? Remembering that philosophy is a realm that thrives through formulating questions that need to be asked but also chasing suitable thoughts to answer to them. So, it can be said that the relevance of this text is to take a step back in order to be able to move forward. To take a step back in the name of *thought*, so anyone interested in *thinking* about ethnicity instead of *repeating* known mottos and dogmas, could perhaps find in this text some thought-provoking directions. Remembering that ethnicity from a philosophical standpoint is a place of tension, its struggle is not only determined because of the history of colonization and neo-colonization but also because it is the conceptualization of a *political procedure* which encapsulates *par excellence* a clash between negativity and substance (Moder 2017). The current narrative of ethnicity revamps questions about being but only if one manages to hear it from *beyond* the place of identitarianism – only allowing room for a discussion of the *common* focused on those who are excluded from this conversation. This is why Marxism is still on the table concerning ethnicity. Remembering that ethnicity without economical critique easily makes room for cheap Nationalism or a populist narrative, and historically such direction only led to terror and more social domination. Fundamentally, this exploration finds its relevance by defending that ethnicity without a proper anti-capitalist and class-struggle comprehension will never fulfill an *idea* of

ethnicity. Or perhaps even better, this text proposes a bold axiom: *the idea ethnicity will only be fulfilled if conditioned to the Badiouian communist hypothesis.*

Conditioning one idea with another seems treacherous, but without a proper critique of capitalist realism (Fisher 2009) and without sustaining an anti-capitalist commitment, ethnicity as a political procedure risks falling over and over between the cracks of economical domination. If ethnicity aims at the political procedure concerning otherness, then the *idea* of communism should be its main goal – this is the main argument defended throughout this chapter. The Badiouian argument of the idea of communism aims at supporting Marx’s political truth which appears on the side of “genericity” and not on the side of the particular. Therefore, the chapter defends to possibility of thinking ethnicity from the standpoint of genericity aiming at a Marxist political truth, instead of chasing down the small differences of the particular. As Badiou states: “‘Generic’, for Marx, names the becoming of the universality of human being, and the historical function of the proletariat is to deliver us this generic form of the human being. So in Marx the political truth is situated on the side of genericity, and never on the side of particularity” (2015, p. 53).

Considering this definition to guide a discussion of ethnicity towards genericity must act as the combination of political procedures against the logic of exchange and production under capitalism, so that ethnicity could conceptually become what it could be. Remembering that Badiou does not necessarily discuss ethnicity per se or is necessarily known as thinkers of this “field.” The present chapter is an original attempt to reinvigorate the Marxist root already present in discussions of ethnicity but considering creation, invention, and desire towards the *idea of communism* (2009) provided by the French thinker against the capitalist establishment.

This chapter aims at discussing ethnicity without automatically starting from the current trend of identitarianism. Not to disregard it or to necessarily ignore it but because it chooses to originally consider what seems like a different line of thinking about ethnicity and class. The chapter will consider a Marxist appreciation for political questions of nowadays concerning ethnicity, suggesting the specific hypothesis that there is no proper or full consideration of ethnicity *without* a structural critique of capitalism. Therefore, this chapter considers ethnicity through the notion of *class*, and further, it understands how such articulation could provide a socially relevant notion of engagement to guide local militancy instead of only considering identitarianism as the sole locus for a transformation. This does not mean that the militancy inspired by identitarianism is somehow meaningless or less important – on the contrary, it exposes crucial contradictions of a given social conjuncture. Nonetheless, there are deadlocks surrounding ethnicity approached by identitarianism, especially when other social tensions arise to this discussion, e.g., tensions from class-struggle. The present chapter wants to defend how profoundly complex the nexus between class and ethnicity, which permeates our social fabric, really is.

The aims for this discussion are the following: first, to explore questions of normativity as one theoretical pathway of framing reality and its issues. Second, to formulate an ontological discussion through philosophy and psychoanalysis for ethnicity and class, in order to properly examine the constitution of subjectivity concerning these two notions, the third stop shows how fantasies play their part in

such constructions. The fourth stop uses cultural productions to exemplify the embedded contradictions within ethnicity and class, aiming at critically analyzing it. To reach the final stop, which is to illustrate how the Badiouian understanding of “generic humanity” or *genericity* for the French thinker provides the theoretical tools to consider the necessary tension between ethnicity and class. Let us start by clarifying that for Badiou, genericity concerns his comprehension of Marx’s *political truth* through mathematics, which propels means to think and to change social contradictions. Therefore, actualizing the conditions of struggle towards local transformations. Thus, turning something impossible in a given reality into a necessary possibility for radical transformation (or to put in Badiouian terms, to sustain the fidelity to an *event*). Here, why invite Badiou’s philosophical work to discuss ethnicity and class? Since Badiou is known as the philosopher of the Idea, that he defends the action of thought and the crucial practice of thinking. It only seems pertinent that ethnicity and class should be properly thought of. More specifically, because Badiou defends local political transformations through militancy of thought, considering the radical hypothesis of communism as an Idea and not as an Ideal in the face of deadlocks. An argument which will be developed throughout this chapter. What does this mean to ethnicity and class? Fundamentally, it means that one theoretical bridge between both concepts can be consolidated but also crossed through political procedures of militancy towards “generic humanity.” Remembering that “generic humanity” is the name given by Marx to explain humanity movement towards self-emancipation.

In an article about social class, ethnicity, and education performance, McCallum and Demie (2001, p. 158) present evidence that “. . .there are strong relationships between social background measures and GCSE (General Certificate of Secondary Education) performance,” and also that “[w]hatever the pupil’s ethnic background, those from ‘more advantageous’ social backgrounds perform better than others.” What does this mean? On one hand, to be able to work with empirical data, especially for certain fields of study, like education or sociology, is not only interesting but fundamental. On the other hand, when working within the framework of the human sciences, one is confronted with deep problematic methodological choices and consequences. Good science is always science which can be criticized (Kuhn 1970) and problematized, otherwise it simply cannot sustain the possibility of reinvention. Put simply, good science asks good questions. Good questions entails that knowledge construction, through the workframe of the sciences, is a well-established construction of our present reality. However, if the point of criticism is taken seriously, one should consider a broader approach epistemologically and ontologically. For example, to cross a theoretical bridge between philosophy and mathematics not only requires efforts of formalization but also grappling with the consequences to both fields involved, which means facing the limitations of the fields we involve ourselves within. To defend a critical render of these categories means to be able to consider its validity from within different fields of knowledge.

Ethnicity and class are two singular fields embedded and constructed within a range of ontologies and disciplines. The most obvious consequence is that each concept converges and diverges with not only the other but also with other

concepts which enable them to emerge and be understood. It is easy to fall into naive, simplistic, and taken for granted assumptions of each concept. It is a relatively seductive trap to fall into – after all, ethnicity is usually understood as essential and class as essentialized. By naive understanding, we mean any type of comprehension that aims to brutally repress diverse approaches to these terms. So, the second necessary point is not being afraid of taking a more philosophical approach when undertaking critical analysis; basically, one should be able to take one step back, think about the viability of seeing such concept from a different point of view, and then, reapproach such notions or objects from a position which simultaneously holds contradictory or ambivalent perspectives together. After all, true ideas tend to divide rather than provide cohesive answers. For critical philosophers, no concept should really be laid to rest. Therefore, to be able to adopt a more critical view toward such notions will necessarily make room for more creative and insightful results regarding the knowledge produced from such procedure. And, in this sense, this is already taking a stand. To adopt a more philosophical critique within any field of study is not a gesture of compromise but rather a gesture of serious consolidation regarding knowledge production to understand life and living.

Canguilhem (1978), though his understanding of life, provides a constant warning against any attempt at normativity (*normativité*), since he defends how life is always already present at any moment of subjectivization and that such artificial gesture of cutting is never fully without consequences. It is a critical reminder which is filled with social potency, transcending the strict positivist scientific render and proving a fundamental obligation of paying attention to the urgency the configurations of life surrounding those investigating and producing knowledge. Almost like a well-warned criticism inherited from Nietzsche, when he famously points out how science faces difficulties if dogmatized as a religion, a point much further developed on another place (Estevão and Gonsalves 2016). This necessary detour sets ground and contour to the following steps concerning our two main terms. It is important to commence any conceptual undertaking of the terms ethnicity and class as linguistic categories – they tend to be articulated in a variety of ways, although their articulation is not always under scrutiny. Here again, we turn to philosophy as a way of interrogating how we use language, the consequences of our uses, as well as any possible potentials.

Following Mbembe (2017) who suggests the ambiguity of considering ethnicity as a signifier, on one hand as taken for granted, but on another hand, as a signifier which will barely scratch the surface of the historical contextualization, the social dimension, and the critical configuration embedded in this open-ended signifier. What does Mbembe mean here? He is suggesting that the concept and uptake of ethnicity is not so simple and is one that actually resists normative interpretation. This is especially so when we might dovetail ethnicity with class. One must notice both the importance and the risks of normativity; on one hand, the construction of knowledge indeed revolves around being able to find solid grounds in order to structure and construct itself; on another hand, one must be fully aware that positivism if taken as a sacred procedure, completely detached from the very own reality it allegedly tries to interpret, lacks the critical perspective necessary to problematize

fundamental contradictions embedded in reality. To be clear, positivism does not purport to take position of criticality – rather, it is merely to describe and interpret in its repetitive form. Therefore, the efforts of methodology surrounding ethnicity and class are always going to find a proper reason to struggle against any type of blind classification (thinking here of Levi-Strauss' necessary break from the mold of ignorance from early anthropology/anthropologists), any kind of empty categorization and/or normativity, by understanding Canguilhem's (1978) affirmation of life within normativity as a mandatory "excess" and such comprehension will always require a short-circuit understanding of this open-ended notions.

Therefore, it is important that any exposition of ethnicity and class aim at a necessary critical perspective of thinking these concepts, as not merely words to sustain a positivist comprehension but rather important linguistic categories which also address how it is vital to consider a multiplicity of elements when addressing or attempting to produce knowledge concerning each category. More specifically, by discussing these categories, it is important to undertake a philosophical consideration which ponders them through dialectical materialism prior to intersectionality.

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### **Ethnicity and Class, Ethnicity or Class, Ethnicity with Class, and Ethnicity Without Class**

First, let us clarify our terms, in order to go through their many possible combinations. Although the discussion about this ethnicity is broad, this section does not aim at exhaust it, but we must start from somewhere, so let us consider with the valuable contribution of Levi-Strauss. For the anthropologist, ethnology relates to the way how otherness and alterity are approached or perceived, therefore translating certain ethnographic perspectives. On his renowned work *History and Race* (1952), which establishes that there are no "intellectual superiority between any of the ethnic groups which constitute mankind as a whole" (p. 3), it becomes clear how ethnology relates to interpellation, means a certain political procedure of this relationship. And as Eriksen (1993) defends: "Ethnic boundaries are not sustained, moreover, because of traditional *cultural* differences, but because of political differences. Ethnicity is a political process by which people seek to form groups and to differentiate one set of people from another, by appealing to the idea of ineluctable culture difference. . . people can readily invent cultural differences if it is in their political interests to do so. Ethnicity is the pursuit of political goals – the acquisition or maintenance of power, the mobilization of a following – through the idiom of cultural commonness and difference" (p. 11). Therefore, ethnicity is context-bound notion, an interpellative procedure which sets subjective experiences of identification, group belonging, and a certain level of social formation. But, the key character of ethnicity is and always will be political in its orientation.

Second, in order to consider the notion of class, Eriksen also summarizes the Marx's notion of class:

The Marxist view of social classes emphasises economic aspects. A social class is defined according to its relationship to the productive process in society. In capitalist societies, according to Marx, there are three main classes. First, there is the capitalist class or bourgeoisie, whose members own the means of productions (factories, tools and machinery and so on) and buy other people's labour-power (employ them). Second, there is the petit-bourgeoisie, whose members own means of production but do not employ others. Owners of small shops are typical examples. The third and most numerous class is the proletariat or working class, whose members depend upon selling their labour-power to a capitalist for their livelihood. There are also other classes, notably the aristocracy, whose members live by land interest, and the lumpenproletariat, which consists of unemployed and underemployed people – vagrants and the like. (p. 7)

Eriksen categorically states that three main classes according with Marx are the capitalist, the petit-bourgeoisie, and the proletariat. It is interesting interpretation, but orthodoxically rescuing Marx, it seems important to highlight that his notion of class comes from his critique to Adam Smith's political economic developments regarding social positions (Marx 1990). Smith defends that from the process of circulation, three main social positions will appear based on: income, profit, and salary. For Smith, value comes from circulation, and these three major connected positions concerning circulation, which are established from their appropriation of social wealth and how their subsistence relates to such positions. An argument which Smith forcefully tries to naturalized upon society, as the order of reality. And when Marx counter-arguments Smith, defending that value comes from production instead of circulation, and then formalizes the notion of surplus value, he manages to critically assert different class formations. For Marx, first establishes that the main classes are the capitalists, the proletariat, and land owners. It is on a second moment that the *petit-bourgeoisie* is addressed by Marx, especially because of all the nuances it requires as a class differently from the capitalists or the proletariat. For example, think of an entrepreneur who hired one assistant – does that turn him into a capitalist? Not quite yet. The main difference between bourgeoisie and petit-bourgeoisie regards quantity becoming quality on the manufacturing process, but there is no crystalline disambiguation between those two classes. Also remembering that Marx was concerned about the social economical context of England from his period of time. This is to highlight how context is crucial to address class but also to defend that the notion of class itself is much more complicated than any of their summarized attempts. It is a context-bound notion that must be cautiously applied.

But Eriksen formulates on ethnicity and class defending its high correlation (1993, p. 7), meaning that “there is a high likelihood that persons belonging to specific ethnic groups also belong to specific social classes (ibid.)” And he continues:

There can be a significant interrelationships between class and ethnicity, both class and ethnicity can be criteria for rank, and ethnic membership can be an important factor in class membership. Both class differences and ethnic differences can be pervasive features of societies, but they are not one and the same thing and must distinguished from one another analytically. (ibid.)

So, this is as far as ethnicity *and* class could go, a certain analytical distinction of pervasive societal features. Fortunately, this sets the pathway to the next combination: class *or* ethnicity. Although both concepts sustain subjective experiences, could we confuse them? Certainly not. To substitute ethnic differences for class differences or the other way around, the kind of result would be remarkably different. For instance, suffering experienced from class differentiation and the suffering experienced from ethnic differentiation is notably different because they are structurally distinctive. The different suffering which surface from different causes entails the impossibility of completely subsuming both as the same.

Now considering ethnicity *with* class, let us consider a black board with two circles written upon it. The first circle is the set of ethnicity, and the second circle is the set of class. What would happen if someone decided to list everything, that is what constitutes the character of each, which both sets contain? And in this process, move on listing all the possible predicates contained by both sets. Well, what would happen is that, eventually some elements would simultaneously appear on both sets – which means that these sets overlap on certain elements. So, building a political ideas based on philosophical precepts is important to understand how the concepts of ethnicity and class are taken up outside of philosophy and become politically mobile. Although it seems like trying to capture ghosts, ethnicity *with* class, as a double tension, allows social contradictions to surface and point out as directions for militancy to provoke local transformations. If, on one hand ethnicity *without* class might sustain punctual transformations and enforce performative actions regarding the contradiction they denounce; on another hand, it also could force towards the troubling possibility of constructing an abstract class as an Ideal. In this sense, ethnicity *without* class, act as the two opposite sides of the same coin and by doing so, they obliterate each other. If the idea of approaching different individuals from many directions of the political spectrum over a certain demand, could sound interesting at first, the second moment of this combination between ethnicity *without* class tends to forget the proper material transformation needed and which conditions social disparity. Considering specifically the example of Brazil and the social movements of 2012 fighting against increases on public transportation, they did combined a range of individuals over the same demand. But, fast forward 5 or 6 years from that and we have is a country facing a wave of strengthened conservatism and fights against the solidification of racism and xenophobia. So, this section presents why building changes only from the standpoint of ethnicity will not viabilize the structural transformation needed to reinvent the social fabric of reality. Of course, palliative remedies will always help certain situations and all fights towards it are necessary, but this is far from dealing with a current place of exclusion produced by the capitalist structure, even less it aims at reinventing the economic structure that produces the social layer of the excluded.

Remembering that ethnicity and class are not concepts easy to conceptualize, especially because both are context-bound notions. And perhaps even harder, the previous argument presented how their crucial combination lies in considering them both *together*. Ethnicity must be considered *with* class, always tensionating each other in order to expose social economic contradictions and the locus of exclusion.



To think about ethnicity *with class* as a set of its own is also to consider many combinations of our core concepts, just like the title of this section suggests, it is just another way of phrasing the difficulties at stake. At the same time, both concepts are independent and not mutually exclusive, so to position them alongside each other entails an inevitable conflict, perhaps contradictions where one is confronted with not only the limitation of each concept but also the treatment of each as a provocation of the other. This is where the human sciences and critical philosophy may share the same project. Let us be clear, it is not reasonable to separate someone's life from its ethnic identification and at the same time, it is pointless to forget about those same individuals as contending with class-struggles or others with class privileges. If to a certain extent someone's experience of ethnicity is not conditioned by class-struggle, on a great extent, class-struggle conditions the experience of ethnicity. The main argument here is that this disjunction between ethnicity with and without class must be taken into consideration. Especially because Badiou trusts that a rebirth of History will not come from "barbaric conservatism of capitalism" (2012, p. 15) but from a "reawakening of the popular initiative in which the power of an Idea will take root" (ibid.), so it is about the invention of a new class that will name such transformation, that aims at the transformation beyond contemporary capitalism by resignifying old terms and notions, in order to structurally change today's material contradictions.

To consider what these terms have meant as historical constructions and with what does terms could mean should always have an impact on how one approaches them in the present. Here a critical approach regarding categorizations, it criticizes the binary colonialist definitions and also naive "post-ideological" comprehensions should be defended. As the ANSS (The Anthropology and Sociology Section) (2018) has done. When one find groups of classes and groups of ethnicities *all too well* grouped and 'neatly' defined, one should automatically concern with questions regarding the essentialization of both categories as necessary parts of social life. In this sense, the first mandatory critical step considering this terms is to have a proper discussion about the production of knowledge. For example, from the standpoint of sociology, Go (2018) presents a certain archeology of knowledge as derived by Foucault (2002) by mapping and discussing the main differences between knowledge produced and criticized, from colonial and postcolonial theories. "Go (2018) points out that some of the main writers from the field, proper names such as Frantz Fanon (1925–1961), Aimé Césaire (1913–2008), Amílcar Cabral (1924–1973), C.L.R. James (1901–1989), and W.E.B. Du Bois (1868–1963)" Go (2018, p. 2), was deeply influenced by Marxist theory and also that "[p]ostcolonial theory rather illuminates the *cultural* and related dimensions of colonialism—from race, gender, or sexuality to systems of knowledge and discursive formations—that Marxist thought either occludes or treats as epiphenomenal" (pp. 2–3). Go defends that the critical innovations from post-colonial theories are inspired by Marxist thoughts. He goes on to contend that, such theories are a step beyond critical sociologies of race and not a mere supplement, specifically because of its criticism of "empire and colonialism as constitutive of racialized systems and dynamics" (p. 8). The writer sustains that colonialism produced "race" and racial stratification, as well as he claims that it is fundamental to recognize the history of racialized domination as a

key ingredient of the history of colonialism and empire. And therefore, to pay attention to this history is as fundamental as it is to critically understand knowledge. Such approach tries to overcome “the tendency toward parochialism and methodological nationalism in some sectors of race theory and research” (p. 9). Finally, Go defends that a postcolonial sociology of race derived from global-historical analysis could provide a proper render to local movements of resistance. So, all efforts are somehow still concentrate on seizing the means of symbolic production.

Revisiting Levi-Strauss and his comprehension that ethnology is fundamentally a political procedure, it is crucial to remember how he criticized racists’ ethnographic perspectives and aim at exposing how it makes no sense to sustain an “imperialist” perspective towards otherness. So, one could defend that the conceptual “door,” which allowed race and critique to racism to be mixed or perhaps confused with ethnicity, was left open by Levi-Strauss (1952). And it is valid to consider that his main critique to racism could have built these unproblematic synonyms between ethnicity and studies about race. But what is at stake here are social constructions through procedures of interpellation within modes of exchange and production. Race is not exempt of capitalist logic, even less is ethnicity. Consequently, an ideological naturalization of the state of things as reality for ethnicity and race might as well just be benefiting the capitalist project instead of finding common routes of escape from its vampiristic construction.

It is here that we might pause and consider how the concept of race has become an unproblematically synonymous with ethnicity, almost like a natural development of the understandings of race taking on the character of each and emanating from interpellation within the modes of exchange and production. Certainly, it seems that the concept of race has served the capitalist project and therefore must be considered critically as well (Mbembe 2017). Stauffer (1981) provides a parallel insight regarding class analysis and ethnic studies. Addressing some of the particular contradictions of Hawaii as a periphery of the USA, the author investigates why is it easy to find there “reactionary forces opposing class consciousness while striving to develop ethnic consciousness?” (p. 4). Stauffer defends that an apparent prosperity undermines a possibility of class consciousness, especially, when modern “liberal” writers introduce new signifiers such as: “ethnic identity, social mobility, assimilation, and integration,” making it seem at least dubious to consider a class analysis when the focus is devoted to ethnic groups instead. It appears that many commentators on race and ethnicity are reluctant to problematize these concepts and understandings within and against a reading of class. Why might this be so? Castro (2006, 2014) provides a clue in his studies on pre-Colombian indigenous populations in Brazilian territory. For him, “[t]he ‘Amazon’ (like ‘Melanesia’ for other anthropologists) reigns supremely immanent, and the moderns thus have a lot to learn, and little to teach. The notion of a *nonconceptual* understanding of immanence is what allows us to perceive this perspectivist version of it, which helps feed the fire the latter started in the substantialism of modern ontology” (2014, p. 20). Such critical perspective on Anthropology builds from a particular approach to knowledge, where “. . .not only nature and culture but a series of its other master concepts – the subject, *habitus*, practice, history, ethnographic presence, etc. – can no longer be deployed without

being extensively revised, and all the alien concepts they suppressed arise as the source of the change. Inasmuch as anthropology is metaphysics, it is wrested away from the categories of its origins, its belief that it alone is endowed with the right to final interpretations, and the ethnometaphysical underpinnings of its identity. It seems as though throwing a class analysis on a taken for granted concept, such as ethnicity pulls the rug from beneath the very knowledge production it relies upon. The pluralization is radical, with both the sources and character of thought multiplying.” (p. 19) His *Anti-Narcissus* debate is an epistemological one, therefore a political debate and by criticizing the *aprioris* from colonialism, he ends up defending the necessity of decolonization of thought. The misrepresentation of Anthropology as a conceptual mirror image of reality is shattered by Castro’s discussion, specifically when he debates how perverse such “representation” or “invention” of the Other, that is usually the exoticised Other, follows interests from the West (p. 40):

No history or sociology can camouflage the complacent paternalism of this thesis, which simply transfigures the so-called others into fictions of the Western imagination in which they lack a speaking part. Doubling this subjective phantasmagoria with the familiar appeal to the dialectic of the objective production of the Other by the colonial system simply piles insult upon injury, by proceeding as if every “European” discourse on peoples of non-European tradition(s) serves only to illumine our “representations of the other,” and even thereby making a certain theoretical postcolonialism the ultimate stage of ethnocentrism. By always seeing the Same in the Other, by thinking that under the mask of the other it is always just “us” contemplating ourselves, we end up complacently accepting a shortcut and an interest only in what is “of interest to us” – ourselves. (2014, pp. 40–41)

This point is rather crucial to appreciating concept building within knowledge production, since this critical standpoint is necessary in order to address ethnicity and class, escaping a more naive render of such notions. Further, Castro defends how such attitude towards thinking demands a *transformation of thought* itself, and this chapter does support this claim. In this specific approach to knowledge, we find processes of subjectivization, that is what it means to be a person in the world, at stake, processes that consider the relationship between sameness and otherness, the distinction between other and Other, without obliterating those parts of ourselves which we cannot fully know and yet form our character, our relationships, and life choices. In this sense, to approach ethnicity and class is basically to review and reinvent its own foundations – the precise function of knowledge production. Obviously, such a procedure will produce effects throughout different fields of knowledge and bring with these potentials and opportunities to consider concepts of life and living into new terrain. Considering the necessity of critically approaching the notions cited above, one could understand why is it key to visit the recent developments of psychoanalysis, specially from thinkers, such as Slavoj Žižek, Alenka Zupančič, Mladen Dolar, Alain Badiou, Todd McGowan, Jodi Dean, Aaron Schuster, Christian Dunker, and David Pavon-Cuellar, who are not blind to such insights and that genuinely provide critical tools concerning symbolic production and unconscious mechanisms of our contemporary lives, institutions, and

society as a whole. The point is that we cannot and do not know ourselves, each other, and the world we live in with consistent coherency, so the point of conceptual development is not necessarily to know but to content with not-knowing.

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## A Psychoanalytic and Philosophical Contribution

Christian Dunker (2015) developed a psychoanalytic tool called the “logic of condominiums,” which is basically a deep psychological understanding of the construction of segregation through “protected” communities, contextualized in Brazil since the ending years of the military dictatorship, around 1973, but that still occurs until recent days. Presenting how the construction of the condominiums managed to hide the social disparities and the narrative of segregation using a type of symbolical hijacking of the narrative through marketing strategies. Also inspired by the Freudian notion of splitting (*spaltung*) which in short translates a psychic operation derived from repression (a kind of defense mechanism) where an egoic response to frustrated attempts to achieve satisfaction promote a certain egoic “division.” Different structures of subject will respond differently towards this mechanism and the implications of such fundamental division of subject further developed by Jacques Lacan also integrate this logic. Dunker sustains how psychoanalysis provides key insights regarding subjectivity and conflicts of our time. He investigates how the construction of this “suburban” lifestyle framed a fantasy of accomplishment and social security for the middle and upper classes in Brazil (a logic which could also probably be found in many other capitalist countries, experiencing social contradictions. . .). For instance, one could consider parallelly the aspiration of “suburbia” as a way of understanding contemporary ideas of ethnicity and class. Moreover, those who reject suburbia – and are thereby rejecting the class consciousness which accompanies this – do suffer, experience the anguish of late capitalism which is precarity. It is of no coincidence that in New Zealand, most of these people are Maori and Pacifica, or in Brazil where Guajararas struggle with similar precarious conditions from capitalist impositions.

To contend with ethnicity and class entails engaging the psychoanalytic principles of recognition and self-recognition. To recognize oneself or another is a conscious realization which is subsumed within an inner narrative or monologue. This is a strange linguistic category but one we all engage within and serves to fortify or to repeal a certain subjective and social narrative. Further, it is a mechanism which is essential when sameness and segregation are considered into this subjective calculation: *where do I belong and who do I belong with?* But, how do we arrive at this subjective calculation and what are the effects? Considering the procedure of the Lacanian mirror stage, which establishes a fundamental recognition of one’s self as “I,” the psychoanalyst formally describes a movement from the pre-symbolic towards the symbolic order allowing narcissism to take place. Lacan developed his mirror stage as an *event* which occurs in the formative years of childhood. Prior to the recognition of oneself, the child identifies with the mother as the first object of the self – that is, there is no

separation between the mother and the child. The mirror stage is both metaphorical and literal – in attempting to individuate from the mother, the child must separate, an anguish which is confusing because the foundations of subjective identity have always been in relation to the mother, the original Other. Once separation is initiated, recognition of the self is traumatic, because in looking at oneself, one cannot entirely recognize who they are. This important psychoanalytic process follows one throughout the lifetime unconsciously.

Such passage of (non)recognition not only introduces this imaginized aspect to the subject (who I wish to be and thus will act in accordance to that will) but also invites this otherness to be always already within the subject. This subjective phenomena relates to the double prescription between ideal-I and the ideal of ego (Gonsalves 2016), and this will eventually lead towards different qualities of relation between the subject and the Other. So for Lacan, we are always split or divided between our ego-ideal and ideal-ego. Returning to Dunker's thesis, he defends that building up walls is an attempt that solidifies an idea of "protection" against the Other, much along the lines of Žižek's investigation of the *Neighbour* (2016) as a philosophical category which prescribes the efforts against the abyssal horrors of the Other's desire. That is, we have an ambivalent desire when it comes to the Other who we cannot fully know. In this sense, one can read how: "[f]or Lacan, fantasy provides an answer to the enigma of Other's desire. The first thing to note about fantasy is that it literally teaches us how to desire. . ." (2007, p. 47) elaborates Žižek. Therefore, the role of fantasy of the Other, fundamentally, is to tell me what I am for my others and the author further explains that:

... This intersubjective character of fantasy is discernible even in the most elementary cases, like the one, reported by Freud, of his little daughter fantasizing about eating a strawberry cake. What we have here is by no means the simple case of the direct hallucinatory satisfaction of a desire (she wanted a cake, didn't get it, so she fantasized about it). The crucial feature is that, while tucking into a strawberry cake, the little girl noticed how her parents were deeply satisfied by the sight of her enjoyment. What the fantasy of eating a strawberry cake was really about her attempt to form an identity (of the one who fully enjoys eating a cake given by the parents) that would satisfy her parents and make her the object of their desire. (2007, p. 49)

It seems that in conceptualizing ethnicity, we are faced with many ambivalent neighbors. It also seems to be the case when contending with class. By understanding Lacan's (2001) formulation that our experience of "reality" occurs through fantasy, structured by fantasy, one grasps Žižek's comprehension of the protective function of fantasy against the raw Real and also sees no contraction on the statement that "the reality itself can function as an escape from encountering the Real" (2007, p. 57). For Lacan, the Real is the order of the not fully symbolized which includes experiences of horror and so on. But there is a double aspect of fantasy, an ambiguous double inscription related to how it serves as a screen against the encounter with the Real, but at the same time, cannot ever be fully subjectivized (p. 59). And this is the radical element of psychoanalysis, aware of such mechanisms finds its ethics through dialectically provoke a true awakening, as explains Žižek:

“For Lacan, the ultimate ethical task is that of the true awakening: not only from sleep, but from the spell of fantasy that controls us even more when we are awake” (p. 60).

For Badiou, philosophy and psychoanalysis have agreements and impasses and curiously this makes them both suited to discussions about social life. For him (2008), both philosophy and psychoanalysis agree that “every thought emits a throw of the dice. Therewith thought exhibits between itself and the continuity of the place the void of a suspended act” (p. 202) and that “thinking is made possible only by the void that separates it from realities” (ibid.). The disagreement between psychoanalysis and philosophy regard *where* both localize such *void*, claims Badiou.

So instead of leaving such impasse as such, the French thinker rescues Lacan and proposes a torsion to his developments in the form of a question: “How indeed can a knowledge of truth emerge whose whole being, or relation of being, consists in not knowing?” (2008, p. 207). His own answer is that “first, that the relationship of being is not reducible to knowledge; second, that there is possible knowledge about the truth of this relationship and third, that mathematics is the locus of the Idea.” More importantly, he concludes that a peaceful relationship between both fields comes lies on his five theses. The first one states that: “Only mathematics is entitled to postulate that localization of the void takes place in being. There is no ontology than other genuine mathematics” (p. 209) and the fifth:

Philosophy and psychoanalysis have a common border to two procedures that are external to one another: mathematics, on the one hand, and love, on the other. The knot of these components forming the outer border of philosophy and psychoanalysis consists in the localization of the void in the link, or the relation, that might be supposed to ‘hold together’ the Idea and the thing, or being the knowledge of being. Love undergoes the void of relation, because there is no sexual relationship. Mathematics undergoes it, because it exhausts it in pure literalization. . . . If, finally, the common border of psychoanalysis and philosophy is *déliaison*, the localization of the void in the non-relatedness of every relation, the subjective category of this relation, you will tolerate my saying that its – unexpected – name is: ‘courage’. (p. 209)

The “courage” supported by Badiou in the face of the non-relatedness of every relation should be the main line-of-thinking regarding ethnicity and class. Philosophy and psychoanalysis are realms that articulate with such void, proving themselves to be fitted to consider the radical exponent of both class and ethnicity but also crucial in the process of this consideration, since both realms deal with the political border at their own horizons. Perhaps one could consider the ethical the true awakening, as an awakening to the radical possibility of the idea of communism. A radical political procedure, a truth process in the name of the generic humanity, which radically should condition ethnicity and class.

So, how should we approach this awakening? Well the notion of fantasy prescribed above by Žižek explains how some responses to this phantasmagoric presence of the Other can be taken up. Such an encounter not only forces one to face alterity which is always already there (1) but also even more fundamental than that (2), presents the alterity embedded within our own selves. That is, a realization that we

will never be who we think we ought to be. We will always live with lack and loss and this is the subjective anguish we will always carry. Further, we must in our relationships with others live with their lack and loss. Social relationships can be characterized by this very conundrum and certainly serves the foundation of the capitalist enterprise. This realization of lack and loss provokes the nonsubjectivized part of ourselves rooted within ourselves, as well as it poses the inaccessibility or the impenetrability of the desire of the other – we can never fully know what the other wants from us. For Dunker (2015), there are many different possibilities and strategies to better deal critically with this fundamental aspect of our subjectivity. But he focuses on some problematic responses, such as segregation, which is fundamentally an affirmation of fear towards the impenetrability of the Other's desire. And guided by fear, such affect is projected upon what Žižek calls the *Neighbour* (2016) who renders a fantasy of sameness that must be sustained *against* otherness, sustaining a “bubbled” lifestyle or an ideological protection of old values that never actually existed in the first place (because idealization plays an enormous part within this dynamic). So, through segregating the public space, by constructing condos, building more and more walls, none of that made such fantasies go away – a neighbor will always be on the next door or on the other side. Such vain attempt lead to different symptoms, all transformed by a life of constraints (within the false prerogative of “freedom” – which is interestingly symbolized in the American suburban town where fences are absent between properties but barriers certainly exist) which Freud (2010) called the narcissism of small differences in his *Civilization and its discontents* from 1929. Thus, this logic of the condominium represents a structural symptom regarding the passage from the liberal towards the neoliberal way of life. And remembering that for psychoanalysis a symptoms is always a symptom of something. To locate this symptom also means the necessity of understanding the mechanism which operated its own formation. And in this case, idealization operates actualizing contradictions which are deeply marked by such division and this eventually will surface or return, materializing such paradoxical contradictions.

Žižek (2007) defends that the *subject supposed to believe*, as setting the background for the *subject supposed to know* as “a constitutive feature of the symbolic order” (p. 29). What Žižek is saying that we are well aware that we don't know, so we insert believe as a way of knowing which can only partially comfort us. This is nothing but a derivation of the subjective mechanisms which we previously described. Such double relation from within forces a kind of deadlock; on one hand, it sets the relationship between the subject and the Other and therefore to a certain specific experience of reality. But on the other hand, this experience will come with some traps, a rather dangerous and famous trap is the pursuit of a certain guarantee of one's desire in the big Other. The Slovenian thinker (2007) renders how this constitutive lack will forcefully present itself as a double condition for the subject, a double procedure which reactualizes the process of subjectivization through socialization, the introduction of the subject to the symbolic order. A more philosophical investigation of metapsychological elements makes room for these paradoxical complex relationships, remembering that for Lacanian psychoanalysis, the subject lies where there is no predicative and he answers to the Other through



subjectivity. Žižek investigation of Kant's indefinite judgment on the distinction between "dead and non-dead(alive): the 'undead' are neither alive nor dead, they are precisely the monstrous 'living dead'" (p. 47) sets in motion a terrifying excess in terms of immanence, that after Kant becomes a concern to subjectivity itself.

Ethnicity and class are experiences of subjectivization. Both radically context-bounded and ontologically approachable through social and political procedures, they flood the subject with predicates that cover up, simultaneously, the genericity and the singularity of the human experience. And it seems that by noticing such fundamental "external intrusion" seems always already there from within and how fantasy presents itself in order to deal with this process of subjectivization, it makes sense to inspire a more interesting and useful discussion from the standpoint of a cultural figure: the body snatcher. Through literature and films, this creature illustrates the paradoxical duplicities of the human experience, but different from the *double*, a motif known to explore alterity within ourselves, the body snatcher approaches this discussion through the radical alterity. Both fictional creatures are opposite sides of a similar discussion. This creative formulation frames both the irrational responses towards the Other, as it presents the potential of a philosophical understand of the blurred lines in-between "in" and "out," within ourselves. Thus, the understanding of the *l'extimité*, a neologism coined by Lacan to describe the external intimacy, holds the paradoxical experience of alterity within ourselves, as well as it shows how the very own symbolic order has a nonsymbolized traumatic element within its own kernel. Therefore, both reversals are always dealing with negativity and incompleteness (Žižek 1989, p. 182). Lacanian psychoanalysis provides this interesting social-psychological formalization to consider the subject, but even further than that, it also provides from this external intimacy perspective, elements to problematize the stages of sameness – how can one claim a particular ethnicity in the first instance, for example? (Barros 2018). Here the *mirror stage* and at the introduction of the symbolic to the subject, always stumbles upon the lack, a fundamental experience of negativity. To claim an ethnicity means to claim a position and not to claim another, perhaps contradictory one. And as such, the impacts of overdetermination of concepts such as ethnicity through the encounters with this negativity will always impact subjectivity and the subjective response to the experience of otherness. But, on the other hand, ethnicity relies upon external fictions which hold it in the social order and it is this holding which is always under transformation. So one could always aim at operating on that level of uncertainty.

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### **Get Out and the Topic of Body Snatchers: A Philosophical Case Study**

Some artistic productions help illustrate paradoxical elements of the human experience, so taking films as thought experiments: what could they help reveal about ethnicity and class? Well, the film *Invasion of the Body Snatchers* (1956) inspired by Jack Finney's novel is a sci-fi horror classic by Don Siegel. It portrays the uncanny events happening on a North American small town in the 1950s and that still give us



good reasons to be watch it or to re-watch it. The film shows us the story of this idyllic town, where citizens live their lives and routines at a calm and tranquil pace, just another simple town, which could easily be mistaken for any other classic portray of North American towns in films, TV, or Commercials, from that period. But everything is about to change, because all of the sudden, Dr. Miles J. Bennell (played by Kevin McCarthy), who is the town's doctor, learns that his community is being infiltrated by aliens. The extraterrestrial creatures are snatching the bodies of the current citizens and replacing them by duplicates. The lines between the "External" (the body snatchers aliens) and the "Internal" (local citizens, sustaining the ideological "normality") were already mixed. So, when Dr. Bennell actually notices the "invasion" – it has already took place. The aliens were always already here. Materially nothing has changed, and yet, everything has changed. So, in this sense, what did actually changed? What is at stake here at this invasion? The notion of uncanny is profound and desire a further explanation, but its conceptual validity lies on a discussion between intellectual confusion and an affect deriving from a clash between fantasy and reality for the subject. So, is it only by following the uncanny realization from Dr. Bennell, that we find this sense of deep anxiety and paranoia? These are just some of the provocative questions that this film allow us to closely investigate and they all do resonate directly to philosophical questions surrounding otherness, identity, self, ethnicity, class, and ethics.

Loock (2012) clearly illustrates the main agreed interpretation regarding this film, which is how it basically encompasses the social anxieties and the sense of paranoia surrounding North America during the 1950s facing external political and social transformations. The author also provides an interesting critical validity to this topic, once "...despite its cultural and historical specificity, the narrative of alien-induced dehumanization has lent itself to interpretations and re-imaginings like few others, always shifting with the zeitgeist and replacing former cultural anxieties with more contemporary and urgent ones" (2012, p. 122). So, in a sense, if one considers the social invisibility aspect displayed by the whole town towards these infiltrated aliens, and furthermore, how the film depicts the citizens as poor workers trying to live their lives, it seems only reasonable to consider Žižek's (2009) interpretation regarding class antagonism, ideological domination, and exploitation illustrated by the film. Considering Žižek's ontology of the *Neighbour* (2016) a proper comprehension of the weight behind what 'aliens' condenses, earns a much deeper sense – it becomes clear that we are aliens to ourselves and to each other. That ethnicity is constructed precisely for this unconscious function – not to necessarily unite a collective but to alienate it from other collectives – seems like a valid argument to be examined. One could even argue that ethnicity is not so dehumanizing but *desubjectivizing*. This line of thought requires a much deeper elaboration, which unfortunately does not fit here in this chapter, but is a valid direction to be further developed.

Developing further on the intersection of ethnicity and class, Loock's understanding about the multiplicity of cultural reappropriations on "body snatchers," one could also consider the English band Radiohead's song *Bodysnatchers* from the album *In Rainbows* (2008). It is a song that Thom Yorke said to be "...inspired by

Victorian ghost stories, *The Stepford Wives* and his own feeling of ‘your physical consciousness trapped without being able to connect fully with anything else.’” (Pareles 2007). And although this song is not directly inspired by the film, it carries its name and even more curiously, the song describes quite accurately the *uncanniness* (Gonsalves 2018) from the Žižekian ontology of the neighbour. There is a key passage from the lyrics which corroborates with this point:

I do not understand,  
 What it is, I've done wrong;  
 Full of holes,  
 Check for pulse,  
 Blink your eyes,  
 One for yes,  
 Two for no,  
 I have no idea what I am talking about,  
 I'm trapped in this body and can't get out. (Radiohead 2017)

To have “no idea what I am talking about” and also, being “trapped in this body” not able to “get out” – just as is stated in the lyrics – is fundamentally a human experience and one that is shared between us. One could not only relate to such uncanny feeling provoked by moments such as these, but this inspired take makes room for a radical twist on the body snatchers from the film. If the film depicts this relation between the coordinates of the external and the internal spaces, while reinforcing the aspect of an “invasion,” as if foreigners were “forcing” their ways upon the ones who were already established at the small town, the clever lyrics turns it upside down and twists it. So, the alleged “lines” separating the internal and the external are now blurred, once externality is clearly experienced from within. And even further than that, there is a double inscription at stake here, which involves both ethnicity and class. Therefore, the topic of body snatchers is much more complex and interesting as it seems, especially considering the topic of such “invasion” as a problematization of the external and the internal and its many different possible levels, without disregarding the double inscription mentioned earlier. The topic of the body snatchers sets a debate towards its own ambiguity which lies within the subject. This is different from the classic trope from the horror genre where a random dangerous intruder, usually a “serial killer” invades the reality of the hero and terrifying his or her life, and part of the torment is show how close the murder is to its victim, the killer taunts them by calling from inside the house. . . The sense of paranoia is usually the motif itself from the film, e.g., *When a Stranger Calls* (1979) from Fred Walton where the entire film surrounds the babysitter being terrorized by a killer who is calling from inside the house. But, this is a film that does not hold the formidable interesting ambiguity of such topic, especially if compared to *“Invasion of the Body Snatchers”* and its full potential to promote a debate regarding interiority or exteriority.

If films illustrate social fantasies and anxieties regarding alterity, they also show *how* alterity can and cannot be desired. Subjectivization considered as a

process between interiority and exteriority must also make for to translate the contextualization of ethnicity and class at stake. Films and other cultural artifacts help us do that.

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## Between “Internal” and “External”: The Fundamental Question of Body Snatchers

Now let us invite a more recent render of body snatchers that somehow encapsulates through its medium the heart of the discussion between ethnicity *with* class. A film which holds the full critical strength of this topic is the formidable film *Get Out* (2017) by Jordan Peele. The film considers the critical ambiguity of the relationship between inside and outside, internal and external, but it evades from a more binary understanding of the topic and approaches a certain psychoanalytic depth, almost a filmit portrayal of *l’extimité* (Lacan 2001). Or as Mladen Dolar (1991) clearly explains about this Lacanian notion that portrays the complex process of subjectivization regarding the relationship between interior-externality or external-interiority and which is nicely captured by this film. At this point, you need to bring it back to ethnicity and class – extimacy is the shape of both. The film basically escapes from a more simplistic comprehension on how subjectivity itself operates and it allows us to consider the fundamental distinctive roles between other (l’autre) and Other (l’Autre), within the process of subjectivization to a subject prescribed by Lacan (Gonsalves 2018). Basically, this is Lacan’s (1997) comprehension of Freud’s distinction between Other (*der große andere*) and other (*das andere*) with his Hegelian reappropriation through Kojève (Lacan 1998). What it means is that, without the radical comprehension of alterity, one can never fully grasp Lacan’s *mirror stage* (2001) proposition and how this metapsychological development aims at explaining how the structure of subjectivity gets structured in the first place. This is one of the reasons why many authors such as Freud (2000), Dolar (1991), Žižek (1989, 2006, 2007, 2014a), Fisher (2017), Pfaller (2005, 2014, 2017), Royle (2003) as many others... explore the *uncanny* as a key ingredient to consider and think about the processes of subjectivization. As Žižek (2007) claims: “To properly grasp this strange process, one should supplement the fashionable notion of interactivity with its uncanny double, interpassivity” (p. 22). Therefore, to take a closer look at this notion seems fundamental, as well as the movie *Get Out* provides a great background to do so. And, the film does not only covers the double inscription concerning ethnicity and class at stake with the provocative understanding of *body snatchers* but it also pushes forward critical reflections concerning such notions. This redoubled experience of alterity for the subject not only invokes a complex consideration of ethnicity but also an understanding of the ideological “shape of consciousness.” The constitution of consciousness, just in the same way that class does, must be engaged with an awakening towards genericity in the Badiouian sense – a point that the film could also help to illustrate.

This film is Peele’s debut as a director, and on this first attempt, he seems to not only have managed to release a magnificent thriller but also redefined the genre

with his critical view on body snatchers. The film revolves around the story of Chris Washington (interpreted by Daniel Kaluuya), a successful and renowned African-North American photographer dating Rose Armitage (played by Allison Williams), and they seem to share a comfortable, established middle- to upper-class lifestyle, with their SUVs (sport utility vehicles) and condos/condominiums. Everything seems better than fine, the couple relationship appears to be evolving and they decide to visit Rose's parents to introduce Chris to them. They get into the car to make this trip to the countryside and meet the Armitages (the parents are interpreted by Catherine Keener as Missy, Bradley Whitford as Dean, and Caleb Landry Jones interprets their son Jeremy), and right at the first moment of this trip, we can notice an interesting dynamic taking place, Rose is remarkably worried with Chris' health. Not necessarily his well-being but about his health, strongly asking him to quit smoking. But even more interesting than that, when the couple gets pulled over by a police officer, Rose aggressively talks back at the police officer, while Chris just wants to get back to the car and continue with the trip. Each moment of the entire film is packed with layers upon layers of clever symbolic elements, but this first scene sets the premise and the tone of the film quite accurately. First, it is highly questionable to still defend that we live in a post-ideological reality (Žižek 2016, pp. 43–44), and second, what it is to understand the Black as an open-ended signifier (Mbembe 2017).

The entire film works as a great critique to think about the dovetailing of class and ethnicity as an unresolved project and to those who defended that after the Obama era, the USA was actually living an epoch beyond racism or in a type of post-racial reality. But, concerning ideology, how could we properly approach such discussion? Well, "ideology does not reside primarily in stories invented (by those in power) to deceive others, it resides in stories invented by subjects to deceive themselves" (Žižek 2016, p. 97). In this sense, the film does capture a mandatory discussion of ideological nature when problematizes this point. And the deep horror which is captured in the film only gets more and more powerful with its cinematographic sequences. Once the couple finally reach their destination, Chris is trying to hold on to his usual self, but in every single opportunity of interaction between him and the Armitage, the resulted affect is creepiness (and even with his girlfriend Rose, that seems more and more ambiguous towards him, since they got in the house). The aesthetic of the scenario of the countryside house in its Colonial style with all the "helpers" which are African-Americans serving the white owners (the Armitages) instantly strikes the viewers with a feeling of a not completely gone and most definitely not forgotten reality of slavery. It is not hard to sense how slavery is culturally embedded into historical colonized countries and even more important, how many unrecognized elements of such brutal past are still far from being recognized. This more material level of racism is so "out in the open" that is even addressed by the patriarch of the Armitage's (Dean) in a conversation with Chris, his admission of guilt is a cynic one, which falls into on the Marxist formulation of ideology under a Žižekian perspective (2011) where one knows exactly what he is doing and nonetheless, does it anyway. . . This kind of willingness to participate in inequality is arguably the most bourgeois guilt and capitalism thrives upon it to retain itself.

Just stop to consider the poignant and horrific way in which ethnicity and class are currently intrinsically bound – the essentialized way in which each are depicted in relation to the other as natural and inevitable. That while this is a film, it provokes an imagery which is most recognizable to us. Such naturalization of the state of things, this essentialized approach to ethnicity and class masks their historical constructions, their ambiguities, and their tensions. The overall uncanniness provoked by the film grows with each interaction the family has with Chris. At a certain point, Chris decides to have a smoke in the middle of the night, he walks outside only to be startled and puzzled by one of the African-American “helpers” that came running towards, forcing Chris back inside the house. But this uncanny sequence of events finally takes a step towards its utmost creepiness when Missy Armitage, who is a psychiatrist, “invites” Chris to be hypnotized stating how this will help him to quit smoking. Although still, this distinction between from the general formulation of feeling uncanny towards the other to this particular creepiness seems to fit here. Žižek (2016) defends that the impenetrability of the desire of the other is what provides this creepy feeling. When “[a]n experience, an encounter, gets creepy when we all of a sudden suspect that he is doing something for a motive other than the obvious one” (pp. 81–82). And, a proper study aiming at the proper disambiguation between such qualities of the uncanny, ranging from the weird and the eerie by Fisher (2017) until the creepy suggested by Žižek (2016), for now we can definitely benefit from some of their specific distinctions. Well, when Missy asks Chris to “help him to quit smoking” and what she is doing is actually preparing him to be “sold” for his organs, for his body, in a new type of slave auction for millionaires. And here we can think about ethnicity and class as a desubjectivizing force which elaborates upon the project of capitalism – who is valuable is determined by those are the exploiters. An old and famous passage from Du Bois (1903) regarding double-consciousness and being Black in the USA is noted here: “It is a peculiar sensation, this double-consciousness, this sense of always looking at one’s self through the eyes of others, of measuring one’s soul by the tape of a world that looks on in amused contempt and pity. One ever feels his two-ness, an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder. . .” (p. 2). But if we allow Mbembe (2017) explanation on his critique of Black reason, we can easily understand how this “internal” division of the self is much more complex and deeper. First of all, this double-consciousness is not completely consciousness, and second of all, it articulates between elements of fantasy and the Other. Approaching the “sunken place” passage from the film under a psychoanalytic standpoint, one must consider the “unknown known” which “form the transcendental horizon, or frame, of our experience of reality,” or in other words, the Freudian unconscious (Žižek 2014b). As explained by Žižek “. . .the ‘unknown knows’, the things we don’t know that we know – which is precisely the Freudian unconscious, the ‘knowledge which doesn’t know itself’, as the French psychoanalyst Jacques Lacan . . . used to say. (For Lacan, the Unconscious is not a pre-logical (irrational) space of instincts, but a symbolically articulated knowledge ignored by the subject)” (p. 9). Agreeing what was previously presented, this passage from the film portrays the profound encounter with what it is to be Black and poor, not completely unprotected by screen of fantasy, but already

showing precisely what one would or could feel if such duplicity from within got more known to the subject.

So, in a sense, *Get Out* is a film completely molded into the problem of *acting as if* we were all living in this post-ideological era, as if we were all having a great moment of post-racism momentum, something that the film heavily criticizes and remarks some of contradictions derived from this render of reality. We certainly live in racially aware times, but we still cast the Black other as unknown. Peele uses another great symbolic wit on the scene where we get to see the wealth and the rich getting to the mansion, where the modern time slave auction takes place. What we see is a huge majority of white people, arriving on black limousines.

But one must not forget that this is still a film about body snatchers or snatching bodies. Taking a closer look at other moments of the plot from yet another critical standpoint, the whole farce revolved around hiding Chris deep inside his own mind through the “sunken place” procedure while he is being sold to a wealthy blind man (played by Stephen Root). The rich man states “he sees no color,” that he does not care if Chris is black or not, since he only wants to see through Chris’ eyes, he wants to see what he sees. Such hijacking of one’s gaze goes along the lines of a perverted expression of a disavowed type of ethnic envy and hatred, prescribed by Archer-Straw’s (2000) as *negrophilia* (a conceptual comprehension of the binary diminishment of stereotypes concerning the Black, ranging between profound admiration/love, idealization and fear/hatred, demonization). Considering the repercussions of this discussion is necessary in terms of subjectivization and otherness, relating the subsequent signifiers in the signifying chain of one’s subject. But even more important, to risk having this debate disregarding the realm of ideology is to sustain that society and reality are beyond it, this standpoint is not naive but quite it is opposite, and it means keeping a harmful and dangerous agenda. If ideological elements are in dispute concerning the control of the main narrative, this means that is not a moment for more alienation.

After the body snatching procedure, Chris would have become Hudson’s bystander for the rest of “their” lives, once Hudson (Stephen Root’s character) becomes the new *owner* of this body. This is the body snatchers motif in its purest form, but instead of reading it as an essentialization of ethnicity and class – it must be understood as Mbembe’s *becoming black* (2017) of the worker as such. In order for this body snatch procedure to be fully completed (the film calls this the *coagula* procedure), the hero must go through a certain hypnotic “brainwashing” transition, Chris’ ego must become a repressed element trapped inside his body so that Jim’s ego could take his place. While exposed to this procedure, the hero manages to come up with a plan to get out.

One could easily find the solution of the film; in other words, the way how Chris emancipates from his imprisonment a kind of post-colonialist praxis. And in order to escape from the hypnotic procedure that is being forced upon him, a procedure which is induced by sound, he must find a way to stop listening to the noise that triggers his hypnotic state and then, find a way out from the couch that he is strapped into. How does Chris manages to escape? He uses an element of brutal slavery and resignifies it, and he picks cotton from the coach which is strapped on, in order to

cover up his own ears. So, the hero dives deeply into the social memory of a traumatic moment of brutality but only to find the necessary tools to emancipate himself from the dominant societal oppression caused upon him. He manages to get out, but throughout his entire journey, it becomes clear how ambiguous and complex all relationships established by the main character truly are. Although Chris did not have his body snatched, the weight of the uncanny white gaze (Fanon 1967) is felt upon him throughout the whole film and Chris is interpellated (in an Althusserian sense) (2014) countless times from standpoint of the *negrophiliacs*, always pushing him to try to satisfy their perverted curiosity under false pretenses and bias artificial “interactions” with any proper ethical consideration (Badiou 2013) for common grounds. So, how can slavery be thought of regarding the intersection of class and ethnicity? The hypothesis of communism provides us with the answer: the fundamental necessity to obliterate capitalist private property and the perverted commodification of material reality for wealth accumulation. Only getting rid of the material structural contradictions imposed by capitalism that brutal phenomena of domination shall stop surfacing into reality.

And even more profoundly post-colonialist, one could say that Chris’ gesture to get out might even translate a critical understanding of Westernized knowledge and its colonialist binary ideological domination through exploitation, reinforcing the “us” versus “them” narrative. How? When Chris chooses to become the Ulysses of his own Odyssey, he resignifies the tools of oppression in order to get out from his imprisonment. By doing in so, he is to a great extent reinventing such narrative by revolutionizing the significance of “picking cotton” – basically, traversing a social traumatic historical narrative through a symbolic resignification. Such gesture could be understood as a resignification of knowledge itself, for instance, if one decides to consider that in the *Odyssey* (1999) the classic text from Homer, which is a well-known piece of literary history that marks the birth of Western anthropomorphized culture, his gesture of emancipation might be perceived as need for a different direction in terms of subjectivization. This is not such a wild parallel, since at the chapter XII of *Odyssey* (p. 345), the hero Ulysses is on a boat passing nearby Capri’s Island, a well-known place to have mermaids that enchant sailors who jump under the water to meet their own demise. How did Ulysses manage to survive through such penitence? He makes his fellow sailors cover their ears with wax, while he straps himself to the ship’s mast, without covering his own ears. Ulysses listened to the mermaid’s enchantment and yet, managed to survive. But considering *Get Out*’s hero, when he takes hold of Ulysses’ position, his gesture to escape aims at escaping from repeating the same discourses of rationality that led towards domination and also to found a deeper “unknown known” sensibility regarding reality. Chris’ decision could perhaps be understood as a gesture of identification with the “fellow sailors” at the level of knowledge. And maybe as a movement which even obliterates the need for heroic sacrifices that sees no need to keep being repeated, perhaps an answer to the domination in knowledge and its discursive constructions. So, by not repeating the same logic of domination and for resignifying the instruments given in his material reality – even the most horrific and traumatic ones – Chris ethically revolts against the horrors caused upon him and manages to finally escape. Ending



the film on a positive note, Chris gets out. This film offers a subjective insight into the problem of ethnicity and class as fixed concepts which have been taken up uncritically, but the comprehension of them as context-based and transformative, both conditioned by the political procedure towards the idea of communism provides the solution to its ambiguities.

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### **The Badiouian Procedure of the Generic and the Double Inscription Between Ethnicity and Class**

The film *Get Out* (2017) seems paradigmatic concerning this debate, especially because it presents many contradictions regarding levels of ethnicity and class operating simultaneously. In retrospect, the double inscription between such notions appears throughout the film in many moments. For instance, when Chris, an established artist that detains particular skills of abstract labor, is easily snatched to be sold just like any other commodity out there – he is not escaping or emancipating through the results of his labor – when he operates from the “inside” of the main narrative provided and framed by neoliberal capitalism, Chris has no escape and is already imprisoned. The double inscription explored here verses points of injunction and conjunction expressed by different contradictions. All militancy in the name of changes against exploitation are rather necessary, but the field of multiculturalism and their social struggle must also be able to organize themselves and translate those efforts to the political field. The character of Chris is a photographer inside of a film, is the one who captures images of the moving paradoxes of suffering under the capitalism. And the photographer portrays an image of some contradictions of today’s struggles. Interesting enough, Chris finds no protection from within capitalism – it becomes clear, that acting from within this capitalist realism (Fisher 2009, p. 14), this shared reality under the hegemony of global financialized capitalism, Chris is just another living dead body turned into commodity facing the “meat grinder” of a brutal system of inequalities. He is at the same level at any other commodity and ready to be exchanged. It is here that the end of the film sounds amazingly fantastic (and perhaps, even inspiring. . .); Chris gets out. But one could play devil’s advocate here and ask, but does he really get out? Well, to understand Chris’ getting out, through identity politics – which is a necessary tactical move – still comes with contradictions, since it is not radical enough. Chris has not escaped from the false promises of protection under the capitalist narrative, even less from the capitalist contradictions that got him in that house of horrors in the first place. So, is it farfetched to consider the Armitage house as a metaphor for capitalism of nowadays? Could one perhaps consider that Kaluuyas’ character Chris, should then demand for “this” impossible? Aiming at getting out from *capitalist realism*? For Mark Fisher (2009), capitalist realism is this inability of thinking beyond capitalist restraints, to move further its contradictions and vampiric conditions. What if, by encompassing a conjunction of ethnicity and class, Chris could inspire to metaphorically translate the role of the generic humanity (Badiou 2015)? Then by considering Mbembe’s “Becoming Black of the World” (2017) main argument, one could find Chris’ struggle for getting out, gaining its



full radical meaning by considering it a fight for breaking out from capitalist restraints and demanding a new possibility.

Žižek's (2016) examination of the events that took place in Ferguson, a suburb of St. Louis (around August, 2014), provides the necessary depths of this double inscription. This is a poignant example of how the intersection of ethnicity and class combine to affect ideological catastrophe. When "the poor black majority of the town took the killing as yet more proof of a systemic police violence against them. . ." (p. 41), their lack of a proper program or a guiding fiction (contrasting to the riots from May 1968, for example) turned into outbursts and riots, taking the streets and demanding justice. But Žižek proposes that such "vague" claim can only fit a type of Benjaminian materialization of divine justice. What does this mean? Of course this does not mean that their claims are unjustified or that taking the streets facing such situation is an inadequate response. The real issue lies someplace else in this discussion, and it illustrates the contradiction of our double inscription. For instance, the frustration expressed by those outbursts meet the surface of reality to declare a revolt against social disparity and these moments seem to solidify a symptom of the contradictions faced by those who celebrate the "freedom of choice" when in reality "the only choice is between playing by the rules and (self-)destructive violence. . ." (2016, p. 45). It is this frustration that leads to acts of violence against their own, which seem to be a major call for reflection, defends the thinker. And movements such as Black Lives Matter, as well as many other movements expressing a demand for the impossible, in the Badiouian sense (2015) are unquestionably necessary to think today's contradictions through their local praxis. If post-colonial theories already propose a much radical militancy approach to ethnicity (Mbembe, Go, as well many other authors. . .), a much more radical attempt is to consider such notions while approach social classes and defending the underlying struggle against capitalist contradictions. In what could be noticed as a conversation, maybe even a response to Balibar's *Masses, Classes and Ideas* (1994), Badiou discusses the proper philosophical axioms of constructibility for knowledge. By doing so, the thinker reaches the argument on genericity (2015, p. 53), and at this point, Badiou intertwining Cohen's *generic sets* with Marx's understanding of the *generic* ends up with a key conceptual contribution to our debate:

You know that Marx gives the name 'generic humanity' to humanity in the movement of its self-emancipation, and that 'proletariat' – the name 'proletariat' – is the name of the possibility of generic humanity in its affirmative form. 'Generic', for Marx, names the becoming of the universality of human being, and the historical function of the proletariat is to deliver us this generic form of the human being. So in Marx the political truth is situated on the side of genericity, and never on the side of particularity. Formally, it is a question of desire, creation or invention, and not a matter of law, necessity or conversation. . . So for Cohen – as well as for Marx – the pure universality of multiplicity, of sets, is not to be sought on the side of correct definition of clear description but on the side of nonconstructibility. The truth of sets is generic. (2015, p. 53)

If ethnicity and class proclaim themselves to be political procedures towards new social possibilities, their transformation must always claim for the impossibility of

today's reality and engage until it becomes a possible reality, as Badiou probably would defend it. So, Badiou understands that revolutionary desire lies within the realization of generic humanity, which in fact represents the end of the separate relation between law and desire, and claims for the "creative affirmation of humanity as such" (2015, p. 54). Defending the necessary creativity for seizing the means of the symbolic fabric of our reality, the main aim is to support the law of life, only in order to create a new symbolic fiction to follow. And truth here follows Lacan's understanding that it has the structure of fiction, therefore leading to "...the final belief in generic truths, the final possibility of opposing the generic will to normal desires, this type of possibility and the belief in this sort of possibility, in generic truths, has to be our new fiction" (p. 58). Here, we do not see a formal disparity to Mbembe's understanding of the transformation of human beings into coded digital data. For the thinker, the history of Blackness and the racial subject is linked to the history of capitalism. In the early capitalism, the term "Black" referred on people of African origin "(different forms of deprecation, dispossession of all power of self-determination, and, most of all, dispossession of the future and of time, the two matrices of the possible)" and that now, for the "first time in human history, the term 'Black' has been generalized" (2017, p. 4). As Mbembe will defend "[t]his new fungibility, this solubility, institutionalized as a new norm of existence and expanded to the entire planet, is what I call the *Becoming Black of the world*" (p. 5). Fundamentally, he defends that this is an effect of capitalist recolonization of its own center, something like an expression of new modes of exploitation. But Mbembe defends the conditions for the collective resurgence of humanity by "restitution, reparation, and justice" (p. 179), sustaining a way out of the sacrifice through thinking, a "*thinking in circulation, thinking-crossing...*" (p. 179). Well, in this sense, local struggles in their thinking-crossing capability, mind, as well find through militant strength the proclamation for resignification of the symbolic fabric.

Although Badiou (2016) considers negritude as a positive assertion of blackness and "black, a stigmatizing category internal to white domination, is reappropriated by its victims as the banner of their revolt" (2016, p. 99), the context-bounded element of ethnicity (dialectically transformative) and the fundamental political north of his philosophical construction leading to the hypothesis of communism and to how colorful such rainbow can be (2016, p. 35) going through the oppressive invention of the "black" by ill-intended white man (2016, p. 104), he defends the colorless affirmation of all possible colors. As Badiou (2015) puts it, such radical transformation is only subjectivized to proper names through the mediation of class struggle, the creation of the conditions for a shared generic fiction will only find a real possibility within the political field through such mediation. In this sense, to sustain the notion of class is to radically sustain its Marxist render and its conditions to proclaim and sustain a new form for reality. Knowledge thrives basically when find its critical potentiality and seeks to resubjectivize given signifiers (ethnicity and class) and manages to create new conditions of radical possibility to overcome and subsume current contradictions. Perhaps, body snatchers teach us a whole lot about ethnicity, class, and the double inscription of such complex notions to a subject. But definitely, other formidable creative creatures such as vampires, zombies,

Frankensteins, and werewolves, for example, could teach us even further about our paradoxical understanding of (in)humanity. Providing insights on the excesses of our “living dead” ontological condition (Žižek 2014a), a formidable line of thinking in order to face the current contradictions of neoliberal capitalism. So, to convoke a render towards the philosophical paradigm of monstrosity could perhaps lead to a more creative and critical narrative facing today’s contradictions. Of course, such bold statement needs further developments that cannot fit this chapter, but such premise does not only seem valid but also it seems philosophically and symbolically crucial in order to think current social-political paradoxes.

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## Conclusion

This chapter explores the notions of ethnicity and class through five different stops, provoking the fundamental necessity of reapproaching knowledge critically. From our first stop, it was established that an appropriation of these terms as “given” terms for the production of knowledge, especially under the protection of the scientific discourse, one could easily forget the depths and contradictions embedded within such notions. Further, by given back the potency of such signifiers as ethnicity and class, the second stop presented a more specific apprehension of those terms, by the well-versed knowledge of authors from different realms of studies, allowing to establish the construction and elaboration behind ethnicity and class. Defending that race, racism and a racialized reality were a byproduct of the construction and growth of capitalism within our society. Ethnicity is the psychic and embodied take up of this agreement. The hidden layers of capitalist exploitation structured the birth of ethnicity and class as the modalities that we came to know since colonialism. With the globalized capitalist realism, with the neoliberal financialized reality, such modalities seem to be read under a different critical scope.

By considering the psychoanalytic tools in a critical render, the proper depths of subjectivity allow us to better interpret fantasies surrounding otherness and also the necessity to avoid and escape the binary narrative of an external versus internal worldview. To consider our very own processes of introduction to the symbolic reality, which provide the humanity to the human body that one holds, it is to be always already into a disjoint existence. By seriously understanding the consequences of this comprehension is to be always already getting in terms with the external intimacy that makes us what we are. The depth of this insight provokes many questions towards the naivety of presupposing a fixed narrative to propose the predicative to our very own humanity, since ethnicity and class are concepts which have been crafted and controlled by those who have the resources to do so. And through a critical understanding of psychoanalysis, one could find the blueprints to seize the means of the symbolic production of its own reality, ethically revolutionizing his/hers own suffering. That is, as much as the social world relies upon notions of ethnicity to harness identity politics, it also causes anguish to the subject. This means – as Žižek has rightly pointed out in his theorization of the neighbor – that one

is always faced with alterity, either their own or the confrontation to how we contribute to the anguish of others.

Social segregation, however, does not need to be thought of as an impasse but rather as a way into thinking about a different politics – as Badiou perhaps offers – by inviting Badiou’s generic notion is to promote the necessity of critically remember the Marxist understanding of class, in order to transcend its usage more empty out usage. In this sense, the chapter explored how ethnicity and class could and should provide provocative insights in the construction of our social future.

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## Cross-References

- ▶ [Historical Memory and Ethnic Myths](#)
- ▶ [New Middle-Class Labor Migrants](#)
- ▶ [Rewriting the World: Pacific People, Media, and Cultural Resistance](#)

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# Islamic Identity and Sexuality in Indonesia 56

Sharyn Graham Davies

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## Abstract

Despite popular understandings and interpretations, Islam is actually one of the most positive of all world religions regarding sexuality. Fulfilling sexual relations is acknowledged as an integral part of heterosexual marriage, and women have the right to divorce their husbands if the latter fail to provide sexual satisfaction. However, Islam across the world is presented as a sexually repressive and coercive religion, and this is not without reason. People having sex outside heterosexual marriage have been executed in the name of Islam. Long touted as the country that proves Islam is compatible with progressive democratic principles, Indonesia is an interesting place to examine Islam and sexuality. While Indonesia has avoided official criminal penalties for people involved in consenting private sexual affairs, in the last few years, there has been a dramatic rise in punitive forces using Islam to justify persecution of anyone having sex outside of heterosexual marriage. This chapter explores Islam and sexuality in contemporary Indonesia to provide a richer understanding of how these two elements interrelate.

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S. G. Davies (✉)  
Auckland University of Technology, Aotearoa, New Zealand  
e-mail: [sharyn.davies@aut.ac.nz](mailto:sharyn.davies@aut.ac.nz)

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**Introduction**

The fact that Muhammad, the founding prophet of Islam, was a pioneering feminist is often forgotten by those trying to use Islam to oppress people, especially women. When Muhammad stated that men could have four wives, he was thinking not of men's right to unlimited sexual pleasure but rather the welfare of women. Living in a time of devastating war, women were frequently left widowed with children to support. Muhammad recognized both the need for women to remarry and the radical difference in sex ratios. Previously, men could marry multiple women without gaining the consent of previous wives or providing them with emotional, physical, or financial support. Muhammad thus stipulated that men could marry up to four wives provided that they gained consent and could provide for all. Muhammad also declared that wives deserved to derive sexual pleasure from their husbands; if they did not, this could constitute grounds for divorce. So how did a sexually progressive religion become infamous for its punitive control of sexuality, particularly of women's sexuality? Much of it has to do with the cultural context in which Islam is lived. It also has much to do with people, often men, trying to establish and maintain various forms of power.

In exploring these ideas around Islam and sexuality, this chapter focuses on Indonesia. The first section explicitly addresses the topic of sexuality. The second section provides an overview of the country in focus. The third section discusses Islam specifically in respect to sexuality. Finally, the chapter analyzes the current tensions between sexuality and Islam in Indonesia, specifically focusing on the move toward punitive morality that has swept the country in the last two decades but particularly since 2016. The chapter concludes by noting that Islam at its heart is accepting of sexuality, and indeed sexual diversity, and can be deployed to fight for sexual rights for all rather than be used to penalize people.

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**Sexuality**

Few subjects have drawn as much popular and academic attention as sexuality. There is evidence that in ancient times there was free discussion of sexuality and that sexuality as a wholly private matter was not the norm. There is also evidence of homosexuality practiced through the early Muslim world (Murray and Roscoe 1997). Indeed sexuality in Islam is valued beyond a merely procreative act. There is also evidence from places such as ancient Greece suggesting that a variety of sexual relationships were legitimate including pederasty (a sexual relationship between a younger man and an older man) and Sapphic love (Blackwood and Wieringa 1999). The enduring significance of early sexual terms is evidenced in the fact that English uses words such as lesbian, derived from the Greek island of Lesbos.



In Western literature it was the work of people like Kinsey et al. (1948) who studied sexuality on a large scale that contributed to new understandings of the diversity of sexuality. Progress in terms of sexual freedom remained slow until the 1970s when much of the Western world and elsewhere went through what became aptly known as the sexual revolution. The prosperity of the postwar years combined with technical and medical advances such as the contraceptive pill ushered in an era of people proudly enjoying sex outside of marriage. A number of key books propelled the sexual revolution, empowering people, and especially women and gay men, to talk about sexuality (Hite 1976; Humphreys 1970; Masters and Johnson 1966).

Not without coincidence the sexual revolution occurred alongside the women's rights movement and civil rights campaigns. With more sexual freedom in the West, academics began thinking seriously about how to theorize sexuality. The need for theories of sexuality grew all the more urgent with the advent of the HIV/AIDS epidemic that wreaked havoc, starting with gay communities from the early 1980s. Thinking around sexuality also had a symbiotic relationship with postmodern theory, seen especially in the work of Michel Foucault (1985, 1988). Postmodern theory provided an understanding of sexuality as something fluid, changing, and as something that could be related to sex and gender or that could be merely a sexual act. Further, the work of people such as Candace West and Don Zimmerman (1987) and Judith Butler (1990, 1993) fundamentally changed the way we think about ourselves as sexual and gendered beings. Sex, sexuality, and gender might seem natural parts of us, but they are in fact discursive constructions developed through repetition and performance. Postmodern theory also began questioning the underpinnings of sexuality so that even the way we talked about sexuality, and bodies more generally, began to be critiqued. For instance, the work of Anne Fausto-Sterling (1992, 2000, 2006) and Emily Martin (1991) showed us that women's bodies and their sexuality were discussed as deficits and as passive objects. Penises were said to penetrate vaginas, but vaginas were never framed as actively engulfing penises.

Invigorated by postmodernism, and legitimated through HIV prevention (Weeks 1999), academics began studying sexuality across the globe as an explicit topic, although admittedly almost all studies were conducted by Western-trained academics (Caplan 1987; Herdt 1994; Jackson 2001; Kulick 1998; Manalansan 2003; Reddy 2005). Such studies showed the diversity of sexuality. They revealed that sexuality was not a fixed, immutable fact but rather was flexible and multiple. Academic language was developed to allow discussion of these findings so that we now have *gender* to refer to ways of doing and being and one can be inter alia cisgender, transgender, and gender diverse. We have *sex* to refer to the biological body and one can be inter alia intersex, female, and male. And we have *sexuality* to talk about desires and intimacy and can frame oneself as inter alia heterosexual, homosexual, bisexual, lesbian, and gay. Indeed a new way of thinking about these complexities has become gathered under the term queer theory (Altman and Symons 2016; Valocchi 2005; Warner 1993), which itself sometimes subsumes transgender theory (Stryker 2004).

The ways in which sexuality has been discussed in Western academic literature is of course often at variance with its discussion and understanding in other settings. While no doubt Western musings of sexuality have impacted the wider world, the interpretation and oftentimes rejection of those ideas have sparked indigenous responses. Sexuality takes many forms, and its legitimacy is shaped by religious and cultural norms. These norms may be incidental in the form of advertisements showing heterosexual sexuality as the norm, or they may be punitive in that people caught having sex outside of marriage are arrested. In examining this issue more, I turn now to explore understandings and conceptualizations of sexuality in the country of focus, Indonesia.

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## Indonesia and Sexuality

Indonesia is the fourth most populous nation in the world and the third largest democracy. Indonesia is also the world's largest civil law jurisdiction (Strang 2008). Its population has surpassed 260 million, with one-third of all citizens aged under 18 years. Over 100 million Indonesians are considered to be poor to very poor, and inequality has continued to grow. Indonesia became a full member of the United Nations (UN) on 28 September 1950 (UN 2015). As a UN member, it is obliged to implement certain rights. In some respects, Indonesia has adopted progressive laws designed to protect civil rights. One area where such laws have been implemented is in regard to children. However, while the laws are progressive in reference to juvenile justice, their implementation is woefully lacking (Davies and Robson 2016). Similarly, as a signatory to the UN, adult citizens have the right to fulfilling sexual lives and to be protected from sexual harm, but these rights are merely given lip service in contemporary Indonesia.

The history of sexuality in Indonesia is interesting and complex, as it is everywhere. Much has been written about the plurality of sexual diversity in the surrounding Southeast Asia region (Johnson 1997; Loos 2008; Peletz 2009; Sinnott 2007). Specific to Indonesia, there is strong evidence of sexual diversity in the early modern period (Baker 2005; Brooke 1848; Chabot 1950; Davies 2015; Jacobs 1966; Pelras 1996). Some of this literature discusses early sexuality vis-à-vis Islam. For instance, Portuguese missionary and merchant de Pavia recorded his impressions of *bissu*, a subject position that might be framed today as transgender spiritual advisors. De Paiva noted the, to him, extraordinary power *bissu* wielded within certain Indonesian royal courts in the 1500s (Baker 2005). While de Pavia assumed *bissu*, and through their influence local royal courts, would be swayed by his efforts to convert them to Christianity, it seems *bissu* favored conversion to Islam. It is interesting that *bissu* and their royal patrons were swayed to Islam rather than Christianity because a staple food source was pork; conversion to Islam meant people could no longer eat this staple. While we have no evidence, it is not a stretch to imagine, considering *bissu* had such power over the decision-making of royal rulers (at least according to de Paiva), that *bissu* wanted to convert to Islam rather than Christianity because in the former religion they found accommodation for their

subject position that perhaps Christianity did not offer. Indeed, bissu until at least the last few years have found within Islam a powerful force justifying their position within society (Davies 2011).

Nation building goes hand in hand with the regulation of sexuality, and this has indeed been the case in Indonesia. In efforts to consolidate power, nations designate themselves the proper authority to circumscribe sexuality. Following World War II, Indonesian subjects became explicitly defined around notions of proper sexuality, and indeed Indonesia's Asian neighbors were doing the same, promoting the regulation of sexuality and the nuclear family as markers of national identity and keys to economic prosperity (Jones 1995). In Singapore (Teo 2011), Malaysia (Stivens 2006), and Indonesia (Hoon 2004), family was the place for legitimate sexual citizens. Enshrining this idea symbolically, Indonesia's President Suharto (1965–1998) positioned himself as father of the nation and proposed the family principle (*asas kekeluargaan*) within which heterosexuality was the only sexuality (Bennett 2005; Blackburn 2004; Brenner 2011; Platt et al. 2018). Coming to power as he did in a coup, Suharto needed to frame himself as not only the father of the nation but as saving the nation from the imagined Communist threat. To showcase his power, members of the Communist Women's group (Gerwani) were targeted and framed as sexually licentious lesbians who carried out sadistic violence against military men (Pohlman 2017). Such framing served to reinforce the danger of nonmarital sexuality (Wieringa 2002). This connotation of dangerous sexuality is rearing its head again with the LGBT (lesbian, gay, bisexual, transgender) crisis that will be discussed shortly (Paramaditha 2016). Despite such framing, Indonesia continued to boast a rich repertoire of gender and sexual diversity (Blackwood 2010; Boellstorff 2005; Davies 2007).

At the time of writing (2018), Indonesia still has no national laws criminalizing consenting adult sexuality. There is fear among many though that Indonesia will shortly follow the province of Aceh and criminalize forms of sexuality outside marital vaginal-penile intercourse. Yet while there are currently no laws, Indonesia continues to tightly prescribe sexuality. Much of this prescription came about during the nationalistic presidency of Suharto (as mentioned above), but other prescriptions have a much more solid religious base. Before turning to explicitly examine the relationship between Islam and sexuality in Indonesia, I first examine the issue of sexuality within Islam.

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## Islam and Sexuality

A discussion of Indonesia and sexuality requires a discussion of Islam. While Indonesia often gets painted as an Islamic country and as the largest Muslim country in the world, it is neither of these things (Hefner 2000). Certainly Indonesia is home to more Muslims than any other country, but it is not an Islamic country. Moreover, Indonesia officially recognizes six religions: Islam, Catholicism, Protestantism, Buddhism, Confucianism, and Hinduism. Eighty percent of the population is Muslim, but this means that over 30 million Indonesians are not Muslim. Moreover,

Islam is not a singular entry. Indonesians adhere to both Sunni and Shia forms of Islam and indeed practice more syncretic forms of Islam. During President Suharto's New Order period (1965–1998), he kept a tight lid on the expression of Islam. Suharto feared that if Islam was given free reign, Islamic political parties would rise up and threaten his power. In the post-Suharto era, though, democratic principles of freedom of religion and freedom of expression have enabled political Islam to rise (Aspinall 2009). In local and national elections, Islamic parties are yet to experience significant wins, but Islamic forces are playing a significant role in influencing election outcomes (Wilson 2014).

Islam frames sexuality in interesting ways (Robinson 2015). As noted in the introduction, in many respects, Islam at its core has a progressive stance toward sexuality. However, political and other power interests use Islam in Indonesia and elsewhere to their own advantage, picking up on and projecting simmering tensions. There are three main ways that we get understandings about sexuality in Islam: through the Qur'an (the holy book), hadith (sayings of the prophet Muhammad), and fatwah (rulings of religious leaders). Most of this literature positions sexuality as ideally confined to marriage between a woman and a man. But it is often difficult to get categorical statements of many aspects of sexuality as many fatwah, for instance, contradict each other. Moreover, cultural context overlays religious prescription and interpretation. In general, though, it is thought that extramarital sex, anal sex, and homosexuality are prohibited. Most sources note that birth control is acceptable. Modesty in dress and behavior is expected so as to confine sexuality, although definitions of modesty are open to interpretation. For instance, for some interpreters, the head veil is a necessary form of modesty for women, but for many others it is not.

In Islam, marriage is seen as the lawful institution through which sexual desires can be fulfilled. Procreation is a key component of marriage but it is not the sole or primary reason for marriage (Al-Islam 2015). Within marriage, sex is to be enjoyed, and Islam places focus on foreplay to ensure sex is mutually satisfying. In the Qur'an it notes that Muslim men are legitimately able to have two types of sexual relationship: with their lawful wives and with their concubines (unmarried women slaves owned by the man; but the concubine is theoretically granted many rights such as the right to say no to sex in certain circumstances) (Bloom and Blair 2002). There are also interesting dynamics regarding polygamous sexuality within Islam (Nurmila and Bennett 2015). All other sexual relationships for men are considered *zina* (fornication). Women's sexuality outside marriage is little discussed in Islamic doctrine. There are a few hadith noting that women should not have sexual relations with each other, but the dominant impression given is that Islamic doctrine considers that sex is only possible when a penis is involved and therefore lesbians do not need to be punished (Bosworth 1989; Islamqa 2013). Whether masturbation is permitted or not is open to debate (Omar 2016). Rape is prohibited within Islam and wives must give consent before sex. However, there are only certain reasons that women can withhold their consent and that is during menstruation, for 40 days after childbirth, during the daylight hours of Ramadan, or while they are on the pilgrimage to Mecca. With this general understanding of sexuality within Islam, I turn now to explore how Islam and sexuality interact in Indonesia.

## Indonesia, Islam, and Sexuality

Both because of indigenous support for gender diversity and its Dutch, as opposed to British, colonial legacy and indeed perhaps because Islam, not Christianity, is the dominant religion, Indonesia to this day has never had any specific laws criminalizing consenting adult sexuality. While we know something about how Islam relates to sexuality in Indonesia, there is a paucity of research on Christianity and sexuality in Indonesia (Mulya 2018). The fact that Indonesia has taken a relatively benign stance toward sexuality is in stark contrast to its near neighbors, Singapore and Malaysia, which have long had repressive and punitive laws regarding sexuality. Indeed, former Malaysian Prime Ministerial candidate Anwar Ibrahim was imprisoned on trumped-up charges of homosexuality. Sadly for Indonesia, though, democracy and globalization have rallied conservative elements within the nation to make punitive morality a key contemporary issue. While the move toward a conservative public morality is not new (Brenner 2011; Jones 2010; Lindquist 2004; Parker 2008; Silvey 2000; Smith-Hefner 2007), the last couple of years have seen morality become a public issue as never before experienced in Indonesia. As such, mothers in particular are needing to find ways to impart religious piety to their children despite a proliferation of sexy Western-inspired advertising and social media (Hartono 2018; Hartono et al. 2017).

Prior to democratic reform in Indonesia in 1998, the key event that sparked public discussion of sexuality was the beginning of the HIV/AIDS epidemic. As elsewhere, HIV was initially seen as an issue only for gay men. While awareness has grown in Indonesia that HIV is transmitted through more than just homosexual sex, issues of morality continue to hinder HIV prevention strategies. The fact that highlights the failure to address HIV in Indonesia more than any other is that the fastest growing rate of HIV in Indonesia is not among gay men, men who have sex with men, the transgender community, or intravenous drug users. Rather the fastest growing prevalence rate is among married heterosexual women (Munro and McIntyre 2015; Rahmalia et al. 2015). The reason for this increase is that policy makers and others have assumed that heterosexually married women engage in safe sexual practices and do not use drugs. This image neglects the fact that women may use drugs, have sex outside of marriage, and that their husbands may too. A further reason that HIV is growing among married women is that when they visit a doctor with sexual health concerns, married women are dismissed and ignored and their concerns are silenced (Bennett 2015). Of further alarm is the high rate of HIV transmission from mother to child which is being little addressed. Deployments of Islam are proving unhelpful in the fight against HIV (Hidayana and Tenni 2015).

Another key move within Indonesia's history that provoked discussion around sexuality and Islam was the move to democracy in 1998. When authoritarian leader President Suharto was forced to resign, an era of reformation swept the country. In the years following, numerous positive advances were made in Indonesia that should have helped with such factors as decreasing the rate of sexual and domestic violence, slowing the spread of HIV and sexually transmitted infections, and safeguarding the rights of all Indonesians to fulfilling sexual lives. Many advances were made.

For instance, marital rape was finally made a crime in 2004 (Bennett et al. 2011). A more robust Human Rights Commission was established in 2008, giving it responsibilities in the prevention of racial and ethnic discrimination. Work was also undertaken by women's groups to fight for the rights of women in politics, economics, and society in general; their focus, however, was on sexual rights for women within the institution of marriage, showing the dominance of heteronormativity in Indonesia. Unfortunately in recent years there has been significant backtracking in progress in many of these respects.

Alongside the move to democracy, globalization has had an impact on sexuality in Indonesia. Like democratic reform, many aspects of globalization have had a positive influence on Indonesia. For instance, the 10-year anniversary of the Beijing Women's Conference began a conversation in Indonesia about women's role in politics and the need for a quota system (Davies 2005). Women united to agitate for a place in Indonesian society outside just the home. Women also took inspiration from Khadija, Muhammad's wife, who was his employer. A loosening of media restrictions enabled progressive media to enter Indonesia and indeed progressive media to be developed in-country. For instance, Nia DiNata's film *Arisan* was the first movie depiction of gay characters that were not a source of humor only (Murtagh 2013). Transgender communities began to take advantage of this new media scape (Hegarty 2017). Alongside this relaxation of media freedoms came events such as beauty pageants. It was through such events that the ways in which sexuality and Islam shape appropriate femininity became further crystallized (Pausacker 2015). With these changes also came a nascent LGBT movement. The LGBT movement had its own characteristics and did not fight for rights in the same way as its Western counterparts, but democracy alongside globalization and the HIV epidemic, provided impetus for broader discussions of sexuality in Indonesia (Yulius and Davies forthcoming).

One of the great ironies of Indonesia is that democracy has inspired not progressive moves toward sexual freedoms but rather increasingly punitive control of sexuality directed through interpretations of Islam. Kept in check by Suharto, democratic principles of freedom of religion and freedom of expression, combined with a fear of increasing Westernization and growing inequality, have manifested in targeted surveillance and censor of sexualities outside marital heterosexuality. This surveillance and censor has become notable even with comparison to 2015, when commentators were still optimistic about the sexual future of Indonesia (Davies and Bennett 2015).

Sadly there have been radical moves in the last decade or so in Indonesia toward making private morality a public matter liable to punitive surveillance and penalty. This move is seen most explicitly in the Indonesian province of Aceh. In Aceh we saw clearly the connection between Islam and sexuality when in 2015 Aceh began enforcing a Shari'a Criminal Code, known as the Qanun Jinayat. Qanun Jinayat not only brings Muslims under its laws but extends Islamic law to non-Muslims. The implementation of the Code was possible because of special autonomy laws granted to Aceh in 1999 to keep secessionist demands at bay. Ironically, some have argued that Aceh did not want to create an Islamic state; they merely wanted to keep Jakarta

from profiting from their extensive natural resources (Yulius 2016). However, debates around sexuality have played out in Islamic terms even if Islam is in a sense a pawn in a larger political game. Qanun Jinayat has been widely criticized because it violates human rights on various levels. The Code allows for the use of corporal punishment, it places restrictions on the freedom of expression, and it seeks to control women's dress and movement. The Code also explicitly bans sexual misconduct, largely interpreted as banning homosexual and lesbian sex. But, as Yulius notes (2016), the definition of sexual misconduct is misleading as it conflates sexual practices with sexual orientation.

Sadly the way Islam has been used to delimit sexuality in Aceh is becoming more common across the rest of the nation. While since 1998 commentators became more hopeful each year about progress in relation to sexual freedoms, January 2016 seems to have marked a watershed in the repression of sexual rights, not just for LGBT but all Indonesians. While the events that sparked the "LGBT crisis," as it has become known, related to LGBT Indonesians, the repercussions have been widely felt. Indeed there are currently moves to penalize all sex outside of heterosexual marriage. The key event that sparked the crisis can be traced to a statement made by then Minister of Education, Muhammad Nasir, that Indonesian universities should not support LGBT activities. People who were not necessarily homophobic suddenly sensed an opportunity to win political and religious backing, and they subsequently drew on Islam to denounce homosexuality and all nonmarital intimate relationships.

From 2016, Islam became the central conduit through which nonmarital sexuality was denounced. Covering the "LGBT crisis," the conservative Islamic newspaper, *Republika*, ran the headline "LGBT poses serious threat to nation" (Mariani and Sampeliling 2016). Nahdlatul Ulama, the largest Muslim organization in the nation, stated that non-heterosexuality was incompatible with human nature. Nahdlatul Ulama also noted that LGBT activities must be criminalized (Yosephine 2016). Reformation brought by democracy was painted by some as a move bringing moral decay on all of Indonesia. Of key importance was the notion that reformation (with its overt Western connotations) was synonymous with sexual promiscuity (Pausacker 2008; Smith-Hefner 2009). Sexual promiscuity is a sin according to interpretations of Islam and therefore in the name of Islam must be combatted. Politicians, religious leaders, and others in power used Islam as the justification for getting rid of any factors in society that supported sexual and gender plurality and were not in accordance with heteronormativity.

Throughout Indonesia a growing conservative religiosity provided ammunition and support for those people who touted anti-LGBT rhetoric. Religious freedom as guaranteed in democratic Indonesia was wielded to persecute fellow Indonesians. What is particularly striking about this turn of events is that while survey data on Indonesian Muslims indicate many people may reject sexual diversity, most people have not wanted such activities criminalized; Islam can accommodate sexual diversity (Sheridan 2016). Ironically there may be lessons for Indonesia to learn from its conservative neighbor Singapore. Singapore has criminalized homosexuality, but there LGBT Singaporeans are often tolerated as a means of achieving economic progress (Chua 2014). It seems then that while Islam and sexuality have long



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cohabited relatively unproblematically in Indonesia, starting from 2016, a new relationship has emerged where the two are pitted as mortal enemies.

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## Conclusion

Indonesia is an interesting place to examine the relationship between Islam and sexuality. Not only has Islam been a core part of the archipelago since the 1500s, but it has intersected in various dynamic ways with sexuality. For the most part, Islam has been accommodating of sexual diversity, and indeed as this chapter has noted, for many sexually diverse Indonesians, they have found sanctuary in various tenets of Islam. Unfortunately, though, various contemporary forces have conspired to deploy Islam as a means through which persecution of sexual and gender diverse Indonesians has been justified. While sexual persecution is not a new story in Indonesian history – Islamic radicals have throughout the nation's past deployed Islam to meet non-just ends – the speed, spread, and vigor of recent developments do not bode well for a future of sexual tolerance and acceptance.

In exploring the topic of Islamic identity and sexuality in Indonesia, this chapter was divided into three key sections. The first section addressed the topic of sexuality. Providing a brief historical exploration of the topic, the section showed that current academic understandings of sexuality interpret it as a diverse and variable element of one's subject position. The second section introduced the country of focus, Indonesia. While not an Islamic country, Islam has certainly been a dominant element shaping Indonesia for the last few centuries. In recent years, the influence of Islam has grown in many respects with the loosening of religious freedoms afforded by Indonesia's move to democracy. The third section discussed Islam specifically vis-à-vis sexuality. While at a fundamental level Islam has many progressive aspects, such as recognizing the need for individuals to have fulfilling sexual lives, the interpretation of Islam across the globe means that it is largely used as a force to limit sexual expression. The fourth section analyzed current tensions between sexuality and Islam in Indonesia. In particular, attention was given to the current move in Indonesia toward punitive morality that seeks to criminalize all sexuality outside heterosexual marriage. In conclusion I would like to end with a plea that Islam be deployed to meet progressive sexual ends, where people can be able to explore their sexuality in a just society. Islam in Indonesia has in the past proved that it can be used in such a compassionate way, and there is no reason that Islam cannot be used in times of persecution to protect the lives of the sexually vulnerable.

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## Cross-References

- ▶ [LGBT and Ethnicity](#)
- ▶ [National Imaginary, Ethnic Plurality, and State Formation in Indonesia](#)
- ▶ [Race and Sexuality: Colonial Ghosts and Contemporary Orientalisms](#)
- ▶ [Religion and Political Mobilization](#)



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Arjun Rajkhowa

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## Abstract

This chapter reviews the literature on the intersections and links between culture, ethnicity, and sexuality. It elaborates on the multifarious themes that emerge from diverse literatures on the experiences and needs of lesbian, gay, bisexual, transsexual, intersex, and queer (LGBTIQ) people from multicultural and multi-faith (MCMF) backgrounds, encompassing a range of social, political, legal, cultural, religious, and health-related issues, and with a particular focus on Australia and Asia. The emergence of research, and community consultations and projects facilitating recognition of MCMF LGBTIQ identities, experiences, and needs is an important cultural development that contributes to the securing of LGBTIQ rights in diverse social and cultural settings. Historical experiences of criminalization, racism, social ostracism, violence and intimidation, and exclusion from

A. Rajkhowa (✉)  
University of Melbourne, Melbourne, Australia  
e-mail: [arjun.rajkhowa@unimelb.edu.au](mailto:arjun.rajkhowa@unimelb.edu.au)

work and the polity have definitively shaped the lives of LGBTIQ elders, and ongoing efforts to augment the rights of individuals through processes of recognition and reconciliation are important. This chapter also includes brief snapshot accounts of progress in recognition of LGBTIQ rights (and approaches to LGBTIQ identity) in selected Asian countries. The aim is to instantiate how LGBTIQ rights and identity have been conceptualized and approached in specific political and cultural contexts. Approaches to LGBTIQ rights in diverse Asian societies are necessarily continually evolving, shaped by the vicissitudes of social change in those societies, the growing reach and ramifications of the forces of globalization and liberalization (as well as resistances to, and disruption of, these forces), and the emergence and growing traction of international human rights discourses and political frameworks.

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**Keywords**

LGBTIQ · Queer · Ethnicity · Multicultural · Multi-faith · Australia · Asia · Culture · Homosexuality · Politics · Society · Law

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**Introduction**

From the time that homosexuality was (re)conceptualized as a basis of identity and community (see Cass 1979), tensions between lesbian, gay, bisexual, transgender, intersex, and queer (LGBTIQ) identity and other identities (e.g., ethnic identity or national identity) have shaped and informed individuals' subjectivity (Cox and Gallois 1996). LGBTIQ community-formation (considered as the conceptual sum of the social, cultural, and relational practices that coalesce around sexuality) was always predicated on and imbricated with broader social, cultural, and political movements within society. Needless to say, LGBTIQ identity has always necessarily existed in social contexts and paradigms that are primarily shaped by other identities and in tension with these identities (including racial identity and class identity) (see Icard 1986; Smith 1993). Therefore, the attitudes and ideologies that have shaped social relations within these paradigms, including attitudes and ideologies informed by race- and class-based positionality, have also historically shaped LGBTIQ identities and community-formation (see Carbado 2017). The social and commercial spaces that have facilitated the coalescence of queer social, political, and affective belonging have evolved as "striated spaces" (Deleuze and Guattari 1988 in Caluya 2008), where perceptions and experiences of inclusion and exclusion are influenced and undergirded by a multitude of intersecting sociocultural factors.

In more recent years, against a backdrop of increasing acceptance of LGBTIQ identity and rights (see Johnson et al. 2011), and the legalization of gay marriage in many Western countries, arguably, a certain tendency toward "depoliticization" of race, sexuality, and gender has "muted" discussion of the salience of these categories, if not within scholarly and activist writing, then certainly in social interaction. This has been described by some as "refraction," "a conceptual process of revealing and concealing, a constant bending that has a tendency to depoliticize" identity categories

such as race, gender, and sexuality, while concealing that depoliticization (Gomez and McFarlane 2017, pp. 364–365). Arguably, a “self-conscious, self-reflexive critique” (ibid., p. 374) that resists an erasure of histories of constrained subjectivity, and engages with broader inquiries into histories of domination (Clarke 2013), can help recontextualize understandings of and social approaches to these identity categories.

For a long time, queer scholarship resisted a deep engagement with the complexity and multiplicity of non-White queer subjectivity (ibid., p. 180; Kulpa and Mizielska 2016). One of the effects of colonialism and racism on colonized peoples and the indigenous peoples of New World/settler colonies was the deterioration and destruction of indigenous familial and social paradigms, and the replacement of these with alien, alienating, and circumscribed approaches to family, gender, and sexuality. Further, the complexity and multiplicity of migrant positionalities, and the multiple effects of social stratification, categorization, and marginalization on the one hand, and “homophobic repression and regulation of sexuality in cross-border mobilities” (Pallotta-Chiarolli and Rajkhowa 2017, p. 430) on the other, did not receive much attention in mainstream migration research (Kosnick 2011, p. 126). This is changing. Importantly, scholarly and creative work recognizing, firstly, the existence, and, then, the complexity and multiplicity of queer native and indigenous histories and experiences, has also emerged prominently in queer activism and scholarship (see Rifkin 2010, 2012; Miranda et al. 2011; Driskill 2010, 2011; Hodge 2015). A putative process of “epistemic decolonization” in queer scholarship (Clarke 2013, p. 180) and the unraveling of the heteronormative assumptions and strictures of “general conversations about globalisation, transnational capitalism and migratory movements” (ibid.) have concurrently facilitated greater recognition of multiple identities in theory and thought (see also Smith 2010).

While the effects of intra-group marginalization and exclusionary social forces must be acknowledged, it is also important to recognize that the historical trajectories of LGBTIQ activism and community-formation in different political and cultural contexts have been shaped by the LGBTIQ rights movement’s (and broader political movements’) focalization of the principles of inclusiveness and respect for the dignity and privacy of individuals (see Honneth 1996, 2001), and this focalization has been a cornerstone of LGBTIQ activism (Altman 1971). In the United States, the LGBTIQ rights movement dovetailed with (and was necessarily influenced by) other civil rights movements, and the pioneering LGBTIQ rights activism in the country was fundamentally imbricated with other contemporary civil rights movements (ibid.). Therefore, when we write about the intersections between ethnicity and sexuality, and the tensions between belonging and not-belonging, we must acknowledge and grapple with both the inclusive ethos and aspirations of civil rights movements, and the (countervailing) ineluctable social effects of multiple forms of marginalization.

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## Diaspora

In the context of Western societies, experiences of race-based marginalization and exclusion in LGBTIQ spaces have mirrored patterns of marginalization observed more broadly in society. Likewise, the homophobia and sexuality-based

marginalization and exclusion that have been experienced within specific ethno-cultural settings have mirrored broader forms of discrimination (including gender-based discrimination) in those settings. The United States and Europe (and, concomitantly, other Western nations) have served as the primary sites of the modern (global) (re)conceptualization of the rights of LGBTIQ persons, and the home of pioneering activism against the criminalization of sexuality and discrimination based on sexuality (see Adam 1995; Altman 1971; Clendinen and Nagourney 2001). However, histories of race-based discrimination and social stratification, in the United States particularly but also in Europe and elsewhere, have also shaped the trajectories of (and delimited) civic activism by racialized and marginalized groups (see Fuchs 1990). The predicament of multicultural and multi-faith (MCMF) people within LGBTIQ spaces and activism in these sociopolitical settings has necessarily been shaped by these contextualizing histories.

Thinking specifically about critical writing on the topic of race-based marginalization and exclusion experienced by queer people of color, including migrants, several pioneering works of literature and commentary come to mind; these have explored the myriad ways in which ethnicity has served as an arbiter of belonging in various LGBTIQ spaces (commercial and social-political) (see, for example, Chan 1995; Eng and Hom 1998; Gopinath 2005; Jackson and Sullivan 1999a; Ratti 1993). In the decades following what may retrospectively be characterized as the gay liberation movement in the United States, through the painful period defined by the human immunodeficiency virus infection and acquired immune deficiency syndrome (HIV/AIDS) epidemic and beyond, LGBTIQ people of color in the United States (but also in the United Kingdom and elsewhere) have organized around the goals of promoting greater inclusion in the LGBTIQ movement, in queer communal spaces (including commercially-oriented spaces), and more widely in society (Muñoz 1999), while addressing some of the specific challenges that MCMF LGBTIQ people might encounter within their ethnic communities. Works of journalism and scholarly commentary have captured some of the specific challenges that LGBTIQ people of color have faced and the social and personal journeys that they have navigated throughout these decades (see, for example, AGMC 2017; Carbado 2017; Eng and Hom 1998; Han 2007; Jackson and Sullivan 1999a; Snorton 2017). These works serve as historical records of contemporary social relations, attitudes, and beliefs.

Technological, economic, social, and political changes in this century have precipitated new forms of LGBTIQ networking, activism, interaction, and community-formation, and this has precipitated (or been accompanied by) a reworking of older social challenges. With the rise of online platforms for social networking and dating, it has been argued, a behavioral and social shift toward greater acceptance of attenuated and transactional affective interactions has occurred (see Blackwell et al. 2015; Light et al. 2008; Mowlabocus 2016; Penney 2014; Race 2015), and exclusionary patterns within these interactions have been observed. The reported prevalence and preponderance of instances of exclusionary language – which may include explicitly racist language as well as language framed around “preferences” – may be gauged by examining the copious journalistic commentary this issue has attracted (see, for



example, Barber 2018; Om 2018; Truong 2018a, b; Samuel 2018; Stokel-Walker 2018; Wade 2017). In recent years, the issue of so-called “online” “sexual racism” has received considerable attention (see Riggs 2013; Robinson and Frost 2017). From mainstream media sites to online blogging platforms (for instance, sites that are dedicated to “exposing” instances of sexual racism as encountered on specific online dating platforms), several platforms have facilitated explorations of the ramifications of racism in the gay community, highlighting (and bringing into the “mainstream”) experiences and stories that might have hitherto received only limited acknowledgment. This publicity has driven efforts to explicitly name and address racist attitudes (and unravel the specificities and particularities of racist “encounters”) within the gay community, perhaps with an emphasis on encounters that take place within the sphere of online social networking. For instance, conversations interrogating whether any declarations of racial “preference” on online dating platforms, irrespective of whether these declarations include exclusionary language or not, betray racist attitudes (just as explicitly racist and exclusionary comments do) have featured contentious claims about the neutrality of these statements (characterized as innocuous declarations of racial preferences) and counterclaims questioning this supposed innocuousness and harmless neutrality (a position encapsulated by the combative phrase, “It’s not just a preference”) (see Callander et al. 2012, 2015; Robinson 2015; Stokel-Walker 2018). Some have questioned whether dating platforms’ enabling and facilitation of race-based “sifting” (based on presumed customer demand) also contributes to the phenomenon (see Hutson et al. 2018). Following a rise in media coverage of these related issues, there has been some sociological writing on the subject, and the effects of experiences of exclusion that are undergirded by (pronounced or implicit) racist attitudes in the realm of dating, social networking, and sexual behavior have been examined by scholars using the frame of critical race theory, for instance (see, for example, Han 2008; see also Callander et al. 2016; Ro et al. 2013; Robinson 2015).

Racism is a necessarily complex subject that remains difficult to fully unpack. Broader social construction of racial “desirability” remains the basis on which inter-ethnic relations (insofar as these are relevant to the domain of sexuality and sexual behavior) play out, and can be expected, therefore, to remain the focus of a lot of commentary. However, racism is co-constituted in complex ways by the subjects and victims of racist ideology and thought, and in thinking through the intersections between sexuality and ethnic identity, it might be worthwhile to also consider how racism can shape the subjectivity of stigmatized ethnic communities (see Du Bois 1903; Fanon 1961).

Internalized racism can play a role in how inter-ethnic social relations among diaspora communities of color (for instance, pertaining to and exemplified in dating practices and sexual behavior) may evolve and be configured along pre-determined conceptual boundaries in multicultural societies (see, for example, Pyke 2010). An essay on the impact of internalized racism among migrants in a multicultural society highlights instances of how pre-determined conceptual boundaries around inter-ethnic relations, and pre-configured inter-racial dating possibilities, can dominate a queer migrant’s worldview, thus reinforcing the internalization of hierarchical social relations:

In Melbourne, I once came across promotional material from a support group for gay Asian men inviting interested individuals to a discussion on inter-racial relationships. There were two sessions planned. What immediately struck me was that both of these sessions were specifically about 'White/Asian' relationships. Evidently, in this group's imagination, there was little scope for inter-racial configurations that did not involve White men, i.e., Aboriginal/Asian, Indian/Asian, Black/Asian or even Asian/Asian partnerships. (Gay men from different 'Asian' cultures come from very different worlds and would presumably benefit from inter-cultural dialogue?) This could be seen as reflective of gay dating in the larger community: inter-racial configurations, and discussions thereof, usually revolve around a White partner who assumes a primary role, while [other] possibilities of inter-ethnic dating are occluded by layers of internalised racism, inter-ethnic racism and social hierarchy. Language barriers and the aspiration to become 'more Australian' no doubt contribute to this as well.

It is this erasure (and inordinate emphasis on one set of desires and possibilities) that most interests me. In complex multicultural societies, various aspects of the social dynamics between ethnic groups remain shrouded in mystery. This is partly because 'racism' is constituted by and large in a unilateral fashion and its less 'obvious' manifestations are either simply not known. . . . Moreover, by seeking to define themselves primarily in relation to the dominant group, members of minority ethnic groups often neglect to address the existence of negative feelings and attitudes towards other ethnicities within their own communities and amongst their own family and friends. (Rajkhowa 2014)

This reflexive tendency toward granting primacy to the dominant White subject that is highlighted here may also be seen as permeating the historical, conceptual and theoretical interface(s) between LGBTIQ community organizing, scholarship, media discourse, and public policy (Clarke 2013, p. 182).

Identities are socially constructed and based on our social affiliations (whether innate or intentional): "all parts of our identities are shaped by socially constructed positions and memberships" (Misawa 2010, p. 26). Our understandings of identity are constantly evolving and must take into account variable "inter-category and intra-category permutations of gender, sexuality, ethnicity, race and religion, as well as disability, class and indigeneity" (Pallotta-Chiarolli and Rajkhowa 2017, p. 430). Pertinent to this chapter is the notion of intra-group fragmentation and marginalization: "the further fragmentation and relegation [to subordinate status] within already oppressed groups, causing intra-group marginalization" (Harris 2009, p. 431). The idea that oppression and violence can be enacted "horizontally" is well recognized. Scholars have attempted to theorize this in terms of the interweaving and interlocking of differences within intersectional models of identity (Anzaldúa 1987; Pallotta-Chiarolli 2004), and to arrive at a conceptualization of "a more complicated relationship of power based on multiple intersecting structures of domination such as race, ethnicity, class, sexual orientation and gender" (Ekine 2013, p. 80). Varied and seemingly disparate forces of exclusion and marginalization can work in tandem with and reinforce each other, generating varying manifestations of iniquity; for example, anti-immigrant racisms and homophobia can be considered "mutually constitutive," permitting or facilitating "different kinds of visibility, invisibility and contradiction" (Kosnick 2011, p. 122). The importance of acknowledging disparities of power and other issues pertaining to visibility and representation is well recognized:

[T]he politics of representation influences the ways that ‘access and excess’ are experienced; the ability, capital and opportunity to assert agency because of varied privilege; and the experience of restriction and interlocking oppressions, which limit opportunities for agency and self-determination (Pallotta-Chiarolli and Pease 2014 in Pallotta-Chiarolli and Rajkhowa 2017, p. 430).

As mentioned earlier, some have suggested that, in the current political climate – paradoxically against a backdrop of the increased visibility of sexual and ethnic minorities, and (arguably) the undiminished prominence of political claims based on identity – a process of “refraction,” or depoliticization, of gender and racial identities has unfolded (Gomez and McFarlane 2017), rendering what may have once been a perceptible and cognizable relationship between identity and social context and experience perhaps less easily cognizable (Gomez and McFarlane 2017, pp. 364–365). Depoliticization can complicate our understanding of multiple identities and make examination of the social ramifications of identity more challenging. Although the challenges of engaging with the complexity of the multiple intersections between ethnicity and sexuality may appear daunting, the importance of simply acknowledging, at least, the potential impact(s) and significance of this intersectionality needs to be affirmed:

People’s positionality greatly influences what they have access to and how societal systems and structures interact with them. Race, ethnicity, class, gender and sexuality are relational, complex and shifting rather than fixed and independent. (Pallotta-Chiarolli and Rajkhowa 2017, p. 430)

The impacts and significance of this intersectionality have historically been most evident in the domain of health. Negative social attitudes toward marginalized and disadvantaged groups have an impact on health outcomes. Minority status, coupled with experiences of discrimination and exclusion, can lead to a recognizable form of “minority stress” (Meyer 2003), which can contribute to iniquitous health outcomes. Experiences of violence, hostility, and discrimination, and being surrounded by and subjected to negative social attitudes, can have a significant impact on individuals’ health by, for example, compounding anxiety, precipitating depression, and inhibiting one’s ability to integrate into (and succeed in) education and employment. Studies have examined how health outcomes are affected by racism, sexism, and classism (Krieger et al. 1993; Marmot and Wilkinson 2009). Studies have also looked at the impacts of discrimination against LGBTIQ people on their health outcomes, finding links between homophobia and discrimination on the one hand and negative health outcomes such as anxiety, loneliness, isolation, depression, addiction, and self-harm on the other (Corboz et al. 2008; Fokkema and Kuyper 2009; Kuyper and Fokkema 2010; King et al. 2008). Experiences of racism, classism, and social exclusion can further exacerbate these negative health outcomes that are associated with experiences of homophobic discrimination (Cochran and Mays 2007; Kim and Fredriksen-Goldsen 2012; Mills et al. 2001). The compounded effects of different forms of discrimination, and of “interlocking and mutually-constituting disadvantages” (Nair and Rajkhowa 2017), can be examined and

understood through the lens of intersectionality (Crenshaw 2012; see Bostwick et al. 2014; Nair and Rajkhowa 2017).

For many MCMF LGBTIQ people, maintaining a silence about their sexuality can be a necessary strategy for coping with fear of rejection, isolation, and ongoing discrimination. MCMF LGBTIQ individuals may attach great importance to maintaining the stability of family relations and meeting (sometimes strenuously reinforced) familial expectations (particularly around marriage), and thus to maintaining their privacy:

For many sexual minority individuals, privacy is still critical to maintaining employment, family relations, ties to ethnic cultural groups or membership in religious institutions, and respect for privacy has become part of sexual minority cultures. (Bauer and Wayne 2005, p. 46)

However, silence about sexuality as a strategy for maintaining privacy can become a tool of repression and oppression, enforced by both the individual and the family and society at large. This can contribute to varying forms of “invisibility,” “queer symbolic annihilation,” and “queer (un)intelligibility,” and thus to the buttressing and consolidation of a culture of “systemic erasure” (Muller 2017, p. 1). In the domain of health, symbolic annihilation can also occur through the omission, trivialization, and condemnation of queer subjects (Tuchman 2000). Heteronormative knowledge(s) and approaches within healthcare systems (Rosario 1997), and, importantly, the epoch-defining stigmatization of queer (particularly gay male) bodies during the HIV/AIDS epidemic in the 1980s–1990s (and, arguably, in the United States, the political establishment’s apathy toward and deliberate neglect of the sufferers of the disease in the initial phase of the epidemic) (Shilts 2007), have historically (con-)strained LGBTIQ visibility within healthcare systems. Importantly, the criminalization and persecution of LGBTIQ people in a number of countries, and the continuing ramifications of the HIV/AIDS pandemic globally, have been (and continue to be) significant determinants of the health of LGBTIQ people around the world (see, for example, Altman 1997, 2002; Parker 2002; Piot et al. 2001; Pisani 2010).

Being queer in a cultural context that is characterized by homophobia and rejection of LGBTIQ identity can undoubtedly negatively impact on people’s well-being. Many MCMF LGBTIQ people in the diaspora may feel compelled to negotiate a multitude of expectations, and social and behavioral regulations and codes around gender, sexuality, and ethnicity (Abraham 2009). These are determined by and generated within ethnic and familial settings, religious communities, and the wider heteronormative society (Gahan et al. 2014; Habib 2009; Jaspal and Cinnirella 2014; Rajkhowa and Thompson 2015; Siraf 2012; Siraj 2014; Yip 2008), and can shape individuals’ ability to develop and maintain a well-integrated sense of self. Experiences of psychological and social disintegration (and breakdown of familial relationships) can severely affect and compromise people’s well-being (Hammoud-Beckett 2007). An interventionist approach to helping people tackle experiences of homophobia and repression within an MCMF context posits that,

within communities, policies, programs, and practices that actively challenge prejudice and foster a sense of safety and belonging need to be promoted and implemented by government and educational institutions (Pallotta-Chiarolli 2005a, 2016). Many MCMF LGBTIQ people wish to cultivate a sense of belonging within their communities, and familial and social connections that augment their cultural identity; they wish to foster relationships that are based on a recognition of shared faith values and struggles (Beckett et al. 2014; Low and Pallotta-Chiarolli 2015).

However, many MCMF families may see LGBTIQ identity as a manifestation of secularization, loss of religious grounding, moral decadence, and “Westernization” (Jaspal and Cinnirella 2010; Shannahan 2010; Beckett et al. 2014), leading to hostility toward and punitive treatment of LGBTIQ family members. For Muslim LGBTIQ youth from orthodox backgrounds, a breaking of religious strictures can lead to violence, intimidation, and excommunication from the family and community (Hammoud-Beckett 2007). MCMF LGBTIQ youth experience “developmental” challenges that may be unique to their predicament: they find themselves needing to cultivate a sexuality-based identity and a cultural identity simultaneously, to reconcile and resolve conflicts arising from their concurrent identifications, and to negotiate discrimination and stigma associated with homophobia, racism, and sexism (Savin-Williams 1998). Affirming support for LGBTIQ family members, and for the belief that “demonstrating and upholding family values can be fully compatible with a respect for LGBTIQ rights” (Hooghe et al. 2010, p. 68), can be a significant challenge for MCMF LGBTIQ individuals and their families.

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## Australian Perspectives

The need for state and civil society organizations’ promotion of inclusive research programs and community initiatives is clear, and Australia may be considered a pioneer in this respect. In Australia, there has been significant support for research into the experiences and needs of MCMF LGBTIQ people, and several community initiatives that foster civic participation and belonging (Emslie 2005; Gopalkrishnan 2016; Harris 2011; Kassisieh 2012; Mejia-Canales and Leonard 2016; Noto et al. 2014; Pallotta-Chiarolli 2016; Poljski 2011; Rajkhowa 2017; Qian et al. 2015; Queering the Air 2015; see Pallotta-Chiarolli and Rajkhowa 2017, p. 432). These research and community arts projects have explored and investigated the lived experiences and needs of MCMF LGBTIQ people in Australia, facilitating a number of collaborations (both academic and creative) (Duruz 1999; Pallotta-Chiarolli 2008; Rajkhowa 2017), and the formation of community support groups:

These self-determining agentic groups provide vital ongoing support and perform developmental roles but require collaboration from mainstream MCMF community services, and homo-positive state and federal institutions and structures. These groups aim to break down the association of non-Anglo ethnicity and faith with homophobia, and develop a relationship of trust between systems, institutions, and MCMF LGBTIQ individuals and communities. (Pallotta-Chiarolli and Rajkhowa 2017, p. 432)

Two major Australian anthologies containing autobiographical and narrative writing, and commentary on contemporary political and social issues by MCMF LGBTIQ Australians (Jackson and Sullivan 1999a; Pallotta-Chiarolli 2018), and an indigenous LGBTIQ anthology (Hodge 2015), are prominent examples of recent collaborations in this area. Academic conferences such as the Australian Lesbian and Gay Archives' annual Homosexual Histories Conference (ALGA n.d.) have prominently incorporated MCMF LGBTIQ issues in their programs. Community-focused consultations and projects have also produced recommendations and strategies for the inclusion of MCMF LGBTIQ identifies within MCMF frameworks, policies, and projects (Chang and Apostle 2008). These recommendations cover the roles of state and local council services and MCMF community organizations, faith organizations, educational institutions, and primary and tertiary health services (see Pallotta-Chiarolli and Rajkhowa 2017, pp. 434–435).

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## Asian Migration

Here, in Australia, migration and its social concomitant, multiculturalism, are critical (if contentious) components of the contemporary political framework and national imaginary. Migration (considered in conjunction with its many social, political, and economic ramifications) may be deemed one of the preeminent foci of contemporary Australian politics, and, in an analysis of contemporary cultural trends, the impacts of immigration (and its associated cultural changes) may be viewed in juxtaposition with other critical issues and processes, such as the emergence and consolidation of Aboriginal rights, women's rights, and LGBTIQ rights.

In these first two decades of the twenty-first century, migration from Asian countries has surpassed European migration. Asian migration has become (and will ostensibly remain) a significant political-demographic consideration in analyses of culture and politics (see Bowen 2012). Gay Asian men “make up the largest regional group of entrants under Australia's provisions for same-sex couples” (Luibhéid 2008, p. 177). Commentary on the lived experiences of gay Asian migrants in Australia highlights a range of issues relating to themes such as “racialization,” discrimination, alienation, assimilation, and the negotiation of fraught relationships with culture (see Rajkhowa 2017), which have been conceptualized and examined, for instance, under the rubric of “difficult belonging” (Rajkhowa and Thompson 2015):

The phrase ‘difficult belongings’ is useful because it encapsulates the tenuous nature of the sexuality/migration/race/belonging nexus. On the one hand, the sense of belonging that comes from immersion in a specifically queer identity or community is juxtaposed, uncomfortably, with the alienation (or perhaps dissonance) that accompanies migration. On the other hand, the assumption of ‘belonging’ to a culture or community that is defined in ethnic terms, through primordial links, is problematised by sexuality and the invariably contentious space that is occupied by ‘divergent’ or ‘queer’ sexualities within discrete and autonomous migrant cultures. (Rajkhowa and Thompson 2015, p. 3)

Social belonging is a complex idea that evokes and encompasses multiple conceptions about and understandings of relationships between the self and community (see, for example, Guibernaut 2013; Probyn 1996). For gay Asian migrants, social belonging, and associated understandings of (and approaches to) identity, can be influenced by how LGBTIQ identity and rights are conceptualized and approached in our countries of origin (see Sullivan and Jackson 2013). This sociopolitical link is one that remains difficult to unpack (see Lee 2016; Luibhéid 2008). Arguably, a significant segment of the literature on sexuality and Asian cultures that is produced (and most readily available) in Western academe is predominantly diaspora-centric, comprising reflections on the experiences of gay Asian migrants and people of Asian origin in Western nations (see, for example, Chan 1995; Eng and Hom 1998; Gopinath 2005; Jackson and Sullivan 1999a; Pallotta-Chiarolli 2016, 2018; Pallotta-Chiarolli and Rajkhowa 2017; Rajkhowa 2017; Ratti 1993). Nevertheless, in the last decade, we have seen the emergence of a significant body of scholarship on sexuality, politics, and culture in specific Asian countries (see Sullivan and Jackson 2013).

A recent and popular work of travel journalism, *Gaysia: Adventures in the Queer East*, by an Asian-Australian writer, Benjamin Law (2012), explores LGBTIQ identity and rights in a number of Asian countries, and offers insights into the intersections between ethnicity, culture, and sexuality in these settings. While not explicitly political or scholarly in approach (it is a travelogue and work of popular journalism), it adopts an engaging, politically informed exploratory approach to the politics of LGBTIQ identity in Asia. Written from the perspective of a second-generation Asian-Australian, and offering perspectives on how sexuality and identity intersect in Asia, this work provides insightful glimpses into LGBTIQ subjectivity in Asia through accounts of encounters with political actors (including those who drive homophobic political agendas) and community activists. This approach broadens awareness of the links between ethnicity, culture, politics, and sexuality.

As mentioned earlier, while the intersections between culture, ethnicity, and sexuality are arguably usually examined from the perspective of diasporas – and through the lens of the experiences of diasporic communities – in Western nations, it may be argued that without reference to specific international sociopolitical contexts, discussion of the topic may become abstracted. In parts of Asia, Africa, and the Middle East, intense contestations spurred by the perceived “intrusion” and “importation” of liberal cultural attitudes to homosexuality have dominated public discourse on LGBTIQ rights (see Altman 1996, 2002; Lee 2016; Ndashe 2013). As Katerina Dalacoura writes, “Homosexuality has [...] become a source of intense cultural contestations at a global level” (Dalacoura 2014, p. 1290), and opposition to homosexuality has become a means of “affirming cultural integrity and authenticity... defined and asserted in juxtaposition to the West, which either epitomises the threatening cultural outsider or becomes a tangible opponent through the actions of governments, NGOs and individual activists” (ibid., p. 1291). This complicates the prospects for progress on decriminalization of sexuality and recognition of LGBTIQ rights in many countries.



## Political Subjectivity and LGBTIQ Rights in Asia

The following section includes a limited overview of political, legal, or social developments around LGBTIQ rights in selected Asian countries. Accordingly, the aim of this section is to situate the discussion of this topic within specific (international) political, social, and ethno-cultural frameworks and to simply provide brief snapshots of the progression of LGBTIQ rights in these different contexts. The subsection on India includes references to selected themes in the scholarly literature on LGBTIQ subjects, while the other subsections following this provide précis accounts of progress in the area of decriminalization of homosexuality and/or recognition of LGBTIQ rights in other selected Asian countries. This discussion has its obvious limitations; it does not provide a globally comprehensive view and, reflecting the author's limited knowledge and scope for exploration, does not explore national and cultural contexts other than those that have been purposively selected here. Nevertheless, it is hoped that this discussion contains some examples of how recognition of LGBTIQ rights has evolved internationally and how this may intersect with political and ethno-cultural context.

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### India

Writing about LGBTIQ politics in India necessitates, firstly, a qualification of the identitarian terms that frame this conceptual and political domain, as well as a qualification of claims about the disruptive presence (and/or feasible accommodation) of LGBTIQ activism within broader Indian political thought and activism. A few works of political and cultural analysis, as well as works that have emerged more directly through activism and political-cultural mobilization, offer astute interrogation of semantic identity categories (see Bhaskaran 2004; Dave 2012; Vanita 2013; Menon 2007a; Narrain and Bhan 2005). The important point here is to emphasize, without elaborately rehashing well-known arguments, that there is widespread recognition of the fact that identitarian terms (including gay, lesbian and queer), and "LGBTIQ" as a political category, carry different semantic valences in different contexts, and their equivalents in Indian contexts may not entirely fit within the terminological or conceptual frameworks that are preferred (and were established) by Western queer movements and academic writing. There is some scholarship and activist writing (particularly in relation to HIV/AIDS prevention programs) that deals with the complicated tensions that exist between queer "identitarian positionalities" in India (see Bacchetta 2002; Gopinath 1997; Khan 2001). While many Indians who engage in non-heteronormative sexual, romantic, and affective practices, particularly those who are part of urban, middle-, and upper-class milieus, may self-identify as gay or lesbian, many others, in different social strata, do not or cannot adopt these identity labels; still others prefer "indigenous" markers such as "kothi" and "panthi," which signify sexual roles rather than identity (see Khan 2001). More prominently, many in the large and diverse transgender community identify as "hijra," an identity constituted by a complex interaction



between gender identity, community, ritual performance, and social milieu (see Sukthankar 2005). From the 1990s till today, these identitarian distinctions have informed, for example, how organizations working in the HIV/AIDS sector name, categorize, or position their target demographics (see Narrain 2004; Khan 2001; Kole 2007). With sexual practice, rather than identity, at its center, the formulation “men who have sex with men,” or MSM, has enjoyed wide currency in policy discourse internationally, and this is particularly relevant in India (*ibid.*).

At the same time, it is also important to recognize that the practice of asserting identity on the basis of sexuality (and LGBTIQ as conceptual framework and terminology) has certainly made inroads into the public consciousness, spurring affirmation on the one hand and (arguably) moral panic on the other (see Bhaskaran 2004; Dasgupta 2014; Shah 2015). Gay, lesbian, bisexual, transgender, and even queer as identity markers have entered the common sense of public discourse. Given the multiple ways in which these identities have coalesced around particular modes of association, networks, state interventions, mobilizations, cultural productions, and ideological strands, it is widely acknowledged that the multiplicity of “queer” identity or relational practices cannot easily be compressed within an all-encompassing and unifying conceptual framework.

The point here is to simply indicate that use of particular sets of identity terms neither overrides nor obviates existing heterogeneous markers of identity, and the varying socio-material conditions and discursive understandings that underpin them; rather, these serve as a short-hand to loosely signify non-heteronormative sexuality and identity. As such, any reference to a queer movement and to queer rights in India, for instance, implicitly performs the task of condensing a heterogeneous range of meanings, interests, and concerns, and no claims can justifiably be made about adequately representing the multifarious elements of the broader social, political, and relational paradigms and contexts that have emerged around queer identity, or about compressing these within a single conceptual category.

This approach applies to discussion of LGBTIQ identities not only in India but many other cultural and political contexts as well (see Grewal and Kaplan 2001). The relevance and valences of identity terms and identitarian terminology can differ from one context to another, and this variability has both political and personal significance. While the identity terms gay and lesbian have often concretized and reified otherwise less-defined, euphemistically understood concepts in various cultures, making visibly clear what was previously “unspoken,” the usage of these terms and, arguably, the contemporary hegemonic hold of these terms on the public consciousness have also spurred alienation and dislocation, making it difficult for some to either fully own or fully discard these labels. These identify labels can be affirming or negating, liberating or restrictive, and meaningful or otherwise, to people in different cultural settings, and in different languages. Terminology itself becomes a powerful tool of self-conceptualization. Accordingly, the importance of identity-defining terminology and language has been appropriately recognized in scholarship on culture and sexuality (see Brubaker and Cooper 2000; Davis 2014; McConnell-Ginet 2003; Moi 1995).

In thinking about the intersections between ethno-cultural and political context, and sexuality, the continuing criminalization of sexual intercourse “against the order of nature,” and ongoing persecution of gay, lesbian, and transgender people, in different countries, is a foremost concern (see Asal et al. 2013; Altman and Symons 2016), and this has been particularly true of India. In India, LGBTIQ rights activism and scholarly commentary has predominantly focused on efforts to decriminalize homosexuality through amendments to Section 377 of the Indian Penal Code, which hitherto proscribed “carnal intercourse against the order of nature” (see Fernandez 2002; Misra 2009; Narrain and Bhan 2005; Sharma 2008). This statute, which was introduced under British colonial rule, can be found in several other national penal codes in Asia, Africa, and elsewhere, and has been retained in some form by over 30 nations (Gupta 2008).

Three critical milestones define the trajectory of the movement for decriminalization in India. In 2009, the Delhi High Court “read down” Section 377, declaring that the criminalization of sexual relations between consenting adults of the same sex was unconstitutional. This was the culmination of years-long efforts and longstanding legal petitions against Section 377 (Gupta 2006; Misra 2009; Waites 2010). In 2013, the Supreme Court of India, the country’s apex appellate court, overturned the aforementioned decision, thereby reinstating the relevant provisions of Section 377 (Mahapatra 2013). This court’s decision was premised on the argument that Section 377 (in its now-erstwhile form) did not violate the fundamental rights of citizens that are guaranteed in the Indian constitution. (The fundamental rights section of the Indian constitution operates as a foundational bill of rights.) Petitioners challenged this decision; however, in 2014, the Supreme Court dismissed pleas for a review (The Economist 2018). In 2016, the Supreme Court agreed to review the previous decision and subsequently referred the matter to a “constitution bench” (or panel of judges tasked with definitively determining the “constitutionality” of a given law) (ibid.). In September 2018, the court ruled that the relevant subsection of Section 377 was unconstitutional (Safi 2018), thus effectively decriminalizing consensual sex between adults of the same sex, and definitively determining that the provisions in their now-erstwhile form violated citizens’ fundamental rights. This decision drew on another decision delivered by the court, in 2017, wherein the right to privacy was interpreted as being intrinsic to one of the fundamental rights enshrined in the constitution (Ganguly 2017).

This history and trajectory of judicial decisions, and the specific interrogation of sexuality and sexual-subjectivity that each case prompted and generated, have together effectively defined and interpellated LGBTIQ subjecthood in India (see Kapur 2017). This juridical interpellation of queer positionality has had profound consequences, with each of these cases having engendered the body of the queer subject in distinct ways. From being characterized by the opponents of gay rights as a “deviant” group deserving of continued state persecution (see Narrain 2004; Bose and Bhattacharyya 2007), to being characterized, dismissively, by Supreme Court judges (in one of the penultimate cases) as constituting a “miniscule minority” (see Subramanian 2015) (with the implication that this group is, therefore, undeserving of

explicitly guaranteed protection from persecution), the LGBTIQ community has confronted the multifarious strands of homophobic prejudice and oppositional mobilization that have visibly circulated in the country since the prospect of decriminalization was raised, and these opposing forces have continually interrupted and attempted to control public discourse to varying degrees.

Each case has had significant cultural impacts. Each of these political and judicial processes generated significant media coverage. Queer politics in India has in the recent past emerged more “visibly” and directly into the mainstream of public discourse through greater representation of queer lives and issues in the mainstream media. The political content of mediated queer representation has shaped and contributed in a fundamental way to public understanding of the core issues that have animated the fight for queer rights in India. In several ways, media representation has been central to discussions of and mobilizations around queer rights in the country (see Vanita 2013; Mitra 2010). An analysis of how the mainstream media have framed queer rights and issues is one that would illuminate significant themes around the changing social mores and political convictions of the media-consuming public(s) in India. Particular attention may be paid to mainstream media coverage surrounding the aforementioned three critical discourse moments, which collectively constitute the primary lodestone of recent activism and media coverage.

Scholarship on queer sexuality and its affective and cultural dimensions in India spans a rich spectrum of disciplines. Queer activism and scholarship owe enormously to the political and cultural evolution of feminist thought; feminist scholarship on the intersections between gender, post-coloniality, history, economy, and culture has generated insights that have proved immensely productive for scholarly understanding of non-heteronormative sexuality (see Menon 1999, 2007b, 2009). In particular, the ways in which the aforementioned contemporary legal frameworks around sexuality, as well as social attitudes to sexuality, have evolved historically have been the subject of much insightful analysis (see Narrain 2007; Bose and Bhattacharyya 2007). Studies charting how the colonial state, nationalist bourgeoisie, and post-colonial dispensations have each molded, co-opted, confronted, or otherwise negotiated sexual subjectivity and citizenship have illuminated the complex interaction between state power, social structures, and subject bodies (see Arondekar 2005, 2009; Puri 2002). In the domain of culture, seminal works have recuperated a seemingly lost pre-colonial history of “queer” sensibilities in Indian art, literature, and folk traditions (see Vanita and Kidwai 2008). The contemporary cultural significance of these attempts at reclaiming a seemingly more affirmative (or, at least, less sexually oppressive) past cannot be overstated. Queer rights and acceptance of non-heteronormative sexualities, hitherto couched in Western-derived and Western-inflected discourses on human rights, have been shown to have a basis in (and legitimacy through) indigenous thought, culture, and tradition.

For instance, the trajectory and evolution of transgender rights in India have been influenced strongly by the recuperation of “traditional” recognition and acceptance of transgender identity (see Kalra 2012; Nanda 2015; Sukthankar 2005). While

gay and lesbian identity have been perceived as emerging from a Western social, political, and intellectual framework (see Bhaskaran 2004), transgender identity has been reframed as rightfully belonging within indigenous social and conceptual frameworks (see Dutta and Roy 2014; Kalra 2012; Michelraj 2015). Recognition of transgender rights and respect for mobilizations promoting recognition of “other” gender are thus seen as being compatible with tradition and culture. This has engendered a tension between approaches to gay and lesbian rights on the one hand and transgender rights on the other (see Rajkhowa 2015). Both the judiciary and parliament in India (indeed, in some individual states in the country) have now affirmed the importance of protecting the rights of transgender persons and establishing official frameworks for the protection of transgender people from discrimination, even as support for gay and lesbian rights (or support for decriminalization of homosexuality more generally) has, at numerous historic junctures, been repeatedly eschewed and suppressed. In fact, this tension has played a critical role in the way that homosexual rights have evolved in the country, with the invocation of “traditional” legitimacy (or legitimacy derived from antiquity and tradition) facilitating (legal and legislative) affirmation of one framework of rights on the one hand, and the spectre of intrusive (imported) modernity hindering progression of another framework of rights on the other hand (ibid.). This dichotomy may be linked to the salience of binary gender frameworks, and the possibility of the accommodation, within a patriarchal social framework, of transgender rights via binary approaches to gender and sexuality (where same-sex attraction is rendered comprehensible through gender conversion). Nevertheless, the very fact that ameliorative policies and strategies have been devised and proffered by the political establishment, in recognition of the need to counteract the marginalization and longstanding economic disadvantage suffered by the transgender community in India (see Chakrapani 2010; Sukthankar 2005) (long ignored by federal governments), signals new shifts in the national biopolitics.

While the non-heteronormative (and, particularly, gender-fluid) sensibilities of pre-colonial literature, myth, and culture have been a rich subject of regenerative historical analysis (see Michelraj 2015), the myriad ways in which queer sensibilities inhere in many contemporary cultural productions, including film and advertising, have also been analyzed in cultural studies works, particularly those published since the early 2000s (see, for example, Gopinath 2000). Operating in a strict environment of social, political, and administrative censorship that is undergirded by sometimes explicit but often implicit moral codes (see Kaur and Mazzarella 2009), films and other televisual works depicting homosexuality have tended to treat the subject in tangential and euphemistic ways, with gesture, oblique dialogue, and symbol tentatively signaling concealed homosexual desire, which is always controlled and contained within permissible parameters (including the generic parameters of comedy) (Gopinath 2000). However, some works of art have indeed pushed these boundaries and depicted homosexuality in more direct, forthright, and self-conscious ways, even though the final work is ultimately always subject to the imprimatur of official film censors and a frequently repressive censorship regime. One such film, *Fire*, released in 1996, prompted a conflagration almost unparalleled

in the history of the Indian film industry (see Gopinath 1998). Its subtle treatment of a lesbian relationship (occurring in the context of a heterosexual marriage and the social framework of the Indian “joint-family”) was deemed incendiary, and provoked riots, bans, and political hectoring that long outlasted its brief and attenuated stint in film theatres and distribution circuits. Adapted from a literary work that tangentially and symbolically referred to a lesbian encounter (Chughtai 1942), this film, by depicting lesbianism and foregrounding themes around same-sex female sexuality (within the context of heterosexual marriage), encountered significant and violent resistance from conservative religious groups. This episode violently revealed the extent of traditionalist opposition to emergent articulations of sexuality and delimited the scope for these articulations within the hegemonic public sphere. In the aftermath of the well-known, well-covered, and seminal “*Fire* controversy,” media and social commentary on queer subjects, it has been argued, evolved considerably (see Gopinath 1998; Menon 2007a). Since then, in academia and journalism, there have been many engaging analyses of art, culture, politics, and sexual subjectivity in India (see, for example, Dudrah 2012; Gopinath 2005; Kapur 2017; Kavi 2000).

The following subsections provide a brief overview of the state of LGBTIQ rights in selected Asian countries. As mentioned earlier, these are intended as “snapshot” accounts of the politics of recognition of sexuality (and legal developments relating to extant criminalization of sexuality and discrimination on the basis of sexuality) in the region.

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## South Asia

In Pakistan, Nepal, Bangladesh, and Sri Lanka, as in India, LGBTIQ identity and political mobilization may also be seen through the lens of a putative dichotomy between gay rights and transgender rights. In these nations, the rights of transgender people have been legally recognized and consolidated to similar degrees (see Anam 2018; Barker 2018; Hashim 2018). This is premised on similar conceptualizations of transgender rights as having some legitimacy in “tradition” and “culture.” Nevertheless, as in India, transgender people across South Asia continue to face overwhelming social stigma, marginalization, and economic disadvantage (see Khan et al. 2009; Redding 2012).

In South Asian nations (with the prominent exception of Nepal, and now India), homosexuality (or, more specifically, sexual relations between consenting adults of the same sex) remains a criminal offence (with all countries having retained the overarching framework of the colonial penal code and its criminalization of homosexuality), although prosecutions tend to be rare (see Baudh 2013). In general, non-heteronormative sexuality is considered taboo, and social norms and expectations around marriage (within predominantly patriarchal cultural contexts) instantiate the idea of “compulsory” heterosexuality (see Gopinath 2005).

The steady rise of religious fundamentalism in Pakistan and Bangladesh (see Bjorkman 1988; Chhachhi 1989; Griffiths and Hasan 2015; Mishra 2012) has contributed to an exacerbation of social and political intimidation and victimization of LGBTIQ people, particularly activists and those who have publicly advocated for recognition of LGBTIQ rights (Rahman 2017). In Bangladesh, ongoing radicalization and fundamentalist mobilizations have precipitated rampant violence against members of minority communities, including in the form of violent persecution of individuals who are (frequently baselessly) accused by reactionary groups of transgressing religious strictures, and even the assassination of individuals targeted in this manner (see Graham-Harrison and Hammadi 2016; Hammadi 2016). Instances of political violence carried out by Islamist extremists have contributed to (and definitively signal) a deterioration of LGBTIQ rights, which has had the effect of stifling public debate on decriminalization of homosexuality, access to health services, and freedom of association (*ibid.*).

In Nepal, on the other hand, the political change that followed a constitutional crisis in 2001 (and, ultimately, the abolition of the monarchy in 2008) prompted a renegotiation of LGBTIQ rights, and anti-discrimination provisions were incorporated into the new constitution (see Boyce and Coyle 2013; Braithwaite 2015; Knight 2017; Roy 2007). Legal challenges to the *de jure* criminalization of homosexuality resulted in the emergence of a new framework of positively affirmed rights for LGBTIQ people (*ibid.*). A court order in 2007 enjoining the legislature to facilitate recognition of same-sex marriage prompted a series of abortive official attempts to prepare the requisite legislation, and – against a backdrop of years-long political instability, contentious constitutional gridlock, and inchoate democratic revival and rebuilding – at the time of writing, this has remained unaddressed (see Panthi 2016). Nepal has been recognized as having the most progressive legal and political framework for LGBTIQ rights in South Asia and thus distinctly stands apart from its South Asian neighbors on this front.

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## China

In China, research and commentary on historical and traditional conceptions about sexuality have influenced contemporary scholarly and journalistic engagement with homosexuality. Commentators who write about ideas about sexuality in antiquity cite historical records that indicate, for instance, that among certain political elites and religious preceptors, there was a lack of explicit hostility toward (or even some degree of acceptance of) homosexuality, although this changed according to the social and political beliefs and proclivities of the dominant political establishment and ruling dynasty (see, for example, Chiang 2010; Engebretsen et al. 2015; Goldin 2002; Hinsch 1990; Ng 1989; Vitiello 2011; Wu 2003). The recuperation of traditional beliefs and social norms and the positing of this reclamation as an appropriate anchor for contemporary reconceptualizations of sexuality are important (see Coleman and Chou 2013; Wah-Shan 2001), arguably akin to trends in India.

Homosexuality was legalized in 1997 and removed from an official list of mental illnesses in 2001. Commentary on sexuality in China has focused on issues around sexuality, sexual behavior, and public health (see Jones 1999, 2007; Neilands et al. 2008; Song et al. 2011; Zhou 2006); familial and social silencing of homosexual identity; and pressures around marriage and social conformity (see Ho 2009; Liu and Choi 2006; Wei 2007; Wong 2010; Zhou 2006). Recent activism has highlighted the deleterious impacts of these pressures, including on women who are “deceived” into “false” marriages by gay men (see Burger 2013; Bianco 2015; Duan 2017; Ho 2009). The significance of social conformity and beliefs favoring maintenance of the “traditional order” is highlighted. Perceptions about homosexuality can be influenced by notions about social and familial disobedience, as well as the conceptual interweaving of social order on the one hand and political order on the other (see Sala 2018).

The vicissitudes of official attitudes toward homosexuality have shaped the trajectory of media representation of and social commentary on issues relating to sexuality, social stigma, health, etc. (Lim 2006). The recent promulgation of decrees proscribing representation of homosexuality on television and discussion around homosexual content on the social networking site Weibo, among other platforms, has constrained efforts aimed at the promotion of LGBTIQ rights (Palmer 2018). However, these decrees have met voluble public criticism, and complex resistances to ostensible political antipathy to LGBTIQ rights have manifested on public forums (*ibid.*).

Some social research suggests that there is widespread support for same-sex marriage in some social quarters (Economist 2017). Even against a backdrop of tenuous tolerance for LGBTIQ representation in the public domain, officials have encountered visible activism promoting greater acceptance of same-sex marriage (Shepherd 2018). Complex links between ongoing political censorship and restraints on LGBTIQ representation on the one hand, and changing social norms and attitudes on the other, inform the trajectory of LGBTIQ rights in China.

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## East Asia

Taiwan is considered to have the most progressive legal framework for LGBTIQ rights in East Asia (and, arguably, Asia more generally) (see Cheng et al. 2016; Hsu and Yen 2017). Anti-discrimination provisions were enacted in law in the early 2000s and remain the most robust in the region (*ibid.*). In 2017, the country’s Constitutional Court passed a judgment requiring the parliament to legalize gay marriage within a stipulated timeframe, thus putting Taiwan on course to becoming the first country in the region to recognize same-sex marriage (Hunt and Tsui 2017). This injunction on parliament to legalize same-sex marriage would, it was argued at the time, likely force the government and parliament to reconsider and then rectify current discrepancies between the legal rights of heterosexual and homosexual couples in a timely manner (*ibid.*). However, at the time of writing, the passage



of a referendum opposing marriage equality had complicated the prospect (and likely form) of further government action (Chung 2018).

In Japan, homosexuality was only briefly ever criminalized, and political parties and social groups (including representatives of religious groups) generally maintain a neutral stance on homosexuality (see McLelland 2005; Lunsing 2005; Tamagawa 2016). An increasing number of openly gay, lesbian, and transgender persons have won political office (or come out while in office) (Osumi 2018). Commentators note that while socially conservative attitudes in Japan have historically constrained social recognition of same-sex relationships, changing norms, attitudes, and official anti-discrimination initiatives have reportedly facilitated greater openness on non-heteronormative sexuality (see Osumi 2018; Tamagawa 2016).

In Korea, the constitution and penal code do not mention homosexuality (although the military penal code does criminalize homosexual relations, a provision that, at the time of writing, was subject to a legal review) (Hu 2017; Rich and Webb 2018). However, anti-discrimination legislation specifically addresses discrimination on the basis of sexuality (*ibid.*). Commentators note that while the dominant socially conservative political culture has restrained public discussion of homosexuality (Chase 2012), awareness of homosexuality continues to grow, and broader social attitudes to homosexuality and ideas about LGBTIQ people continue to evolve (see Bong 2008; Cho 2009; Hu 2017; Park-Kim et al. 2007).

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## Southeast Asia

LGBTIQ rights in diverse Southeast Asian nations have been shaped by these nations' divergent political and historical trajectories. Histories of colonialism, trajectories of decolonization, and the evolution of religion each play an important role in this regard. While some countries have explicitly embraced the dismantling of discriminatory laws and social frameworks, others have witnessed a reinforcement of social and political marginalization and victimization of LGBTIQ people, with exorciation of homosexuality constituting a key means of manifesting and reaffirming the hegemony of fundamentalist religion, particularly in opposition to what may be perceived as decadent Westernization.

Thailand is considered to be at the forefront of positively affirmed LGBTIQ rights in Southeast Asia (Sullivan and Jackson 2013). Thailand decriminalized homosexuality in 1956 and enacted comprehensive anti-discrimination legislation in 2015 (Limsamarnphun 2018). In 2018, at the time of writing, draft legislation recognizing same-sex partnerships was being considered by the legislature (*ibid.*). Widely perceived as among the most progressive Asian countries insofar as LGBTIQ rights are concerned, Thailand has long dominated Western conceptions about homosexuality in Southeast Asia, with the country's promotion of gay-friendly tourism, including sex tourism, playing a prominent role in this (see Jackson 1995; Jackson and Sullivan 1999b, c; Sullivan and Jackson 2013). Thailand's cultural "stage" features several gay- and trans-friendly enactments, and these collectively constitute a significant part of its tourism-linked cultural appeal (see Käng 2012). In spite of



this perceived liberalism and progressive stance on homosexuality, however, social marginalization of local LGBTIQ communities continues to be reported, and discrimination against LGBTIQ persons in official institutions and the workforce reportedly remains entrenched (Kamjan 2014; Yongcharoenchai 2013). Thailand exemplifies the tensions engendered by the adoption of some of the values of Western-centric globalization and liberalization (and the effective co-optation of these values for strategic advantage) against a backdrop of underlying (sometimes unreconstructed) social conservatism.

In Vietnam, homosexuality, it has been argued, was never criminalized, and same-sex relations were always legal (see Horton et al. 2015). Official approaches to homosexuality have undergone significant change from the early 2000s to the present time (ibid.). From articles in official media organs condemning homosexuality in the early 2000s to contemporary legal initiatives removing barriers to same-sex relationships (such as the passage of a constitutional amendment repealing the established definition of marriage as a union between a man and a woman, and the drafting of a bill providing official recognition to same-sex relationships), official approaches to LGBTIQ rights have shifted and social attitudes have arguably become more favorable (ibid.). Although recognition of same-sex relationships was finally excluded from a marriage and family law codification bill that was passed by the legislature in 2015, the lifting of restrictions on same-sex weddings and the preparatory work that went into the drafting of this bill bolstered support for further progress, particularly as such progress on LGBTIQ rights was conceptualized in both government policy and media discourse as being conducive to the promotion of tourism and thus economically advantageous for the nation (see Mosbergen 2015). At the same time, commentators note that LGBTIQ people continue to experience social stigma and discrimination (ibid.).

In the city-state of Singapore, changing social attitudes and the increased visibility of LGBTIQ activism have failed to induce willingness in government to decriminalize homosexual sex between consenting adults (specifically same-sex attracted men) (see Offord 2003; Yue and Zubillaga-Pow 2012). Although Singapore's strategic economic clout, multiculturalism, and geopolitical advantages have engendered an ostensibly liberal and cosmopolitan culture in the island state, political and legal-judicial approaches to homosexuality remain conservative (see Oswin 2014; Yue and Zubillaga-Pow 2012), with government ministers repeatedly dismissing or downplaying the prospect of decriminalization in a "socially conservative" country, and the Singapore Supreme Court reaffirming the constitutionality of Section 377 during a legal challenge in 2014 (Human Rights Watch 2014). However, immediately after the Indian Supreme Court repealed provisions of Section 377 of the Indian Penal Code in September 2018, a fresh legal challenge was initiated in Singapore, and commentators have noted that progress on LGBTIQ rights in other Asian nations is likely to provoke policy changes in Singapore (Ungku 2018).

In Malaysia, sex between consenting adults of the same sex is listed as a criminal offence under Section 377 of the nation's penal code (retained after independence from colonial rule, like in some of the other countries that have

been discussed here) (see Brownell 2009). Further, the existence of socially differentiated (and provincially differentiated) laws encompassing a range of domains (Muslim citizens are subject to *sharia*-derived laws that are enforceable in Islamic courts) has meant that criminalization of homosexuality remains entangled with both secular and religious punitive frameworks (see Lee 2012). From vigilante violence against and aggressive persecution of LGBTIQ people through to contemporary strategic political deployments of Section 377 for the purpose of elimination of political opposition – most notably against political leader Anwar Ibrahim – wide-ranging oppressive social and political phenomena have been facilitated by anti-LGBTIQ attitudes and legal frameworks (see Rajkhowa 2018). The primacy accorded to religious institutions and the emergence of religious fundamentalism and social polarization have come together to effectively entrench discrimination against LGBTIQ people and constrain progressive efforts (see Amado 2009; Rajkhowa 2018; Rehman and Polymenopoulou 2013). Ongoing radicalization within some segments of the political spectrum (and society more generally) has facilitated a refocalization of homosexuality as a target for religious fundamentalist assertion. Hegemonic religious frameworks (social, political, and legal) collectively remain the fundamental basis for negotiation of all forms of individual rights; alternative discourses and forms of negotiating identity continue to evolve in tension with and resistance to these frameworks (see Eidhamar 2014). Changing political currents (particularly, the electoral defeat in 2018 of the Barisan Nasional dispensation that had ruled Malaysia since independence) have facilitated, to some extent, a putative recognition of rights-based discourses (Rajkhowa 2018).

In Indonesia, the absence of a law specifically criminalizing homosexuality does not necessarily translate to the absence of discrimination against LGBTIQ persons. The concurrent existence and application of secular and Islamic legal frameworks (again, in a differentiated and provincially limited manner) have meant that in certain areas, people suspected of engaging in homosexual conduct can be subjected to (potentially public) corporal punishment and incarceration (Boellstorff 2005; Suroyo and Greenfield 2014; see Amado 2009; Rehman and Polymenopoulou 2013). Police raids on metropolitan social and commercial establishments associated with a gay clientele are common, as are mass arrests of people at social gatherings (BBC 2017). Use of (arguably deliberately ill-defined) laws around pornography and public order by law enforcement agencies to specifically target gay men particularly is pervasive (Boellstorff 2005). Members of leading Islamic institutions frequently exhort authorities to criminalize and persecute LGBTIQ people, using the spectacle of mass arrests to issue denunciations and disseminate religious propaganda (Human Rights Watch 2016). As in Malaysia, the recrudescence of fundamentalist political mobilizations has been accompanied by an aggressive persecution of LGBTIQ people. Homosexuality is foregrounded and deployed as a target for contentious social, political, and legal action (see Boellstorff 2005). Legal petitions supported by religious organizations have sought to amend existing laws around adultery, rape, and child abuse to criminalize homosexual relationships between consenting adults (Topsfield 2017). Coercive pressures exerted through religious groups' electoral mobilizations have bolstered

and hardened political support for the explicit criminalization of homosexuality. In both Malaysia and Indonesia, LGBTIQ activism has persisted in spite of the considerable social, political, and legal obstacles that have hindered recognition of LGBTIQ rights (see Boellstorff 2005; Offord 2003; Offord and Cantrell 2001; Lee 2012; Mosbergen 2015a, b), and the consolidation of an albeit fledgling progressive social framework for recognition of LGBTIQ rights through the invocation of international human rights discourses has facilitated some developmental activity in this area.

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## Conclusion

The subsections above have provided brief snapshot accounts of progress in recognition of LGBTIQ rights (and approaches to LGBTIQ identity) in selected Asian countries. The aim of this section has been to instantiate how LGBTIQ rights and identity have been conceptualized and approached in specific political and cultural contexts. Approaches to LGBTIQ rights in diverse Asian societies are necessarily continually evolving, shaped by the vicissitudes of social change in those societies, the growing reach and ramifications of the forces of globalization and liberalization (as well as resistances to, and disruption of, these forces), and the emergence and growing traction of international human rights discourses and political frameworks.

In multicultural Western societies, the predicament of LGBTIQ MCMF is important to the conceptualization of multiculturalism as policy and practice:

Multiculturalism as policy and practice cannot sit comfortably and confidently with global citizenship and ethical engagement with diversity if it does not include LGBTIQ histories, heritages and contemporary realities. (Pallotta-Chiarolli and Rajkhowa 2017, p. 439)

The emergence of research, and community consultations and projects facilitating recognition of MCMF LGBTIQ identities, experiences and needs is an important cultural development that contributes to the securing of LGBTIQ rights in diverse social and cultural settings (Low and Pallotta-Chiarolli 2015; Murray and Roscoe 1997; Tamale 2011). Historical experiences of criminalization, racism, social ostracism, violence and intimidation, and exclusion from work and the polity have shaped the lives of LGBTIQ elders, and ongoing efforts to augment the rights of individuals through processes of “recognition, reconciliation and reconstruction” (Pallotta-Chiarolli and Rajkhowa 2017, p. 439) are important.

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## Cross-References

- ▶ [Islamic Identity and Sexuality in Indonesia](#)
- ▶ [Race and Sexuality: Colonial Ghosts and Contemporary Orientalisms](#)

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# Migration and Managing Manhood: Congoese Migrant Men in South Africa

# 58

Joseph Rudigi Rukema and Beatrice Umubyeyi

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## Abstract

The aim of this chapter is to explore and examine the management of manhood in the context of migration with a particular focus to Congoese men migrants living in Durban, Republic of South Africa. Human migration stands out to be one of the

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J. R. Rukema (✉)

School of Social Sciences, University of KwaZulu-Natal, Durban, South Africa

e-mail: [josephr1@ukzn.ac.za](mailto:josephr1@ukzn.ac.za); [jrukema@yahoo.com](mailto:jrukema@yahoo.com)

B. Umubyeyi

School of Built and Environmental Studies, University of KwaZulu-Natal, Durban, South Africa

e-mail: [umubyeyib@ukzn.ac.za](mailto:umubyeyib@ukzn.ac.za); [beatriceumubyeyi@yahoo.com](mailto:beatriceumubyeyi@yahoo.com)

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most important aspects of social science. From time immemorial, migration has been common feature in human society. It has managed to maintain a close relation with mankind from its earliest stage. Interdisciplinary approach to migration has significantly scholars in different fields such as geography, sociology, demography, economics, and other related disciplines. As a result of the complexity of human life and fast-changing socioeconomic conditions, human migration seems to gain importance.

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**Keywords**

Migration · Manhood · Managing · Congolese · Forced migration

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## Introduction

Carletto et al. (2014) asserts that basic factors that have influenced the mobility of man to move from one region to another were uneven distribution of population and resources. Further, unbalanced utilization of resources and variation in economic and cultural developments is also another important factor that should not be taken for granted. Certain areas have been identified and they were marked as “centers of habitation.” In these places, people were attracted from various regions, countries, and continents. It has also been established that different parts of the world on the whole have different types of mobility caused by various socioeconomic conditions. Consequently, this mobility of man has either favorably or adversely influenced the socioeconomic conditions of that area. It is therefore worth noting that, scholars have tried to study the phenomenon of migration from various angles. For instance, the current study focuses on migration and managing manhood with specific focus on Congolese migrant men in South Africa. As such, this section provides a comprehensive review of literature in order to achieve a succinctly articulated literature.

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## The Concept of Migration

Migration is a complex phenomenon that constitutes structural transformation in developing countries. People, especially in the developing world, are forced to leave their countries of origin in order to seek green pastures in the developed world. Migration patterns significantly vary across regions and countries, and it is also imperative to understand that flows have changed considerably over time. In many households, migration is considered as a strategy aimed at improving their livelihood, minimize their risks, and diversify their income sources (Carletto et al. 2014). Further, it is of paramount importance to note that Africa has a long history of internal and international migration where migrants move within and beyond the continent. In the year 2015, the United Nations Department of Economic and Social Affairs (UNDESA) estimated that 14% of international migrants in the world originated from the continent.



## The Need for Migration

Common accounts of African migration in Africa are characterized by either ignorance or a weak theorization of the role of African states in migration processes. This reflects a comprehensive receiving country bias in migration research, and this bias obscures the role of origin states in a significant way (Vezzoli et al. 2014). Furthermore, it is important to note that the same bias ignores the fact that poor countries are destination countries too. Increasing immigration restrictions and border controls affected by Europeans have received wide recognition and attention; the role of postcolonial African states in shaping migration processes is poorly understood. The poor understanding of the process brings about a major research gap. This is in the sense that colonial occupation and associated practices of the slave trade and the systematic application of forced labor and recruitment have shaped contemporary migration patterns within and from the continent (Cohen 2007). During the colonial period, millions of people fled conflicts with colonial powers reluctant to relinquish control or with white settler groups determined to cling to their privileges; this was seen in countries like Zimbabwe and South Africa (Castles et al. 2014). However, the defeat of the old system of colonialism and the establishment of independent states did not necessarily mean a return to peaceful conditions (De Haas and Villares-Varela 2014). When the Cold War was underway, East and West fought proxy wars in Africa while backing undemocratic regimes such as Mobutu Sese Seko in the DRC and also they supported the toppling of democratic governments.

Political and economic pressures, the supply of arms, mercenaries, and direct military intervention were factors that contributed to new conflicts or the continuation of old ones (Zolberg et al. 1989). A good example of this is found in the struggles for domination in Angola, Mozambique, and Ethiopia which involved massive external involvement, with massive human costs for local populations (Castles et al. 2014). Decolonization also indicated a phase of state formation whereby newly established African states have endeavored to inculcate a sense of national unity in ethnically diverse societies. This often resulted in considerable internal tensions and has regularly erupted in violent conflicts (Castle et al. 2014). The state formation processes have theoretically uncertain effects on population mobility, which are poorly understood. Furthermore, instability and conflict may provide incentives for people to leave. It also provides incentives for people to stay in order to provide protection for their families. In the same vein, people living under authoritarian regimes may more often wish to migrate, but authoritarian states usually have a higher willingness and capacity to control and restrict emigration.

De Haas (2010) further proclaims that this explains the analysis of global migrant stock data found a robustly positive relationship between the level of political freedom and emigration. Even though the formation of nation states can go along with increasing migration either through conflict, infrastructure, or policies that encourage emigration, the same state formation processes have also compelled several African governments such as Algeria, Egypt, and Côte d'Ivoire to discourage the emigration of their own populations. This was done to control emigration or out of the fear of a "brain drain" and to restrict the immigration of foreigners (Natter

2014; Zohry and Harrell-Bond 2003). Particularly socialist and/or nationalist governments have traditionally been anti-emigration. The processes of state formation may also have increased the urge among leaders of newly established states to assert national sovereignty. This was done through the introduction of immigration restrictions and border controls and to portray immigrants as a threat to sovereignty, security, and ethnic homogeneity or stability in a bid to rally political support. In this scenario, African governments have frequently resorted to deportations and a good example is presented by Adepoju (2001) who counted 23 mass expulsions of migrants conducted by 16 different African states between 1958 and 1996.

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## Consequences of Migration

Migration has numerous consequences in both the receiving country and country of origin. Political tensions and military conflicts pushed many countries to attempt to seal off their mutual borders. This has largely been seen between the Frontline States in Southern Africa with South Africa as part of the anti-Apartheid struggle. Particularly, socialist states such as Algeria and Egypt saw large-scale emigration as a source of brain drain and a threat to sovereignty, and as such tried to curb emigration (Collyer 2003; Fargues 2004; Natter 2014). This shows that states can both facilitate and constrain migration in various direct and indirect ways, and that this relation needs an in-depth empirical inquiry to be better understood.

An analysis of the historical background of developing or developed parts of the world would present an unbalanced utilization of resources which ultimately lead to an unbalanced distribution of the population (Natter 2014). Because of peoples shift from an underdeveloped region to a developed region, their places of origin, as well as a destination, have been adversely affected (Castles et al. 2014). When people migrate from a particular underdeveloped country to a developed or developing country, their place of origin undergoes numerous positive as well as negative effects. Bakewell and Bonfiglio (2013) are of the view that positive effects may include an increase of the share of land holdings, improvement in the economic condition and living condition by the construction of good house among other issues. At the same time, the social status of the family improves because of education and better social contacts. However, the region which donates migrants experiences some setbacks that are a shortage of labor is experienced; sometimes movement of young or working force restricts the proper growth of the region. It has been observed mostly that people receive their basic education at the place of their origin but they rarely serve the place of their origin.

Different scholars have made numerous efforts in defining the concept of migration distinctly because of their different approaches (Schoumaker et al. 2015). While geographers have put more emphasis on the time and space significance of mobility, sociologists have stressed on social consequences of mobility whereas importance to the economic aspect of migration has been given by the economists (Bakewell and Bonfiglio 2013). The literal meaning of migration is shifting of people or an individual or group of individuals from one cultural area to another. The shift may

be permanent or temporary. It can also be defined as an act of moving from one area to another in search of work. According to many scholars, the simplest meaning of the word migration can be a simple shift in the physical space. However, it would be interesting to note that the meaning of migration is changing simultaneously with the passage of time. Nowadays, both the scope and definition of migration have become more complicated that is only mobility in the physical state cannot define the concept of migration.

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## Migration Around the World

Notwithstanding the increasing accessibility of survey and interview-based data on African migration, data availability remains largely patchy and is generally focused on migration to Europe from a limited number of better-researched African countries, such as Morocco, Senegal, Ghana, and South Africa (Clemens 2014). It is apparent that what has been particularly lacking is macrodata that allows mapping the overall evolution of the migration patterns to and within Africa over the past decades. This is not only imperative to gain a more fundamental understanding into the factual evolution of African migration and to verify the validity of collective perception of massive and increasing African migration, but it also allows to contribute to the scholarly debate on the determinants of migration. On the one hand, this pertains to the debate pertaining to how development affects human mobility in which scholars have challenged conventional push-pull models by arguing that, predominantly in poor societies, development increases rather than decreases migration levels (Skeldon 1997; Clemens 2014; De Haas 2010). On the other hand, conventional accounts of African migration tend to ignore the role of African states in the shaping of migration. As a result, this reflects the more general Eurocentric focus of migration research.

Scholars fuel the image of a rising tide of poverty-driven African emigration. For instance, Myers (2005) argued that the current flow of “environmental refugees” from Africa to Europe will come to be regarded as a trickle when compared with the floods that are imminent in decades ahead. This feeds into more general ideas conveyed by Collier (2013), and there is a veritable South–North “exodus” that is driven by poverty and income gaps which threaten to spin out of control unless rights of immigrants are curtailed. A broader tendency is reflected in the research literature to cast “South–North” migration as a symptom of development failure (Bakewell 2008). Based on the common perception that poverty and income gaps between poor and rich countries are the “root causes” of migration, the frequently proposed long-term “solution” to this phenomenon is to stimulate development in countries of origin through aid, trade, or remittances (De Haas 2007).

Paradoxically, scholars argue that the most obvious problem is that, such ideas are based on assumption, selective observation, or journalistic impressions rather than on sound empirical evidence. There have been numerous reports on irregular migration, smuggling, trafficking, and the high death toll among trans-Mediterranean “boat migrants” which reinforce the impression that African

migration is essentially directed towards Europe and it is driven by despair. Since the year 2000, there has been a recent surge in a survey or interview-based studies on contemporary African migrations (Berriane and De Haas 2012; De Bruijn et al. 2001). These studies have provided light on the diversity of African migration. Several studies have shown that most African migration activities are not directed towards Europe, rather towards other African countries where there are better opportunities such as South Africa (Schoumaker et al. 2015). Also, those moving out of Africa do not only move to Europe but also to the Gulf countries and the Americas too.

Contrary to the general assumptions that African emigration is essentially about irregular movement, previous research suggests that most Africans migrate out of the continent in possession of valid passports, visas, and other travel documentation. More generally, recent scholarship in the field of migration has started to question the implicit assumption that African migration is remarkable and different from migration elsewhere. More narratives indicate that most Africans migrate for family, work, or study (Schoumaker et al. 2015). In a study on the Great Lakes region, Bakewell and Bonfiglio (2013) argued that although it would be impossible to deny the importance of conflict as a cause of migration usually forced migration in particular in the region, it would be wrong to neglect the ongoing social processes that drive mobility, such as the search for an education, a spouse, or a better life in the city (Bakewell and Bonfiglio 2013).

Refugees and people in refugee situations represented 2.4 million or 14% of international migrants in Africa. Although this proportion is higher than in other regions, this implies that about 80% of international migration within Africa is not primarily related to the conflict. This is not only important to gain a more fundamental insight into the factual evolution of African migration and to verify the validity of common perception of massive and increasing African migration, rather it would as well allow to contribute to the scholarly debate on the determinants of migration. This pertains to the debate regarding how development affects human mobility in which scholars have challenged conventional push-pull models by arguing that, particularly in poor societies, development increases rather than decreases levels of migration (Clemens 2014). On the other hand, it has also been argued by scholars that conventional accounts of African migration tend to ignore the role of African states in shaping migration.

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## Migration and the Economy

It has been widely debated that migration is largely a result of economic challenges and the search for greener pastures. In the history of economic thinking on why people migrate, a variety of approaches have been developed (De Haas 2010). Neoclassical macroeconomic and microeconomic theories make a considerable attempt in explaining *inter alia* the mechanism of labor migration. The first framework that is neoclassical macroeconomic indicates that migration happens due to issues pertaining to economic development and wage differences. According to this

theory, individuals try to maximize their income, and in so doing, they migrate to regions with higher wages (Clemens 2014). In the process, the country of origin equally enjoys benefits. This happens in two important ways: firstly, migrants reduce the ratio of labor to capital and secondly, migrants make up for their absence by sending remittances to their home country.

Furthermore, in the long run, the decline in the labor-capital ratio would remove the incentives for migration. The neoclassical microeconomic theory assumes that labor migration happens not only because of wage differences but also because migrants take a rational cost-benefit decision (De Haas 2010). This cost-benefit estimation relates to the personal intention and personal characteristics such as age, gender, etc. Other aspects relate to deciding whether to migrate or not as well as the choice of alternative destinations. Apart from wage differences and employment opportunities, it is of paramount importance to note that migration behavior also includes financial costs such as travel cost, the period of unemployment in the destination country, and psychological costs likely attached to leaving family and friends behind. Thus, the greater the differences in expected returns to migration between the country of origin and the country of destination, the larger the dimension of migration flows will be.

Further, one can also argue that mass migration not only occurs as a result of wage differences, as neoclassical economists tend to believe. Push factors, such as natural disasters, civil wars, and conflict have forced millions of people to move from their country of origin to other countries. Pull factors include higher standards of living, better employment opportunities, and a better educational system all of which attract people from their country of origin to the host country. This model has become the dominant model in the migration literature, because it incorporates not only the important factors that have any impact on migration decision-making but is also able to integrate other theoretical insights (De Haas 2010). However, there are particular migration issues that the theory cannot explain; for example, why some regions produce more migrants than others as well as why the direction of migration flows is often inconclusive (De Bruijn et al. 2001).

The new economics of migration theory indicates that migration is a family-based decision, and people migrate not only to maximize their income but also to minimize their migration risks. Consequently, unlike individuals, families are in a position to control the risk inside their households by diversifying the allocation of household resources. A good example is a scenario whereby a family sends the physically able members of their family abroad for work and invests in the higher education of the others. Some scholars argue that if the higher education inside the country does not pay off, they can rely on the remittances from the others who are working abroad. As a result, families in developing and less developed countries tend to be large, due to the fact that they are able to manage their risks by having many children. Moreover, in contrast to the neoclassical theory of migration where return migration is considered as a “failure” factor, in the new economics of migration theory the returnees are considered a success factor, because those who achieved a maximum benefit from his/her migration behavior return home with accumulated savings or knowledge.

## Migration and Gender

Gender has always been a topical issue in international migration. Many studies have been conducted on how women or men are affected or how they benefit in the process of migration. Research has found that the proportion of women who are involved in international migration has increased rapidly. According to the United Nations, female migration represents 50% of the migrant population, and in some countries, it accounts for more than 70–80% of the total. Nonetheless, in some countries, little is known about the determinants of female migration and the factors that have contributed to the increase (United Nations 1995). In countries such as the USA and Canada, female migrants actually outnumber male migrants (Boyd 1992). Studies on gender and migration increased in the 1990s and these revealed gender selectivity for migration (Curran 1996). For example, research done in Asia and in the Philippines showed that most female migrants were relatively young.

Furthermore, found the same pattern in Zimbabwe where most of the migrants in this country were in the 16–19 year, 20–29 year, and 30–39 year age groups. Baker (2010) found that the decision to leave parents and seek employment in the city constituted a challenge to traditional expectations. Young women are seen as timid and reserved in front of men, confined to either the household or the village, and receiving financial assistance from their parents or husband. Hence, women in this category view migration as temporary, because their aim was to send remittances home to support the family (United Nations 1995).

It has also been noted that feminist analyses of migration revealed that gender relations are crucial in understanding both migrations flows as well as women's experiences of them, and that there are fundamental differences in the migration of men and women (United Nations 1995). When married women migrate on their own, it is more likely that women in this category assume the responsibility of breadwinner. The role of a breadwinner is assumed because the women may be forced to forge independent existences and raise children alone, as a result of a lack of support from absent partners. The implications for such movements are that, after migration, women gain independence in decision-making, control their resources, manage childrearing responsibilities, and enhance their economic status. The current migration research has shed light on questions such as what are the causes of female or male migration. What are their experiences in the migration process? What are the consequences of their migration? At the end of the day, both male and female migrants experience a strikingly similar form of challenges as a result of migration.

Studies of international migration have shown that the principal motivating factors for migration are socioeconomic and sociocultural in nature. Boyd (1992) is of the opinion that female and male migrations are different, because women have different social, cultural, and economic roles in their homes and in the economy. Women's opportunities and roles in the economic sphere are largely shaped by the interplay of cultural and historical forces. Women migrate for both economic and affiliational, that is family-related, reasons. A survey on both internal and international migration by Rose (2016) found that 50% of female migrants reported economic motivations as primary, whereas 35% cited marriage or accompaniment

of husbands or other family members as the main reasons for their migration. In some instances, women migrated to run away from parental pressures. A good example emerges in Nigeria where women migrated to escape the pressures of entering unwanted marriages or the pressures of returning to intolerable marriages.

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## The Migrant Man

Smith based his concept of migration on the change in physical space and his definition of migration poses some problems when one looks at various types of cyclical migration that is the movement of people from villages to urban areas for the duration of their active life. The argument was that migration is a change of residence and need not necessarily involve any change of occupation, but it is closely associated with occupational shifts of one kind or another. Men as breadwinners are usually victims of migration since they are faced with various responsibilities of taking care of the family in difficult situations as economic hardships and wars. In some instances, they migrate with their families and at times alone. In the event that they migrate without their families, there are certain challenges that they face which require them to develop a mechanism of dealing with migration.

The principal directions of migration among men are illustrated by more or less continuous movements from rural areas towards the city, from areas of the stable population towards centers of industrial or commercial opportunity and from densely settled countries to less densely settled countries. Eisenstadt (2017) looks at migration as the physical transition of an individual or a group from one society to another. This transition usually involves abandoning one social setting and entering another and permanent one. As compared to the above-mentioned definitions of migration, migration as suggested by Weinberg appears relatively flexible because he considered human migration as the change of place permanently or temporarily for a particular duration of time as in the case of seasonal workers, and in most cases, these seasonal workers are men.

If people maintain numerous residences in a city, town, and village, then their frequency of movement will help in deciding their status as a migrant. This is despite the fact that numerous social scientists came forward to discuss and define the concept of migration, and in the process, some of them have complicated its definition. However, according to Baker (2010), migration is the process of moving from one spatial unit to the other. A broad area has been touched by this definition and also it covers a large number of branches of naturalists, social scientists, and others. It is also worth noting that the center of gravity, for example, recreational and shopping movements may remain the same, while there will be a change in interurban movement. Rose (2016) also provides a considerable definition of migration. To him, migration does not add or subtract from the total population of the world, but it can have hand effect on the total population by involving the movement of people from areas where they are likely to reproduce less to areas they are likely to reproduce more.



The number of African migrants in the world increased by 46% up to a total of 32 million people. Roughly half of them (16 million) remained within the continent, corresponding to 80% of all African migrants in 2015. The data shows the importance of the Africa-to-Africa migration corridor, which is the fifth largest in the world. However, despite the growth of migratory flows in the continent and the increased political relevance, information on flows, and particularly on internal migration, is limited, albeit being the most dominant flow. It is of significant importance that socioeconomic conditions associated with migration in rural and urban areas are connected to adequate breakdown by age, sex, and origin of emigrants FAO (2016).

From the interdisciplinary approach viewpoint, very little work has been done on this aspect of social science. An attempt has been made in the field of human migration and interplay of demographic, economic, social, medical, and biological and many other factors to suggest a solution of this burning problem (Schoumaker et al. 2015). As per assumptions or beliefs, it is an uneven distribution of population and resources that has led to rapid growth of rural-urban migration. Other factors that contributed to this field were industrial growth, development of new territories, social change, and so forth that has led to the forcible migration of people from the places of their birth to different directions. Because of this displacement, people of different cultures have different social life (Bakewell and Jónsson 2011).

Furthermore, on contrary debates that African emigration is essentially about irregular movement, previous research suggests that most Africans migrate out of the continent in possession of valid passports and other relevant travel documentation (Bakewell and Bonfiglio 2013). Importantly, recent scholarship has ignited the question of the implicit assumption that African migration is “exceptional” and essentially different from migration elsewhere around the world. More and more micro-evidence emerges indicating that most Africans migrate for family, work, or study (Schoumaker et al. 2015), as is the case in other world regions. In a study on the Great Lakes region, Bakewell and Bonfiglio (2013) argued that although it would be impossible to deny the importance of conflict as a cause of migration in the region, that it would be equally wrong to neglect the ongoing social processes that drive mobility, such as the search for education, a spouse, or a better life in the city. According to Flahaux and De Haas Comparative Migration Studies (2016) to official data, refugees and “people in refugee situations” represented 2.4 million or 14% of international migrants in Africa. However, Africa has a considerably higher proportion than other regions. This implies that about 80% of international migration within Africa is not primarily related to the conflict.

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## Migration, Manhood, and Masculinity

In the modern world, migration process as articulated in the early stages of this review depends on various specifics as the socioeconomic status, educational backgrounds, nationality, religion, as well as gender or sexual identity of individuals. As a result, a combination of different intersectional identities makes any individual



more or less likely to migrate such that gender identity is one of the most influential ones (Boehm 2008). Usually, individuals enter a new gender system through migration where they often discover their new roles radically different from what they have expected (Charsley 2005). However, it is worth noting that globally migration rate among women and men does not differ much. Men generally carry the pressure of expectation to support the family because of existing patriarchal social structure throughout the world. Almost every men living in human societies are to some extent confined within the hypothetical construction of ideal masculinity. Masculinity among men is not any construction that is unitary and immovable hence, they also differ in different contexts.

Studies of migration usually skip men as gendered constructs. This is because men are widely considered to belong at the hierarchical level of power structures and that creates barriers to judge the actual situation of men as gendered beings (Näre 2010). In that regard, scholars often emphasize public exposure of men as more important than their inner feelings of gender. McKay (2007) asserts that the traditional concept of masculinity does not let men be dependent on female members of the family. As a result, being a man involves taking on the role of provider to the family. Migration is therefore considered to be a tool of reconfiguring one's masculinity by supporting or obstructing an individual's ability to provide his family (Hoang and Yeoh 2011). Some scholars believe that in today's societies, migration is not limited to enacting masculinities for men rather it also works to the assertion of their manhood. As in most source countries, destination countries are portrayed as a utopia of all modern facilities and prosperity, migration increases peoples' expectation to accumulate a fortune from the destination country after migration.

Boehm (2008) argues that for a majority of men in developing regions, the creation of masculinity is attached to migration, and that their mobility is a primary stage on which expressions of male subjectivities are performed. Through migration for work, men demonstrate the courage to take risk across borders. They have the ability to endure loneliness, and they also possess the capacity to provide for their family through hard work (Broughton 2008). Migration is largely considered to be a path to respectable manhood for men and that creates tension for men who stay. It also paves way to questions of how migrant men face and overcome their often less than desirable life circumstances after migration. Walter et al. (2004) reveals how undocumented and unemployed Mexican male immigrants in the USA cultivate a hyper-male identity that outwardly embraces an image of responsible strong or aggressive masculine pride in response to their precarious economic conditions and illegality.

Furthermore, Näre (2010) put forward that Sri Lankan male domestic workers in Italy negotiate their masculinity in a job that is considered feminine. They do this by distancing themselves from the daily tasks of the job and by focusing on the projects at home that they have succeeded in accomplishing through earnings from migrant work. Also, Sarti (2010) is of the view that male migrant domestic and elderly care workers in Europe believe that working in a feminine sector is a threat to their masculinity. They also overcome their gender identity crises through the emphasis of the lack of alternatives for migrants in the destination labor market. In such

instances, they hide through arguments like their real identities are strategically positioned at home. Sarti further asserts that migrant men defend their engagement in what they consider as “women’s work” by “re-masculinizing” domestic work. Scholars studying how migration shapes masculinity within the familial context paint a complex picture. Also financially, the earnings through migrant work usually help men strengthen their breadwinner roles and authority at home. At the same time, stay-behind husbands in migrant families are often propelled by social pressure to rework their gender identities after their wives have migrated (Boehm 2008).

Nevertheless, some studies reveal that, for fear that it may further erode their masculine identities, men who stay behind refuse to step into the care gap created by the migration of their wives. Concurrently, other studies suggest that stay-behind husbands do take care of the children when their wives migrate. However, the fact that whether stay-behind husbands adjust their practices to take up tasks formerly performed by their wives after their spouses migrate depends on local gender norms and the premigration gender division of labor within the household (Hoang and Yeoh 2011).

Boehm (2008) posits that men who migrate to join their wives or migrate with their wives face yet another set of challenges to their masculinity. In a study of Pakistani men migrating to Britain to join their wives after marriage, Charsley (2005) revealed how these migrant husbands struggle to cope with downward mobility and a transformed familial context in their destination country. Moreover, in another study of Mexican migrant families in the USA, Boehm (2008) shows that the traditional gender division of labor and male dominance are often reestablished in Mexican migrant families in the USA. This is despite the fact that women in these families continue to challenge male dominance and numerous privileges attached to them at home.

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## Methodology

This is a qualitative study, employing an interpretive approach. The key focus of qualitative approach was employed in data collection and analysis. The target group for this study is married men, divorced, or separated from Congolese migrant community living in Durban. The participants in this study have been selected because men generally carry the pressure of expectation to support the family because of existing patriarchal social structure throughout the world. This study use purposive sampling method for data collection.

In this study, face-to-face in-depth interviews involved eight men, married, divorced, or separated from Congolese migrant families, were undertaken. Respondents in this study were identified through two Churches. These Churches were selected because of the large number of Congolese men among the congregants. As participation was voluntary, the number of participants from each Church was determined by the availability and willingness of the participant. Open face-to-face interview was used to gain detailed picture of participants’ beliefs, attitudes, perceptions, or accounts of the issue. Open questions gave the participants the opportunity to introduce all issues thought about the research topic.

This research conducted face-to-face interviews at the places and times convenient to the participants. Audio recorder was used to conduct interviews. It is important to note that before recording during the interview, the researcher presented the informed consent forms and explained to the participants the importance of research recording for the purposes of transcription.

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## Results

This section provides the findings to Congolese men's experiences and how migration has shaped men's understanding of being a man in the mist of migration. In order to understand Congolese men understanding and interpretation of manhood in the context of migration, it was important first to understand what manhood meant in the country of origin and how migration has reshaped this understanding. Although the objective of this study were not to explore the level of education and economic conditions of Congolese migrants men living in Durban, the researchers felt that education and economic situation of Congolese migrants to be important as these can determine how both can affect one's understanding of self.

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### Education and Understanding of Manhood Among Congolese Migrant

Education plays an important role in influencing how culture and self is constructed. During the interviews, researcher was interested in the level of education of participants and how this influences their understanding. Among eight participants, six had tertiary education, one with high school education, and one primary education. In response of how participants interpreter manhood, the finding showed that there were similarities in responses. The common response was based on man being the head of the household, not matter where can he be, in country of origin and in a foreign country. This has shown that education has little bearing on how Congolese interpret manhood. Analysis responses it was evident that culture is more powerful than education. There are many reasons to believe that culture among Congolese like any other African society has a very important space. Statements below illustrate responses of participants from two category groups:

Man is a man everywhere. The level of education cannot define you who you are as man or a woman. In our culture you can be educated or not, but your parents are the one to tell you how to behave as man or a woman. This western education is contributing nothing. (Respondent man with tertiary education, 2018)

You see, this Western Education will tell you that man and woman are equal. Not, even the Bible was written by western men, woman and man are not equal, so this education does not reflect who I m and does not help me understand who I'm as a man. Only my culture can tell me of what is expected of me. (Respondent man with High school education, 2018)

It is worth noting that education plays lesser role in influencing how Congolese migrant men living in Durban interpret their understanding of manhood. However, the culture that they have from the early age still influences their understanding.

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## **Work and Manhood Among Congolese Migrant Living in South Africa**

Self-employment remains the key to the economic survival of Congolese migrant men living in Durban, South Africa. Due to their political situation, unemployment among Congolese migrant remains high. This is well documented. As indicated above by participants in this study, self-employment remains the key survival among Congolese migrant men living in Durban. During the personal interviews, the researcher wanted to explore the nature of self-employment and employment among Congolese migrants' men in Durban. The findings show that the majority of Congolese men who are self-employed work as hair dressers, street vendors, and other forms of informal trading. Those who are formally employed are mainly in low paying jobs, such as security guards and car guards. The type of work that Congolese men have to undertake seems to be conflicting of their beliefs on the kind of jobs that man has to perform. Most of jobs undertaken by men are believed to be that of women in the country of origin. For instance, street vending and hair dressing are commonly performed by women. The following statement reads:

You know, we do everything. We do women's work. In fact here in South Africa you cannot tell what job belongs to a man or a woman. In my county Congo, it is a shame to see a man sitting around the street selling. Hair is the job of women. Men's hair job in my country is to cut other men's hairs not cutting women, but here you dress hair of men as well as women. What can we do? We have to live. We swallow our pride and do everything in order to feed our children. (Participant no1, man, 2018)

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## **Understanding Manhood in Country of Origin**

Examining participants understanding of manhood in country of origin, the findings have demonstrated that the majority of participants had common understanding on what it means to be a man. One of the common understandings is that man is believed to be the head of the household and therefore is responsible in giving direction and controlling what has to happen at household level and well as at individual level of each member of the family. In addition, being a man is understood as being the breadwinner. This means, despite woman being employed and providing for their families, all these man is still under the control of man and is responsible in deciding on what to happen when it comes to finance even though woman is the one working.

Furthermore, the meaning of a man was seen in the context of the kind of work man has to undertake. This means that in the country of origin, there are kind of work that cannot be performed by men which are reserved for women. In this context, the type of work and economic condition can define how being man is interpreted among Congolese migrant in Durban, South Africa. This is illustrated in the following statements.

In my country if you are a man, it means that you are in control of everything in your family. Even your wife. Yes, you can discuss with your wife and find a common understanding of how to manage the household, but as a man, you still responsible of everything. In addition, there are kind of work that man can do and cannot do. There are some jobs that are very shaming. Other people can laugh and can say that what kind of a man are you if you do that Job. (Participant no3, man, 2018)

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### **Migration, Manhood Among Congolese Migrant in Durban, South Africa**

During personal interviews, participants revealed the meaning of the family is reconstructed and reshaped due to migration. Participants believed that due to difficult economic conditions, most migrant families opted to have fewer children as a way to cope with their economic condition. While children are considered as assets in country of origin, in foreign country, due to economic hardship, children are considered as burdens rather than assets. As argued by Braithwaite and Baxter, interpretation of one's reality can be influenced by interaction between interconnected forces which are in nature economic, political, social, and environmental. Man being at the center of this interconnectedness becomes a major player in shaping and reshaping such reality and interprets it through various meanings and symbols. The reduction in number of children among Congolese migrants' men living in Durban should be regarded as a coping mechanism.

One statement reads:

It is very hard to have many children under this condition we living. How can you have many children you cannot support and no one to assist you to take care of them? Back home, when you have many children, you do not worry how they will grow. If you have nothing to give them, you can send some to their grandmother and relatives, but here, it just you and your GOD. (Respondent four, 2018)

In response to the issue of change. There was also the issue of change in traditional gender roles. Where the participants indicated that in the country of origin, men occupied a traditional role of breadwinner and enjoyed its related status as head of the household within a traditional hierarchical family structure. Therefore, due to changes experienced in the country of migration such as changes in gender roles, unemployment, or alternatively. The participants indicated that when women work outside the home or migrant women work two jobs, their employment status

causes their absence from home. In cases where their husbands hold a part-time job or are unemployed, men are expected to share household responsibility such as cooking. Change in gender roles participation increases the burden on both women and men. Until both find new ways of dealing with such a burden, the power relationship within the marriage will necessarily be affected. Men will try to maintain their position of authority and control over women; however, social and economic conditions under which Congolese men find themselves make it difficult for them to maintain the original meaning of being a man.

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## Conclusion

The aim of this chapter was to explore and examine the management of manhood in the context of migration with a particular focus to Congolese men migrants living in Durban, South Africa. Central to this chapter was to investigate factors affecting the meaning of manhood and its understanding. Several factors came into play. One of the major factors was the economic status that Congolese men enjoy in South Africa. It was found that the majority of Congolese in Durban, South Africa, are unemployed and have to rely of self-employment which also remain difficult to secure a decent living. Economic conditions of Congolese men makes it difficult for them to remain on control of the household has the culture dictates from the country of origin. In addition, the lack of social support experienced by Congolese men makes it difficult to maintain the meaning of being a man.

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# Race and Sexuality: Colonial Ghosts and Contemporary Orientalisms

# 59

Monique Mulholland

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## Abstract

This chapter takes pause to reflect on what is meant by race and ethnicity and asks: How do historical meanings and discourses about race and ethnicity shape the present? And by extension, where and when did the idea of race and ethnicity emerge, and with what effects? It is vital to interrogate terms and how we use them because constructions of race and ethnicity are intimacy connected to history and power – as long argued by postcolonial and critical race scholars, the social constructions of race and ethnicity are intimately connected to colonial and orientalist discourses which “fixed” and homogenized the cultures of “others.” As such, contemporary studies of race and ethnicity are haunted by “colonial ghosts” which orientate how we understand the present. As a way to explore these colonial ghosts, this chapter draws on current research about gender, sexuality, and race in Australia which have international relevance for the ways in which “raced others” negotiate sexuality in contexts of migration. In the first part of the chapter, I explore the connections between colonial discourses and constructions of sexuality. I then unpack two case studies which provide a fascinating set of reflections from participants about the ubiquitous

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M. Mulholland (✉)

College of Humanities, Arts and Social Sciences, The Flinders University of South Australia, Adelaide, Australia

e-mail: [monique.mulholland@flinders.edu.au](mailto:monique.mulholland@flinders.edu.au)

presence of colonial ghosts in their everyday lives. Most importantly, they provide a powerful set of reflections and responses from those cast as “other” in Australia, responses which work to “unfix” colonial alterities.

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**Keywords**

Race · Orientalism · Colonial discourse · Sexuality

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## Introduction

This chapter begins by asking readers to take pause and reflect for a moment on the aims of this book. These volumes address a troubling erasure – issues of race and ethnicity are too often overlooked in favor of economic and political analyses of contemporary global developments. As such, they provide important accounts of the relationship between ethnicity and globalization, as well as the complex identifications and transnational identities that emerge in a globalized world. However, this chapter takes further pause to ask another critical question: How do historical meanings and discourses about race shape the present? And, by extension, where and when did the idea of race emerge, and with what effects? It is vital to interrogate terms and how we use them because constructions of race and ethnicity are intimacy connected to history and power – who decides what counts as ethnicity and what counts as “race” and “culture”? How do we border and characterize “race” and “ethnic” differences? Who does the bordering? And how do we position ourselves as researchers in this border-making?

This chapter draws inspiration from the insights of postcolonial and critical race theory to think through “when and where” race and ethnicity “came to mean as something tangible,” as artefacts of discourse that “defines and produces the objects of our knowledge. . .” (Hall 1997, p. 44). As long argued by scholars of colonial history, race and ethnicity are social constructions – during the eighteenth century, earlier rudimentary classifications of racial types became increasingly systematized and fixed to biological scripts in the emergent field of race science (McConnochie et al. 1988; Hall 1997). (There is not the space, and nor is it the aim of this chapter, to explore the differences in the terms “race” and “ethnicity.” For an excellent overview, see Ashcroft et al. (2006) *The Post-colonial Studies Reader* and Ashcroft et al. (1998) *Key Concepts in Post-colonial Studies*.) At the same time, theories about a “Great Chain of Being” established powerful schemas connecting biological race to questions of character – white Europeans sat firmly atop a hierarchical scale from the most to least civilized. In a similar vein, Social Darwinism applied evolutionary theories to powerful and weak socialities, in which primitive “races” would inevitably “die out” as a law of nature (Hollingsworth 2006; Reynolds 1987). As a result, powerful dualisms framed the Enlightenment, colonial project: civility/incivility, nature/culture, primitive/modern, refined/barbaric. These dualisms are most famously articulated in the work of Edward Said – orientalist discourses produced permanent and enduring tropes of otherness, fixed and homogenized through abject representations which worked to construct the

West as the epitome of human progress. As stated by Said, discourses of orientalism which established the West as the yardstick of comparison for culture, race, and civility had “less to do with the Orient than it does with ‘our’ world” (Said [1978] 1995, p. 12).

The upshot is that race and ethnicity have become tangible constructs – something we can touch, feel, and describe. They are places to begin, an identity marker, an axis of scholarly and social analysis. Most importantly, they are constructs that “fix” – “fix” cultural characteristics and worldviews to particular groups and identities in homogenizing and reductive ways. As this chapter will argue, it is important to reflect on the ways in which contemporary studies of race and ethnicity are tangled up in these colonial meanings, in these histories of “fixing.” Indeed, while current language may differ in form and shape from early colonial history, colonial reproductions are alive and well. One example is clearly evident in a topic close to the heart of this book – colonial and orientalist dualisms continue to structure representations of development, modernization, and globalization: “First” World/“Third” World, Developed/Underdeveloped, Modernized/Traditional (Escobar 1995). Another example pervades contemporary representations of the poor Third World subject in charity discourses (Mulholland 1998).

Indeed, colonial continuities such as these are explored in Ann Stoler’s recent book *Duress*, in which she asks: “How do colonial histories matter in the word today? . . . Those connectivities are not always readily available for easy grasp. . . colonial entailments may lose their visible and identifiable presence in vocabulary, conceptual grammar and idioms of contemporary concerns” (Stoler 2016, p. 1). Sara Ahmed similarly attends to colonial entailments in her cogent reflection on orientation and orientalism in *Queer Phenomenology*, arguing that “racism is an on-going and unfinished history, which orientates bodies in specific directions, affecting how they take up space” (Ahmed 2006, p. 111). She goes on to state that:

the Orient provides the object, as well as the instrument, that allows the Occident to take shape, to become a subject, as that which “we” are around. The Occident would be what we are orientated around. Or we could even say that “the world” comes to be orientated “around” the Occident, through the very orientation of the gaze toward the Orient, the East, as the exotic other that can be seen just beyond the horizon. (Ahmed 2006, p. 116)

In these reflections, Ahmed reminds us that colonial representations orient bodies and meanings in particular ways, representations which organize how, where, and what we see. As terms which are intimacy connected to Empire, this chapter argues that contemporary understandings of race and ethnicity are haunted by colonial ghosts which orientate how we understand the present. My employment of the term “colonial ghost” is inspired by Clifton Crais and Pamela Scully’s use of Ghost Story to title and animate their wonderful biography of Sara Baartman and the Hottentot Venus (2009). Indeed, as argued in the book, “ghosts haunt these pages,” contemporary pages that are ridden with colonial discourses that fix and fasten race and ethnicity to a set of stereotypes and assumptions – and

as argued by Ponzanesi (2005, p. 185) “grasping how the elaboration of contemporary racial stereotypes depends upon the past ingrained legacies is overdue.”

As a way to explore these “colonial ghosts,” this chapter draws on my current research about gender, sexuality, and race in Australia. In particular, I offer reflections on two case studies which reveal how colonial histories interrupt, circle, and orientate the present. I call these cases studies “contemporary orientalisms,” and while they occur in Australia, they have international relevance for the ways in which “raced others” negotiate sexuality in contexts of migration. The first case draws from a study with young refugee people from a variety of cultural backgrounds: Ghana, Somalia, Palestine, Kenya, China, Vietnam, Liberia, and Nepal. Undertaken in South Australia, the project was a collaborative venture with a South Australian Multi-Cultural Sexuality and Health Service based on a series of focus groups designed to elucidate how these young people – often overlooked in academic studies and popular debates – perceived “sexy,” “pornified,” and “sexualized” media (Mulholland 2018, b). The second case study was also undertaken with the same service, exploring intergenerational conflicts about sex and sexuality which occur in migrant families. In this study, we also ran focus groups, this time with mothers, fathers, and young people from various African countries. In Australia, the cultural backgrounds that form the basis of this research are set up as “others” to the normative white Australian citizen (Sonia Magdalena Tascón 2008) – and as such, they provide a fascinating set of reflections on how those cast as “raced others” negotiate discourses of sexuality.

In the first part of the chapter, I draw on postcolonial, critical race theory and the work of feminist historians to examine the connections between colonial discourses and constructions of sexuality. I then move on to the case studies which provide a fascinating set of reflections from participants about the ubiquitous presence of colonial ghosts in their everyday lives. Most importantly, they provide a powerful set of reflections and responses from those cast as “other,” responses which work to unfix the fixities of colonial mentalities. As will be argued throughout, the participants urgently reveal frustrations about how they are viewed by the “white” Anglo mainstream, and in particular, these indignities allow for:

a better understanding of the political grammar of colonialism’s durable presence, the dispositions it fosters, the indignities it nourishes, the indignities that are responses to those effects. (Stoler 2017, p. 9)

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## **Empire, Race, and Sexuality**

Colonial and orientalist discourses are powerful for the ways they set up privilege and marginality, along with “ways of seeing” that are stable and enduring. Of particular relevance for this chapter and the cases presented here are the connections between race, colonialism, and sexuality. As argued by Hall (1992, p. 210):

Sexuality thus became a powerful element in the fantasy which the West constructed, and the ideas of sexual innocence and experience, sexual domination and submissiveness, play out in the complex dance in the discourses of “The West and the Rest.”

Here Hall captures Stoler’s now famous argument that discourses of empire were fundamentally connected to sexuality – the logic of empire gained authority through pervasive constructions of colonial “others” as uncivilized and sexually closer to nature. Indeed, as feminist historians and postcolonial and critical race scholars have long established, the sexualities of colonial subjects were viewed in axiomatic terms to those of the new middle classes in industrial capitalist modernity (Skeggs 1997). Bourgeois sexualities were cast as pure, disciplined, civilized, restrained, and “above nature.” In contrast, black bodies and sexualities were viewed as uncontrolled, uncivilized, lascivious, and dangerous. In addition, scholars of feminist race history (Crais and Scully 2009; McClintock 1995; Lewis 2004; Levine 2008; Ponzanesi 2005) maintain that gendered discourses of empire established a hierarchy of femininity: the sexualities of white bourgeois femininity were set apart from black women, as well as those of the working classes.

In short, race was a powerful mechanism which established white “Western” sexualities as the yardstick of comparison, based on orientalist discourses of the abject sexualities of colonial subjects (Stoler 1995; Said [1978]1995). More recently, whiteness and critical race scholars contend that orientalist histories continue to establish white Western subjects at the normative center (Hage 2012; Moreton-Robinson 2000; Frankenberg 1993), retaining its surreptitious privilege to tell a single story of the other (Adichie 2009). In the Australian context, Sino Konishi presents a powerful and compelling case, revealing the ways in which colonial tropes of Aboriginal masculinity as violent, misogynistic, destructive, and dysfunctional were revitalized by John Howard’s conservative Liberal government – as she argues, these representations are still “ubiquitous today” and can be “traced back to initial encounters between Europeans and Indigenous men” (Konishi 2011, p. 164). Indeed, black bodies are persistently constructed through colonial tropes across the globe as the “Spectacle of the Other” (Hall 2001) – fetishized and exoticized (Nash 2014; Miller-Young 2014; Ponzanesi 2005), dangerous and oppressed (Razack 2007; Abu-Lughod 2015; Imtoul 2009; Hussein 2009), and “other” to the West through tropes of the Third World women (Mohanty 1988; Narayan 1997). In addition, issues which concern white, middle-class women continue to dominate the feminist agenda (Moreton-Robinson 2000). The upshot of these “colonial recursions” (Stoler 2016) is to “fix” colonial sexualities – long viewed as dehistoricized and homogenous, the views, attitudes, and identities of colonial others continue to be viewed in reductive terms. Indeed, to return to the work on Konishi as a consummate example, Indigenous men in the Australian context are fixed to the features of ethnicity:

Aboriginal male violence is seen purely as a problem of ethnicity, for Aboriginal men are almost exclusively discussed in the context of Indigenous society and culture, and not in relations to other men. (Konishi 2011, p. 172)

This fixing leaves no room to imagine sexualities as hybrid (Bhabha 1994), multiple, mixed, and intersectional. As argued by Ahmed, colonizing discourses close down accounts that might reorientate race and ethnicity as a “genealogy of being mixed” (Ahmed 2006, p. 154). In the face of this, the participants in my studies present a fascinating set of reflections about the ubiquity of colonial discourse and make room for the complex mixings that make up their lives. They reveal how colonial ghosts shape how they are “read through difference” in their country of migration, ghosts which influence the assumptions held by normatively centered “white” Australian about their views and attitudes about sexuality. In addition, colonial ghosts shape and constrain the conditions on which they can negotiate issues of sex and sexuality in a culture that marks them as “other” through the “internal cycle” of difference (Fanon [1968]1970).

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### **Young People, Race, and Sexualized Media**

The first case study arose from a study undertaken in South Australia with a group of “culturally diverse” young people in collaboration with a South Australian Multi-Cultural Sexuality and Health Service. This organization provides counselling and community education programs on issues of sexual mental health and works with young people made up of refugee and voluntary (newly arrived and longer-term migrants to Australia), as well as international students from various countries in the region. They were interested to explore how sexualized popular media was being understood by the young people they work with, as well as the influence of “sexy” media on gender and sexuality identity formation. To achieve these aims, we ran three focus groups and organized discussion-based activities titled “Good and Bad Sexy.” These discussions were open-ended and canvassed their respective views of “sexy” celebrities and the forms of sexy styling on offer in the mainstream media. These discussions allowed participants to explore their thoughts and attitudes on acceptable versus inappropriate forms of sexy expression and articulate the terms on which these distinctions were made.

As indicated above, it is vitally important to interrogate what is meant by “race” and “culture,” as well as the powerful position held by researchers to define the limits of race and ethnicity in research projects (Haggis and Mulholland 2014). As I have argued elsewhere, the enduring power of orientalist and colonial discourses to fix and authorize the difference of others fails to account for the “deterritorialization of identity formation such that entanglement and connectedness become the motif of twenty-first-century subjectivity” (Haggis and Mulholland 2014, p. 57). In addition, as a normatively centered “white” researcher, I hold enormous privilege in a system that centralizes Western epistemologies and thus necessitates “an earthwide network of connections, including the ability partially to translate knowledge among very different – and power-differentiated – communities” (Haraway 1988, p. 580). As such, we wanted to design a study that tried to avoid overdetermining cultural difference or define its limits from the outset. Indeed, it was common for me to receive

comments that sought to capture and constrain attitudes as fixed and immutable: “Muslim girls won’t want to talk about sexy porno culture!,” “Won’t conversations like that be uncomfortable for ‘them’?,” and “A lot of the Muslim girls you talk to won’t like Lady Gaga!”. In order to address the problematics of difference represented in comments such as these, we did not ask participants to talk about “cultural backgrounds” or answer questions like “how does your cultural background influence your views of sex and sexuality?” Alternatively, we were interested to explore if “race” emerged from the discussion as part of the discussion (if at all) and on what terms.

Across the discussions, “race” and “culture” did emerge – however, rather than reflect cultural views of sexuality, the young people talked about how they were “read through difference” by their white, Anglo counterparts. Of course, much of the discussion involved views and attitudes about “Good and Bad Sexy” (for further elaboration, see Mulholland 2018, b). However, just as often, the discussion reversed the gaze to explore “how they were read by others.” They urgently articulated concerns that their “views of sexuality” were misread through a persistent and relentless set of assumptions. As one young man states, their cultures and identities are seen as “little stereotypes,” and as a result, they are “put into little boxes”:

Kg: So I think based on that they could almost put us in a little box based on what sexy means so for the Black man sexy probably means twerking

*All laughing*

Me: Exactly!

Tahereh: So you have all these things and little stereotypes

Kg: Yeah stereotypes

One pervasive “little box” was fiercely articulated by the Muslim young women in the focus groups. They were particularly exasperated by predetermined ideas about Islam and how these shaped how they were viewed – as stated by Ianna, they are tired of “the whole Muslim thing”:

When a Muslim Woman says she’s a feminist they say “Well, aren’t you oppressed?” (Ianna)

They felt instantly typecast as oppressed and incapable of articulating a feminist position from “inside the veil” (Abu Lughod 2015; Imtoul 2009; Hussein 2009), which as argued by Imtoul is an enduring trope of colonialism in which Australia’s Christian foundations scaffold the “secular” present. Ayana goes on to talk about the ways in which her Muslim identity and feminist politics were twisted by her tutor. In the following encounter, Ayana’s agency was reconfigured back into the logics of orientalist discourses, captured by tropes of otherness that crystallize “the Rest” as idealized and homogenous (Spurr 1993):

Ayana: You know it’s quite funny actually when I was doing gender and popular culture as an elective, I would have loved the subject, but I was turned off by my tutorial teacher.

Me: Really?

Ayana: Yes, cause when I walked into that class she actually treated me as a victim, you know what I mean?..because of the whole Muslim thing..She would even go, “Ayana, do you even identify yourself as a feminist?” It was just terrible. And then me and her, we would just get into an argument, you know what I mean? And then at the end she turned into this. . . “Ayana you’re not the same, Ayana you’re different . . . You know you grew up here.”

Serwa: Do you know how much I hate that!

Ayana: Like my tutor jumping to this conclusion once she got to know me. She’s like “Ayana you’re different”. I’m like – “hang on how do you know most Muslim women do not think the same way I do?” She just made me the minority within my own culture. “Your different, you’ve been influenced by popular culture.” I’m like, “no I wasn’t”. These are actually my values and beliefs.

Here Ayana elucidates an enduring colonial ghost and represents a kind of productive indignity to colonialism’s durable presence suggested by Ann Stoler (2017). When colonial subjects are seen as “successful,” this success is attributed to living in the “West” – and by extension, attaining modern, progressive views from the West. Indeed, in many instances, the young people named moments when their “progressive” views were put down to the fact they had moved to Australia, not because they or their families were capable of forming their own views and opinions:

Serwa: You’re opinionated, your outspokenness is attributed to fact that you grew up here, not because of who you are!

Ayana: Yes!

This inability to form independent views can best be understood in the context of colonialist linearity – as argued by Hall (1997), because success and civility is constructed in linear terms, the West is seen as the only end point. This is poignantly captured by Fanon:

The colonized is elevated above his jungle status in proportion to his adoption of the mother country’s cultural standards. (Fanon [1968]1970, p. 14)

This “end point” can only be viewed in stark contrast to the backwardness of colonial subjects – eternally framed by “black skin,” this skin is scrutinized in opposition to modernity and in opposition to “the myths of progress, civilisation, liberalism, education, enlightenment and refinement” (Fanon [1968]1970, p. 138). Indeed, as argued by Said ([1978]1995, p. 108):

a white middle-class Westerner believes it his human prerogative not only to manage the nonwhite world but also to own it, just because by definition “it” is not quite as human as “we” are. There is no purer example than this of dehumanized thought.

However, as noted by participants, the so-called success they achieve from “living in the West” is only a partial. The participants spoke of another “little box,” a box that had the effect of putting them back “into place,” a place marked out by colonial discourses of the “West” and the “Rest.” At many points, they



referred to relentless questions about “where are you from” – and while the following except elicited much laughter, this humor indicates a serious and pervasive intrusion in their lives:

Kumal: What I’ve done is. . .many times people ask me. . .“Where are you from?” I answer “I am from China you know.”

*(All laugh)*

Here again, the following encounter is in part viewed with amusement, most particularly as their birth countries were colonized by Britain and English is their first or second language – nonetheless these everyday encounters represent the ubiquitous presence of colonial ghosts:

Anu: Do people still ask you how did you learn English?

Ayana: Mm Hmm. I knew English when I came here!

Ianna: “Oh my god your English is so good!” It’s like. . . (rolls eyes). . .um. “I went to school!”

Anu: You should probably say “I know! I speak another five languages!”

*(All laugh)*

These moments are indicative of the impossible position set up by colonial ghosts. Questions such as “where are you from” set them outside or at the very best at margins. On the one hand, they are viewed as “making it” (through understanding pop culture, claiming a feminist politics, overcoming “piety” because you are “different”). However, on the other hand, their difference is constantly noted and thus made conspicuous. As argued above, the civilizing mission which underpins colonialism requires the other to achieve civility (and assumes they wish to do so) – however, it never confers these achievements (Schech and Haggis 2000). As argued by Fanon, success is always partial for colonized subjects:

When people like me, they like me “in spite of my color.” When they dislike me; they point out that it isn’t because of my color. Either way, I am locked into the infernal circle. (Fanon [1968]1970)

In addition to the “whole Muslim thing” and “where are you from,” participants also focused on the kinds of “sexy” they saw in the media. In this case, colonial ghosts made themselves felt in and through media representations of “sexiness.” Time and time again, they noted that media in “the West” does not present a range or diversity of sexualities – and if present, the sexualities of “others” are fetishized and eroticized. Rather, these normative forms of sexiness that parade popular culture are given a name by the participants – “Western sexy”: “dressing without a lot of clothes” (Lan), “English phrases” (Lan), “skinny” (Tahereh). By naming this style as “Western sexy,” they expose the normalizing and naturalizing effects of discourse and identify the narrow range of sexualities on offer. Indeed, in the act of naming “Western sexy,” they reveal the erasure of difference and diverse forms. As noted by one young woman:

Anu: Can I give an example? So in Nepal, women wear Sari, and it's quite revealing, and it's a sexy dress. So we come to a country like Australia, and obviously we won't be wearing Sari every day. And there are girls in the community who get into and are inspired by the "Western sexy" image (makes quote marks with hand movements). And they start dressing up in short skirts, and just like revealing clothes. And you know you have the Nepali sexy image, but they don't want that because that's not the form of sexy that's defined by the media. So they want to look "Western sexy."

The participants also noted how representations of "Western sexy" are imbued with colonial construction of the "West as Best," constructions which produce a fraught relationship with popular media culture. Across the discussion, participants reflected on the process of negotiating sexuality in the face of media that valorized and normalized particular images of "sexy" – as argued by Constance, there was always a tension between valuing her culture and viewing the West as the epitome of success and progress:

Constance: For me it's the way Western style is constructed as "better." In Kenya, the more European you are, it's a status thing. It stems from colonialism – white Western being better. People are still dealing with the colonial mentality. Of the West being better because they have better roads, better schools, etc. . . .

Finally, in this study, the young people expressed a desire to tell similar stories. While seemingly well-intentioned, this narrow reading of their lives and identities has the effect of putting those marked as other "back in place." This strategy of "place-making" is acutely expressed by Ayana – as a youth leader in her community, she is frequently invited to speak at public events. However, she and the other participants are often made uncomfortable by this singular reading of their experience in which those asking to "hear" invoke colonial mentalities in the moment of asking. The stories "they" ask for are experiences of difference, of struggle, and of difficulty through migration – but most importantly, these requests show up the "instability of 'race' as a classifying device" (Zambelli 2018, p. 167):

Ayana: Cause lately in the last two years, people are like Ayana can you speak here, can you speak here, can you speak here. . . And this last month I was speaking at three different places, and often one thing I find interesting is how people expect you to tell "your" story. Ayana can you tell me "your story"?

Serwa: Yeah. Excuse me! What story!?!??

Ayana: Yeah, what story!! And the story that I often tell is of my transition from high school, to university, to the workplace, and people are like. . . that's the same are ours! And I'm like, what do you want me to say? I was a refugee, I was this, I was that. . .

In the discussion that ensued, Ayana and others urgently displayed a desire to tell stories that represented the complex mixings of their lives. Rather than be captured by a "single story" (Adichie 2009), the participants wished to be viewed as "citizens of the word," as living "in a globalized world":

Ayana: I'm the only one in my family who is not a citizen. My family became citizen five years ago. And I'm like "I'm not gonna be a citizen." You know! The reason is I'm actually not a citizen of anywhere in the world. I was born on the border between Somalia and Kenya.

And I'm like my reasoning for not wanting to be a citizen is regardless even if you are a citizen of Australia because everyone asks you. "Where you from? What country are you from?"

I argue this desire to "not be a citizen" in favor of an implied transnational identity represents a powerful challenge to the colonial ghosts circulating their lives and ideas. As argued by Aihwa Ong, the experience of migration produces new forms of "flexible citizenry" which can be theorized as "new modes of subject making and new kinds of valorised subjectivity" (Ong 1999, pp. 17–18) – this flexible citizenry disrupts the oppositional or fixed views of culture produced by colonial discourses and mentalities. Indeed, Haggis and Schech's articulation of "transnational moves" (2010) reveals the ways in which colonial subjects speak back to bounded notions of the "West and the Rest" by making a claim to transnational citizenship – rather than reproduce "universalist and particularist" views of culture, they use transnational to make a claim *against* the universalizing language of colonialism:

A kind of counter-discourse, or resistant subjectivity, runs through these stories when taken together; a stubborn refusal to see themselves as anything other than fully part of humanity; a condition based on their rights – rights to inclusion, to be heard, and to social agency. (Haggis and Schech 2010, p. 377)

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## Intergenerational Conflict, Sexuality, and Migrant Families

The next case draws on another study undertaken with the same South Australian Multi-Cultural Sexuality and Health Service. In this study, the organization was interested to explore the intergenerational conflicts that emerge about issue of gender, sex, and sexuality in migrant families. Across their counselling and community education work, there was growing concern about a range of negative sexual health outcomes which resulted from these tensions: underuse of sexual health support services; poor sexual health knowledge; mixed messages about sexual health from community, peers, and broader society; stigma and cultural shame; risky sexual practices due to "secrecy"; fears about queer sexual identity; and fears about "coming out" (Dean et al. 2017).

Based on this urgent need for evidence-based research and resources, we designed a series of focus groups with fathers, mothers, and young people from the African community in South Australia. The participants were drawn from a wide range of African nations, such as Ghana, Tanzania, Kenya, Somalia, and South Sudan – all families had been living in Australia for longer or shorter terms over the past 15 years, and the young people were 16 years and above. Across the focus groups, we employed a range of open-ended questions designed to explore the tensions and misunderstanding that emerged in families about issues of sex and sexuality. In addition, we were also interested to explore how the tensions were negotiated and managed, in order to map community-based solutions to help

resolve the conflicts. Building on these insights, the study has produced a video resource, co-designed with communities for use by sexual health practitioners and communities.

Across the focus groups, participants revealed a wide range of tensions: competing norms about sex before marriage and partner choice, fears about “what was being taught at school,” the desire to live up the parent expectations while forging independent paths, and the vital necessity for trust and compromise. However, similar to the first case, participants also presented a powerful set of insights about colonial ghosts – in and through the discussions, reference was made to how they were “read through difference” by mainstream Australian society and how this affected tensions about sex. Indeed, in many cases, conflicts resulted from the complex pressures of migration, rather than “cultural attitudes” and cultural “taboos.” This presents a challenge to the ways in which colonial discourses construct cultural attitudes in bound and fixed terms, as if these attitudes “come from the inside” – however, as argued by Peltola et al. (2017, p. 535), “Negotiations concerning sexuality, including conflicts, should not be examined as disconnected from the wider discourses. . .”

One of the most tangible “pressures” was an unequivocal desire to make the most of the opportunities offered in Australia. Indeed, in all of the focus groups, participants explained what this linear path to success looked like – secondary education, university, master’s degree, then marriage, then children. As noted by one mother, in a humorous but highly serious account, children are expected to follow a set of milestones:

Mother 3: May I just, may I just quickly add onto that about do well, as I joke with my children I tell them, I want you to go to school and then after they’d finish school go to Uni-

Mother 2: Uni

(All laughing)

Mother 3: Go to Uni, finish Uni, go for Master’s degree

Q: Geez no pressure.

(All laughing)

Mother 3: Get a boyfriend and then after that get married.

Mother 2: Get married.

Mother 3: And then get children-

Mother 2: Children.

Mother 3: And then I tell them, “In that order.”

Mother 2: In that order-

(All laughing)

However, while “making the most of opportunities” was desired in its own right, the participants simultaneously revealed how this pressure to succeed was exacerbated by a need to counter the negative stereotypes about “Africans” circulating Australian media (Nolan et al. 2011). Indeed, one recent example of this negative press has emerged in problematic and inaccurate representations of “African crime gangs” in Melbourne which disproportionately reduce the case of crime to “African youth” (Budarick 2018). As one father states:

Father 3: There's not a frame of reference here and also I sometimes feel like there's also an amount of race involved, there's a higher expectation on us as Africans. . .

This “need to excel” was also noted by another father, who names the extra pressure placed on “others” to make it – as noted in the above case, discourses of the “West” and the “Rest” require others to achieve the successes of the West, but this success is judged more harshly within “a racialized gaze.” Here again, we are reminded of Fanon’s “infernal cycle of difference” (Fanon [1968]1970), where color becomes the relentless focus of scrutiny:

Father 2: Black people need to excel, so you can't do anything that is going to compromise that success.

At other times, participants reflected on the overt racism that circulates their lives – in this case, racism did not occur as a “ghost” but as a visceral and visible set of insults that shape fears and cautions about how their culture – and by extension their sexualities – is viewed.

Young woman 8: Yes, exactly and all that thing and like I said in primary school I was really really cautious because I don't know if you all went to public schools, but kids that were my age back then were nasty, they were nasty.

Young woman 8: Yeah, it was traumatising.

Young woman 9: Kids are nasty, kids are.

In the face of negative stereotypes and racism, the participants presented a powerful challenge to the colonial imperative that fixes and binds culture as a “neat and tidy” package. In stark contrast, across the focus groups discussions, the participants revealed how race is fluid and mixed, constantly changing shape through the experiences of migration. As noted by one young woman, she sees herself as operating in a third culture, resonant of Bhabha’s notion of a “third space” (Bhabha 1994):

Young woman 4: Yeah, I think that's hard because like I say with younger people when we come here I feel as though we create this third culture where we take the best bits that we like about our previous culture and the society that we live in and we create our own culture.

Indeed, the participants often mentioned how their views of sexuality are shaped by the mixings of culture that result from migration. In one discussion, one mother notes that even though it is difficult when children form different norms and attitudes about sex, it is important to remember that values and attitudes shift and change:

Mother 1: You see I don't know about everybody else, I've been here a bit more than 10 years I have evolved really well. And one thing I have recognised is living in Australia there are certain things that I can't, in my . . . it's accepted in Australia. But am I living in Australia or I'm living in Ghana? So I raise my children according to the way of life here, so I make it very open. We have, every night we have dinner at the table we have open discussions.

This “shifting” was noted in another discussion, in which one young person names the complex mixings and disruptions that occur in migrations, disruptions that produce the “freedom illusion”:

Young woman 3: No, here it starts debate because of their freedom illusion. Because back home it’s a collective, your neighbours know each other, even the neighbour dog will follow you . . . there’s that connection, so parents can-

Young woman 4: The neighbour dog knows your name.

Q: What’s that?

Young woman 4: I said the neighbour dog even knows your name.

(Laughing)

Young woman 4: It knows your boyfriend’s name.

Young woman 3: Yes!! (All laughing)

Young woman 3: But here parents fear the freedom, the freedom of information.

What this “freedom illusion” points to are the interactions that construct the lives and identities of the participants – and as such, intergenerational tensions about sexuality cannot be reduced to “internal” or fixed cultural ideas. As long argued by theorists of intersectionality, a range of factors across class, race, gender, age, and ability shape tensions about sexuality (Peltola et al. 2017). In this study, many factors affected the tensions which occurred in families: working double jobs, low-paid work, single-parent families, lack of funding for migrant communities, and “mainstream” attitudes that misunderstand the needs of migrant families. As stated by one young man, there is often no time to “connect” or discuss issues because parents are struggling with work pressures:

Young man 2: Well, to me because the reason why there’s not a better connection between the African parent and their kid is because when we came here many of our parents are busy working, because they were working, working, working so much because they want to put their kid into a private school so they can get better education, so they don’t spend too much quality time; you can only see your Mum like let me say it, five minutes in the morning before you go to school and then you come back and see your Mum like for ten minutes and then you go to bed. So because that time is not there and because of the culture. . . -

Q: They’re struggling too.

Young man 2: They be like okay, I want my kid to have the best, so for them to do that I have to do double job.

An intersectional approach also reveals how colonial ghosts make themselves felt through the ways in which migrant family tensions are singled out as particular and problematic in popular and academic accounts of intergenerational tensions (Peltola et al. 2017; Foner and Dreby 2011) – and as argued throughout, any approach which “binds up” culture as fixed and immutable overlooks how “cultural difference” itself is not at issue. Rather, tensions about sexuality are produced in and through discursive constructions of race in the country of settlement. Paying attention to intersections is vital in order to challenge the ubiquity of colonial ghosts that miss out how gender, race, class, ability, and religion *work together* to lead to tensions and misunderstandings. In this way, as I have argued elsewhere, it is useful to think about migration and diasporas as “fluid, performative, and

relational rather than fixed entities emanating from transnational movements across space” (Creese 2014, p. 5).

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## Conclusion

By way of conclusion, I revisit the questions raised out at the outset of this chapter: How do historical meanings and discourses about race shape the present? Studies that reflect on the role of race, culture, and ethnicity in a globalized world are vitally important – however, as I have argued throughout, it is equally important to reflect on what we mean by race and ethnicity. In short, ignoring colonial histories risks overlooking the annals of race and power that shape meanings and analyses of “ethnicity” in the present – as argued by Ahmed, colonial orientations are “lines given in advance”:

collectives come to have “lines” in the sense of being modes of following: to inhabit a collective might be to follow a line, a line that is already given in advance. (Ahmed 2006, p. 119)

Across the case studies, colonial meanings and “lines given in advance” made themselves felt in visceral ways – in the first case, they constrained what could be said by “others,” they twisted how the views and attitudes of “others” were understood, and they limited what stories could be told and on what terms. In the second case, colonial ghosts shaped the pressures placed on migrant families to succeed and excel – most importantly, the experiences of migrant families challenged colonial ideas about “fixed and bound” culture.

However, attending to colonial ghosts tells only part of the story – more importantly, reflecting on “lines given on advance” allows us to imagine new forms of global connectivity, identity formation, and affinity which challenge reductive, fixed notions of race and ethnicity. As argued by Ahmed (2006, p. 156):

what shape such a world might take, or what mixtures might be possible, when we no longer reproduce the lines we follow?

For the participants in this study, I wonder what “shape their world might take” if difference and identity (and by extension sexuality) was marked in decolonizing ways. For example, what if the young people heard questions like “where do you live” rather than “where are you from?” Would this allow conversations about place, identity, home, and belonging which avoided the trappings of the “West and the Rest”? Would it “reorientate” the question from abject difference to “mixed genealogy”? Or, what if they were asked to tell the stories of their lives on their own terms – to tell a broad range of stories, to tell stories of difference and similarity, rather than a “single story” (Adichie 2009)? And what if migrant families saw a complex range of representations about “Africans in Australia” in place of dehumanizing negative stereotypes?

Indeed, research on race and ethnicity must centralize “the questions we ask” – the questions we ask and the assumptions we make have the potential to “unfix” culture and open up the possibility to listen differently to the colonial ghosts which shape our lives.

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## Part VI

# Globalization and Diaspora

## Part Introduction

This part discusses and advances cutting-edge analyses of ethnicity, globalization, and diaspora through diverse multidisciplinary lenses and provides perspectives from anthropology, sociology, development, Pacific studies, education, psychology, political, and behavioural sciences, and how these fields inform current and, equally important, future developments in the ethnicity field.

All the chapters in this part are poignant examples of how globalization has enveloped and transformed diasporic societies through economic and financial integration, social media networks, knowledge transfer, transnationalism, technology, and education. But the new knowledge, insights, and perspectives they offer document critical ethnic, cultural, and intergenerational experiences which speak to the heart of diasporic and transnational worldviews, their perceptions of each other, and the centrality of relationships and issues of identity. Thus of significance here is, how these expose the deeper layers of realities, perceptions, and meanings of social change as they try to survive in ever-changing worlds. The chapters in this part thus provide a platform for inter-, cross-, and multidisciplinary dialogue across a myriad of perspectives.

There are eight chapter contributions in this part highlighting research across three major intersecting themes: diaspora, transnational ethnicities, and intergenerational perspectives. Three chapters are on the Indian diaspora. These are Kataoka (Indian diaspora – globalization allowing this group to retain ethnic bonds, regardless of state borders), Nachowitz (Indians in New Zealand – traces settlement from 1861 to 2018 and concluding that early settlers were entrepreneurs and professionals rather than scrub cutters and market gardeners), and Premdas (Indians and Africans in Guyana – challenges to overcome their bipolar positioning due to new petroleum resources wealth). One chapter by Zhang (Filipino and Chinese diaspora in Singapore and Macau) is on casino workers and their resistance to negative stereotyping. The European diaspora is covered in two chapters—Fanany and Avgoulas (Greeks in Australia – transnational identities being fuelled by Australian-born generations through internet and travel to homeland) and Luconi (Italians in the United States – US-born second generation reforming an Italian

identity). There is one chapter on diaspora groups in Europe by P.E. and F.J. Villegas (North America and Europe – focuses on migrant illegitimization and how migrants are counteracting this and constructing safer contexts or reception). There is one chapter on the Pacific diaspora by Anae which focuses on transnational Samoan chiefs – pioneer and first-generation NZ/US/Australian-born chiefs in the diaspora and transformations of service to families and homeland as a new development strategy.

Melani Anae



# Diaspora as Transnational Actors: Globalization and the Role of Ethnic Memory

# 60

Masaki Kataoka

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## Abstract

Diaspora is a group of people who have dispersed from their homeland country to other parts of the world. Although they may have lived away from their homeland for several generations, they maintain a collective attachment to it. In addition, diaspora groups construct networks of people of the same ethnic origin, share an ethnic identity, and act transnationally. This collectiveness is strengthened by globalization and through the development of communication and transportation technologies that can assist a diaspora group with retaining ethnic bonds, regardless of state borders. This chapter focuses on the role of ethnic memory that

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M. Kataoka (✉)

University of Canterbury, Christchurch, New Zealand

Institute of Developing Economies, Japan External Trade Organization, Chiba, Japan

e-mail: [masaki.kataoka@pg.canterbury.ac.nz](mailto:masaki.kataoka@pg.canterbury.ac.nz); [Masaki\\_Kataoka@ide.go.jp](mailto:Masaki_Kataoka@ide.go.jp)

allows diaspora to retain their ethnic identity on a transnational level. The theory of collective memory argues that socially constructed collective memory compels people to retain a shared identity with people who share their collective memory. In the case of the diaspora, many believe that they or their ancestors experienced traumatic events or suffering when they dispersed from their homeland or settled in a host country. These negative memories strengthen ethnic bonds and construct and maintain the ethnic identity of the homeland among people of the same ethnic group who are settled in different countries. Then, the latter part of the chapter introduces the case of the Indian diaspora as an example of this theory in application.

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**Keywords**

Diaspora · Globalization · Transnationalism · Collective memory · Ethnic memory

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## Introduction

Recently, the term “diaspora” has been used frequently in social media, newspapers, books, and blogs. However, it is doubtful that writers using the term correctly understand its meaning. In some cases, this term has been used to describe the people who live in a country where they were not born or brought up. Based on this understanding, people who go abroad for business or education for a short period may be included in the diaspora, which, theoretically speaking, is incorrect. This misunderstanding of the definition of diaspora has been caused by a rapidly growing globalized world. As explained in the following sections, when considering the diaspora, we need to focus on their transnational character and continuous links with homeland and ethnic peers scattered around the world. This chapter aims to provide readers with the characteristics of the diaspora, which should be clarified to separate diasporic individuals from mere migrants. To understand the differences between individuals in a diaspora and migrants is also helpful to understand the growing influence of the diaspora, which is affecting the political decision-making in many countries. Transnational economic activities by diaspora groups also have an impact on national economic policies. In the globalized world, the role of the diaspora has become salient; therefore, to grasp such impacts of the diaspora is necessary for scholars and university students who focus on international relations, immigration studies, globalization, and many other disciplines within the social sciences.

First, this chapter reviews the theoretical explanations of diaspora groups. Second, the chapter observes the impact and meaning of globalization, and third, it focuses on the role of ethnic memory in order to explain how diaspora groups maintain a strong connection with their homeland while they are abroad. Finally, this chapter discusses the Indian diaspora within the context of these theories, which shows the complexity of diaspora in a globalized world and the transnational features of diaspora groups who are navigating globalization.

## Theoretical Explanations of the Diaspora

The term diaspora is derived from Greek and means scattering, which came to be used to refer to the dispersion of a population. Although the concept of diaspora is not a new phenomenon, many scholars began to pay attention to diaspora groups in the late twentieth century, because their unique natures had become prominent, and diaspora groups had begun to have a strong influence on states as international actors under globalization. Safran (1991), one of the leading diaspora thinkers, summarizes the diaspora with the following six characteristics:

- Dispersal from a homeland to two or more destinations
- Retention of collective memories, visions, and myths about the homeland
- The belief that they are not accepted by the society of their host countries and are marginalized
- The belief that their homeland is ideal and that they or their descendants should return to the homeland
- The belief that they should commit to maintaining and revitalizing the prosperity and safety of their homeland
- Maintenance of strong ethnic bonds based on continuous relationships with their homeland

According to this summary, a diaspora is not a group of people who moved from one country to another. As implied by the original meaning of the Greek words, it means a group of people dispersed to many parts of the world. It is noteworthy, then, that diaspora groups idealize their homeland and retain a collective, emotional, and continuous attachment to the homeland. For this reason, diaspora groups are willing to act for their homeland or ethnic peers who remained in their homeland.

The classical usage of this term applied to the people who were forcefully dispersed from their indigenous lands to other parts of the world. In the classical meaning, they are recognized as victims, as they experienced traumatic events that caused their dispersion. Examples include the Jewish diaspora whose history is filled with persecution, Africans who were forcefully removed from the African continent and sold as slaves, Armenians who experienced genocide in the late nineteenth and early twentieth centuries, and Palestinians who were forced to leave their homeland when the state of Israel was established.

Although victimization is an important feature of diaspora groups, however, Cohen (1997) adds several more categories, which include labor, trade, and imperial diaspora groups. Cohen suggests that people who voluntarily leave their homeland are also part of the diaspora. For example, if people who move to a foreign country for business and settle for a long period meet diasporic conditions, such as the maintenance of a collective attachment to their homeland, they can also be part of a diaspora. With the Indian diaspora, who dispersed to many parts of the world as indentured labor, their living conditions were poor, and many faced antagonism from their local societies. These experiences have accumulated in the Indian diasporic memory, and the collective memory plays a pivotal role in maintaining and

strengthening the bonds with their homeland. Therefore, according to Cohen's classification, even though they voluntarily left India for economic reasons, Indian indentured labor is part of the diaspora.

However, it is not realistic to believe that perfect classification of the diaspora based on the categories introduced by Cohen is possible. For example, although the Jewish diaspora is representative of a victimized diaspora, some Jewish groups moved to take advantage of trade opportunities. Bearing these complexities and Safran's list of characteristics of the diaspora in mind, Cohen reorganizes the common characteristics of the diaspora as follows:

- Dispersal from a homeland to more than two destinations, and many experience traumatic events.
- Voluntary dispersal for business, trade, or colonial ambitions, if they did not experience a traumatic event.
- Sharing of collective memory and myth, which may include sites, histories, suffering, and achievements.
- Idealizing the homeland whether it is real or imagined and collectively dedicating to its maintenance, restoration, safety, and prosperity.
- Frequent movement to return their homeland, even though many are satisfied with imagined relationship with homeland or intermittent visit to homeland.
- Awareness of belonging to an ethnic group, and strong ethnic bonds are retained for a long time based on a sense of distinguishing feature, common history, inheritance of shared cultural and religious heritage, and belief of common destiny.
- Face troubles with their host societies that may cause another tragic event.
- Retain a common responsibility to people of the same ethnic origin living in different host countries.
- It is possible for them to enjoy a creative and prosperous life, if the host country tolerates a multicultural society.

These characteristics do not all have to be met for groups to be classified as diasporic; this is a general list of common features of diaspora groups, and it can be used to compile a description of the main components of the diaspora.

With regard to Cohen's list, it is important to maintain an awareness of the emphasis on diaspora groups' construction of extensive networks with people of the same ethnic group living in different countries and their actions as a collective for the benefit of their homeland. This indicates that diaspora groups have a transnational character. In studies on the nation-state or nationalism, political scientists apply theories such as Anderson's "imagined community" (1991), to observe the processes of unification and connection that construct identity. Similarly, Sökefeld (2006) suggests that researchers studying the diaspora focus on "imagined transnational communities" and the literature on the diaspora has revealed that "transnational imagination" plays a pivotal role in connecting diaspora communities with their homelands (Burla 2015). Transnational ethnic bonds are not well-explained by the traditional nation-state model of international relations. Diaspora groups act

across state borders, and their identity is not confined within state borders. In short, they achieve a deterritorialization, and the “deterritorialized imagined communities” allow members of the diaspora to share “a collective past and common destiny” (Werbner 2002) with other members of the diaspora around the world. Therefore, diaspora groups should be treated as transnational actors.

It is notable that diaspora groups retain these transnational ethnic links with both the homeland and other members of the same diaspora group in different host countries for a long period of time. The maintenance of collectivity as an ethnic group is a key precondition for constructing and maintaining ethnic identity at a transnational level. The collectivity can continue for a long time, as diaspora members recognize that they are members of the diaspora group and they recognize the differences between their own ethnic group and other groups. The recognition of suffering, for example, a tragic experience that causes dispersal or unequal treatment in a host country, strengthens the sense of being different from other ethnic groups living in the same society. In order to escape from the suffering and improve their living conditions, they place their hope in their homeland and desire to become reconnected with people of the same ethnic group who have also suffered from traumatic events or difficulties in their host countries. For this reason, Safran and Cohen add antagonism from a host society as one of the diasporic features, because this creates a conscious idea among diaspora groups that they are more connected to ethnic peers living in other host countries than other ethnic groups living in their own host country. Therefore, they consciously attempt to stay connected with their ethnic peers and homeland rather than assimilate into their host society. This allows diaspora groups to maintain the ethnic identity of their homeland for a long period of time.

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## **Globalization and Diaspora’s Transnational Power**

### **Controversies Under Globalization**

The traditional approach to immigration studies utilizes analytical perspectives on assimilationism and nationalism. This approach applies the premise that emigration results in cutting off links with the homeland and that immigrants eventually assimilate into their host societies. Transnational approaches to studying diaspora groups, however, do not adopt this condition (Brubaker 2005). With transnationalism, immigration does not break the connection with a homeland; instead, a network or homeland culture continues to exist and is an important factor (Lie 1995). Therefore, diaspora research requires scholars to understand a variety of actors, including people who remain in the homeland country, people of the same ethnic origin in different host countries, and the relationships with other ethnic groups in the host country.

The development of the theoretical arguments above has been caused by globalization. When globalization was not very significant, most immigrants were not seen as diaspora groups, and they were expected to assimilate into the host country and



relinquish their attachment to their homeland. However, through globalization and the development of transportation and communication technologies, it is now much easier to settle in foreign countries and retain a connection with one's homeland country. Globalization has significantly altered immigration, and the lifestyles of emigrants have become more diverse. For example, being involved in political or social affairs of a homeland country, the extent to which people are assimilated into a host society, whether they retain the identity of their homeland country or share the identity of their host country, or practice both, all depend on the varying circumstances of individuals.

Against this backdrop, some scholars argue that immigrants, who did not become part of diaspora groups decades ago, now satisfy some of the diasporic characteristics (Clifford 1994). The impact of globalization has led scholars to reconsider the diasporic frameworks and expand the definition and scope of the diaspora. Some researchers have reevaluated the theoretical framework and the classification of the diaspora developed by Safran and Cohen, because the diversified nature of immigrants makes it difficult to develop a common pattern for the diaspora. Diversity within a diaspora group is also important, because depending on social status, gender, generation, social class, occupation, and educational background, individuals demonstrate their own unique attachment to their homeland. In some cases, the differences within a diaspora group are as prominent as the differences of other ethnic groups (Anthias 1998). Accordingly, some scholars criticize Safran or Cohen's theoretical framework, because the frameworks contain fixed assumptions that diaspora groups are bound to their homeland. Some scholars argue that the framework is primordialist and ignores the diversity of current diaspora groups amidst globalization (see, e.g., Clifford 1994; Anthias 1998). Hall (2003) argues that:

The diaspora experience... is defined, not by essence or purity, but by the recognition of a necessary heterogeneity and diversity; by a conception of "identity" which lives with and through, not despite, difference; by *hybridity*. Diaspora identities are those which are constantly producing and reproducing themselves anew, through transformation and difference.

However, this transnationalism approach has caused side effects. As it encourages scholars to focus on the diversified and heterogeneous nature of immigrants, they tend to expand the definition of the diaspora. This type of broad definition has also faced criticism, because if all groups of immigrants are classified as diaspora, this term cannot distinguish diaspora groups from other groups of people. The inclusion of all types of immigrant groups into the term diaspora reduces the notable characteristics of diaspora groups. It is ironic that by expanding the definition of diaspora groups, the characteristics of the diaspora are reduced (see, e.g., Tölölyan 1996; Vertovec 1997; Brubaker 2005).

Despite such controversies, it seems that diaspora experts can agree with the following three features of diaspora groups (Butler 2001; Brubaker 2005). First, diaspora groups disperse from their homelands to at least two destinations. Diaspora groups do not just move from one place to the other. Without networks of

people of the same ethnic origin around the world, the group of people cannot be seen as diaspora. Even though a group of people may have a strong connection with people of the same ethnic origin, if they all live in the homeland country, they are not a diaspora group, as this is a single linear connection. A web of network among people of the same ethnic group living around the world is required, with the homeland as an epicenter of their ethnic bonds. Second, they collectively maintain a strong attachment to their homeland and retain a relationship with their homeland. Although transnationalism may argue that this tendency weakened with globalization, without the strong collective attachment to and relationship with the homeland, it is not possible to transnationally maintain ethnic identity. Third, they intentionally draw a clear line between their own ethnic group and other groups in their host countries. This clear consciousness allows those in the diaspora group to recognize themselves as members of an ethnic group, and this recognition can last over generations. In short, diaspora groups consciously recognize themselves as members of an ethnonationalistic group of people who originated in a homeland, and they act based on this diasporic ethnic identity at the transnational level. This summary may still be subject to criticism from transnationalism. While diaspora groups should intentionally clarify a border between their diaspora group and other groups, the importance of the border is weakened according to the transnational approach, and this is the core of the controversy (Brubaker 2005).

### **Growing Influence of Diaspora**

Traditionally, scholars on immigration have focused on the immigrant policies set by host countries. Conversely, however, diaspora scholars focus on policies set by homeland countries. As diaspora groups share the interests of the homeland, they may be able to act on behalf of the homeland (see, e.g., Sheffer 1986; Shain and Barth 2003). Subsequently, homeland countries are now aware of the importance of the diaspora. That is why the ethnic diaspora and its influence have recently been recognized as an important factor in studying globalization, immigration, and international relations.

One of the main benefits for homeland countries is diaspora groups lobbying the governments of host countries. Many countries currently evaluate the lobbying activities of the diaspora as an important diplomatic resource. Korean diaspora groups living in the USA, for example, have lobbied local governments in the USA regarding the sex slave or “comfort women” issue during the Japanese colonial era. They have drawn attention to the cruel atrocities of Japanese colonizers and soldiers toward Korean women and have criticized the Japanese government for not addressing the issue. They have built statues of comfort women in various places in the USA in order to draw international public attention to the issue. The formation of international public opinion is an important diplomatic achievement for the South Korean government who has been requesting action from the government of Japan on this issue.

In addition, economic benefits from the diaspora are an expectation of homeland countries. Traditionally, remittance was the main economic benefit for homeland, but their economic role has grown. In some cases, they engage in global supply chains and are the main consumers of certain products made in the homeland country. Some diaspora groups launch businesses in their host countries, and through their kinship networks, they cooperate and trade with business counterparts in their homeland countries. Additionally, migrants can be major investors in homeland countries, and if they return to their homeland after acquiring advanced business skills or completing higher education, they become valuable human resources for their homeland economy (Leblang 2017).

Many governments now recognize that these benefits are worthwhile, and they have developed policies to support the diaspora and to keep them connected to homeland countries (Ragazzi 2014). This newly developed government support for the diaspora includes consul support, health and welfare services, and cultural and religious development. Some countries dispatch experts on homeland culture or ethnic language in order to provide the diaspora with educational opportunities or establish cultural centers to disseminate information related to the homeland. Some diaspora groups are entitled to special rights, such as dual citizenship. Since these policies for diaspora assistance are implemented cross-sectionally, some governments have established a specific government office to coordinate diaspora assistance activities. Approximately 40% of United Nations member states have a specific institution for the diaspora (Gamlen 2014). For example, Armenia established the Ministry of Diaspora in 2008 in order to develop its policies to support diaspora groups and coordinate activities by various state bodies.

These policies are notable, because governments expand the influence of domestic policies to people living abroad who are from the same ethnic origin, but many of whom are not citizens of the homeland country. This is a challenge to the Westphalian regime, whose principal aim is territorial jurisdiction over the citizens of a state (Délano and Gamlen 2014). While diaspora groups are not new to the twenty-first century, the ways in which diaspora groups interact with their homeland countries have been affected by globalization. Subsequently, the role and definition of the diaspora has changed, and this has spurred academic research in this area.

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## **The Role of Ethnic Memory**

### **Collective Memory**

The question here is “Through what mechanisms do people of the diaspora share, maintain, and strengthen the identity of their homeland while they are separated from their homeland?” To answer this question, this chapter reviews the role of ethnic memory. According to Maurice Halbwachs (1952), who developed the theory of collective memory, without a society, individuals cannot recall

their past. To recall a past they experienced directly, individuals need to have the language and concepts provided by the society to which they belong. For a society's past that many individuals did not experience directly, such as a war, they learned their national history through newspapers, schools, museums, and messages from national leaders.

Most importantly, it is the society that determines history. Individual memory is established as the result of one's reaction to current social needs, interests, and ideas. As individuals are inclined to match themselves to society, they choose, delete, or adjust their memories in order to remain consistent with society's ideas. In this sense, collective memory is a product that is socially constructed to correspond to our current social, psychological, and political needs (Gibson 2004). Therefore, collective memory is not static but flexible, as social needs and interests change over time. Collective memory functions to change the interpretation of the past depending on the political situation, economic development, relationships with other social groups or foreign countries, and demographic changes. Thus, Friedman (1992) argues that "history is an imprinting of the present onto the past."

There are many tools that assist a society in storing past events as collective memory. One example is artificial objects, such as monuments, statues, and historical buildings. The previous section raised an example about the statues of comfort women built in the USA by members of the Korean diaspora. The Korean diaspora attaches specific meanings to the statues, such as the cruel nature of Japanese soldiers, Korean women as victims, and messages that the government of Japan has not yet atoned for its past wrongdoings and has neglected its responsibility to restore the dignity of the victims. Once such objects become the symbol of a social group, members of the group sanctify the objects (Irwin-Zarecka 1994), and for them, the meaning attached to the symbol becomes the absolute truth of what happened to the group in the past. In this situation, groups tend to exclude external factors, which may affect their collective memory.

Public and social commemoration is also important in the construction of collective memory (Gershoni and Jankowski 2004). Participating in a commemoration or ceremony serves not only to regularly recall a particular past event and prevent from forgetting the past but also to revise the memory in order to match it to the current social needs and interests. Zerubavel (1995) argues that commemoration adjusts the collective memory between the historical record and the current social and political agenda. It implies that the meaning of commemoration, whether through ritual or artifacts, is not fixed, but changeable. Although monuments stand still on a site without any change in their shape, and rituals seem to be successively practiced every year, details of contents and meaning attached to the commemoration vary depending on the mood and needs of the current society (Gershoni and Jankowski 2004). This change requires a society to change how they represent the past event. Therefore, investigating a changing history of contents, forms, and messages of commemoration is a useful method for understanding how collective memory develops and changes in society.

## Collective Memory and Social Identity

Litvak (2009) argues that identity shared by group members cannot exist without memory, because continuity from the past is necessary to identify the uniqueness of a group, and therefore remembering the past is a necessary factor. Litvak also emphasizes the reciprocal relationship between memory and identity. A group develops its own unique memory about the past and emphasizes the differences between its identity and the identity of others in order to develop its own identity. In addition, as Ignatieff (1996) pointed out, “What you believe to be true depends... on who you believe yourself to be.” This argument implies that, on the one hand, collective identity is an important factor in deciding what memories the group should maintain, and, on the other hand, collective memory assists in the formation of group identity. This interactive relation between memory and identity is important when studying collective memory and collective identity.

Individuals cannot represent themselves without society, and, in order to define ourselves, individuals depend on society. An individual’s sense of belonging to a community is established when the individual places him- or herself into the community’s past events (Hobsbawm 1972); to become a member of that society means to experience its history as if it had been their own (Zerubavel 1996). As a result, individuals have a sense of a pride, pain, and shame related to the history experienced by the community (Olick and Robbins 1998).

If the past memory is morally negative and traumatic, such as a massacre, a civil war, or serious discrimination, and these past memories are widely shared in the society, the group’s solidarity is likely to be strengthened. Traumatic events that threaten their ethnic existence are a powerful catalyst for inducing people to form a group identity. Renan (1990) argues that:

suffering in common unifies more than joy does. Where national memories are concerned, griefs are of more value than triumphs, for they impose duties, and require a common effort.

In short, the more traumatic the shared memory is, the more the bonds are strengthened; this is especially true of ethnic bonds among diaspora groups.

However, certain events may not be automatically traumatic, but they can be construed as being traumatic through society’s mediation (Alexander 2004). Whether an event becomes traumatic depends on the social situation at the time. The speed of an event becoming traumatic also varies. Some events become traumatic as the event is occurring, while some events are seen as traumatic only after many years have passed since the end of the event. Even if no event occurred, a story of a traumatic event may be created. Whether the traumatic event actually occurred does not matter, but what is important is that people in the society believe that the traumatic event did occur.

How do socially constructed collective memories, whether real or imagined, permeate a group of people? To answer this question, we need to understand how collective memory is represented. Collective memory produces social narratives that represent the group memory and help spread it across society. In addition, the

construction of history involves adding particular meaning to the past, and the narratives that convey the meaning demonstrate the codes of conduct that individuals are encouraged to obey. For example, nationalists may utilize a particular person as an exemplar – a hero or a tragic heroine – which demonstrates how members of the society should behave in that society. What we must bear in mind is that a social group emphasizes aspects of suffering in past events. The narratives of suffering reiterate moral responsibility toward the past, and the sense of victimhood urges members of the group to react to overcome the past tragedy or recover dignity. Therefore, in many cases, tragic elements are included in a meaning attached to social symbols and commemorations. The meaning attached to the statues of comfort women erected by the Korean diaspora in the USA emphasizes the tragedy of Korean women, and the symbol urges the Korean diaspora to keep taking social and political action to recover the victims' dignity. This socially constructed moral responsibility plays a pivotal role in deciding where the society is heading, and this is a basis for constructing group identity (Somers 1994). The decisive role of collective memory with a recognition of the tragic past can apply to diasporas, as in many cases diaspora members believe that they and their ancestors experienced traumatic events in the past.

Societies may adjust the story of the past developed by social narratives in order to fit it into their current social situation or, conversely, may reinterpret the current situation to match the story. This is a process of developing and stabilizing collective memory in a society, and the historical memory developed through this process stimulates their group identity. In this theoretical argument, Eyerman (2004) detailed constructing the process of African American identity in the USA. According to Eyerman, black Americans have repeatedly altered their collective memory about what happened to their ancestors as slaves and have reinterpreted the meaning of their history to apply it to today's society. African American identity was formed when slavery was already a past event. In addition, whether their own ancestors were slaves or not did not matter in the formation of black American identity. Speeches, poems, artworks, and other cultural products by black Americans represented the memory of slaves and conveyed that collective memory to all black Americans over generations, which became the basis for African American identity as a whole. The same can be said for other types of diasporas. Migrants who believe that their ancestors experienced traumatic events in their homeland, causing their dispersion to many parts of the world – and that their descendants, including themselves, have been suffering from alienated social conditions – carry the collective memory of the tragedy to future generations of the diaspora and help maintain diasporic identity for a long period over many generations.

## **Social Networks and Ethnic Memory**

Baines (2007) explains that a particular memory becomes dominant after conflicting with other interpretations of past events. The dominant memories determine not only what the members of the society remember but also which memories they forget.

This is because a single narrative does not construct social memory, and many narratives exist in society and contest with one another (Olick and Robbins 1998). Many narratives are contested, and which narratives become dominant depends on the generation, social class, occupation, and gender of those who disseminate the narrative. Groups' interests, needs, and beliefs are key factors that determine where these contestations are represented in society. Memory and identity are constructed through such processes.

Among the many societal circumstances affecting memory construction, ethnicity is one of the most powerful determinant factors. Rydgren et al. (2017) conducted a quantitative survey in two cities in northern Iraq. One is Kirkuk, where the society is ethnically divided and ethnic violence is intense; the other is Erbil, which is also ethnically divided, but ethnicity-based violence is not as severe there compared to that in the ethnically polarized Kirkuk. The results reveal that memories about past events tend to be structured along ethnic lines in a multiethnic society. Especially when ethnic tension is intense, this tendency becomes clearer. According to the survey, social networks among ethnic groups are a central determinant of whether an ethnically divided society becomes more conflict-ridden or friendlier. Rydgren, Sofi, and Hällsten argue:

Ethnically homogeneous friendship networks seemed to reinforce group-specific uniformities in memories and beliefs about the past, whereas ethnically heterogeneous networks worked in the opposite direction. . . . Having a high proportion of friends belonging to a particular outgroup is often associated with sharing beliefs about the past that are more similar to the memories of that outgroup than to those of the ingroup.

Empirical study shows that when social networks develop between different ethnic groups, people can exchange beliefs of past memories with the other groups, which helps build understanding with other ethnic groups. Under such circumstances, reconciliation between conflicting groups is more likely to be achieved than in a society without multiethnic networks. Conversely, when the society encounters serious ethnic conflict and inter-ethnic relations are weakened, a group does not have opportunities to understand other ethnic groups. Without multiethnic social networks, people are inclined to share beliefs of past events within the boundary of their ethnic group. Under these circumstances, they clearly differentiate between "us" and "others," resulting in making group members exclude other ethnic groups.

Moral responsibility, derived from the tragic memory that social narratives provide, urges members of the group to maintain the memory for a long period. In addition, as people tend to have a positive perspective on the group to which they belong, they selectively memorize the past, which justifies themselves. That is why there are many cases in which the memory of past events by a group of victims differs from that of perpetrators. When victims see perpetrators trying to justify their wrongdoing, the trust between victims and perpetrators collapses. This results in the society losing a chance to develop multiethnic social networks – something that is likely to happen in ethnically divided societies. Literature on ethnic conflict points



out that, in some cases, a clear boundary between victims and perpetrators was drawn before ethnic conflict occurred (see, e.g., Horowitz 1985).

The same can be said in the case of diasporas. Often, diaspora members view themselves as victims, and if the host society fails to construct multiethnic networks inclusive of their diaspora, members of the diaspora draw a clear line between the diaspora (as victims) and “others” (as perpetrators) in their host societies. For diaspora members, their ethnic peers, who dispersed from the same homeland country and live in other host countries, are in the same circle of the diasporic ethnic group. As a consequence, they can develop and share ethnic identity with diaspora groups scattered around the world. Even when diaspora groups are not marginalized in their host society, if groups of people in their homeland country who caused the dispersion deny their responsibility for the wrongdoing toward the diaspora groups, people in the diaspora may develop a sense of victimhood and may share it with their ethnic peers around the world. In sum, whether a group of people becomes diasporic or not depends on both social situations and external relations, such as how much they are discriminated against in a host society, the friendliness of the relationship they constructed with other ethnic groups in their homeland countries, how much the government of the homeland country tries to maintain the connection with the diaspora groups, how much of an ethnic network they have developed with their ethnic peers in other countries, and so on.

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## **The Case of the Indian Diaspora**

By focusing on globalization and the role of ethnic memory, the previous sections of this chapter explain the characteristics of diaspora groups. The rest of this chapter explores these characteristics by scrutinizing the identities of the Indian diaspora around the world.

One of the labor diaspora groups from Cohen’s categorization is the Indian diaspora that was engaged as an indentured labor force, working on plantations during the colonial era. Although many other ethnic groups were dispersed around the world because of labor, the Indian diaspora is a strong example of the labor diaspora, because dispersed Indians are inclined to retain traditional Indian culture and maintain connections with their homeland.

The working conditions of Indian indentured laborers were extremely severe, to the extent that it could nearly have been considered slavery. In addition, they encountered negative confrontations with local communities and indigenous societies, and these experiences were stored in their ethnic collective memory. This strengthened their ethnic consciousness and motivated them to maintain Indian culture and religious norms. Consequently, they refused to assimilate into host societies and instead established a local Indian community with clear differences from the other groups in their host countries. They often believed that Indian indentured laborers living in other host countries were more connected to each other than to other ethnic people living in their host country.



After they were liberated from indentured labor, many remained in their host countries and started local businesses to improve their living conditions. Following the expansion of their economic activities, they spread to urban areas of the host countries (Helweg 1986). Though the Indian diaspora retained Indian culture, traditional norms, and religious beliefs while living in these new conditions, some Indian communities developed a unique culture by adapting to the life of their host societies (Pande 2011). However, there is no doubt that their culture originated in India, and for the Indian diaspora in some countries, this does not lead to a reduction in their closeness to India. The Indian diaspora recognize themselves as having an Indian origin, and that is why they actively connect with the homeland, for example, by reading Indian newspapers, going to Indian schools, and holding religious festivals, such as Holi.

The Indian government recently implemented new government programs to connect with the Indian diaspora scattered around the world, as it recognizes the importance and benefit of Indian diaspora. For example, the Indian government established the Ministry of Overseas Indian Affairs in 2004, which merged with the Ministry of External Affairs in 2016, for planning and implementing government diaspora policies, developing networks, and maintaining relationships between India and the Indian diaspora. *Pravasi Bharatiya Divas*, an event that celebrates the contribution of the overseas Indian community in the development of India, is held every year, which helps the Indian diaspora understand Indian policies and provides dialogue on the issues that the Indian diaspora around the world is encountering in their respective host countries. The “Know India Programme” (KIP) was also established to invite the Indian diaspora, especially young people, to India to deepen their understanding of India. One of the characteristics of KIP is that its main target comprises those who have not visited India in their lifetime, which indicates that the Indian government wants to strengthen ethnic connections with people in the diaspora who tend to have a weak relationship with India. India also implements other diaspora policies, including a scholarship program designed for the diaspora.

Another example of India’s efforts to maintain a connection with its diaspora can be observed in Indian aid policies. For example, the Indian government has recently increased aid program to Fiji, where many of the Indian diaspora live. Much of India’s aid to Pacific Island countries are directed to Fiji and Papua New Guinea. While it is clear that the government of India intends to acquire natural resources through the aid program to Papua New Guinea, the aim of the increased aid to Fiji is simply to strengthen the relationship with the Indian diaspora (Zhang and Shivakumar 2017). Unlike Chinese assistance, which mainly focuses on infrastructure development through concessional loans, India’s aid to Fiji is characteristic in that it supports capacity building, assistance for information technology, industrial development, and assistance for climate change issues through grants and scholarship programs.

To further understand a diaspora’s transnational character, this section focuses on the Indian diaspora in Fiji. Fiji is a multiethnic country where indigenous Fijians and members of the Indian diaspora, or Indo-Fijians, are the majority ethnic groups. According to the 2007 census, the Fijian population was comprised of 56.8%

indigenous Fijians and 37.5% Indian descendants (Fiji Islands Bureau of Statistics 2008). The population of the Indian descendants exceeded the population of indigenous Fijian at some historical point, and this Fijian demography is one of the root causes of political and social instability in Fiji.

As with other Indian diaspora groups around the world, Indian indentured laborers in Fiji suffered from severe working conditions and social inequality. In addition, as indigenous Fijians have sought political paramountcy over Indo-Fijians, Indo-Fijians have been politically discriminated against and have become the target of political violence at various points in its history. Coups are especially important political events when considering Indo-Fijians' victimization and the formation of their identity. There were four coups that occurred in Fiji in its history: two in 1987, one in 2000, and one in 2006. The first three coups were rooted in ethnic confrontation and originated from an Indo-Fijian political party winning the general election. Some indigenous Fijian nationalists felt this was a crisis, as it could have led to Indo-Fijian control over Fiji, and this prompted the forceful removal of the Indo-Fijian-led government.

As a result, many Indo-Fijians have left the country and have emigrated to Australia, New Zealand, the UK, or the USA, seeking a better and fairer place to live. These groups are labeled "twice migrants," a term that describes people who left their homeland country and settled in a host country, and then, after years or generations, they or their descendants left the first host country and settled in other places as a second host country. They maintain the culture and identity of their homeland but also retain emotional bonds with their first host country.

The twice-migrant Indo-Fijians moving to neighboring countries requested that the Indian government interfere to resolve the issues in Fiji, as the Indian diaspora suffered from political violence and social inequality. However, the Indian government did not actively engage in Fijian issues. Then, the twice-migrant Indo-Fijians started to support their ethnic peers still living in Fiji (Leckie 2015). For example, some politicians and activists who moved to New Zealand after the 1987 coup established a local branch of the Coalition for Democracy in Fiji to lobby for the return to power of the removed Indo-Fijian-led government and the restoration of democracy. After the 2000 coup, more Indo-Fijians moved to New Zealand, and there was an increase in aggressive lobbying activities. They held a peace gathering in Auckland to ask the New Zealand government to take direct action to intervene in the Fijian coup to solve the political turmoil (*The Fiji Times* 22 May 2000).

The twice-migrant Indo-Fijians retained ethnic bonds with India, where their ancestors originated, and with Fiji, which they previously recognized as a host country for the Indian diaspora but was now the origin of their identity. In other words, both India and Fiji are their homeland countries. It was possible for them to retain these multiethnic identities because they have a shared ethnic memory developed from the suffering of their ancestors when they settled in Fiji as indentured laborers and because of the political violence and social inequality that Indo-Fijians have experienced since then. These experiences of suffering were then stored in their collective memory, leading them to believe that Indo-Fijians were victims throughout Fijian history. The shared recognition of the past, accumulated in the

Indo-Fijians' minds, firmly unites Indo-Fijians along ethnic lines. Therefore, the sense of victimization and their ethnic collective memory motivate twice-migrant Indo-Fijians to help Indo-Fijians still living in Fiji, because for twice-migrant Indo-Fijians, Indo-Fijians in Fiji are still their ethnic peers.

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## Conclusion

This chapter reviewed the theoretical features of the diaspora, with a particular focus on their transnational character in a globalized era, which creates a more influential diaspora in both the homeland and host countries. This chapter examined the role of ethnic memory and its political and social effects to explain how diaspora groups play a pivotal role in the international arena as transnational actors. Shared ethnic memory leads to consolidated ethnic bonds among ethnic peers around the world. Because of the development of communication and transportation technologies, it is much easier for people to retain their ethnic identity wherever they live.

One of the distinctive features of the diaspora is that many of them believe that traumatic events caused the diasporic dispersion and create a miserable life in the host country. The negative perception of the past is reflected in the social narrative of diaspora groups, which is collectively shared among diaspora members as a powerful memory, and this collective memory constructs diasporic identity. In addition, narrative plays a central role in mediating the shared suffering of the society and distinguishes "us" as victims from "others" as the perpetrators. Diaspora recognizes that other diaspora members living in other host countries are in the same boat, making them feel a closeness to ethnic peers living in other countries and resulting in the sharing of diasporic ethnic identity with them.

The transnational ethnic bonds that diaspora groups hold must be reevaluated, as they provide us with a new understanding of the diaspora, an emerging concept in international relations. Their influence has already affected governmental policies, and many international actors have begun to recognize their importance. Diaspora groups are occasionally viewed as valuable, but often they are viewed as unpredictable. This trend is likely to continue. Instead of the traditional framework of the nation-state, which cannot sufficiently explain the characteristics of diaspora groups, further academic research is necessary to understand the future role of diaspora groups.

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## Cross-References

- ▶ [Ethnic Migrants and Casinos in Singapore and Macau](#)
- ▶ [Ethnic Minorities and Criminalization of Immigration Policies in the United States](#)
- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [Global Chinese Diaspora](#)
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- ▶ [Museums and Identity: Celebrating Diversity in an Ethnically Diverse World](#)

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## Abstract

The Chinese living outside Mainland China, Taiwan, Hong Kong, and Macau form one of the biggest diasporic populations in the world. With more than 40 million people of diverse backgrounds distributed all over the world, the Chinese diaspora challenges any efforts of generalization and essentialization. This chapter starts with a brief overview of major theoretical themes in researches on the Chinese diaspora, followed by examinations of historical transformations of overseas Chinese communities in various parts of the world. The focuses are placed on Southeast Asia and North America, which claim the largest shares of diasporic Chinese population. It then goes to address two most important issues that define Chinese diaspora: Chineseness and transnationalism. The chapter concludes by suggesting some potential areas that call for more attention in future researches.

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Z. Song (✉)  
University of Canterbury, Canterbury, New Zealand  
e-mail: [zhifang.song@canterbury.ac.nz](mailto:zhifang.song@canterbury.ac.nz)

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**Introduction**

Chinese people have a long history of emigration, and today overseas Chinese form one of the largest diasporic populations in the world. According to the most recent data, there are about 43 million people of Chinese ancestry living outside Mainland China, Taiwan, Hong Kong, and Macau in 2011, distributed in 148 countries (Poston and Wong 2016, p. 362). But this diasporic population is not evenly distributed, with Asia, especially Southeast Asia, claiming the largest share (73.3%) and America, especially North America, the second largest share (Poston and Wong 2016, p. 362). Today, the United States, Canada, Australia, and New Zealand are the four main host countries for new Chinese emigrants (Poston and Wong 2016, p. 369), while a significant increase of Chinese population has also been seen in nontraditional destinations for Chinese emigrants, including Africa (Poston and Wong 2016, p. 369).

Having emigrated during different historical periods, for different reasons, and living in countries of diverse social and political systems, the overseas Chinese form a diaspora that is highly heterogeneous and challenges any effort of generalization and essentialization (Thunø 2007). Through decades, scholars from different disciplines have proposed many theoretical frameworks to understand the diverse diasporic experience. Early researches adopted an assimilationist perspective toward immigration, emphasizing the sojourning nature of Chinese migrants that sets them apart from emigrants from other nations, but this exceptionalism of Chinese emigrants has been challenged by recent scholars (Thunø 2007, p. 45). Gungwu Wang (1991, pp. 3–21) tried to capture this diversity from a historical perspective and proposed four patterns of Chinese emigration: the trader pattern (*huashang*), the coolie pater (*huagong*), the sojourner pattern (*huaqiao*), and the remigrant pattern (*huayi*) (Wang 1991, pp. 3–21). But as McKeown has pointed out, it is not clear whether these patterns refer to “social structures or the orientation of individuals” (McKeown 1999, p. 313). In addition, these words, especially *huaqiao* and *huayi* in their Chinese versions, are very easy to be confused with their everyday usage that might have different connotations in different contexts.

The identity of overseas Chinese was the core of academic attention from the 1980s to the turn of the century. Wang points out that overseas Chinese have multiple identities that overlap and change through time and across contexts (Wang 1988). Tu (1994) proposed a model of cultural China consisting of three symbolic universes: the societies populated predominantly by ethnic Chinese, the Chinese who live as minorities in societies of their residence, and the community of scholars, journalists, teachers, etc., who try to understand Chinese culture.

Since the late 1990s, a diasporic perspective toward overseas Chinese has got the momentum. Rather than seeing overseas Chinese communities as isolated

and immigration as a unidirectional process in which migrants are uprooted and transplanted to another society, this new perspective emphasizes transnationalism and deterritorialization in the migrating process and the global networks formed by diasporic Chinese (McKeown 1999). In examining the transnationality of Chinese diaspora, Aihwa Ong (1999) highlights the flexibility of Chinese subjects in practices, strategies, and disciplines in navigating the global system of capitalism, whereby flexible citizenship and identity are constituted by three interrelated regimes: the nation state, the market, and the family.

As the Chinese diaspora has caught more scholarly attention, a broad range of aspects of this diasporic experience has been brought under academic scrutiny. Women's experience in early and contemporary immigration history, interactions between Chinese immigrants and the colonized minorities, and literature as well as other forms of representation in identity construction are only a few of the numerous perspectives that have been added to the field in recent decades.

Due to the heterogeneity of the Chinese diaspora and numerous researches that have been conducted, this essay does not aspire to be a thorough coverage of the field. It will give more weight to the history and transformation of Chinese communities in Southeast Asia, North America, and Australasia, which have larger shares of the overseas Chinese population. It will also cover some thematic issues that are relevant to all diasporic Chinese communities.

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## Maritime Trade and the Chinese in Colonial Southeast Asia

European colonial expansion to Southeast Asia in the sixteenth century expanded maritime trade across the South China Sea. Chinese traders, especially the Hokkien (people from southern Fujian province), took advantage of this commercial expansion. Chinese communities sprang at colonial trading ports such as Manila, Batavia, and Malacca, as well as port cities of Siam, West Java, and Cambodia not yet controlled by Europeans (Lockard 2013, pp. 768–769). The Chinese were needed by Europeans as middlemen in “trading with China, extracting wealth from the natives, and servicing the colonial cities,” but were not fully trusted by Europeans, who never hesitated in using violence to bring the Chinese under control (Kuhn 2008, pp. 62–64).

As few of these Chinese brought women with them, it was common for them to marry local women. Under colonial legal and political systems, descendants of Chinese men and local women formed communities distinct from both newcomers from China and native populations: the Mestizos in the Spanish colony of the Philippines, the Peranakans in the Dutch Java, and the Babas in the British Strait colonies (Skinner 2001, pp. 51–59). They spoke creole languages that were mixtures of Minnan and indigenous languages, and their clothing, cuisine, and kinship system showed a mixture of Chinese traditions and indigenous features (Skinner 2001, pp. 59–64). Before the massive migration from China in the second half of the nineteenth century, these creolized Chinese were dominant both in size and power in the Chinese population in European colonies in Southeast Asia (Skinner 2001, pp. 55–58).



Not all Chinese came to Southeast Asia as traders. In West Borneo, the Hakka Chinese miners gradually dominated the mining industry from the mid-eighteenth century. They organized their communities and mining businesses in the form of *kongsi*, an organization based on partnership and shares (Heidhues 1993, p. 68). Some of the *kongsi* confederated into larger political and economic systems (Heidhues 1993, p. 71). Such *kongsi* kept their relative autonomy for quite a long time, until the second half of the nineteenth century (Heidhues 1993, pp. 70–73).

The defeat of the Qing Empire by the British at Opium Wars initiated 100 years of massive Chinese emigration. From the 1850s to the 1950s, Southeast Asia saw increasing expansion of Chinese population. Massive emigration also diversified the Chinese communities in Southeast Asia. Among the migrants were not only Hokkien, but also Cantonese, Teochew, Hakka, and Hainanese (Yen 2014, p. 24). Different Chinese organizations sprang, and among them three types were important: dialect associations, clan (surname) associations, and secret societies (Yen 2014, p. 25).

These five dialect groups formed the major dialect associations, often called *bang*. Under these large dialect groups, there were also associations whose membership covered smaller regions in China. Each of these dialect and regional groups had its own temple, which housed Chinese deities for members to worship and served as the meeting place for the association (Yen 2014, p. 25). These associations also provided welfares to their members. In French Indochina, they were more institutionalized and were legally recognized as quasi-governments to help the colonial administration to rule the Chinese (Barrett 2012).

There are two types of clan associations: localized and non-localized (Yen 2014, pp. 26–30). The former was based on proved kinship connections, while the latter was based on sharing the same surname or several surnames considered related in ancient past.

Secret societies were usually known as brotherhood, *hui* or *kongsi*. In Southeast Asia, secret societies were not necessarily anti-society organizations. They might represent a political order that competed with the colonial regimes for authority among the Chinese (DeBernardi 1993, p. 230).

Chinese migrants also brought with them their religions. *Guanyin* and *Tianhou* were popular deities worshipped by the Chinese in Southeast Asia (Yen 2014, p. 37). Many religious sects found their places among the Chinese in Southeast Asia, but polytheism was one of the most important features of Chinese religious life there (Yen 2014, pp. 37–38). It was common to see Buddhist and Taoist deities, as well as immortals of folk religions, share the same temple.

Together with the population expansion was the cultural development within the Chinese communities in the first half of the twentieth century. Modern Chinese education began to develop (Wang 1991, p. 276). In Malaysia, the first modern Chinese school was founded in 1904 in Penang. This happened in all the important Chinese communities in Southeast Asia between the two world wars (Yen 2014, pp. 40–41). This helped to cultivate a consciousness of Chineseness and boosted the Chinese nationalism among the Southeast Asian Chinese.

One of the most important features of Southeast Asian Chinese was their economic success. There were many Chinese starting from very poor background and rising to owners of big businesses. During colonial time, ethnic Chinese businesses played an important role in the economies in Southeast Asia (Yen 2014). But rich tycoons were still few in number. Many Chinese were owners of family-based small businesses.

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## Decolonization and the Chinese in Southeast Asia

After WWII, the colonies in Southeast Asia won their independence one after another. As part of the colonial legacy, they all had non-native populations of diverse ethnic and cultural backgrounds within their boundaries. Defining citizenship rights was an important aspect of the nation building process. The citizen status of the Chinese posed a challenge to the new nation states. China's citizenship law had always been based on the principle of *jus sanguinis*, recognizing all the Chinese living abroad as Chinese citizens, and thus most of the Chinese living in these new states had Chinese citizenship by default (Suryadinata 2007, pp. 89–108). Due to the *jus soli* principle adopted by colonial authorities, many Chinese were also subjects of the colonial powers, particularly in Dutch and British colonies. When these colonies won their independence, such a tie to China was seen as a potential threat to the sovereignty of the new nations and thus was a problem to be solved. In 1955, Indonesia and China reached an agreement and signed a treaty, requiring the local-born Chinese to make a choice between the Indonesian and Chinese citizenships (Willmott 2009, pp. 63–88). That means, the Chinese who were born overseas could no longer claim Chinese citizenship by default. This was a policy that China has followed ever since and has been incorporated into subsequent citizenship laws (Suryadinata 2007, pp. 95–98). This treaty set precedence for other countries to deal with the dual citizenship status of residents of Chinese descent within their boundaries and also played a role in encouraging the Chinese born and living overseas to take the citizenship of their country of residence.

The experience of obtaining local citizenship varied from country to country. In Indonesia, the political turmoil in the 1960s created many difficulties for the Chinese to get their citizen rights despite the treaty signed with China (Tan 1997, pp. 35–38). The Philippines denied citizen rights to most Chinese residents until the 1970s (Suryadinata 2007). Situations in Vietnam were complicated by the postcolonial political chaos, the subsequent Vietnam War, and the changing international relations with Taiwan and Mainland China. Although the Chinese in Vietnam were unwilling to give up their Chinese citizenship, they were not given much choice before or after 1975. In Thailand, local-born Chinese had been seen as legitimate citizens of Thailand from the early twentieth century. Chinese in Cambodia were granted citizen rights in the 1950s, thanks to the good relationship between Cambodia and China. It was also relatively easy for the Chinese to get Malaysian citizenship (Suryadinata 2007).

Even after obtaining local citizenship, the Chinese soon found that their rights and interests were compromised by laws, government policies, and bureaucratic practices prioritizing the interests of the natives. As Suryadinata points out,

Southeast Asian countries are indigenous state-nations, in which “the nation is defined in indigenous group terms” (Suryadinata 1997, pp. 5–6). The concepts of *pribumi* in Indonesia and *bumiputra* in Malaysia both refer to indigenous groups, who are seen as the basis of the new nations and thus enjoy more rights than nonindigenous groups, such as the Chinese. In Indonesia, the Chinese were denied political participation for a long time and had to confine themselves within the economic domain. In Malaysia, the New Economic Policy adopted in 1970 institutionalized the privileges that were granted to the Malays (Yow 2017, pp. 281–282). Malays and other indigenous groups enjoy better business opportunities, job opportunities, educational opportunities, etc.

Most Southeast Asian countries see the indigenous cultures as their national cultures, taking various discriminatory policies toward the Chinese culture (Suryadinata 1997, pp. 11–13). For a long time, Indonesia, Thailand, and the Philippines adopted assimilationist policies, trying to reduce the ethnic cultural characteristics of the Chinese population. Chinese schools, Chinese media, and Chinese organizations, three pillars of overseas Chinese culture, were either been closed or reduced to the minimum. Malaysia has adopted an accommodationist policy, recognizing cultural rights of the Chinese, but they were not treated equally as their indigenous counterparts.

It needs to be pointed out that policies on Chinese cultures have always been changing in these countries, due to changes in the domestic and international politics. For example, Indonesia changed from a liberal policy in the 1950s to a harsh policy in the 1960s. In recent decades, a more liberal policy has been adopted, and many Chinese cultures have been resumed to a certain extent. This has happened in many of these countries.

The economic disparities between the Chinese and the indigenous populations became a political issue in most Southeast Asian countries after their independence. Many introduced policies to curtail the economic advantages of the Chinese. In the 1950s, the Soekarno government introduced the Benteng program which required importing companies to have 70% of their shares owned by the *pribumi*, the indigenous people (Suryadinata 2007, p. 231). In the subsequent decades, different policies and programs were introduced, encouraging joint ventures between the indigenous people and the Chinese and requiring the indigenous people to own at least 50% of the shares (Suryadinata 2007, pp. 232–233). Ironically, such policies enhanced rather than weakened the economic power of the Chinese. By collaborating with powerful figures, the Chinese businessmen turned the policies to their own advantage (Suryadinata 2007, p. 233).

In Malaysia, the government introduced the New Economic Policy in 1971. One of its two goals was to redress the economic imbalance between the indigenous Malays and the ethnic Chinese (Woon 2012). As a race-based program, it did give indigenous people advantage and helped to create a middle class of the indigenous people. While the Chinese were kept out of state-dominated sectors, they still prospered in the manufacturing sector (Lee 2012, pp. 52–56).

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## Surviving Exclusion in White Settler Societies

The United States, Canada, Australia, and New Zealand were all previous British colonies, populated by immigrants from Europe and their descendants, with indigenous people marginalized both in power and population size. The historical and contemporary experience of Chinese immigrants was quite different from what their peers have had in Southeast Asia.

The first sizable Chinese immigration was part of the mass emigration out of China after the 1840s. When news of gold rushes in California (from 1851), Australia (from 1854), British Columbia (1860), and New Zealand (1865) reached China, many people from Pearl River Delta of Guangdong Province exited via colonial ports of Hong Kong and Macao to seek fortune in these foreign lands (Kuhn 2008).

After gold mines were depleted, many returned to China, but some did stay. In Australia and New Zealand, the Chinese became self-employed or were employed by their countrymen in farming, shopkeeping, and hawking (Chan 2001; Boileau 2017). In American West, railroad construction employed many Chinese and attracted more immigrants from China. In the 1880s, Chinese laborers formed 25% of the labor force of California (Kuhn 2008, p. 205). In 1881, there were estimated 38,533 Chinese living in Australia (Chan 2001, p. 69).

As Chinese population increased, anti-Chinese sensation grew in these societies. The physical and behavioral differences of the Chinese reinforced the already existing cultural prejudices against the Chinese. The ticket-credit form of immigration arrangement was often mistakenly perceived as a kind of slavery. The media often emphasized prostitution and gambling in the Chinese communities as morally threatening to the American society. In the United States, all these factors, intertwined in a complex ways, contributed to the development of an anti-Chinese sensation from a regional phenomenon to a nationwide political movement, with the Chinese Exclusion Act passed in 1882 (Gyory 1998). Australia, New Zealand, and Canada all have head taxes imposed on Chinese immigrants and took legislative measures to restrict Chinese immigration.

All these legislative and bureaucratic measures had similar impacts on Chinese immigrants. These facts have been well known in works on Chinese American history: it was difficult for the Chinese to bring their women over, and most people were males in the Chinese communities; many occupations were closed to them, confining them to a limited number of trades such as laundry and Chinese restaurants; legislative and social discrimination confined their residence to racially segregated Chinatowns (Zhao 2010). In Australia and New Zealand, many Chinese were employed in market gardening and shopkeeping (Chan 2001; Boileau 2017).

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## Negotiating a Niche in Multicultural Societies

After WWII, all the four countries gradually changed their racially discriminatory immigration policy. The United States gradually removed discriminatory policies toward Chinese immigrants and implemented an immigration reform in the 1960s

(Zhou 2009). Canada introduced a points system that was race-neutral, giving priority to those with the skills, educational background, and other qualities that the country desired (Hawkins 1991). Similar policies were later adopted by Australia (1989) and New Zealand (1991). These reforms removed the barriers for Chinese immigration, and all four societies saw dramatic increase of Chinese population subsequently. In the United States, the population of Chinese Americans doubled every 10 years, reaching 2.9 million at the turn of the century and 3.5 million in 2006 (Zhou 2009, p. 46).

The change of immigration policies brought about diversity among Chinese immigrants (Zhou 2009, pp. 46–51). New immigrants after WWII have come from many different places, including Hong Kong, Taiwan, Mainland China, and Southeast Asia. Among them were students, entrepreneurs, refugees, illegal immigrants, and many more. Some of them were wealthy and brought with them abundant capital, while others had already obtained their college or even advanced degrees before they moved.

Such demographic changes have also led to different spatial distributions of the Chinese. In the United States, although some traditional Chinatowns are still prosperous Chinese neighborhoods, most new immigrants prefer to live in suburbs of major metropolitan areas. The concept of “ethnoburb” has been proposed by geographer Li Wei to theorize this new trend (Li 2009). An excellent example of “ethnoburb” was Monterey Park and other small suburban cities in San Gabriel Valley east of downtown Los Angeles. Since the 1970s, this area has been transformed from dominantly white communities into multiethnic communities with high percentage of Chinese population (Li 2009). Different from traditional Chinatowns that were self-contained, racially segregated, economically disadvantaged, and densely populated, these ethnoburbs are suburban communities of low population density, with a thriving ethnic economy that is not only closely connected to the mainstream economy but is also part of the transnational network that facilitates the global flow of capital, commodities, and personnel (Li 2009, pp. 45–47). Such ethnoburbs provide job opportunities for both high-skilled and low-skilled new immigrants who might be disadvantaged on the mainstream job market. They also serve as niches for Chinese immigrant entrepreneurs to develop their own businesses, tapping skills and talents within the community (Li 2009).

The socioeconomic status of the Chinese in these countries has greatly improved after WWII. For example, the data of 2010 American census show that over half (50.3%) of American Chinese (excluding Taiwanese) ages 25 and over has at least a bachelor’s degree, much higher than the national level (27.8%) (APIAHF 2011). The Chinese (excluding Taiwanese) have an average median household income of \$68,420 compared to the national average median household income of \$51,369 (APIAHF 2011). Taiwanese had even higher figures. Many factors might have contributed to these achievements, but the selective immigration policy and the domestic and international factors behind it have helped the United States to attract immigrants from greater China with good educational background and the skills needed. This is a key factor behind the transition of the Chinese from the “yellow peril” to a “model minority” in the mainstream discourse.

Behind the positive figures of education attainment and economic achievements, class distinctions and poverty exist among the Chinese in these societies (Zhao 2010). While many well-educated professionals hold high-paying jobs, there are also many Chinese unskilled immigrants toiling in sweat factories and earning meager wages. The undocumented immigrants are vulnerable and often subjective to excessive exploitation by ethnic businesses. The life and experience of these disadvantaged Chinese Americans are overshadowed by the hegemonic discourse of a model minority, which deprived them of their right for social support.

Since the 1960s, seeing Asian Americans, including Chinese Americans, as a “model minority” has become a popular discourse in American media and the mainstream society, and has also been accepted in Canada and Australasia (Ip and Pang 2005; Chow and Feagin 2016). The rise of this discourse in the 1960s was not coincidental. As many scholars have pointed out, portraying Chinese Americans as industrial, disciplined, and docile, this discourse was a political weapon that the white adopted to counterattack the African Americans and Latinos’ protests against discrimination in the civil rights movement (Chow and Feagin 2016). It is a stereotype imposed on the Asians not necessary to their benefit, as it assumes an illusionary homogeneity of Chinese Americans, ignoring the diversity among them and leaving the needs of disadvantaged Chinese Americans unheeded by the government and the society.

Currently these societies all claim to uphold the ideal of multiculturalism (in New Zealand’s case, a biculturalism that recognizes the rights of the indigenous Maori people in a society that has been dominated by Pakeha, descendants of white immigrants from Europe). But how to carve a comfortable niche within the racial and cultural landscape in these societies is still a challenge to the Chinese. In all these societies, the Chinese are caught between the mainstream white population and the disadvantaged minorities. “Yellow peril” or “model minority,” these imposed stereotypes all convey the sense of “otherness,” although in different ways. Although statistics might look good, in-depth analysis shows that the Chinese still earn less than white people with the same qualifications and experience (Zhao 2010). That means glass ceilings still need to be broken for the Chinese.

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## The Chinese in Other Societies

The massive emigration starting from the 1850s to the 1950s also brought the Chinese to other parts of the world. Coolies were transported from Pearl River Delta to Latin America and the Caribbean to meet the labor shortage caused by the abolition of slavery in the second half of the nineteenth century (Lai and Tan 2010). Gold miners and coolies went to South Africa to work at the mines there (Zhou 2017). Chinese seamen came to port cities of Europe very early, and peddlers from Qingtian and Wenzhou of Zhejiang province traveled along the trans-Siberia railway all the way to many parts of Europe in the early twentieth century (Benton and Pieke 1998). During WWI, many Chinese were recruited to work in France and Russia. Most of the Chinese in Europe eventually returned to China. Thus the number of Chinese there was small before WWII. But Chinese communities developed in many countries of

Latin America and the Caribbean before WWII century (Lai and Tan 2010). South Africa also saw a small Chinese community there (Zhou 2017).

After 1949, China closed its door for lawful emigration. Immigration from China to South Africa, Latin America, and the Caribbean was cut short, and for a time few new immigrants arrived. In Europe, Chinese residents began to grow after WWII, as the first wave of postwar Chinese immigrants moved from Asian colonies to colonial metro centers in Europe. Rural residents from New Territories of Hong Kong came to the United Kingdom and developed the Chinese catering industry (Benton and Gomez 2007). Early Chinese immigrants from Indochina and Dutch East Indies to France and the Netherlands were generally well educated and thus were able to enter mainstream occupations and businesses (Benton and Pieke 1998).

In the 1970s, the economic boom in Taiwan, Hong Kong, and Southeast Asia sent another wave of Chinese immigrants to Europe, South Africa, and Latin America and the Caribbean (Benton and Pieke 1998; Lai and Tan 2010; Zhou 2017). They were well educated, and some were well funded and thus were able to enter mainstream occupations in the host countries. In South Africa, these new immigrants played an important role in securing an unofficial “honorable white” status for the Chinese (Zhou 2017).

Vietnam War refugees further expanded Chinese communities in Western Europe (Benton and Pieke 1998). France, due to its connections with Indochina, received a significant share. These refugees generally lacked education and skills. Their socioeconomic status still lags behind even today.

After China reopened its door for emigration, new immigrants expanded existing Chinese communities in all these places and established new communities in new locations (Zhou 2017). In South Africa, new immigrants significantly increased the Chinese population. In Spain and Italy, Chinese communities have been dominated by new immigrants from Qingtian and Wenzhou since the 1980s (Thunø 2007; Zhou 2017). These new immigrants came through chain immigration based on kinship and family ties. In Italy, the Chinese were initially mainly engaged in the fashion manufacturing industry, but now have shifted to commercial businesses selling imported goods from China (Thunø 2007). In Spain, retail and wholesale businesses selling imported Chinese goods have been the main Chinese economic activity (Zhou 2017). In Russia and other East European countries, most Chinese there have come after the collapse of the communist regimes (Nyiri 2007). Initially these Chinese came from North and Northeastern China as traders selling Chinese goods. They soon established a niche in the transition economies as cheap goods from China met the needs of the local market. In Latin America and the Caribbean, many Chinese came through kinship or other ties (Lai and Tan 2010).

In recent decades, the increasing investments from government-owned and privately owned Chinese businesses have brought many Chinese to Africa (Zhou 2017). Individual migrants looking for economic gains have followed their steps. Many of these Chinese stay there for profits, without a plan to stay long, although some of them do bring their families over. In this sense, they are similar to early Chinese traders going to Southeast Asia. As in many places of Africa, sizable Chinese populations appeared just in the last decade, they have not been integrated into the local societies



and also lack communality among themselves (Zhou 2017). They are just foreigners from the perspectives of the local people. It is still too early to predict what will happen to them and how Chinese communities in Africa will develop in the future.

New immigrants after the 1980s have also dramatically expanded Chinese communities in South Korea and Japan. Currently, there are about one million Chinese nationals living in South Korea, forming three distinct groups: old *Huaqiao*, *Chaoxianzu* (ethnic Korean Chinese), and *Xin Yimin* (*han* Chinese new immigrants) (Zhou 2017). Both the latter two groups arrived after the 1980s. *Chaoxianzu* enjoy some legal advantages due to South Korean policy toward overseas ethnic Koreans. But like *han* Chinese new immigrants, they are also faced with discrimination from the mainstream society.

The community of Chinese immigrants in Japan has grown from a small size in the 1970s to 694,974 people in 2014 (Zhou 2017). Most of these people have moved to Japan after the 1980s. Compared with old immigrants who mainly lived in Chinatowns and worked as cooks, hairdressers, and tailors, these new immigrants are more diverse in occupations, with a significant percentage of them employed as professionals. As Japan has become more open to foreign immigrants, many of these Chinese immigrants have obtained their permanent residency, and some have already been naturalized. Visible and invisible barriers still exist in workplace. Chinese students and trainees are vulnerable groups that remain at the bottom of the society.

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## From *Huaqiao* to *Huayi*: Constructing Chineseness Outside China

Apparently, there is a great diversity in the historical and contemporary experiences of the Chinese living in different countries. Even in the same country, those coming during different time periods and from different places might show significant cultural and language differences. The colonial history of Hong Kong and the political separation between Mainland China and Taiwan have added another dimension of complexity to the already complicated landscape of identity construction. To what extent and in which ways does such a large population of diverse experience and backgrounds identify as Chinese? How has this Chineseness changed through history?

Early Chinese emigrants might have had what Gungwu Wang termed a historical identity of Chineseness (1988, p. 2). But in everyday life, they often identified more with their own regional and kinship groups. The boundaries between them and local populations were not fixed. Thus, the diasporic Chinese at that time lacked a conscious awareness of a unitary identity, and their identity was in a state of multi-strandedness with shifting boundaries (Duara 1997, p. 41).

The consciousness of a unitary Chinese identity among the overseas Chinese was produced by political developments both inside and outside China in the late nineteenth century and the first half of the twentieth century. The Qing state initiated a change in its policy toward Chinese overseas. The ban on emigration was lifted in 1893 (Duara 1997, p. 43; Kuhn 2008, pp. 240–241). A citizenship policy based on the principle of *jus sanguinis* was adopted, seeing all Chinese living overseas, whether born in China or overseas, as citizens whose loyalty should be cultivated.



The Qing state also extended its cultural and political influence to overseas Chinese communities, establishing consulate overseas, granting imperial titles, sponsoring the Confucian revival movement among the Chinese, and helping overseas Chinese consolidate their organizations divided by dialects and places of origin into ones incorporating all Chinese. As Duara points out, “the Qing effort to install a gentry model of Chinese community amounted to an effort to construct a Confucian nationalism” (Duara 1997, p. 45).

At the same time, the political mobilizations of revolutionaries led by Sun Yat-sen and reformists such as Kang Youwei and Liang Qichao played an important role in cultivating a modern nationalism among the overseas Chinese and turning the cultural China into a nation state that deserved loyalty from its citizens overseas (Kuhn 2008, pp. 239–282). An identity of *huaqiao*, unified by Chinese nationalism and loyalty to China, was created out of the otherwise apolitical *huashang* (Chinese traders) and *huagong* (Chinese coolies) (Wang 1991, pp. 6–8).

The political development in the first half of the twentieth century further consolidated the Chinese community overseas. After the Sino-Japanese war broke out in 1937, relief fund associations were organized in overseas Chinese communities throughout the world within months, raising funds to support the Chinese war efforts (Kuhn 2008, pp. 239–282). Such mobilization efforts required close cooperation among overseas Chinese, with dialect or class boundaries transcended. A unitary identity of *huaqiao* was constructed on the global landscape, holding together all who were willing to accept this discourse.

This identity based on political loyalty to China became a problem when new nation states arose in Southeast Asia after WWII (Wang 1988, pp. 2–3). The agreement the communist China signed with Indonesia in 1955 symbolized a major shift of Chinese policy toward overseas Chinese, who were encouraged to take the citizenship of their countries of residence. In subsequent decades, most Chinese living in Southeast Asia became citizens of their countries of residence. In the white settler societies, many Chinese were also allowed to be naturalized. Now, the majority of the overseas Chinese is no longer *huaqiao*, but has become *huayi* (foreigners of Chinese ancestry).

This change does not mean the complete loss of the Chineseness among diasporic Chinese. Just as the identity of *huaqiao* was a product of particular historical contexts, the postcolonial politics in Southeast Asia and multiculturalism in Western societies have created new contexts in which the identities of overseas Chinese are reconstructed. As Gungwu Wang (Wang 1991, pp. 198–221) has pointed out, overseas Chinese all have multiple identities that are highlighted in different contexts for different purposes. They are culturally and ethnically Chinese, but are also nationals of their own countries.

As Stuart Hall has pointed out, “identities are the names we give to the different ways we are positioned by, and position ourselves within, the narratives of the past” (Hall 1990, p. 225). The different historical and contemporary social contexts in which the Chinese live have created different senses of Chineseness between the Chinese living in white settler societies and those in Southeast Asian countries.

In Indonesia, an assimilationist policy once tried to suppress anything symbolic of Chineseness (Suryadinata 1997, pp. 11–13). In Malaysia the accommodationist

policy put the Chinese and their culture in a subordinate position (Suryadinata 1997, pp. 13–14). In face of suspicion, harassment, and violence, the Chinese living in these countries are sharply conscious of their ethnic Chinese identity (Armstrong and Armstrong 2001, p. 4).

In white settler societies, Chineseness was once symbolic of “the other” that needed to be excluded. Although the ideal of multiculturalism has made these societies more culturally inclusive, this “otherness” is still something the Chinese need to overcome. The image of a “model minority” is an identity imposed on the Chinese by the mainstream discourse in the past decades, against which the Chinese have an ambivalent attitude. The Chinese are also active agents in constructing their identities out of their cultural heritage. Chinese language schools, Chinese newspapers and magazines, and Chinese cultural events are all efforts of the Chinese to retain their Chineseness in multicultural societies. Chinese food and restaurants have also become an important aspect of the Chinese identity (Mendelson 2016). Literary works, both in Chinese and in English, music, dance, art, and popular culture, have also become arenas where the Chinese fight to define their own cultural and ethnic identities (Zheng 2011; Fusco 2016).

At the same time, we should also recognize the “critical points of deep and significant difference” behind the Chineseness (Hall 1990, p. 225). Even in the same society, different background might produce different positioning toward their Chinese heritage. The Chineseness might mean different things to different people, particularly when political factors are involved. An immigrant from Taiwan might emphasize his/her identity as Taiwanese while downplaying or even denying their Chinese identity (Williams 2003). Recent achievements of China has cultivated a sense of pride among new immigrants from China and has contributed to the rise of a new Chinese nationalism in Chinese diaspora (Liu 2005). For many people, Chineseness is more cultural than territorial. Although it means different things to different people in different contexts, this Chineseness in its cultural sense is something that helps to define the Chinese diaspora.

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## **Transnational Network, Globalization, and the Chinese Diaspora**

One of the most important changes in the postwar global economy was the economic boom in Asia, in which Taiwan, Hong Kong, and Singapore played important roles. Mainland China began to catch up after the 1980s and has now become the second largest economy in the world. International investments and transfer of technology from developed countries played an important role in the success of these economies. Overseas Chinese with their connections to both sides were important players in the process. Thus, the Chinese diaspora has been an important part of the network through which capital, technology, commodity, and population flow transnationally.

With the rise of these economies, business firms of ethnic Chinese, with their personal and business connections, are playing a more and more important role in the global economy (Yen 2014). Traditional connections such as kinship

ties and regional and language associations can all be mobilized for business purposes. Businessmen are behind many regular international conferences of ethnic Chinese associations, which provide platforms for building business networks. With Mainland China becoming a new player in international investment, the ethnic Chinese become precious assets that the Chinese capitalism can use, and this Chinese capitalism can also provide opportunities for the ethnic Chinese (Santasombat 2018). But whether the ethnic Chinese identity and Chinese cultural values have played an important role in the success of ethnic Chinese businesses has also been debated by scholars (Gomez and Hsiao 2013).

Transnationalism is not limited to cross-border business connections. In fact, it has become an important feature of population flow and kinship ties in the past decades. For many Chinese immigrants, immigration is not a unidirectional movement to new homes but an ongoing multidirectional process. Facilitated by modern transportation, a transnational Chinese might do business at home, leaving family overseas for educational opportunities of kids. Obtaining the citizenship of a host country is not necessarily out of political loyalty but in most cases out of business or family needs. “Flexible citizenship” has become an important feature for many Chinese immigrants (Ong 1999).

Cultural transnationalism has also been an important aspect of Chinese diaspora. Chinese religions might have been pioneers of cultural transnationality. From in the early twentieth century, Chinese Buddhist institutions actively sought cross-border connections, creating transnational network of clergies and devotees. Such transnational networks helped to get Buddhism established in Southeast Asia and North America and have also played an important part in the revival of Buddhism in twenty-first-century China (Ashiwa and Wank 2005). In recent decades, Buddhist institutions in Taiwan have been active in building transnational networks of temples, clergies, and devotees.

The rise of Sinophone studies in recent years provides a new perspective of this cultural transnationalism (Shih 2011). Bringing Chinese diaspora from the margin of the Chinese culture to the core, such studies examine cultural products of Chinese diaspora in both local and global contexts. Although cultural products such as films, literary works, and arts created in Chinese diaspora are not necessarily intended for the whole Chinese diaspora, Sinophone studies do help to paint them with a brush of transnationalism.

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## Conclusion and Prospects

Since the 1990s, there have been numerous researches published on Chinese diaspora, covering many different aspects of diasporic experience of overseas Chinese. The last two decades has also been a period that sees dramatic changes in China and Chinese diaspora. As a result, there are many new aspects of Chinese diasporic experience that are not yet or not sufficiently examined.

Although the heterogeneity of Chinese diaspora is a well-known fact, some aspects of this heterogeneity have not been thoroughly researched. The political

heterogeneity within the Chinese diaspora is especially a field that calls for further research. Chinese Americans, for example, consist of many groups: descendants of old immigrants, immigrants from Taiwan, immigrants from Mainland China, and immigrants from Southeast Asia. Although we might label all of them as Chinese Americans, there are significant differences among them. The recent rise of Taiwanese nationalism has prompted some immigrants from Taiwan to distance themselves from the ethnic Chinese identity. Immigrants from Southeast Asia are also differently positioned in their relationship with China and the Chinese identity. How do these different groups compete and cooperate in the political and social contexts of the host societies need to be examined.

The rise of China in the last couple of decades and its impact on Chinese diaspora began to catch scholarly attention. But so far, there are still few researches conducted in this area. The growing cultural conservatism in Western countries increasingly sees the rise of China and the expansion of Chinese diaspora as a threat. This is not only reflected in the current politics of the United States, but is also explicitly or inexplicitly expressed in politics of Australia and New Zealand. What impact this will have on Chinese diaspora? Will this Sinophobia turn Chinese in these countries into the “yellow peril” again? How shall the Chinese position themselves in the politics of these societies and fight for their own political interests?

Another area that needs more research is the emerging Chinese communities in nontraditional destinations of Chinese emigration. For example, Chinese investments have brought many Chinese to Africa in recent decades. How will Chinese communities thus created develop in the future? What kind of ethnic relations these Chinese forge with the local populations is also yet to see.

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## Abstract

The Greek diaspora community is well-established in Australia. While arrivals from Greece began in the nineteenth century and continued through the twentieth, peak migration occurred in the years following World War II and the Greek Civil War. Today people of Greek background are highly integrated into the mainstream of Australian society and culture. Nonetheless, the characteristics that are most closely associated with cultural identity, specifically the Greek language, membership in the Greek Orthodox Church, and a Greek lifestyle, are still prominent among members and tend to be viewed as extremely important, even by younger individuals. Older members of the community experienced considerable racism and exclusion, but this has now faded, and younger people tend to see themselves as possessing a dual identity as Greek and also fully Australian.

R. Fanany (✉)

School of Health, Medical and Applied Sciences, Central Queensland University, Melbourne, VIC, Australia

e-mail: [r.fanany@cqu.edu.au](mailto:r.fanany@cqu.edu.au)

M.-I. Avgoulas

School of Psychology and Public Health, College of Science, Health and Engineering, La Trobe University, Bundoora, VIC, Australia

e-mail: [m.avgoulas@latrobe.edu.au](mailto:m.avgoulas@latrobe.edu.au)

As the Australian-born generations come to dominate the Greek community, an increasing shift from Greek to English has been observed, with many younger people lacking the fluency their parents (the transitional generation) usually possess. This, along with an attitude of pride and acceptance of their cultural heritage, is helping to create a new Greek identity that derives not just from individuals' own experiences in Australia but also from travel to Greece and interaction on the Internet with members of other diaspora communities elsewhere in the world as well as with people in Greece. The result is a conceptualization of Greek identity that is both more transnational in nature but also more characteristically Australian, reflecting the established nature of people of Greek background within the English-speaking Australian mainstream.

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**Keywords**

Greek culture · Diaspora · Heritage · Greek language · Greek Orthodox · Dual identity

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**Introduction**

As a people, the Greeks have a long and influential history, beginning in their region of origin in Europe and, in modern times, extending far beyond the borders of the ancient world. Migration and settlement in increasingly varied and dispersed regions have been characteristic of this long history beginning in the eighth century BC and continuing up to the present time (Testskhladze 2008). Today there are significant communities of people of Greek descent in other parts of Europe as well as in the United States, Canada, and Australia, whose members are generally well integrated into population and, in the second and third generation, have moved into a range of fields and professions across economic sectors (Glytsos and Katseli 2005).

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**History of the Greek Diaspora in Australia**

While Greek migration to Australia occurred during the nineteenth and early twentieth centuries, the numbers of migrants arriving from Greece increased greatly in the period between the World Wars, reaching an estimated 15,000 individuals by 1940. Many of these migrants eventually settled in rural and remote areas because of the difficulty of finding employment and were often unable to maintain contact with family and countrymen because of the distances involved and limitations on communications technology (Tamis 2009b). The right to work in certain settings was reserved for British subjects at this time, and many of the Greek migrants experienced the impacts of negative stereotypes and a lack of tolerance for those whose language and customs were different than the English mainstream (Tamis 2000). Despite the difficulties experienced by Greek migrants to Australia, which were reported in the newspapers in Greece and were widely known to friends and family



members of those who had gone, migration was often influenced by family ties and bonds of loyalty and kinship. In addition to a strong expectation that migrants would help their family members both in Greece and in Australia, the community, as well as individuals, placed a strong emphasis on marrying within the group, maintaining the Greek language in their new land, and continuing to respect and practice the customs and values of their region of origin (Tamis 2009b).

By the end of World War II, chain migration from Greece, where individuals often decided to come to Australia because another family member was already there and could potentially assist the migrant who would contribute to the household of the more established earlier migrants, was replaced by mass migration from Greece as well as from other parts of Eastern and Southern Europe. In 1949, following the Greek Civil War, about 270,000 people of Greek origin entered Australia (Tamis 2009a). At this time, the Australian government was recruiting immigrants from all over Europe in order to boost the postwar economy and maintain the security of the nation (Ongley and Pearson 1995). A baseline of 1% population increase through immigration annually was established in 1945 and remained in place until the early 1970s (Hawkins 1989). At this time, the Labour government rejected the concept of population growth through the acceptance of foreign nationals as a result of pressure on public resources and the resulting disapproval of the public (Price 1982). Immigration peaked at 185,000 people in 1969–1970, but, by 1976, the net population increase due to immigration had fallen to a negative level for the first time in three decades (Ongley and Pearson 1995).

Today's Greek diaspora in Australia was shaped by the postwar migration policies of several successive governments and, by the mid-1970s, had grown to the point where newcomers could settle within an established community where their language was used, and their cultures represented a local norm. In fact, however, even when the population of Greek origin had been much smaller, its members went to some lengths to establish cultural, religious, and educational organizations based on those they had known in Europe. Greek Orthodox churches were established early in the development of Australian Greek communities, initially under the Patriarchate of Jerusalem and then as part of the Church of Greece. Despite internal differences, most Greek immigrants respected the church as a central institution in the community and have remained loyal to their traditional faith. Similarly, ensuring that younger members of the community, especially those born in Australia, were able to speak Greek was extremely important to the community from its inception. As a result, Greek language classes, often held in churches or at the premises of businesses owned by members of the community, were established wherever people of Greek background were living, and parents were often adamant that their children attend (Tamis 2009b). A Greek language newspaper was established in 1898. Coffee shops (καφενείο) were opened and became gathering places and information hubs for the men of the community. Corner stores, known as "milk bars" in Australia, were features of residential neighborhoods across Australia (Alexakis and Janiszewski 2016). Mutual aid societies, based on region of origin in Greece (αλληλοβοήθεια), had been operating since 1912 and numbered more than 100 by 1945 and 1000 in 1995 (Allimonos 2002).

The majority of Greeks who made the decision to emigrate to Australia were young, unskilled, and possessed little formal education or capital. Most had sold their possessions and borrowed money from family to finance their trip. Many were traumatized as a result of the experiences of World War II and the Civil War that followed soon after. Nonetheless, they were overwhelmingly determined to succeed and also to maintain their Greek culture and way of life to the extent possible in the English-speaking context in which they were living (Tsounis 1975a). It also became increasingly apparent to many members of the Australian diaspora, whose largest communities grew up in Melbourne, Sydney, and Adelaide, that their residence in Australia would be permanent. It is this realization that supported the widespread commitment to and support for Greek cultural institutions intended to maintain the language and culture of their homeland, even though lack of facility in English was a serious barrier to employment and integration for the original migrants, most of whom were employed in factory settings that did not require much linguistic interaction (Tait and Gibson 1987).

As was the case in Greek communities elsewhere in the world, the majority of these immigrants (96%) eventually became Australian citizens (Tamis 2005). Their children, the first Australian generation, moved rapidly into the professions and politics. Despite the legacy of wariness and discrimination toward non-English-speaking communities, these individuals were products of Australian education and had the same cultural exposures as other Australians, which eased their integration into the mainstream. At the same time, they often faced pressure from parents and older relatives to maintain their Greekness and were pushed to marry within the community (Tsolidis 1995). The second generation of individuals of Greek origin born in Australia are even more a part of the larger Australian social and cultural environment. It has been noted that young adults of Greek background are the second largest cultural group to attend universities (Tamis 2005). As native speakers of English (often with limited in Greek) and fully integrated into Australian social and cultural life, this generation is represented in all fields and professions, and its members have become full participants in the Australian mainstream.

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## The Meaning of Greek Identity

The history of Greek people in Australia served to emphasize certain elements of the collective experience of the community and also reinforced natural divisions that, in some cases, led to internal differences among its members. Passing time and the change of generation has, to some extent, muted some of these conflicts, especially those whose roots were in Greece, but other elements widely viewed by members of the diaspora as fundamental to Greek identity have remained strong, even among members of the second and third Australian-born generations.

Among the earliest Greek immigrants to Australia, region of origin was one of the most significant elements of identity, with individuals identifying strongly with a specific village, island, or town where their family resided (Tamis 2005). This was perhaps not surprising as the practice of chain migration meant that newcomers

would live with family members upon their arrival and would then assist other family members to come to Australia when they could. When it was not possible to join family members, many of these early migrants lived with others from their village who were already established (Burnley 1976). This practice solidified ties of origin and meant that people from a specific location tended to settle in the same general area. In the early years of Greek settlement in Australia, there was a significant gender imbalance with as men greatly outnumbering women (Tamis 2005). Many of these men eventually brought a wife from their own village, further strengthening the bond to their region of origin. In fact, it has been noted that among this original generation of migrants, Greeks tended to marry within the group and to prefer a spouse from the same region (Price 1982). Even among the first Australian generation, in-group marriage remained higher for people of Greek origin as compared to other groups, averaging 55–60% (Giorgas and Jones 2002).

The importance of geographic origin in the Greek community has remained high, even as subsequent generations became more integrated into the Australian mainstream (see Afentoulis and Cleland, 2015). The durability of this aspect of identity has been noted, even in the longest established communities, such as those from Castellorizo (Καστελλόριζο) in Perth and from Kythera (Κύθηρα) in Sydney. Tastsoglou (2009) finds that this regional identity is still strong today in the Castellorizian community that began to be established in the 1890s as well as in the Kytherian community which is even older and can be traced back to the 1870s. At present, and especially for those individuals of Greek descent who were born in Australia, the identification with a specific village or region is often most apparent within the community in the form of sporting, cultural, or social groups that align with family origin in Greece. Nonetheless, Greek Australians tend to see themselves as belonging to the wider Australian and Greek populations, suggesting that regional identification is a less immediate aspect of personal identity in the context of diaspora in an English-speaking country (see Chryssanthopoulou 2009). Younger Australians of Greek descent tend to view themselves as part of a larger Greek community in which regional original is less important than their specific cultural background relative to people of other cultures, rather than being a Greek from a specific village or island. This is a reflection of their integration into the Australian context and also of the fact that, even if they have visited Greece, they may never have seen the location their grandparents or other ancestors came from.

The second of the most important markers of Greek identity in Australia is language. The ability to understand and speak Greek has been a sign of community belonging from the Greeks' earliest presence in Australia and was viewed as being of paramount importance by most migrants, especially in terms of the education and upbringing of children and grandchildren (Tamis 2005). The 2016 Australian Census of Population and Housing reports that people of Greek descent make up 1.8% of the Australian population. Greek is spoken at home by 1.2% of the population, making it the sixth most widely used language in Australia. Even among people born in Australia, Greek is reported to be the home language of 0.8% of the population, reflecting language maintenance especially in the first Australian-born generation. The figures for cities with the largest Greek communities are even higher, with 1.5%

of the population of Australia's capital cities speaking Greek, as compared to 1.0% of the population of the nation as a whole. Unlike many of the heritage languages used by various cultural communities in Australia, however, the use of Greek is falling, which, along with Italian, showed a significant drop in users between 2011 and 2016 (id Community 2017).

Throughout their existence and up to the present time, Greek communities around Australia have maintained Greek language schools that were intended to support the maintenance of heritage language and culture by supplementing the English language education of regular schools. These Greek schools have historically been the responsibility of the Greek Orthodox communities, which represent an important structure in the cultural environment. Tsounis (1975b) reports that, by the 1970s, running the Greek schools was the main activity of some of these religious jurisdictions and a number of private Greek schools had come into existence as well in cities with larger populations of Greek origin. At present, Greek is one of Australia's community languages that is associated with a significant cultural group. In the interest of preserving heritage languages and supporting cultural maintenance, funding from state governments is available for such language schools that are also eligible to use government school premises and are represented by Community Languages Australia as well as various state-based organizations of a similar nature. The aims of Community Languages Australia are to raise awareness of the cultural, historical, and linguistic resources of various groups that make up modern multicultural Australia as well as to provide support for the maintenance of linguistic and culture heritage (Community Languages Australia 2018). As is the case with a number of community languages, Greek is generally not available as part of the regular school curriculum but can be counted toward high school graduation and university entrance through the examinations offered by state and territory departments of education that parallel those for the languages taught in regular schools (see, e.g., NSW Education Standards Authority 2018; Victorian Curriculum and Assessment Authority 2018).

Despite the emphasis on language maintenance within the Greek community itself, there is evidence that facility in Greek is declining and many younger individuals do not have the fluency their elders hope for. Members of the first Australian-born generation of Greeks in Australia often developed near native or bilingual ability in Greek because their parents (the original immigrants) spoke little English and needed the assistance of the fluent English-speaking children to interact in English-speaking contexts. This pattern is especially noticeable as the immigrant generation has aged and has needed more healthcare, for example (Avgoulas 2016). Adult children with bilingual ability often need to act as intermediaries for older parents and other relatives who do not have the ability to discuss complex health needs and treatment options in English. While often preferable to the older people involved, problems with this practice have been noted in the context of serious illness as family members tend to present medical information in a form that they feel is easier on the individual who is ill but that does not reflect the full content or its seriousness (see Goldstein et al. 2002). For members of the second and third Australian generation, English tends to be their main language and the one with

which they are most comfortable. In practice, this means that their Greek may be limited to some understanding along with use of specific expressions, terms of address, and phrases in communication that takes place primarily in English (Pauwels 2005). Nonetheless, this cultural use of Greek remains an important behavior that identifies the speaker as a member of Greek community and is often central to the individual's sense of identity.

While there is notable shift in the size and nature of the role played by the Greek language in personal and community identity in Australia, religion, specifically membership in the Greek Orthodox church, is more constant. As has been noted in other parts of the world, participation in the faith is for Greek Australians an important element of group identity despite the weakening of the role of religion generally in day-to-day life and a continuing trend toward secularization (Safran 2008). In fact, the Greek Orthodox Church is the largest of the Eastern Orthodox churches in Australia with a membership that rose sharply through the 1950s and 1960s along with the rise in immigration from Greece. At present, 5.5% of the population of Melbourne, which has the largest Greek community in Australia, identifies themselves as belonging to the religion; the comparable figure for Sydney, with the second largest Greek community, is 4.2%. Of the religion community nationwide, 67.3% were born in Europe, North America, or New Zealand; 38.5% were born in Australia with one or both parents born overseas; 16.7% were born in Australia as were both parents; 3.4% were born in Asia or the Middle East; 1.7% were born elsewhere; and 2.3% were born in an unknown or unspecified location (Hughes et al. 2012). These figures correspond roughly to the demographic breakdown of the community, with the proportion of the religious community that was born in Europe representing the immigrant generation that may also be more observant and less affected by broader social change that can impact religious identification. The 38.5% of the religious community that was born in Australia but had one or two parents who were born overseas includes the first Australian generation, many of whom are now middle aged with adolescent or young adult children of their own. Many of these young people are represented in the 16.7% of the religious community, both of whose parents were born in Australia.

The experience of new arrivals in the years of heavy migration from Greece often centered on the church, which was the center of the Greek cultural community. The role of the church in supporting the integration of newcomers into the local environment has been noted in Greek diaspora communities in various parts of the English-speaking world, including in Australia (see Park 1994). While subsequent generations of Greek Australians have tended to attend church less than the immigrant generation, membership in the church has remained important in their personal conceptualization of identity (Watson 2009). It is especially notable that the Greek Orthodox Church in Australia has remained faithful to the practices established in Greece and that have been resilient despite relocation to Australia (Bouma 2006). Even as the language of some churches has begun to shift from Greek to English to accommodate younger members of the congregation, the religious rituals and teachings remain distinctly Greek in nature. This continuity of tradition and practice is important to members of community, and the distinct elements of Orthodox

Christianity that distinguish it from the western church, such as the celebration of Easter based on the Julian rather than Gregorian calendar, is an important identity characteristic among Australians of Greek background.

In many ways, the Greek community in Australia has shown a high level of acculturation and adaptation to the Australian context and now is fully integrated into the English-speaking mainstream (Murray 2018). Nonetheless, many individuals display certain behaviors and activities that they view as deriving from their Greek heritage and that set them apart from Australians of other backgrounds. While some of these practices derive from religion as noted above, others relate more to more commonplace elements of lifestyle, such as food preferences and diet as well as leisure activities.

A typically Greek diet is often integral in the lives of community members. While for the immigrant generation this often related originally to preferences developed early in life, broader potential health benefits of a “Mediterranean diet” have now been widely recognized, and, for this reason, the dietary practices of the Greek community have attracted some attention, based on the observation that life expectancy of Greek immigrants is greater than for most other groups, largely because of a lowered risk of cardiovascular disease (Kouri-Blazos 2002). Interestingly, it has been observed that consumption of a traditional diet is more likely among older members of the community who have less knowledge of medical views of disease prevention (Pillen et al. 2017). This suggests the connection between a Greek diet and identity as a member of the cultural community; by contrast, greater acceptance of the mainstream perspective on health, for this segment of the community at least, has been associated with dietary change and potentially a weakening of Greek identity. Similarly, younger members of the community who were born in Australia often state that they prefer a Greek diet that they feel is healthier than possible alternatives. They identify this view as having been learned from grandparents and older relatives and see it as an integral aspect of their Greek identity (Avgoulas and Fanany 2015). At present, many elements of Greek cuisine and cooking, as well as specific dishes, are fairly well-known in Australia, both because of the presence of sizeable Greek communities and also because of the popularizing effect of the food and cooking industry. However, many of these items and dishes are referred to in Greek by Australians of Greek background, even if they primarily speak English and are not fluent users of Greek (Avgoulas and Fanany 2016). Overall, the link between food, language, and Greek identity is very strong, even among the youngest members of the community, many of whom take great pride in eating a Greek diet (at least some of the time) and are convinced of the superiority of Greek food over other choices.

The desire to maintain a traditional diet to the extent possible in Australia is closely related to gardening as a leisure activity among members of the Greek community. Australia’s comparatively mild, temperate climate makes it possible to grow many of the herbs, fruits, and vegetables familiar in Greece, and the idea that fresh food produced oneself is better and healthier than the same items from stores is very strong, especially among older Greek Australians (Pillen et al. 2017). Again, this idea is prevalent among members of the Australian-born generations as well as

among older people and is recognized as being based on the views of grandparents that were formed in Greece (Avgoulas and Fanany 2018). The popularity of gardening among Greek communities in various parts of the English-speaking world has been noted and is often seen by the individuals involved as a typically Greek pastime (see, e.g., Trichopoulou et al. 1995; Aptekar 2015; Gerodetti and Foster 2015). Recently, there have been efforts to transmit the importance of the home garden to younger members of the Greek Australian community as well as to young people more generally. An example of this is a Greek-Mediterranean garden in Melbourne created by its owner to reflect his upbringing in Cyprus (Κύπρος) and serve as a teaching milieu for both adults and children (see Harrison 2015).

Participation in cultural or leisure activities that are seen as Greek or exist within the Greek community is also strongly associated with identity as a Greek Australian. The importance of sports as part of the acculturation process for immigrants to Australia has been noted (Lock et al. 2008), and soccer teams in particular have historically been linked with specific national origins. This has on occasion resulted in clashes among fans that were triggered by world events, such as conflict between their nations of origin (Skinner et al. 2008). At present, men's and women's Greek Australian soccer teams at the junior and senior levels still compete in the Hellenic Cup that was established in the 1960s in response to the interest among the growing population of Greek immigrants (see Hellenic Cup 2018). Many of the participating teams have a historic connection to various regions in Greece through the origin of their founding members. Other pastimes, such as traditional dancing, are also popular among members of the Australian Greek community. While individuals of all ages often take part in this activity, folk dancing tends to be seen by younger members of the community as a way of expressing their Greek identity and engaging in an activity that is important to their older relatives because it continues a tradition brought from Greece (Gardner et al. 2008). For many members of the first and subsequent Australian generations, participation in Greek dancing, along with eating a Greek diet, using Greek, and carrying out the rituals of the Orthodox Church, creates a self-perception of bicultural identity that gives validity to their experience as part of the Australian mainstream alongside their participation in an Australian shaping of Greek culture and traditions.

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## Change in the Australian Greek Community

The experience of the Greek community in Australia has been marked by acculturation, and the rapid movement of individuals of Greek background into the professions and all sectors of the economy has been marked (Tamis 2009b). At the same time, this adaptation to the English-speaking environment has not resulted in a loss of Greekness in the perception of the majority of the community, as demonstrated in the continued importance of family origin in Greece, religious affiliation and observance, maintenance of the Greek language, and lifestyle characteristics associated with their heritage. However, it has been observed that many Greek Australians are similar in much of their behavior to the English-speaking population but tend to



differ in terms of values. The collectivist orientation of the Greek family remains strong in the Australian diaspora (Rosenthal et al. 1989), with young people expressing attachment to the views and perceptions of parents and grandparents because they see them as representing the Greek way (Avgoulas and Fanany 2015, 2018). In terms of behavioral norms, though, members of the Greek community tend to be similar to their counterparts from an English-speaking background, suggesting that acculturation has been more associated with behavior, while a characteristic Greek identity might be more associated with values (Rosenthal et al. 1989). Certainly, especially among younger members of the community, this appears to be the case, with the exception of a comparatively small number of activities specifically associated with being Greek. Typically, individuals who were born in Australia feel themselves to be Greek in certain largely intangible ways that relate to feelings, perceptions, attitudes, and choices that they connect to their heritage and that were learned from older relatives based on these relatives' experience and interpretation of life in Greece as well as the migrant experience. This distinctive position of belonging to two separate cultures with certain overlapping domains is very much characteristic of members of the Australian Greek community, but there is some indication that there has been a shift down the generations from the predominance of Greek identity to a self-conception among younger people that they are Australian of Greek descent (see Avgoulas and Fanany 2015, 2018). This situation has been viewed as an example of "social incorporation" attesting to the success of Australian multiculturalism, at least in the case of the Greek community (Dimitreas 1998).

The shift in identity perception among Greek Australians is especially observable in terms of language use and linguistic behavior more broadly. The migrant generation arrived in Australia speaking only or mostly Greek. The differences between Greek and English, in a linguistic sense, as well as the migrants' educational level, employment status, and a range of other personal and group factors made it difficult for many of these now older adults to master English to a high level. In the years prior to World War II, segregation in employment and living arrangements as well as the need to both offer support and accept it from others solidified links of heritage and origin that also worked to maintain language use in the immigrant community. However, increasing integration manifested by geographic and social movement in the Australian-born generations has resulted in an increasing rate of language shift from Greek to English, even though it has been suggested that Greek has the highest degree of intergenerational loyalty among Australia's community languages (Tamis 2009a). There is also some evidence that Greeks have long been aware of the connection between language and cultural identity and that language functions as a social marker in this context (Tsounis 1975a). On the one hand, domains of experience that are closely associated with the perception of cultural identity, such as family and the Greek Orthodox religion, are extremely important to the Australian Greek community and may serve to preserve the language alongside English (Tamis et al. 1993; Kipp and Clyne 2003). On the other, each generation born in Australia shows a growing decline in ability to speak Greek that corresponds to an increasing use of English, consistent with rising participation in mainstream Australian society (Clyne and Kipp 2002).



For young adults, who are typically members of the second or third Australian-born generations, Greek usage may be limited to a set of terms that relate to family (such as terms of address, names of relationships, such as *γιαγιά* “grandmother,” *παππού* “grandfather”), religion (*Ευχέλαιο* “Holy Unction,” *Πάτερ Ημών* “Lord’s Prayer”), or food (*σέλινο* “celery,” *ρίγανη* “oregano,” *χαμομήλι* “chamomile tea”). Individuals in this age group often express a strong desire to “be Greek” but do not share the emotional attachment to the Greek language that their grandparents and other members of the immigrant generation express. Much of their knowledge about Greece and Greek culture is superficial because they have grown up in Australia and have gained much of their understanding through the medium of English. If they have visited Greece, it was as a tourist, often in the company of parents and other family members. They also differ from their own parents, in that they do not have the ambivalence that has characterized the experience of the first Australian-born generation whose members occupied a transitional status between the Greekness of their often non-English-speaking parents and their own desire to be accepted as part of Australian society. Younger individuals also tend to be proud of and willing to publicly acknowledge their Greek heritage, albeit in a form that is highly contextualized to the Australian social environment and conceptualized primarily in English (Avgoulas 2016). Interestingly, many of these younger Greek Australians share the view of their elders that mastery of Greek is an important aspect of cultural identity in Australia and hope that the language will be maintained. Nonetheless, this may be increasingly difficult as the original immigrant generation is gradually replaced by their children who tend to view themselves as primarily English speakers and, in fact, mostly use English in their daily lives (see Avgoulas and Fanany 2016).

By contrast, affiliation with the Greek Orthodox Church remains a very significant element in the lives of many younger Greek Australians. Despite a national trend away from organized religion in this age group overall as well as a shrinking number of Australians who identify themselves as Greek Orthodox (Bouma and Halahoff 2017), young Greek Australians tend to believe that their religion is very important, even if they do not attend church on a regular basis and do not practice their faith in the same way their parents and grandparents did (Avgoulas and Fanany 2015). This situation is especially interesting as it has been noted that the importance of religion to younger people has been declining in Greece itself. A recent Pew Research Report found that differences in generational views on the importance of being Christian in the context of national identity were largest in Greece, where 65% of older individuals agreed that affiliation with the Church was integral to national identity, while only 39% of younger people held a similar view. In Australia, only 13% of the public feels that it is necessary to be Christian to be Australian (Stokes 2017). This underscores the importance of the Greek Orthodox faith in the conceptualization of personal identity among Greek Australians because it is associated with their cultural and heritage identity, not with their position in the public or national context. It is not surprising, then, that religion serves as an important source of resilience for many Greek Australians of all generations and supplies both practices and strategies for coping with adversity (Avgoulas and Fanany 2015; Avgoulas 2016).

## Greek Identity in the Future

There can be no doubt that Australian Greekness is developing and will likely change greatly in the future. One important factor in this is the inevitable change of generation. Most of the members of the large waves of immigrants who came to Australia before and in the decades following World War II are now elderly. Their children, who are well-established in the Australian mainstream, are increasingly taking over the social roles their parents have played as elders in the community. Their own children, the second Australian generation, are Australian in behavior, attitudes and language use to a degree that far surpasses that of their older relatives and also tend to view themselves as Australians of Greek descent, rather than as Greeks living in Australia as their grandparents did. While there is evidence that these younger Greek Australians share many of the values of their parents and grandparents (see Rosenthal et al. 1989), their understanding of life in Greece, the most significant elements of Greek culture, and what it means to be Greek in the day-to-day context derives largely from the memories and impressions of their grandparents, rather than from personal experience or observations in Greece. This maintenance of traditions but also elements of daily life by members of the immigrant generation through transmission to their children and grandchildren has resulted in very specific conceptualizations of identity that are increasingly filtered through the lens of life in Australia (see Cleland 2013). This identity has been characterized as “hybrid,” assigning equivalent status to being Greek and being Australian, despite the fact “Greekness,” however conceptualized, dominates the self-conceptualization of Greek Australians of all generations (Kefallinos 2012).

Cohen (1997: 180) identified a set of characteristics common to the experience of diaspora, namely, dispersal from an original homeland, which may have resulted from negative events or may have been triggered by a search for employment, opportunity, or to satisfy colonial ambitions; a collective memory embodying a group view about the region of origin; an idealized conceptualization of the ancestral home; a return movement; a strong group consciousness based on shared cultural characteristics and maintained over time; a problematic position in the host society; solidarity with other members of the cultural group in other countries; and the possibility of a satisfying experience fostering well-being in the host country. Many of these characteristics have been observed to apply to the Greek community in Australia as has the durability of language, religion, and family values and relationships in marking identity in the cultural community (Tsolidis 2003). The result is the situation often mentioned by individuals of Greek background who were born in Australia; they feel Greek in Australia where the distinctively Greek elements of their identity stand out in contrast to the English-background mainstream, but they feel Australian in Greece where the aspects of their perceptions, attitudes, and behavior that correspond to Australian norms are more visible (see Kefallinos 2012; Avgoulas and Fanany 2015, 2018).

This is an especially illuminating aspect of the Australian Greek identity that directly parallels the experience of people of Greek origin in other locations, such as the United States, Canada, or various European countries (see, e.g., Christou 2006;

King and Christou 2014). The existence of two separate identities is a characterizing feature of the experience of individuals of Greek background living in numerous diaspora locations, including Australia. The Greek component of personal identity often seems very marked against the Australian mainstream culture because it appears to differ considerably in a number of important domains that signify Greekness, including language, religion, food culture, and family structure. Nonetheless, for Greek Australians, as has been observed in other diaspora locations as well, a visit to Greece tends to emphasize the fact that they are also characteristically Australian in outlook, attitudes, and behavior. Just as their Greek identity is most apparent in comparison to other Australians of different background, their Australian identity is distinctive in the Greek context which is, to all Greek Australians except the now elderly migrant generation, a foreign culture. While Greek Australians commonly note the importance of the views and experiences of older relatives in shaping their knowledge of Greece and Greek ways, it is often not until they experience the modern culture of Greece firsthand that they realize that their Greekness incorporates a strong cultural memory that has evolved in diaspora and reflects, not only the experiences of older relatives in Greece but also their subsequent lives in Australia. At the same time, younger people especially are often unaware of the importance of Australian behaviors and attitudes in their own day-to-day life and the degree to which their experience has shaped the behaviors and perceptions they associate with being Greek. In this, the fact that they are largely English speaking is also significant, as the primary language of use determines many aspects of cognition, including the intangible concept of “worldview” that reflects the social environment in which a person lives (see Koltko-Rivera 2004, for discussion of this).

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### **Conclusion: Australian Greekness – The Formation of a New Cultural Identity**

At the present time, almost 50 years since the peak in migration, what it means to be Greek in Australia has changed significantly. The original immigrants saw themselves as Greek people who were living in a society that used a different language and that had many customs and practices that were different and strange, compared to those they were used to in their homeland. Nonetheless, these original migrants settled and succeeded across Australia and especially in its cities and larger towns. Their children, who were born in Australia, were compelled by necessity to bridge the gap between their immigrant parents and the larger Australian society of which they were a part by virtue of their education and life experiences. This generation suffered greatly from a sense of separateness and bias against individuals from non-English-speaking communities. Even so, they continued to move into the Australian mainstream, experiencing remarkable success as measured by integration, acculturation, and professional standing. Their children, in many cases second generation Australians, are, in many ways, more Australian than they are Greek, if their parents and grandparents are used as the standard. They remain

characteristically and distinctively Greek, however, in terms of their affinity for the Greek language, their adherence to the religious faith of their ancestors and to the Greek way of life, as it has been translated to the Australian context, as well as in many of their values and attitudes.

These younger individuals, many of whom are now adolescents or young adults, will be the drivers of the continuation of a specific Australian Greek identity in the future and will shape what it means to be Greek based on their generation's experiences. This identity will develop alongside a feeling of full membership in the Australian mainstream that was not enjoyed by their parents and grandparents. It has been noted, for example, that some younger Greek Australians have adopted the term "wog," widely used in Australia in the 1970s and 1980s to denote members of migrant cultures especially from Southern Europe and the Near East, to refer to their own group. Rather than representing the racism the term might have suggested to their parents, it seems to connote a sense of solidarity and outsider status that has been aligned with similar ironic terms used by young people from other groups, such as American Blacks (Tsolidis and Pollard 2009). This same stance has been seen in a number of works of popular culture, such as the play, *Wogs Out of Work*, which was extremely successful and toured for several years beginning in 1987; the television sitcom, *Acropolis Now*, that ran from 1989 to 1992 on the Australian Seven Network; and the comedy film, *The Wog Boy*, that appeared in 2000.

As deeply ingrained as the specific Australian conceptualization of Greekness is in younger members of the community, it is interesting to note that members of the second Australian generation are increasingly turning back to Greece for insight and understanding of their own background. This is occurring as a result of technological development that makes it possible for people anywhere in the world to participate in virtual communities on the Internet. Many younger Australians of Greek background are using the Internet to participate in forums that center on the interests of members of diaspora communities around the world, such as Greek cooking, traditional dancing and folklore, history, cultural events, and politics and current issues in the Greek world. By contrast, older members of the community, often because of limitations in language, tend to watch Greek programming on television and radio through the SBS (Special Broadcasting Service, a public channel that broadcasts non-English language programming) and use the Internet (often tutored by children and grandchildren) to stay in contact with friends and family (Avgoulas 2016). YouTube is also a popular platform among younger users that allows them to view videos on numerous aspects of Greek culture and that also can provide exposure to language use. Social media and Internet sites may serve to reinforce ties to a particular region of Greece as well (Afentoulis and Clelland 2015).

The use of the Internet to create a hybrid identity has been noted in many locations and contexts (see, e.g., Androutsopoulos 2006; Brinkerhoff 2009). It serves this function for many second-generation Greek Australians who are trying to understand their own sense of dual identity by supplementing and building on their cultural knowledge through their own explorations of the virtual environment. Much of this includes interaction with members of other English-speaking Greek diaspora communities in the United States, Canada, and elsewhere (see, e.g., Panagakos 2003) and

reflects the increasing tendency for younger people to elaborate their Greek cultural identity in English, the language they are most comfortable with. This, in itself, represents an important change in the components of Greek identity in Australia, where there are indications that facility in the Greek language may be decreasing in significance as an identity marker. This trend is likely to continue in the future, especially as intermarriage with people of other cultural backgrounds is prevalent in the Greek community in Australia. Some estimates suggest that two thirds of individuals marry out by the third generation. By comparison, only 12% of the immigrant generation married people of non-Greek origin (Khoo et al. 2009). This is likely a reflection of the level of integration of people of Greek background into the Australian mainstream, including in terms of language, and the fact that the other characteristics that are indicative of Greek identity are viewed by both Greeks and non-Greeks as compatible in the context of Australian multiculturalism.

The future of Greek Australian identity then might be expected to be based on a Greek way of life, as developed and understood in the Australian context, and especially the associated food culture which has become more mainstream in recent years because of the interest in the Mediterranean diet as a preventive for chronic disease; membership in the Greek Orthodox Church, even as participation in organized religious practice is declining overall in Australia; and increasing use of English as the mediating language, associated with the linguistic practices of the younger generations born and brought up in Australia. At the same time, it might be expected that the Greek Australian identity will continue to be enriched by an increasingly eclectic mixture of cultural influences collected by individuals through social media and Internet exploration of their heritage as well as personal experiences, often in relation to other diaspora communities as well as with Greece itself. In this, the Australian conceptualization of Greekness seems to be taking on a more transnational veneer but is, at the same time, increasingly Australian in character because of its context and the unique manner in which it has come into existence.

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Stefano Luconi

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## Abstract

Italy's belated completion of political unification in 1861 let the Italian people long retain a regional, provincial, and even local identity. Likewise, the newcomers who arrived in the United States from different places in Italy between the late 1870s and the closing of mass immigration in the mid-1920s found it difficult to perceive themselves as members of the same ethnic minority and shied away from one another not only in areas of residence but also in social and religious life at the beginning of their stay in America. By the late 1930s, however, the emergence and consolidation of nationalistic feelings, following both Italy's entry into World War I and Fascist aggressive foreign policy, immigration restriction, the appearance of a US-born second generation with loose ties to the forebears' land, and, primarily, the experience of anti-Italian intolerance and discrimination in the United States made people of Italian descent aware of their common national ancestry and helped them develop an Italian identity that they or their

S. Luconi (✉)

Department of Education (DISFOR), University of Genoa, Genoa, Italy

e-mail: [Stefano.Luconi@unige.it](mailto:Stefano.Luconi@unige.it)

parents had lacked upon settling in the United States. Racial tensions and the backlash at blacks' supposed encroachments in the postwar decades encouraged many Italian Americans to join forces with other immigrant groups of European origin from which they had previously distanced themselves. They, therefore, acquired a racial sense of belonging as white Europeans and nowadays retain an Italian identity only at a symbolic level, almost exclusively in leisure time activities.

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**Keywords**

*Campanilismo* · Ethnic defensiveness · Immigration · Italian Americans · Racial unrest · Symbolic ethnicity · Whiteness

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## Introduction

In Austrian Chancellor Klemens von Metternich's notorious phrase, in the mid-nineteenth century, Italy was a mere "geographical expression." The peninsula and its islands had been divided among foreign possessions, regional states, and the papal sovereignty for centuries. Consequently, nobody was able to claim loyalty to such a nonexistent entity and Italians could not be regarded as a people. The establishment of the Reign of Italy in 1861 – at the end of the first phase of the *Risorgimento*, the struggle for the consolidation of the Italian regions into a single state – did not produce a major change to the self-perception of the bulk of the population living in the recently created kingdom. According to nationalist statesman Massimo D'Azeglio, the political unification of the country "made Italy," but it failed to "make Italians." In this view, the prolonged partition of the Italian territory into separate states still let most inhabitants of the new realm hang on to a regional, provincial, and even local sense of belonging in the second half of the nineteenth century (Griffin 1997, 139).

The term *campanilismo* (after *campanile*, the Italian word for bell tower) aptly expressed such a parochial identity and implied that people's allegiance hardly went beyond the earshot of the bells of their respective home villages (Manconi 2003). US sociologist Edward C. Banfield (1958) reported that, as late as the mid-1950s, especially in the southern regions of the country, a district that coincided with the major areas of emigration, the average Italian was unable to conceive any interest or affiliation transcending the nuclear family or the fellow villagers' narrow circle.

This same attitude at first shaped the identity of the members of the Italian diaspora in the United States at the time of the mass exodus across the Atlantic between the late 1870s and the mid-1920s. In those decades more than four million people resettled from Italy to the United States. At the beginning of their stay in the host society – unlike their predecessors who had moved to America mainly as political émigrés in the wake of the initially unsuccessful outcome of the *Risorgimento* – few of these newcomers for primarily economic reasons thought of themselves as Italians. Instead, a large majority revealed an attachment based on the respective local extractions in the native country. In due time, however, as

a reaction to hostile and nativistic feelings by individuals who were unable to appreciate the immigrants' diverse regional roots and in response to the spread of patriotic sentiments arising from their former homeland in the years between World War I and World War II, the Italians and their children in the United States eventually developed an ethnic identity founded on their common national origins.

In the following decades, however, the renegotiation of Italian Americans' attachment underwent additional transformations. Most notably, the backlash at African Americans' alleged encroachments caused the immigrants' descendants to regard themselves as white Europeans and to close ranks with members of other ethnic minorities from European backgrounds. Nonetheless, the Italian identity did not disappear completely. It is nowadays relegated mainly to a symbolic dimension influencing leisure time activities and consumer choices rather than significant decisions in life.

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### The Identity of the *Risorgimento* Émigrés

The United States was not a major destination for the Italian diaspora until the late 1870s. From 1820 to 1870 as few as roughly 25,000 immigrants arrived from Italy out of the overall inflow tide of almost 7,400,000 newcomers to the United States. Many of these newcomers were refugees and exiles who had fled their native land or had been deported from it in the aftermath of the early defeats in the political initiatives, military campaigns, and popular insurrections by the various movements that planned to end foreign rule and to consolidate the indigenous entities ruling the Italian peninsula and its islands into a single national state.

Such émigrés – who briefly included Giuseppe Garibaldi, the gallant albeit unsuccessful defender of the Roman Republic in 1849, after a momentarily overthrow of the papal power, and the subsequent conqueror of Sicily and Naples on behalf of the first king of modern Italy in 1860 – were fully aware of their Italianness (Doyle 2017). Their patriotic commitment to Italy's independence and unification was the reason for their forced or voluntary banishment to the United States. Moreover, even after landing in the host country, they continued to promote the formation of a single Italian state. They wrote articles and made speeches to enhance the cause of the *Risorgimento* not only among fellow Italian immigrants who had chosen America to pursue better economic opportunities but also within the US political establishment and intellectual circles. They also raised money to fund upheavals and military operations aiming at Italy's political unification. In particular, as the northeastern regions were under the government of Vienna, they endeavored to fuel the flames of anti-Austrian feelings in the United States. Specifically, several exiles who taught Italian language and literature to earn a living abroad made a point of inserting patriot and dramatist Silvio Pellico's *Le mie prigioni* into Italy's literary canon. Despite its poor aesthetical value, this book – published in Italian in 1832 and translated into English as *My imprisonment* for Harper the following year – was an emotional account of the atrocious sufferings its author had undertaken during his detention in the Spielberg fortress and, therefore, seemed a proper means to stir the

hostility of the US public opinion against the Austrian empire with regard to the latter's mistreatment of Italian patriots. The fact that, when political conditions looked favorable, some of these refugees did not hesitate to return to Italy and to participate again in the struggle for their native land's unity and self-determination offered further evidence of their vibrant Italian consciousness.

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### **Campanilismo on the Other Shore of the Atlantic**

The *Risorgimento* exiles' strong Italian identity was an exception. As the diaspora from Italy gained momentum in the last quarter of the nineteenth century and such a mass tide brought primarily economic immigrants to the United States, these people's sense of ethnicity revealed a significant lack of national self-perception and fell within the realm of *campanilismo*. Most newcomers defined themselves by their association with their native hamlet rather than with their country of origin. Remarkably, at the turn of the twentieth century, a native of Campania observed that "for me, as for the others, Italy is the little village where I was raised" (Williams 1938, 17).

In addition, disparate dialects and traditions, along with local antipathies and rivalries, separated immigrants who were born in different places in Italy. Author Joseph Napoli's recollections about his mother, a newcomer from the province of Messina, is a case in point for the hostility and misrepresentations that split the newcomers along lines of local origins. In his son's words, Ms Napoli despised fellow Sicilians from other areas of this island and even abhorred people from different regions of the country. As he put it, "Her special detestation was reserved for the Neapolitans. [...] She hated them openly. [...] With the index and little finger of her left hand she threw 'corni' – horns – at their home or when she saw them in the distance. She crossed the street to avoid walking near the house or near them, thus eluding their malice and their own potent evil eye. She hoped the horns would cause the malefactors to be stricken with indescribable diseases, the unmarried daughters to be impregnated by devils, and the family reduced to beggary" (Napoli 1986, 58–59).

It was primarily the Italian people's northern-southern divide that underwent a replica across the Atlantic in the United States. To Amalia Santacaterina, a woman from Veneto, in the country's northern district, newcomers from Calabria, in the nation's South, were so backward that they "even lower[ed] themselves as to go to pick up coal with the buckets" (Serra 2007, 125). Writer Marion Benasutti (1966, 3), the American-born daughter of a couple of Italians, aptly pointed out that northerner and southerner immigrants were "practically enemy aliens" to one another in their adoptive land.

Chain migration contributed to keeping local allegiances alive and sometimes even strengthened them. The Italian diaspora reached the United States mainly by means of chain migration through family and village connections. The pioneers in each settlement on American soil sent for relatives and acquaintances, who were usually from the same native places of their predecessors, and provided the

newcomers with accommodation either in their own homes or within the same neighborhood. There the immigrants could continue to speak their dialect and to interact with individuals they were familiar with. Consequently, people from the same villages tended to band together and to reproduce the same social milieu they had come from. As sociologist Caroline F. Ware (1935, 155) has stressed, in Italian districts, such as New York City's Greenwich Village, "informal social relations [...] were almost wholly restricted to people from the same town or province." Therefore, instead of cohesive Little Italies, people from the Italian peninsula gave birth to patchworks of colonies mirroring the local divisions in the land of their origin. Referring to New York City a few years before World War I, the Italian vice-consul Luigi Villari (1912, 216) noted that "some neighborhoods are inhabited exclusively by newcomers from a given region; we can find only Sicilians in a street, only people from Calabria in another street, and immigrants from Abruzzi in a third one." A number of provincial and local enclaves could be identified even within the regional settlements. For example, Chicago's ethnic district of Little Sicily had a concentration of immigrants from the village of Altavilla along Larraba Street, natives of Bagheria in Townsend Street, and individuals from Sambuca-Zabat in Milton Street. Whole villages were sometimes transplanted to the United States. This was the case of Lapio, a small center in the province of Avellino, whose residents moved to a single district in Boston's North End. Likewise, Roseto, Pennsylvania, was home almost entirely to immigrants from the village of Roseto Valforte in Puglia. The residents' sense of community was so circumscribed in Roseto that, since they were often short and usually had light brown skin, they regarded individuals from Veneto who had moved to nearby townships in Pennsylvania as members of a different ethnic group made up of tall, blue-eyed, and fair-haired people.

Separation along lines of local descent extended to religious life. The great bulk of Italian immigrants were Catholics. But residual paganism and absence of formal observance contrasted the practices of southern Italians with the more orthodox rites of their northerner fellow citizens. As a result, the former and the latter shied away from each other so as they could stick to their own traditions. For example, New York City's churchgoers from northerner backgrounds in Italy did not want to attend services with Italians from the South. A cleavage between these two groups characterized Philadelphia, too. St. Mary Magdalen de Pazzi's, which had been established primarily for Genoese immigrants in 1853, retained a disproportionate number of parishioners from Liguria and Piedmont into the early twentieth century and forced southern newcomers to turn to the church of Our Lady of Good Counsel, as the latter began to arrive en masse in Philadelphia. Likewise, in Providence, Rhode Island, southern Italian-American Catholics made a point of having pastors from their own area in their native country and rejected ministers from the North.

Such divisions affected social life, too. The earliest Italian-American associations, which the nationalist exiles of the *Risorgimento* set up in the mid-nineteenth century, were all-inclusive clubs that did not discriminate against their prospective members on the basis of local extraction in the native land. This was the case of the Società di Unione e Benevolenza Italiana, created in 1825, whose purpose was

“to keep alive a true feeling of nationality” among Italian expatriates in New York (Marraro 1945, 291). In this city Felice Foresti also formed an organization called *Congrega Centrale della Giovine Italia* (central gathering of Young Italy) in 1841 to support Giuseppe Mazzini’s Young Italy movement for the unification of Italy under republican institutions. Nonetheless, admission rules began to change after such patriotic associations – which aimed primarily at backing the political unification of the peninsula from the United States – began to yield to mutual-aid societies that intended to take care of the primary needs of the unskilled workers bulking large within the massive tide of Italian immigrants at the end of the century.

Founded in 1905, the Order Sons of Italy in America, the largest and most influential Italian-American ethnic organization nationwide, accepted any person of Italian heritage regardless of their, or their parents’, place of origin in the fatherland. But, despite this case and a few other exceptions, most Italian fraternal organizations admitted only those immigrants who had come from a specific region, province, or even village, while barring the natives of other Italian areas and their offspring. In Cleveland, for instance, the doors of the Sicilian Fraternal Society, which was created in 1896, were open to newcomers from this island only. By the same token, *La Calabrese*, which was formed 5 years later, allowed only people from Calabria to join its ranks. Affiliation was sometimes restricted to single hamlets. These clubs were often US branches of parent organizations created in the native towns in Italy. By conducting business in dialect and celebrating local festivities, these ethnic associations contributed to the survival of their members’ subnational sense of belonging. In 1910 New York City was home to as many as 338 Italian-American organizations. Their denominations referred to specific villages or to their respective patron saints, which offered evidence for the social fragmentation of the Little Italy in the major US metropolis (Anonymous 1912, 31–36). The Caroline Brotherhood, for example, was a club exclusively for newcomers from Carloforte, a village in Sardinia whose inhabitants thought of other Sardinians as people different from themselves. Similarly, in Port Chester, in Westchester County, New York State, eligibility for the San Fele Society was limited to newcomers from San Fele and their offspring, while only people from Avigliano and their progeny could adhere to the Aviglianese Mutual Aid Society. Yet, fewer than 20 miles separated the town of Avigliano from the village of San Fele within the province of Potenza in Basilicata.

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## Anti-Italian Prejudice and the Reshaping of Ethnic Identity

With reference to a hypothetical turn-of-the-twentieth-century male immigrant from the Sicilian hamlet of Milocca, scholar Charlotte G. Chapman (1971, 27) has stressed that “in America he will be an Italian to all members of other nationalities, a Sicilian to all Italians, and a Milocchese to all Sicilians.” Indeed, coeval American observers and individuals belonging to other ethnic groups were quite often unable to distinguish among people from diverse Italian places. The adoptive society usually regarded all newcomers from Italy as being alike. Such generalizations

shaped especially prejudices and bigotry. Consequently, Italian immigrants faced a common experience of discrimination, regardless of their geographical background in the native country. In the eyes of both other minorities and Americans of Anglo-Saxon heritage, newcomers from Italy were Dagoes, Guineas, and Wops (all derogatory terms by which Italians were often addressed) whatever their places of origin were in their native country. To the former, Italian immigrants were competitors for jobs, cheap housing, as well as control of labor unions. To the latter, they were inassimilable and undesirable aliens who belonged to an inferior people by Wasp parameters. Political philosopher Max Ascoli (1942, 46), an Italian expatriate himself, explained that newcomers from Italy ended up being “unified into a ‘national’ block by the other Americans with whom they came to live and who called all of them Italians – or rather ‘Wops.’”

Disparities in physical traits with the population of Anglo-Saxon ancestry seemed to corroborate the pseudo-scientific conclusion of eugenics, according to which southern Italians were inferior to northern Europeans because they belonged to a “Mediterranean race” that had been subjected to African contamination for centuries. Allegedly, these influences also enhanced emotional behavior, laziness, disregard for personal hygiene, as well as proclivity to violence and crime, all characteristics that turned Italian newcomers into social outcasts. These supposedly southern features, however, were applied to all individuals from Italy. Reformer Jacob Riis (1890, 48) contended that the average Italian “reproduces conditions of destitution and disorder which, set in the frame-work of Mediterranean exuberance, are the delight of the artist, but in a matter-of-fact American community become its danger and reproach.”

To early twentieth-century US journalists, irrespective of whether the immigrant was a northerner or a southerner, the Italian newcomer was “a dirty, undersized individual, who engages in degrading labor shunned by Americans, and who is often a member of the Mafia, and as such likely at any moment to draw a knife and stab you in the back” (Meade 1905, 218). In other words, although the Mafia was a Sicilian criminal organization that made a point of excluding potential racketeers from other regions, any Italian immigrant was a potential member of this group of gangsters in the eyes of American reporters. Notwithstanding the evident northern-southern divide in the religious experience, even the Irish prelates who dominated the Catholic hierarchy in the United States considered parishioners from different regional backgrounds in Italy as members of a single ethnic group when priests stigmatized their Italian flock’s superstition-prone faith, manifestations of popular piety, and reluctance to support the parishes financially. Consequently, Italian congregations were often forced to worship in the basements of churches. The humiliations people from Italy had to withstand because of their common national descent included informal segregation in movie houses and exclusion from upscale social clubs.

Anti-Italian bigotry spread a homogenizing perception of the newcomers that contributed to making the immigrants and their children realize that they shared the same national background and that they had to overcome both the legacy of *campanilismo* and the ensuing rivalries if they intended to assert their rights and to



consolidate their standing in the host society. As a result, ethnic defensiveness played a key role in the development of an Italian identity that the immigrants had lacked upon disembarking at US ports. For example, an advocate of the merger of Philadelphia's various localistic societies into a single Italian association argued in the early 1930s, by resorting to a metaphorical language, that "single flowers do not make up a wreath and isolated soldiers cannot win a battle. Only by getting together [...] can soldiers be strong, fight, and protect themselves" (Saracco n.d., 19).

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## The Making of Italianness

The re-elaboration of Italian Americans' identity occurred primarily in the interwar period. These roughly two decades saw the appearance of a US-born second generation of individuals who had loose ties to the land of their parents and could hardly understand the local divisions and petty rivalries that had theretofore separated their fathers and mothers. The immigrants' American-raised progeny was more tolerant of regional diversities and more inclined to join forces with fellow Italians than their parents had been. Furthermore, the end of the mass influx from Italy by the mid-1920s discontinued the newcomers' tides that had until then helped fan the flames of subnational divisions among people from diverse Italian backgrounds. This major change occurred in the wake of the passing of the Quota Acts of 1921 and 1924, which severely restricted the arrival of Italian citizens, on the grounds that they were inassimilable and thereby undesirable in the United States, as well as in the aftermath of the enforcement of the 1927 Fascist anti-emigration policies in the native country. Italian Americans' mobilization to prevent the passing of the US restrictive legislation, though unsuccessful, strengthened their awareness of being a victimized minority and, thus, their Italian identity out of ethnic self-defense.

The emergence of nationalistic feelings following the outbreak of World War I and the rise of Fascism to power in Italy also contributed to the development of a sense of Italianness among the immigrants and their offspring. The ethnic leaders and press that celebrated Italy's 1915 declaration of war on the Austrian-Hungarian empire persuaded Italian Americans that they shared something despite their different places of origin in the ancestral land. Moreover, after enduring prejudice and discrimination because of their national extraction for decades, the newcomers and their descendants became aware of the fact that their Italian origin was no longer a stigma they had to feel ashamed of as soon as the United States entered World War I at the side of their native country. Significantly, with reference to his own fellow countrymen in America, Giuseppe Scandella, the editor of New Haven's Italian-language newspaper *Il Corriere del Connecticut* (the courier of Connecticut), remarked that at wartime "more than ever, we feel proud to be Italians" (Sterba 2003, 137). Notwithstanding its unsuccessful outcome, Italian Americans' mass campaign to support Italy's jingoistic claims over the Croatian port of Fiume after the end of the military conflict at the Paris Peace Conference, which eventually rejected Rome's demands, offered an insightful example of how Italianness had made inroads into the ranks of the US population of Italian extraction by the end of World War I.



Likewise, Italian Americans gained in self-respect, thanks to the alleged accomplishments of their fatherland during the Fascist rule. The prominent international status that their ancestral country achieved under dictator Benito Mussolini, who came to power in 1922, and the *Duce's* aggressive foreign policy for the supposed defense of Italian prestige abroad made immigrants in the United States and their children proud of their national roots. Even anti-Fascists acknowledged that Mussolini “enabled four million Italians in America to hold up their heads [. . .]. If you had been branded as undesirable by a quota law you would understand how much that means” (Schonbach 1985, 92). Prior to 1922 many Italians expatriated in part following the disregard of the liberal governments for rank-and-file peasants, artisans, laborers, and industrial workers. In the eyes of all these categories, before the establishment of the Fascist regime, the Italian state was usually a hostile entity that confined itself almost exclusively to levying taxes and drafting young males into the army when their families needed them as breadwinners. This negative perception discouraged most individuals from identifying themselves with the institutions of the Reign of Italy and, therefore, from developing a sense of affiliation based on their common national roots. As an immigrant complained, the *patria* – namely the native country – “has never done anything for us” because it “belongs to the masters! The poor people’s *patria* does not exist” (Margariti 1994, 40, 55).

Mussolini turned the previous approach upside down. Fascism took care of the expatriates by ensuring material assistance, promoting Italian culture, teaching the Italian language as opposed to local dialects, and fighting against anti-Italian stereotypes. The regime carried out these policies for propaganda purposes in order to build up consensus among Italians abroad. Yet, such campaigns helped migrants reconcile themselves with their native state and, thereby, solidify their Italian identity while they basked in the supposed glory of their motherland under the *Duce's* dictatorship.

The popularity of Fascism with Italian Americans and the latter’s ensuing sense of national pride reached a climax when Italy invaded Ethiopia on 3 October 1935 and established her own colonial empire in eastern Africa on 9 May 1936. At that time, many residents of the Little Italies endeavored to challenge the sanctions of the League of Nations against the Mussolini’s regime. During the 7 months of the Italo-Ethiopian War, they raised money and donated gold objects, including wedding rings, to fund the Fascist venture. They also successfully lobbied Congress against the passing of measures restricting such US exports to Italy as oil, trucks, and scrap iron that were key to the *Duce's* troops in the military campaign in eastern Africa. On that occasion, ethnic identity overcame Italian Americans’ class consciousness and sense of allegiance to the labor movement. US unions unanimously condemned the Fascist unprovoked attack on Ethiopia, but most workers of Italian extraction criticized the stand of their leadership. One of them, for instance, argued that “wishing Italy’s defeat to displease Mussolini” was “ridiculous” and that he would continue to collect money for his ancestral country’s army (Farina 1936).

The transformation of Italian Americans’ social institution reflected the reshaping of their identity in the interwar years. In the 1930s the Order Sons of Italy in America incorporated as new lodges a number of Italian-American ethnic associations with

local denomination and helped their affiliates realize their common national ancestry. By the outbreak of World War II, for instance, 13 out of Newark's 22 Italian-American associations had become part of the Order Sons of Italy in America. Amendments to the membership requirements of many other ethnic organizations provided further evidence for the broadening of their associates' sense of belonging. Most of these associations opened their doors to individuals from anywhere in Italy. The newsletter of one of these clubs in Chicago stressed its members' recently achieved national ethnic consciousness by declaring that they had become Italians and were "no longer Tuscans, Lombardos, Sicilians, Emilians, Abruzians, Sardinians, Calabrians, etc." (Guglielmo 2003, 115).

Yet, at the same time, the widening of Italian Americans' identity did not extend beyond the borders of the ancestral country. The newcomers' progeny cherished *campanilismo* no more, but it perceived Italian Americans as an ethnic minority of their own that was different from other immigrant groups of European extraction. The 1930s marked the intensification of strife and conflicts with other white nationalities such as the Irish Americans and the Polish Americans, as all these minorities struggled with one another over cheap housing and shrinking job opportunities in the aftermath of the economic depression. The Italo-Ethiopian War could have been regarded as a conflict between white and black peoples. This interpretation, however, was not the case for most Italian Americans. It is hardly by a chance that, against the backdrop of Mussolini's colonial military campaign, pro-Fascist ethnic newspapers in the United States, such as New York City's *Il Progresso Italo-Americano* (the Italian-American progress), referred to an "Italian race" as opposed to other Caucasian minorities (Bencivenni 2011, 216). The dissemination of this concept was linked to the *Duce's* regime. For instance, Philadelphia's *L'Opinione* (the opinion) contended that, as a "moral force," Fascism would enhance the standing of the "Italian race" (Diggins 1972, 82). The spread of anti-Semitism and the subsequent adoption of a racialized language in the Little Italies following the enactment of the 1938 Fascist anti-Jewish legislation further consolidated such a concept and the related Italian identity. Indeed, the premise of Mussolini's anti-Semitic provisions was the existence of an allegedly "Italian race" of "Aryan origin" to which Jews supposedly did not belong (Klein 2018, 87). In other words, the "Italian blood" made all those who had it running in their veins a group of their own that was separated from other white minorities.

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## The Retention of the Italian Identity at Wartime

Italy's declaration of war on the United States on 11 December 1941, after the Japanese attack against Pearl Harbor 4 days earlier, hardly weakened Italian Americans' recently acquired national ethnic identity. As the prewar pro-Fascism feelings in the Little Italies had resulted primarily from a sense of pride and from defensiveness within an anti-Italian hostile environment, the military conflict between their ancestral and adoptive countries turned attachment to Mussolini's government from an asset into a liability. Most Italian Americans were sincere in

their disavowal of the Fascist regime, albeit at the eleventh hour, and in their display of loyalty toward the United States. An estimated half a million to a million and a half Italian Americans, out of a total population of roughly five million US citizens of Italian extraction, enlisted in the US army, navy, or air force, cooperated with Washington's intelligence, and did not even hesitate to take arms against their ancestral country (LaGumina 2016; Pretelli and Fusi 2018). Moreover, Italian Americans bought federal war bonds for the amount of millions of dollars to finance the US military machinery against the Axis powers. Nevertheless, to many of them, the conflict between Washington and Rome was an awesome scenario because they had relatives and friends who still lived in their motherland. Against their backdrop, Italian Americans conceived their commitment to Washington's victory as a contribution not to a war against Italy but to the liberation of the Italian population from the Nazi-Fascist rule. The identification with their forebears' nation and the sentimental ties to its people were so strong that, as sociologist Joseph S. Roucek (1945, 468) remarked at that time, "most American Italians looked for a mirage: American victory without Italian defeat."

Actually, many naturalized immigrants and their children continued to regard themselves as being US nationals of Italian descent. Consequently, they claimed their right to back Washington's military efforts by joining the US armed forces or raising funds not as mere Americans but as Italian Americans. After all, ethnic associations such as the Order Sons of Italy in America launched the major drives to stimulate the purchase of war bonds within the Little Italies and usually did it on the occasion of traditional Italian-American ethnic festivities such as Columbus Day that were not discontinued at wartime. The federal government itself played on Christopher Columbus and other Italy-related ethnic symbols to encourage the cohesiveness of this immigrant minority in the common struggle of all US nationals against Nazi Fascism. Specifically, Alan Cranston, the head of the Foreign Language Branch of the Office of War Information, turned the 1942 Columbus Day into an opportunity to celebrate anti-Fascism in Italian-American communities throughout the United States (Pozzetta and Mormino 1998). The Italian-language press also made a point of publishing reportages that celebrated the US servicemen of Italian origin who had been awarded military decorations. This was the case of John Basilone, the marine sergeant killed during the battle of Iwo Jima, who received both the Medal of Honor and the Navy Cross. Such articles stressed that Italianness did not equal disloyalty toward Washington. They, thereby, helped make Italian-American readers aware of the contribution of their own minority to the fight against the Axis powers and prevented them from disavowing their ethnicity based on their ancestral roots. The very motivations for Basilone's extolment within the Little Italies pointed to the survival of a sense of Italian identity among their members. Paul Pisicano, a New Yorker of Italian descent, explained that Basilone "was our hero. He did the right things, but he did them in the Pacific. He was shooting gooks, so that's okay. It would be very painful to see the same act of courage demonstrated against Italians. Even if he did it, he would have been forgotten about" (Terkel 1984, 141).

Furthermore, undaunted by fears of appearing a foreign lobby, Italian Americans and their ethnic organizations mobilized in the effort to win benefits and concessions

from the US government to the advantage of Italy and her population in the regions occupied by the Anglo-American troops when the Fascist regime fell on 25 July 1943. These endeavors gained momentum as soon as the new Italian government not only announced its surrender to the Allies in 8 September but it also declared war on Nazi Germany, Italy's onetime Axis partner, on 13 October. After their ancestral country had switched sides, Italian Americans even lobbied Congress – albeit in vain – for the recognition of their fatherland as an ally, instead of a mere cobelligerent, of the United States. Such campaigns continued into the early postwar years. Specifically, Italian Americans fruitlessly called for a lenient peace treaty with Rome, but they managed to have Italy included among the nations that benefited from US economic aid for postwar reconstruction under the aegis of the 1948 Marshall Plan. They were also successful in gaining Italy's partial reinstatement to the prewar status of a Mediterranean medium power after their ancestral country was allowed to join the North Atlantic Treaty Organization in 1949, was admitted to the United Nations 6 years later, and secured a UN trusteeship over Somaliland – one of Rome's pre-Fascist colonies – from 1950 to 1960.

In any case, World War II played a significant role in removing all the surviving remnants of local, provincial, and regional identities among Italian Americans. In the aftermath of Pearl Harbor, unnaturalized Italian immigrants were designated as “enemy aliens,” the Federal Bureau of Investigation interned some of them because of their alleged connections to the Fascist regime, and additional Italian citizens were forcefully relocated from the Pacific coast so that they could not cooperate with Tokyo's army in case of a Japanese invasion of the United States (Chopas 2017). People of Italian descent faced discrimination in employment and relief programs in everyday life because their allegiance to the United States was questioned. Even children became targets of their schoolmates' taunts on the grounds of their ancestry. Within this context, the wartime resurgence of ethnically motivated bigotry one more time reminded the immigrants and their progeny of their common national extraction and further contributed both to turning individuals from different geographical backgrounds into a more cohesive group and to strengthening its members' Italian identity.

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## **The Decline of the Italian Identity**

World War II per se was unable to make Italian Americans go beyond a concept of identity based on their national origin. Yet, other wartime events began to stimulate the reformulation of their self-perception and to instill the view that their Caucasian heritage was their defining feature. While African Americans moved to northern cities to take jobs with expanding war industries or to replace workers of European ancestry who were serving in the armed forces, the ensuing tensions between the black newcomers and the white residents let a racial consciousness start to make inroads among Italian Americans. When it came to take side along the color line, the children of the Italian immigrants discovered their own whiteness. After all, Pisicano's previously mentioned resort to such a racist epithet as “gooks” with

reference to the Japanese disclosed the incorporation of whites' anti-Asian stereotypes and, therefore, implied a latent Caucasian self-image. However, Italian Americans' whiteness commenced surfacing in confrontation with blacks.

In Detroit, a magnet for African-American domestic migrants at wartime, as denizens from primarily Polish and Italian backgrounds endeavored unsuccessfully to prevent black tenants from moving to the Sojourner Truth federal housing project in 1942, Catholic priest Giuseppe Ciarrocchi, editor of the Italian-language weekly *La Voce del Popolo* (the voice of the people), complained that the arrival of black people was "a disgrace" for the neighborhood. In 21 June of the following year, after Joseph De Horatiis, a physician of Italian descent on a house call in an African-American district, had been beaten to death by an angry mob, many of his fellow ethnics participated in a racial riot that pitted white Detroiters against black Detroiters for a day and a half and eventually claimed 34 lives. Most casualties were African Americans, which led *La Voce del Popolo* to remark in racist overtones that "even if one wanted to blame Negroes for conduct unbecoming a civilized people, we think that the number of their dead is such to make them reflect and correct their faults" (Venturini 1997–1998, 86, 89). Two years later, when Oakwood was chosen for another black housing project in Detroit, Henry P. Fandanelli, the Italian-American pastor of Our Lady of Mount Carmel Church, voiced his concern over the consequences of racial mixing for his own white parishioners of Italian, Hungarian, and Polish extractions. He argued that "one can love both dogs and cats, but no sane person would throw a number of both into the same cage and pretend that they will get along." Other Italian Americans such as Louis J. Borolo, president of the Oakwood Blue Jackets Athletic Club, and Orville Tenaglia, chairperson of the Southwest Detroit Improvement League, were also active in the city's various protective associations that tried to keep designated white urban districts free of undesirable African Americans (Sugrue 1996, 77–85).

Anti-black feelings affected New Yorkers of Italian descent as well. In particular, Paul Pisicano recalled that the adoption of racist attitudes was a sort of rite of passage for Italian Americans' whitening: "There were riots in Harlem in '43. I remember standing on a corner, a guy would throw the door open and say, 'Come on down.' They were goin' to Harlem to get in the riot. They'd say, 'Let's beat up some niggers.' It was wonderful. It was new. The Italo-Americans stopped being Italo and started becoming Americans. We joined the group. Now we're like you guys, right?" (Terkel 1984, 141–142).

In the postwar years, the anti-black sentiments that people of Italian origin shared with fellow Americans of other European extractions contributed to making them drop their sense of affiliation based on their ancestral country and to elaborating an identity that drew upon their whiteness. With very few exceptions, Italian Americans, Irish Americans, Polish Americans, and Jews – who had lived in their urban "ghettos" upon arriving in the United States and had even appreciated residential segregation along ethnic lines – were unsympathetic toward African Americans' claims for racial integration and found a common purpose in opposing such demands. This trend gained momentum in the 1960s and 1970s. In these decades, Italian Americans put aside their previous ethnic rivalries with Irish Americans, Jews, and other immigrant

groups of European extraction in order to join a common fight against affirmative action, busing for racial balance in public schools, and the integration of their neighborhoods in such major cities as Boston and New York (Formisano 2004; Rieder 1985). They, therefore, acquired a racial identity as white Europeans. In that period, for instance, Italian Americans in the Monte Carmelo district of New York City's Bronx welcomed immigrants from Albania and Yugoslavia, because these groups were Caucasians, but they antagonized the African Americans and Puerto Ricans who had begun to move into their neighborhood. Their task was to prevent the area from becoming "black" (LaRuffa 1988, 19–20).

Electoral behavior offered additional clues for Italian Americans' renegotiation of their identity and the increasing significance of a racial self-perception. While casting ballots, some of them began to give in to white supremacists' appeals. In the 1968 presidential race, for instance, George Wallace won the support of roughly 10% of Italian-American voters nationwide with a peak of 29% in Cleveland, a city that had been the setting of racial unrest the previous July with looting, arsons, and a shootout between African Americans and police officers (Levy and Kramer 1972, 173–74). Italian Americans also formed political coalitions with other cohorts of the electorate of European extraction to back Caucasian candidates facing African-American challengers in local contests for public offices. In Chicago's 1983 mayoral race, for example, voters of Italian, German, Polish, and Irish descent united in the fruitless effort to prevent the election of black Democratic US Representative Harold Washington to City Hall. After a campaign that deeply polarized Chicago along racial lines, as much as 90.4% of the Italian-American voters cast their ballots for Bernard Epton, Washington's white Republican opponent, even if he was not from Italian background (Kleppner 1985, 219). Likewise, most New Yorkers of Italian, Jewish, and Irish origins bolted mayor John Lindsay in 1969 because they perceived him as a supporter of African-American aspirations and claims to the detriment of whites' expectations.

The case of Philadelphia further highlights the prevalence of a racial self-perception, i.e., whiteness, over an ethnic identity, namely, Italianness, with respect to the determinants of Italian Americans' vote in the postwar decades. In this city, antagonism with blacks caused low middle-class Jews, middle-class Irish, as well as working-class Italian Americans and Polish Americans to bridge what had once been considerable ethnic and class cleavages in the voting booth. They elected Frank Rizzo twice to City Hall, in 1971 and in 1975. Rizzo was a former police commissioner of Italian extraction who had won a nationwide reputation for his strong-arm methods against the Black Panther Party and other groups of African-American activists. However, Italian Americans regarded him as a white candidate rather than as a member of their own ethnic minority. When Rizzo urged his supporters to "vote white" in a 1978 referendum that aimed at amending the city charter and would have enabled him to serve more than two consecutive terms, 85% of the Italian-American electorate endorsed the change although the proposal was rejected at the polls. Moreover, over 90% of Italian-American voters cast their ballots for Rizzo in his additional – albeit unsuccessful – bids for mayor against an African-American candidate, W. Wilson Goode, in 1983 and 1987. Conversely,

when Rizzo ran again for City Hall in 1991 against two white contenders in the Republican primaries, his following among Italian Americans fell to 62.5% only (Paolantonio 1993).

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## Post-Ethnic Identity

The 1965 repeal of the national origins system, which had restricted immigration from southern and eastern Europe since the enforcement of the 1921 and 1924 Quota Acts, failed to revitalize an Italian identity in the last third of the twentieth century. Not many Italians took advantage of the new provisions and moved to the United States. Indeed, the number of newcomers from Italy dropped from over 25,000 in 1966 to fewer than 7,500 in 1978, when they made only 1.2% of the total inflow as opposed to 7.8% 15 years earlier (Seggar 1985). The so-called economic boom, which turned Italy from a rural country into an industrial power between 1958 and 1963, supplied plenty of job opportunities in northern plants for southerner migrants, sparing the latter the necessity of making their way across the Atlantic in the hope of escaping poverty and improving living conditions. Moreover, for those who intended to leave the country anyway, Italy had signed several treaties with western European states, from Belgium in 1946 to the Federal Republic of Germany in 1955, to offer its nationals alternative positions in mines and factories in the Old World. Therefore, except for an increase in family reunions, no significant migration tide from Italy reached again the American shores and, thereby, there was no major stimulus contributing to invert the decline of Italianness by means of an injection of new Italian blood.

Italian Americans were not impervious to the ethnic revival of the late 1960s and the 1970s. But they experienced the identity related to their ancestral country especially in terms of what sociologist Herbert J. Gans (1979) has called symbolic ethnicity. They felt Italians when it came to consumer choices and leisure time activities as for the purchase of food, the preferences in fashion, and the selection of places where they wished to spend their holidays. Conversely, Italianness did not affect pivotal life decisions.

Ethnic organizations underwent a steady decline. The Order Sons of Italy in America, for instance, reached a peak of about 300,000 affiliates in the interwar years, but its membership decreased to only 75,000 regular dues-paying associates at the turn of the new millennium, when the number of its lodges nationwide shrank to roughly 700 from more than 2,700 in the 1970s (Massaro 2006). Language was another identifier for the erosion of the ethnic sense of belonging. Indeed, 95% of the people of Italian descent born between 1976 and 1985 did not speak their ancestral tongue at home (Alba and Nee 2003, 74). Therefore, Italian Americans were hardly subjected to the resurfacing of the native language that is usually part of the attempts by third and later immigrant generations to keep their own ethnic affiliation alive.

Marriage patterns offered additional evidence for the decay in the sense of Italianness to the benefit of a racialized self-perception. Endogamy prevailed in the Little Italies in the interwar years even in multiethnic New York City. Conversely, almost three quarters of the Italian Americans aged between 25 and



34 were of mixed ethnic heritage in 1990, as opposed to about one quarter entering adulthood before World War II. Moreover, roughly 80% of Italian Americans born in the 1980s declared a second ethnic ancestry. However, with a few exceptions, exogamy hardly crossed the racial divide and people of Italian extraction tended to have Caucasian spouses instead of marrying blacks or Asian Americans (Alba and Nee 2003, 91–94).

Italian-American communities also began to disappear as physical spaces. Most residents of the ethnic neighborhoods moved to the suburbs in the postwar decades, while advancing from blue-collar jobs and working-class communities to white-collar occupations and upper-level residential districts, following a pattern of dispersal that was typical for many other European immigrant minorities. Furthermore, some Little Italies in Newark, St. Louis, and San Diego were destroyed by the implementation of urban renewal projects. Others, such as Boston's North End and Philadelphia's Bella Vista, underwent gentrification and lost in part their ethnic connotations because of the arrival of new upper-middle-class homeowners and the subsequent displacement of the native residents who could not afford the significant growth in rents and cost of living. If some inner-city blocks in New York City's Mulberry Street, South Philadelphia, and Providence's Federal Hill still retained some Italian flavor and characteristics, such features were mostly artificial. Indeed, former ethnic ghettos were preserved less as neighborhoods for their dwellers than as tourist attractions for visitors. As sociologist Jerome Krase (1999, 163–165) suggested some 20 years ago, such areas survived primarily as "Pompeian-like ruins" or "ethnic Disneylands" and "theme parks" in metropolitan environments that endeavored to capitalize on urban consumers' growing interest in ethnic foodways, shopping, and emotions, regardless of these people's specific ancestry.

Italian Americans' lobbying activities in behalf of their ancestral country underwent a demise, too. For instance, in 1997, in spite of the endorsement of the National Italian American Foundation, an ethnic organization that placed advancing US-Italian political relations among its leading goals, no more than 50,000 voters of Italian extraction nationwide pressured President Bill Clinton into letting Italy gain a permanent seat on the United Nations Security Council within a short-lived reform proposal for the expansion of membership in this body (Menzione 2017).

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## Conclusion

The 2008 economic recession and the subsequent steep increase in unemployment in Italy turned again North America into an attractive land for the Italian diaspora at the dawn of the new millennium (Fiore 2017). Actually, the United States fluctuated between the fifth and the sixth worldwide destination as well as between the first and the second transatlantic one in terms of the number of Italian migrants in the second decade of the twenty-first century. However, the inflow did not surpass the threshold of 6,000 per year and, therefore, was one more time quantitatively unable to give new life to Italian Americans' ethnic identity. On the one hand, these



newcomers – who are primarily professionals, academicians, students, and highly skilled workers – have hardly ever intermingled with the previous immigrants and the latter’s progeny. On the other, they have developed a cosmopolitan self-perception that has significantly undermined their own identification with Italy. The migrants’ political behavior offers an illuminating example for the lack of transnational ties to the native country after leaving it. Although Italian citizens residing in the United States were granted external voting rights and were allowed to cast their ballots by mail in Italy’s Parliamentary elections in 2001, turnout was rather low at the very beginning and has even undergone a further decline in the subsequent years. Specifically, it fell from 30.7% in 2006 to 26.1% in 2018 (Ministero dell’Interno 2018).

Attachment to Italy was no stronger among the offspring of the turn-of-the-twentieth-century newcomers. The number of US residents claiming Italian roots increased in the last few federal censuses, rising from about 15 million in 1990 to almost 16 million in 2000 and to over 17 million in 2010. Yet, these reports list national ancestries. They do not record ethnic self-images. In other words, the census data provide quantitative information about the background of the American population. But they do not offer insights as for to what extent the lives of such people are Italian-American or are perceived as such. After all, when the members of the Italian diaspora had the opportunity to demonstrate their identification with their ancestral country by means of practical actions, very few seized it. Indeed, between 1998 and 2007, only 16,500 US nationals of Italian descent reclaimed their forebears’ citizenship, out of nearly 770,000 applicants worldwide, after the Italian Parliament had granted the expatriates’ progeny such a right (Tintori 2009, 39).

Studies of present-day Italian Americans under the age of 35 reveal that most of them either are disconnected from their ancestral heritage or reveal it primarily in familial settings as symbolic ethnicity (Melone 2016; Serra 2017). This trend stresses one more time both the progressive erosion of the ancestral roots and the latter’s optional character for the young generations, further pointing to a post-ethnic identity for Italian Americans.

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## Cross-References

- ▶ [Ethnic Minorities and Criminalization of Immigration Policies in the United States](#)
- ▶ [Media and Stereotypes](#)

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## Abstract

Many social scientists – anthropologists, sociolinguists, economists, historians, and social theorists – view transnationalism and globalization as the movement or flow of people, goods, services, and ideas between nation-states or countries, as well as the complex connections between all of these

M. Anae (✉)

Pacific Studies|School of Māori Studies and Pacific Studies, Te Wānanga o Waipapa, University of Auckland, Auckland, New Zealand

e-mail: [m.anae@auckland.ac.nz](mailto:m.anae@auckland.ac.nz)

(Appadurai (1996); Bauman (2001); Blommaert (2010); Brettell (2003); Castells (1996); Giddens (1999); Harvey (2005); Hobsbawm (1992); Marcus (1995); Stiglitz (2006); Tsuda (2003); Wallerstein (2004)). This chapter is about how transnationality – the condition of cultural connectedness and mobility across space – which has been intensified by late capitalism and transnationalism is used to refer to the cultural specificities of global processes, by tracing the multiplicity of the uses and conception of “culture” (Ong (1999:4). Are Pacific nation-states being transformed by globalization into a single globalized economy? How are global cultural forces impacting on Pacific peoples, cultures, and identities? These questions will be explored with a focus on the links between cultural logics of human action and on economic and political processes within the Pacific, based on my Marsden research – a longitudinal study examining experiences of global Samoan matai (chiefs) and the Samoan transnational chiefly system (faamatai). Refuting claims about the end of traditional faamatai and the nation-state, what follows is an account of the cultural logics of globalization and development and an incisive contribution to the study of Pacific modernity and its links to global social change.

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**Keywords**

Pacific transnationalism · Globalization from below · Comparative advantage · Faamatai: Samoan chiefly system · Transnational reincorporation

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**Introduction**

This chapter explores the sacred tenet of Samoan faamatai leadership – *O le ala i le pule o le tautua* (the way to power is through serving) by emplacing *pule* (power) and *tautua* (serving) within a transnational framework – migration as development without return and as transnational expansion of leadership through “transnational reincorporation” (Levitt and de la Dehesa 2003: 588; Mahler 1998). In their leadership of their families and communities across the globe, transnational matai and their families have intensified travel, communications, repeat visits, and remittances to the homeland. This process creates economic, political, and social mechanisms that enable transnational Samoans to participate in Samoa’s development process over the long term and from afar (Mangnall 2004: 14). In doing so, it is argued that previous studies have mistakenly viewed transnational faamatai as necessarily detrimental to the Samoan culture and the nation-state of Samoa and have ignored transnational matai agency in developing Samoa through the large-scale flow of people, images, and cultural and economic forces across borders and back to the nation-state. Homeland individual/family decisions to migrate and global markets have induced transnational matai to blend strategies of migration and of capital accumulation, and these transnational subjects have come to symbolize both the fluidity of capital and the tension between national and personal identities.

## Pacific Transnationalism

Transnationalism is the wave of future studies in population movement and mobility in the Pacific and offers a meeting point between a shrinking world, facilitated by infrastructures that enable space-time compression and an expansionist globalization (Lee and Francis 2009). In this regard, the study of ethnicity is critical in delving deeper into people's worldviews, perceptions of each other, relationships, and sense of identification to help us uncover some of the deeper perceptions and meanings of social change as seen and shared by cultural groups as they adapt to the fast-changing world. To better inform ourselves of the complexities of ethnicity and relationship to contemporary global developments and challenges, an approach which is people-centered, balanced, comprehensive, and research-based is timely.

*Migration and Transnationalism: Pacific Perspectives* (Lee and Francis 2009) is the first edited volume to link a wider literature on transnational studies to specific cases in the Pacific and illustrates that rather than focusing on migration alone, Pacific transnationalism views migration in the broader context of indigenous movement and mobility. This perspective emphasizes kin-based agency in the negotiations and meanings and arrangements in diasporic settings. My work extends kin-based or aiga (family)-based agency to the focus on matai – family heads – as the leaders of aiga and their agency in which migration, remittances, and their experiences can now be viewed as extensions of local faamatai traditions as much as they are a result of the incorporation of Pacific communities into a global economy. That is, we can now view the home society and host society as a part of a single social field with families through the faamatai using indigenous conceptions of appropriate behavior to mediate new situations (ibid.; Small 1997: 193).

As Nahkid states “Pacific transnationalism is a way of life.” (2009: 215). However, while there are other features of transnationalism, we cannot understate the value of remittances. Our interest in, attention to, and sustainability of remittances based on *why* billions of dollars are remitted to Samoa on an annual basis and *why* transnationals and their family leaders persist in maintaining a set of multi-related social relations that bind them and connect them and link their countries of origin with their countries of transnational settlement (Schiller et al. 1995), is crucial in understanding how and why Pacific transnationalism is indeed a way of life. The “myth of return” (Walton-Roberts 2004: 80. 92) provides the affective tie when transnationals balance the desire to return with the reality of settled life and fuels transnationals, especially matai to meet their cultural roles and responsibilities as aiga heads and leaders to meet social, cultural, and financial obligations in the homeland.

## Transnationalism and Development

The relationship between transnationalism and development – and how best to study it – is emerging as a major international policy concern. Recently, transnational theory and research has stressed that the networks of socioeconomic relations of individuals and groups which embrace migrants' country of origin and destination

are of paramount importance in the study of migration and return (Mangnall 2004; Byron and Condon 1996: 102; Nyberg-Sorensen et al. 2002: 18; Transrede 2001: 5). These studies also suggest that “people connected by transnational networks” is the most important resource for developing countries (Mangnall 2004: 8; Nyberg-Sorensen et al. 2002: 24).

Mangnall states that the advantage of transnationalism as a framework is that it recognizes that “neither return nor integration is the whole story for the study of international migration and development” (ibid.). Rather than doing one or the other, many migrants prefer to develop transnational lifestyles “between” or “across” two countries, economies, cultures, and lifestyles (Transrede 2002).

International migration has been shown to be a similarly “highly diverse and flexible phenomenon,” with outcomes ranging from permanent settlement abroad to sporadic or regular returns to home for longer or shorter periods to permanent return (Gustafson 2001: 374 cited in Mangnall 2004: 9). So transnationalism is ideally suited to the study of faamatai, and transnational matai as heads of the corporations of kin, and their impact on development processes.

Mobility is at the heart of transnationalism literature. High rates of return and repeat visiting are considered a hallmark of mature transnational communities (Bedford 1997; Bertram and Watters 1985; Faist 2000: 13). Despite this, the scale and nature of the different types of transnational mobility remain largely unexamined, along with the importance of their contribution to transnational ties, identities, and development compared with other exchanges such as phone calls, goods, and remittances.

Faist’s (1997) framework for such research is based on two premises. Firstly, international migration and return cannot be adequately described by focusing solely on countries of origin and destination. Instead, they must be studied as unfolding in “transnational spaces” within which flows of people, goods, capital, and services cut across the borders of nation-states (ibid.:206). Secondly, return must be regarded as a factor of the strength of social ties and social capital within transnational spaces, as well as a strategy for social capital’s transfer. The skills, knowledge, and contacts gained in the process of forming and expanding these social ties can be used to transfer human, financial, cultural, and other kinds of capital and, in the process, develop transnational identities and loyalties (Mangnall 2004: 8; Ammassari and Black 2001: 30; Faist 1997: 204, 2000; Levitt 2001: 202–203).

The creation and maintenance of these transnational ties and identities depends upon the interaction of physical and metaphoric return. Metaphoric return – or the “myth of return” – is the talking and thinking about return to their country of origin undertaken by those transnational migrants who decide to settle in the host country. At a personal level, the act of migrants talking and thinking about return can “create stable moorings” by bringing past and present, home and host countries, closer together. Metaphoric return can also lead to physical returns – resettlement and visiting (Mangnall 2004: 9). It also plays an important role in encouraging activities which keep ties to the homeland – teaching children their culture and language, joining cultural groups, remitting money and goods, exchanging letters and phone calls, fund-raising for home village development projects, and taking on matai titles



and leadership roles in the host community. These activities of “tautua” reinforce the transnational ties of reciprocity and loyalty or affective ties which are essential for return visits on a wide scale.

### “Tautua” Findings from Marsden Project Survey



In the transnational view migration, host settlement and repeat homeland visits have two main development impacts. First it has created a “continuous socio-economic field” (Mangnall 2004: 22) flowing between Samoan communities in modern nation-states, the “traditional” families, villages, and bureaucratic sector in



Samoa, and ultimately capitalist metropolises. Within this transnational field, the benefits of migration are evidenced by the circulation of people, remittances, and goods within the aiga and faamatai networks. My Marsden research project “Samoa transnational matai: ancestor god ‘avatars’ or merely title-holders?” is a longitudinal project which examines intergenerational experiences of transnational faamatai across three nodes of meta-Samoa (Australia, Hawaii, San Diego). Findings reveal that key indicators of the stability of this socioeconomic field are the four directional flows of remittances as tautua: cash to families and villages; cash to families, villages, and Samoa through saofai (matai installations); cash to Samoa via tourist dollars; and cash to families and villages and Samoa via family reunions and funerals. These four cash flows are evidenced by high levels of repeat visits to Samoa, including malaga-transnational funding for community projects (Lilomaiva-Doktor 2004; Franco 1991) and au-malaga (visiting families as tourist visits).

Secondly, migration has led to an increase in the total Samoa population within that transnational field documented as approximately 200,000 in Samoa and a conservative 420,000 in the western metropolises of New Zealand, Australia, and the United States alone. Considering the fact that over a half of all Samoans now live overseas, the faamatai has clearly become transnational in scope.

## Samoa Transnationalism

Governments of Pacific nations now recognize the influence that globalization is now having on their countries. Since 1970s they have been influenced by a set of economic drivers known as economic rationalism or neoliberalism. Leading known players influencing government policies such as the International Monetary Fund (IMF), the World Bank, and the Asian Development Bank (ADB), and blatant increasing role of China in the Pacific, all ascribe to this theory (Gough 2006: 83). How then have Samoans risen to this challenge? Through faamatai, Samoan individuals and families have responded strategically to both the challenges and opportunities impacting on them. Samoans are recognized for their adaptation to new circumstances, for striving to take from the new what suits them without relinquishing what is of great importance. They have demonstrated a tireless ability to survive through great change, such as the three Cs – colonialism, Christianity, and capitalism (Macpherson and Macpherson (2009). Their response to the current globalization era is no different: they have carved out their market niche and adjusted to new circumstances. They are part of a group of new transnational Pacific communities that are experiencing migration as a process of empowerment, a process referred to as “globalization from below” (Kennedy and Roudomet of 2003:6 cited in Gough 2006: 83).

Gough (2006: 84) refers to the period 1850s to 1914 – the opening up of Samoa by whalers, the first missionaries, foreign shipping companies, and

“commercialism” – as the “first period of globalization” as Samoa’s economy commenced integration into the global economy. This period of the three Cs was articulated by Samoans as occasions of “opposition” (Anae 2002: 163). Such occasions have fueled an enduring and persistent Samoan identity both in Samoa and among its transnational communities (Anae 1998). It is this enduring sense of Samoanness and adhesion to the ancient centrality of the well-being of the family through faamatai that has sustained Samoa and Samoans through many eras of transformation, including finding their niche in a neoliberal globalized world.

## Faamatai

Today, Samoa is a nation governed by matai – titled family heads. The role and responsibilities of the matai in Samoa is to ensure the well-being of his/her family both domiciled in the village and in transnational spaces. The role and responsibilities of transnational matai domiciled out of Samoa is the well-being of both his/her family in the host country and the family in Samoa as well as other transnational spaces. In 2016, 70,000 registered matai and 146,481 matai titles accounted for 37% of the population in Samoa (Meleisea 2016). Only matai can be elected to Parliament, and a universal suffrage introduced in 1991 to replace the former electoral system that had restricted the right to vote to matai only has enabled all Samoans aged 21 and over the right to vote in elections. Prior to 1991, a crisis arose in Samoa precisely because only matai could vote or hold elected office. In order to increase the numbers of their voters, senior chiefs began to split lower matai titles among several holders or created new titles. This inflationary practice became so common that Samoans referred derisively to these new voters as matai palota (ballot chiefs) (Chappell 1999: 287).

This reform movement drew criticism from some scholars. Meleisea states that “Western notions of individual rights and freedoms have been promoted by mass education and emigration” (Meleisea and Schoeffel 1983: 111). The matai system, including splitting titles and creating new ones, had been exported overseas in diaspora to New Zealand, Australia, and the United States. Western-educated Samoans are earning better incomes, acquire palota titles, and enter politics. “The foremost source of change in Samoa today is from New Zealand,” Meleisea says. “There is hardly a family in Samoa without relatives here, and there are few Samoans in New Zealand who do not maintain a relationship with their homeland” (Meleisea 1992: 63–64).

It is a well-known fact that Samoans in New Zealand are the powerhouse of faamatai in Samoa and in transnational spaces (see Demographics chart where of 550 responses, 58% matai survey responses came from New Zealand compared to 31% from Australia and 7% from the United States). Kane (1995) also states that economic indicators of remittance/cash flows are mainly coming from New Zealand.

## Demographics from Marsden Project Survey

# Demographics Based off 550 Matai responses

### Where titles are from

The majority of the surveyed participants held **Matai** titles from:

Western Samoa

96.2%

American Samoa

3.8%

### Age

The majority of Transnational **Matai** are currently within their:

40's 29%

30's 25%

60+ 10%

### Age of becoming a Matai

People are most likely to accept a **Matai** title between the ages of:

26 - 30 years

18.3%

31 - 35 years

16.8%

### Language

55 percent of Transnational **Matai** are fluent in everyday Samoan language.

24.5% are also fluent in the **Matai** language.

Less than 2% Cannot speak or understand Samoan

### Degree of Samoanness

What **Matai** identified themselves as:

84% Full Samoan

14% Part Samoan

2% Non Samoan

### Gender breakdown

 75%  25%

### Church denomination

25% Catholic  
16% EFKS  
10% Methodist  
9% LDS  
8% AOG

### Earnings

The majority of Transnational **Matai** survey participants

44% earn between \$51,000.00 and \$100,00.00 a year

12% earn over \$100,00.00 a year

### Currently living

of Transnational **Matai** survey participants are currently living in

 New Zealand 58%  Australia 31%  USA 7%  
4% Elsewhere in the world

**Employment** 81% Currently employed 9% Are retired 5% Are unemployed 5% Currently studying

An examination of the 41 books of the Matai registers held in the Samoa Land and Titles Court in 2016 revealed that there was a total of 70,000 registered matai (Meleisea 2016) and 146,481 registered titles (Potogi 2016: 126).

On further examination of the matai registers in September 2018, I can now reveal that of the 70,000 registered matai, 2083 of them were born out of Samoa (born i fafo). This number is a very conservative number which does not take account of all registered matai born in Samoa and domiciled i fafo given that the Samoan population in Samoa is approximately 200,000, while the Samoan population overseas numbers approximately 420,000. Of the registered matai born i fafo, 83.5% were born in New Zealand, 6.6% born in Australia, 6.3% born in the United States, and 3.6% born elsewhere in the world.

Add to this NZ-born cohort – the 50% Samoan-born transnational matai domiciled in New Zealand respondents from the transnational matai survey – the math produces some strong trends. While we cannot be certain that these samples are representative of the entire population of Samoan matai, these results suggest that a very substantial proportion of transnational Samoan matai live in New Zealand (of the 420,000 Samoans who live outside of Samoa, over a quarter of them live in New Zealand); the Samoan population in New Zealand according to the 2013 census was 144,138, with projected population as 160,000 in 2018 (see Tables 1 and 2).

Such concerns are echoed by others. The Macphersons (2009) in their sociological study of the impact of globalization on a Samoan village presaged the role of globalizing forces on the shift from chiefly and religious authority to a questioning democracy in Samoa when they wrote that migration has created new, dispersed multi-nodal forms of the Samoan family and village that have become more dispersed and more complex than ever before and that the capacity of traditional faamatai in Samoa to manage change in religious and secular spheres is being challenged by transnational faamatai “because the criteria for membership in these elites have shifted over time, membership of family and village elites is no longer homogeneous as it once was” (p. 191) (Table 2).

Findings from my Marsden project (Anae et al. 2017) and Gough (2006, 2009) provide an important counterclaim to this assertion: a counterclaim which marks these shifts among transnational faamatai as Samoa’s comparative advantage in a globalizing world. These shifts are occurring on the edges, Samoa i fafo (Lilomaiva-Doktor 2004). After all, Samoa cultural evolution is not merely a growth in complexity. It will involve stronger political controls, more exploitative relationships, more violence, more conflict, more risk taking, and greater general insecurity as transnational matai negotiate the edges of the transnational spaces. At the same time though, we observed the growth of skills of transnational Samoan skills in all fields – sports, academia, the arts, music, politics, and

**Table 1** Samoan population in Samoa and i fafo 2000–2018

Year	Samoa <sup>a</sup>	NZ <sup>b</sup>	Australia <sup>c</sup>	Hawaii <sup>d</sup>	Mainland United States <sup>e</sup>
1990s–2000	162,866				
2000	174,610				
2001		115,000			
2002					
2003					
2004					
2005	179,929				
2006		131,103	15,244		
2007					
2008					
2009					
2010	186,205			184,440	
2011			55,843		
2012					180,000 (2010 census)
2013		144,138			
2014					
2015	193,759				
2016	195,125		75,755		
2017	196,440				
2018	197,695	160,000 <sup>f</sup>			

<sup>a</sup><http://www.worldmeters.info/world-population/samoa-population/>

<sup>b</sup><http://teara.govt.nz/en/interactive/1566/samoan-population-in-new-zealand-1961-2013>

<sup>c</sup><http://culturalatlas.sbs.com.au/samoan-culture/samoans-in-australia> <http://en.wikipedia.org/wiki/SamoanAustralians>

<sup>d</sup>[http://www.census.gov/newsroom/releases/archives/native\\_hawaiian/cb12-83.html](http://www.census.gov/newsroom/releases/archives/native_hawaiian/cb12-83.html)

<sup>e</sup><https://en.wikipedia.org/wiki/SamoanAmericans>

<sup>f</sup>Estimate

in the arts of poetry and filmmaking. Transnational matai, especially in New Zealand, are playing a prominent part in promoting their comparative advantage in a globalizing world, the precursor of high space-age progress (Anae 2006).

Journalist Gilbert Wong sums up Pacific Islanders' achievements in New Zealand:

All that first-generational migrant drive for children to make the most of education has resulted in the police officers, nurses, teachers, bank managers, lawyers and doctors . . . Some have attained the higher reaches of society . . . professional associations have sprung up . . . a critical mass of Pacific people forming a new identity a few hours by 747 from their home islands. New Zealand is close enough to the springs of Pacific culture for those living here to be refreshed and constantly renewed, whatever they choose to call themselves. And wherever, in terms of class, they end up. (2002)

**Table 2** Matai registrations of matai born out of Samoa (i fafo)

No.	District	Born in NZ	Born in Australia	Born in the United States	Born elsewhere	Total
1.	Vaimauga Sasae	70	4	2	1	77
2.	Vaimauga Sisifo	59	5	6	6	76
3.	Faleata Sasae	7	0	0	0	7
4.	Faleata Sisifo	18	2	2	0	22
5.	Sagaga le Falefa	54	1	10	4	69
6.	Sagaga le Usoga	66	3	8	3	80
7.	Aana Alofi Nu.1	59	1	3	2	65
8.	Aana Alofa Nu.2	8	0	0	0	8
9.	Aana Alofa Nu.3	80	9	1	3	93
10.	Aiga i le Tai	73	7	4	2	86
11.	Falelatai and Samatau	34	5	5	1	45
12.	Lefaga and Faleaseela	91	6	2	5	105
13.	Safata	66	1	2	0	69
14.	Siumu	33	1	2	2	38
15.	Falealili	43	0	2	1	46
16.	Lotofaga	10	1	1	0	12
17.	Lepa	10	1	1	2	14
18.	Aleipata Itupa i Luga	4	0	3	0	7
19.	Aleipata Itupa i Lalo	26	2	0	2	30
20.	Vaa o Fonoti	20	0	2	4	26
21.	Anoamaa Sasae	43	1	3	1	48
22.	Anoamaa Sisifo	16	0	2	2	20
23.	Faasaleleaga Nu.1	171	17	10	6	204
24.	Faasaleleaga Nu.2	92	2	12	4	110
25.	Faasaleleaga Nu.3	24	1	4	0	29
26.	Faasaleleaga Nu.4	22	5	4	2	33
27.	Gagaemauga Nu.1	44	2	5	3	54
28.	Gagaemauga Nu.2	63	7	2	2	73
29.	Gagaemauga Nu.3	30	19	0	0	49
30.	Gagaifomauga Nu.1	22	1	2	0	25
31.	Gagaifomauga Nu.2	29	2	0	2	33
32.	Gagaifomauga Nu.3	6	2	0	2	10
33.	Vaisigano Nu.1	12	1	3	1	17
34.	Vaisigano Nu.2	16	1	1	2	20
35.	Falealupo	12	2	1	2	17
36.	Alataua Sisifo	116	10	11	0	137
37.	Salega	45	4	3	1	53
38.	Palauli Sisifo	36	4	9	0	49
39.	Satupaitea	33	2	0	1	36
40.	Palauli Sasae	53	4	5	6	68
41.	Palauli le Falefa	30	2	0	1	33
	TOTAL	1736	138	133	76	2083

In this context, transnational Samoan matai must create challenges in the religious and secular spheres and not accept meekly the increased pressure of adhering to arbitrary authority. At the same time though, this comparative advantage is driven by their commitment to achieve peace and harmony, not only for their families in transnational spaces but also for a transnational tenet of faamatai expressed by research participants as “to be lima malosi and loto alofa” (to have strong hands and a loving heart) which delineate the effective and affective ties to being a matai and the faamatai practised in transnational spaces (Anae et al. 2016). In these illustrative injunctions, we see the emergence and resurgence of a moral and ancient ethical code – o le ala I le pule o le tautua. This research shows that major cultural fundamental changes resulting from the impact of globalization are still anchored in the intensification of traditional widespread Samoan faamatai practices, which enables transnational matai to develop Samoa from afar.

### **O le ala i le pule o le tautua: Ethnographic Data**

Based on ethnographic data from my Marsden Research Project (Anae et al. 2017) and findings based on a survey of faamatai experiences completed by 550 transnational matai, the sacred tenet of Samoan faamatai leadership – O le ala i le pule o le tautua – will now be discussed. Transnational faamatai experiences/ meanings and attitudes are important indicators of the sustainability of faamatai and faasamoa (Samoa culture) in transnational spaces and ultimately in Samoa and should be acknowledged.

The literal translation of o le ala i le pule o le tautua is “the way to power is through service.” Pule infers secular authority and economic strength (malosi) and is the effective tie; tautua is to serve with reverence and dignity (mamalu) and is the affective tie.

### **Knowledge of Faamatai**

*The title only has meaning if the family is together. . .otherwise it's an empty symbol.*

A strong theme emanating from the data is that of “the reluctant matai.” Most matai preferred to stay at the back “cooking the pig” – the work of untitled men of the village – rather than take on a matai title. Many hesitated and procrastinated about this important decision before deciding to take on matai titles. Almost all matai participants recalled this “reluctancy” but still decided to accept the call from aiga in Samoa.



## “The Reluctant Matai” Findings from Marsden Project Survey

# The Reluctant Matai

### Qualities of a Matai

According to **Matai**, the top five qualities of being a matai are:

Being <b>respectful</b>	<b>88.6%</b>
Being <b>understanding</b>	<b>86.6%</b>
Being <b>Humble</b>	<b>86.1%</b>
Being a good <b>decision maker</b>	<b>85.2%</b>
Being strong to <b>lead with love</b>	<b>84.9%</b>

The bottom five qualities of being a **Matai** are:

Being <b>rich</b>	<b>7.3%</b>
Being raised in <b>the village</b>	<b>20.4%</b>
Having status in <b>the church</b>	<b>20.4%</b>
Having status in <b>the community</b>	<b>31.1%</b>
Being good with <b>money</b>	<b>37.5%</b>
Speaking <b>fluent Samoan</b>	<b>60%</b>

### Reasons for becoming a Matai

**74.5%**

Family wanted them to become one

**20%**

Of **Matai** wanted to become one

**65.5%**

Wanting to **serve** one's Family

### Understanding Faamatai

A majority of **Matai** believe that the faamatai is about **servicing** their family

**85.6%**

This is followed closely by **servicing your village**

**76.9%**

### Being a good Matai

**62%**

Believe they're good

**7%**

Don't think they are

**31%**

Are not sure if they are

### Reasons for NOT being a good Matai

Of those who considered themselves as NOT being a good **Matai**, half said it was because they don't attend family events and gatherings.

Just under half **46%**

said it was because they can't speak Samoan and don't participate in family faalavelave.

### What makes a good Matai

**92.5%**

They have **respect** for their family

**88%**

They **listen** to their family

**78.4%**

They **contribute** to family faalavelave

Being fluent in the Samoan language and having oratory skills are much lower reasons for being a good matai with **51%** and **33%** respectively.

### Are you respected as a Matai I fafo?

**63%** of **Matai I fafo** believe they are respected.

**82.6%** believe they are respected because they respect their families back

**72.6%** believe they are because they listen to their families.

Most feel no respect due to **not attending family events**, **contributing to faalavelave** as well as **not being able to speak Samoan**.

### Are you respected as a female Matai



**84%**

Believe they are



**16%**

Believe they aren't



Reasons for accepting their matai titles varied, but all participants had a strong sense of their service to the village, family, church, and the Samoan community where they lived and in Samoa. Many expressed that their reason for accepting titles was for love of mother or father. Other common reasons for accepting were because the title acknowledged their service and support for faasamoa, to honor a parent's wish to take on a title, and to help their family. Some saw being a matai as exciting, a blessing from God, or a chance to use leadership skills from careers in the military or public service. Many resisted initially but changed their minds because of family wishes, the death of a parent, or the need to help in a family emergency like the 2009 tsunami.

Growing up, all the men knew about faasamoa and faamatai, was the work - the umu (oven), killing the pig, and other feau (work). For most, their first real education was serving a matai, usually their father. Service was "being a good son," learning by watching and doing rather than talking. The women usually learned from a parent, especially if their mother was a matai, but also from taking on leadership in their communities overseas, especially teaching the Samoan language and customs.

Being a good matai was seen as "taking care of your family so they're happy" rather than exercising power. For another "the power of the matai [is to] develop your family." It was also important for matai overseas to tautua mamao (provide service from afar) to be "loved" when they return to Samoa. A transnational matai also needed to understand and combine faasamoa and democracy. The women also stressed the need to understand "path of the matai" – having the right attitude, ethics, language, and respect.

## **Tautua**

Tautua or service was seen as the most important requirement of a transnational matai. One young matai described it as the "best part" of Samoan culture. A pioneer matai agreed but lamented that "money carries more weight" than actual physical service.

For the pioneer generation, tautua embraced a range of community and church activities – organizing flag days and other anniversary celebrations; setting up cultural and language programs, radio and TV programs; hosting official delegations from Samoa; and raising help for villages. For the younger matai, showing respect for elders was important. Those born overseas tended to focus their tautua around the church. Their lack of confidence with the language and lack of extended family nearby were cited as reasons for them being less involved as matai at family occasions.

Support for family and villages in Samoa and elsewhere was an important part of tautua for all the matai. Tautua included leading the extended aiga monotaga (traditional contributions to the village or to family social obligations) and faalavelave (service in terms of money, time, hosting, and visiting during ritual occasions) for weddings, funerals, and "Church things."

Faalavelave at a distance from family and villages in Samoa caused misgivings for many overseas-born and raised matai. For some, it was a "burden," with relatives in the islands making excessive demands for excessive spending on funerals or not being

honest about what the money was spent on. But one young matai felt those who complained did not understand faalavelave was reciprocal and a way to “work together so then the work load is easier and lighter.”

## Intergenerational Challenges

### Loss of Knowledge of Faasamoa and Faamatai

This was identified as the most important challenge by both older pioneer (original migrant generation) and younger matai. Incompetency in tautala faasamoa, Samoan language, was seen as the biggest problem for a matai raised or born overseas. One pioneer matai felt “kids are hesitant” because they did not know the correct “respectful language” required by matai when speaking and by others when talking to them. A younger matai admitted he hesitated over accepting a title because of the injunction to “educate your mouth first before becoming a chief.”

Younger matai gained confidence from speaking at church, learning from elders and at family faalavelave. Some enrolled in Samoan language classes or memorized from books. The absence of village meetings outside Samoa also contributed to the lack of understanding about the faamatai. Classes were a poor substitute for learning “from observing, on top of service.”

As a result, young Samoans overseas felt “being a matai brings hardship.” Many were turning their backs on faasamoa and faamatai because these were perceived as being just about faalavelave and giving money.

### More Alii Titles

A trend identified by some participants was for transnational matai and women matai to be given alii (sacred chief) titles rather than tulafale (orator chief) or speaking titles. It was seen as further constraining young matai whose “faasamoa is weak” from taking part in discussions and decisions. Some female matai suggested it reflected views that women needed to be protected from potential political conflicts as tulafale or that the faamatai was the domain of men.

## Transformations

### The Church

*For countries overseas there are no villages, so the church is the village.*

As substitute villages, the churches were seen by the pioneer generation as the “the backbone” for maintaining the faasamoa and faamatai and passing them on to younger generations. There was a symbiotic relationship between pioneer matai and faifeau (Church ministers) of the various denominations. However, younger matai had concerns. Although the churches were “the primary school where you’ll be educated and advised . . . how to speak formally,” if they did speak, they risked public criticism for their lack of Samoan language and knowledge of the faasamoa. Misgivings were also

expressed about the churches' influence over faasamoa and faamatai and the lack of coherence with practices in Samoa. One younger matai felt the villages and the chiefs "don't really have a say anymore because priorities are firstly given to the leaders of denominations . . . they act as if they're chiefs in the village."

## Women as Matai

The women matai expressed strong views about difficulties being recognized as "real" matai.

They themselves believed their titles reflected "ability" and "because the elders have faith in me." The main obstacles were from male matai who were "ignorant" about why female matai existed and from those who did not believe female matai should exist at all. Living overseas had provided ways to challenge such attitudes that would perhaps be unavailable in Samoa. In Hawaii, for example, a female matai used her Samoan radio program to challenge a male matai who had told a female tulafale she could not speak at a wedding.

Some of the women matai were acknowledged by their male counterparts for their leadership and strong service, particularly for promoting Samoan language and customs. A pioneer matai said opponents of female matai would do well to remember Salamasina, "one of the greatest traditional leaders in Pacific history," whose era marked "a moment of peace [and] the flowering of our race in voyaging and building fales (houses) and all of the art forms and the medicine."

Fiti-Sinclair et al. report the presence of cultural obstacles to women's political participation in villages (Meleisea et al. 2015). This found that although most villages in Samoa do not formally or overtly discriminate against women matai, there are barriers of Samoan "custom and usage" to women's participation in village government.

Few women matai sit in the village council (fono), but those who do so have a better chance to make themselves known as decision-makers in the community. In some villages there is an unspoken convention that male matai are the decision-makers, so women who want to take a public role in politics (compared to advising their menfolk privately) need to be quite courageous in taking their places and speaking in the councils (ibid.: 48).

Some also referred to the importance of holding a title of high rank and seniority as a consideration for a person aspiring to become an MP. This is because a senior, high-ranking title carries more prestige than a more minor matai title and can be more influential, they said. The issue of seniority was alluded to by one of the candidates, who said that while she attended the village council, she did not speak, in deference to a senior holder of the same title as her own who had that prerogative. These cultural considerations are very important in the Samoan system of politics and governance.

The women matai participant narratives argue that being overseas has opened up new opportunities for women matai not available in Samoa. For women matai in Sydney, Hawaii, and San Diego, one of these opportunities is the overt exertion of her pule (secular authority), malosi (economic strength), mana (spiritual power), and mamalu (reverence, dignity, and social power) in the absence of a traditional "village" and thus male-dominated village councils and suffocation of the

dominance of churches and faifeau (Anae et al. 2016). In essence the transnational space away from Samoa provides the opportunity for the revitalizing of Samoan women matai as leaders of Samoan transnational communities (Anae 2017).

### **New Forms: The Atoalii in Hawaii**

A unique development of the faamatai in Hawaii is the Atoalii, formed in the early years of Samoan settlement there and whose members act in similar ways to village matai in Samoa. Initially the council was instrumental in organizing faalavelave, annual flag days, hosting visiting Samoan groups, and working with social agencies to help with Samoan youth. But the Atoalii's prominence has faded in later years amid disagreements over the acceptance of government money to run flag days and the Atoalii bestowing some matai titles on members.

### **The Future of Faamatai**

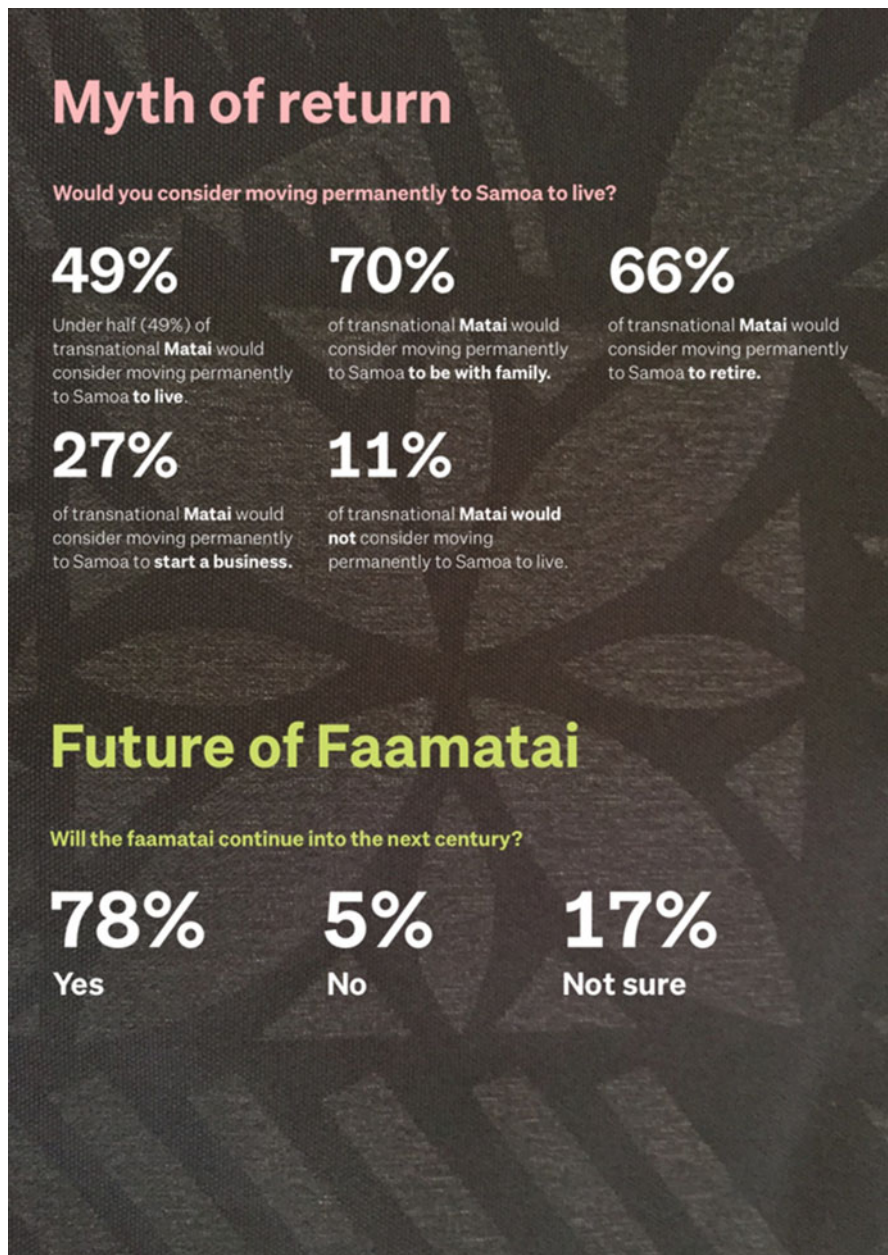
Some participants were pessimistic. One younger matai feared the faamatai was “tottering on the edge” because of arrogance by some matai. One pioneer matai suggested faasamoa would be overwhelmed by “the American life,” and “after the old generation is gone, the children will not have anyone to listen to.” But most believed the faasamoa and faamatai would survive outside Samoa, because “we are the faasamoa. . . that’s part of who we are.” One younger matai felt it would survive but “require much more to maintain it . . . financially.”

Reinforcing that the faamatai could not be separated from duties to Samoa was important for some pioneer matai. It was essential to maintain Samoa as the “sacred place,” the spiritual source that would sustain faasamoa “wherever we go and no matter how many generations we move.” Among the younger matai, there was more emphasis on the need to respect elders in the aiga and church, and to know that despite hardships – the constant demands on money, time and services, this was the path of a chief. Most felt giving was central to maintaining faamatai overseas and “if you don’t give, then you won’t get blessings. . . matai i fafo need to realize this.”

Some pioneer matai suggested changes to the way transnational matai were chosen and trained. Aiga should define the qualities needed to be a good alii or tulafale, then identify a young person, and “shape and mold” them for the role instead of “conferring to somebody in his eighties and then you know five years later. . . it’s all over.” It should also be the “best Samoan not the best male Samoan . . . gender is irrelevant.” As well, young overseas matai or matai-in-waiting could be sent back to Samoa “to do the village life, to learn.”

The best way forward agreed by all participants was to teach younger generations born overseas about Samoan aganuu (customs) and language and, especially, the faamatai – to “implement the power of the matai, that’s the power of the matai [to] develop your family.” The need to teach Samoan language from preschool age to university level was stressed by several matai, as was the need for parents to “force” their children to speak Samoan.

## The “Future of Faamatai” Survey Findings



Criticism of matai outside Samoa for eroding faasamoa and not practicing “real” faamatai drew differing responses. One younger matai recounted shaking with anger on overhearing criticism from matai in Samoa, which he put down to them being

“jealous because we were able to sustain the culture outside of Samoa.” One pioneer matai observed he had seen “more erosion in Samoa than I saw outside of Samoa . . . so I see more integrity trying to preserve our faasamoa [overseas].”

This is a very salient observation given that the *Samoan observer* has been documenting crucial attacks on the faamatai in Samoa propelled by global pressures, sociopolitical upheavals through legislation, the Lands and Titles Court, and research directly impacting sa’o (paramount chiefs), monotaga (contributions to village of title), tautua, and Samoan custom. In 2015, the customary institution of matai sa’o was investigated by enquiries by the government of Samoa through its Law Reform Commission into the viability of the status of matai sa’o. Traditionally a matai sa’o was the sole head of an extended family owning common property, possessing authority over its members including holders of other matai titles belonging to that family. Meleisea suggests that the government’s interest is very likely to be related to legislation passed subsequent to the Land Titles Registration Act 2008, such as the Customary Land Advisory Commission Act (CLACA) 2013, which makes it easier for customary lands to be leased (Meleisea 2017). This legislation suggests that a matai sa’o may authorize a lease on a portion of customary land appurtenant to his/her title on behalf of the extended family. This complicates the current situation whereby multiple holders of senior titles that have the status of matai sa’o are living in the village to which the title is associated, or in other places in Samoa, or in transnational spaces, and the issues in defining Samoan custom (ibid.).

Transnational matai experiences of faamatai, development, and the transnational framework are particularly useful as it allows for an integrated analysis of the relationship between social and symbolic ties, physical, metaphoric return, and repeat returns and the transfer of people, goods, and money between transnational corporations of kin, matai, and Samoa. The transnational framework (Faist 1997, 2000 cited in Mangnall 2004) proposes that a migrant’s choices of physical or metaphoric return – whether to stay, return, or visit – are conditioned by their symbolic and social ties to host and origin countries. At the same time, those transnational and local social ties can be used to transfer human, financial, cultural, and other kinds of capital to the origin country through physical and metaphoric and real return via repeat visits.

All the key elements for the transnational framework – physical and metaphoric return, social and symbolic ties, various kinds of capital – are to be found in the participant narratives and survey responses presented above. They describe many kinds of physical return between Samoa and their host societies, including sporadic and regular visits, and more importantly reasons why the faamatai and matai identity is important to them. As leaders of families in the transnational space, this makes them doubly responsible for personal as well as familial tautua to their families in Samoa and across the globe. Their leadership roles are more significant among women matai. The narratives describe metaphoric return activities designed to keep ties to the homeland and maintain Samoan culture and identity through education programs, language preschools, church services, community groups, phone calls, and letters. Local and transnational social ties are forged by matai

participants including spouses, children and grandchildren, individuals, and groups in the community such as churches, social, and sports groups.

Samoans and matai across the diaspora still express their migration in terms of *tautua* – an obligation to *aiga* – everywhere. *Aiga* encapsulates migrant identity and facilitates a wide range of overt functions, such as raising money, providing housing and employment, coping with life crises, and giving its members the security of living in a traditional, secure, well-loved group (Pitt and Macpherson 1974). Gough makes the point that not only is commitment to the traditional institution of *aiga* one of the major motivations behind migration but also that its replication across the diaspora is also one of the key reasons Samoans have been able to establish such successful diasporic communities and, ultimately, why these communities flourish. Samoans both personally and as part of a kin group led by their matai represent Samoa's comparative advantage; Samoans engaged successfully in the world economy in unique ways while retaining faithful links to traditional practices. Cultural practices based in a tradition have provided the framework for their engagement, enabling the comparative advantage that Samoa needs in order to ensure a sustainable future in a globalizing world.

Gough points out that Samoa's engagement in the globalized world, no matter how seemingly successful to date, is not without risks. Continued engagement is dependent on market opportunities and favorable migration policies of labor-importing countries; moreover the lives of transnational Samoans are now entrenched in the diaspora (2006: 91). Globally, they are considered "labor migrants," and the remittances they send home form part of the estimated \$65 billion per annum that is returned to labor-exporting economies (Kane 1995). In the case of Samoa, between 30% and 50% of the GDP of the country, more than all the exports and aid, is remitted each year. Opportunities to participate in the global labor market have boosted per capita GNP and, as a result, assisted development in Samoa. Community services and opportunities, like access to health services and education, have broadened significantly.

There are costs however, like changing consumption patterns. When people favor imported food over local produce, this threatens to undermine local market opportunities. Moreover there are "long-term social and cultural implications" which need to be balanced against the benefits. There is also a strong argument too that emigration hinders development because of brain drain and skill export (Ahlburg and Levin 1990 cited in Connell 2003). There are pressing issues concerned with modernity on Samoan society, such as social disturbances, alcoholism, physical/sexual abuse, rise in crime, "unrest" among the youth, and suicide.

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## Conclusion

In their effort to negotiate the global economy through *aiga* links and transnational corporations of kin, Samoans have created a meta-Samoa with links across a well-established diaspora. Their competitive edge is founded on three key aspects of Samoan life: firstly, the acculturation of mobility; secondly, the remaining true to one



of the key tenets of faasamoa, the welfare of the collective (Gough 2006:39); and thirdly, a leadership/faamatai, which intent is on attaining and maintaining peace and harmony for aiga and for Samoa. By participating in Samoan life across the diaspora, Samoans reinforce their relationships and fulfill their obligations and commitment to extended family and village. At the same time that they are becoming socioeconomically and politically successful in their countries of birth – the western metropolises – they are reproducing the social relations that ensure the reproduction of faasamoa. By doing this, they are demonstrating their comparative advantage in a neoliberal world.

Of course there are limitations. A strong remittance economy is a fragile economic MIRAB strategy (Bertram and Watters 1985, Bertram 1998) which depends on positive market forces and friendly migration policies and relies on an ongoing ability to balance the dialectical relationship between western acculturation aspects of the individualism associated with participating in a neo-liberalized world and the collectivism of the faasamoa. But more importantly the most crucial limitation is that diasporic Samoans are severely constricted in their practice of the faasamoa in terms of deep interaction with the homeland. Their faasinomaga (identity) has been compromised by their contexts and for some may only exist in remittances to Samoa. Nevertheless they still see themselves as “Samoan” and identify strongly with the faasamoa, thus creating transnational nodes of this meta-Samoa. However, homeland Samoans may not see them as such. Despite diasporic remittances and the tourism dollar being a large part of Samoa’s economic albeit fragile sustainability, “real” Samoans for them will always be those who are born in Samoa and who are rooted in their faasinomaga and who are physically “seen” to be serving their aiga, villages, and country in Samoa. Thus it depends on the ability of the Samoan diaspora to face these challenges with strategic foresight.

By emplacing pule and tautua within a transnational framework, migration as development with repeat returns and as transnational expansion of leadership through “transnational reincorporation” economic, political, and social mechanisms has been created which enables transnational matai to participate in Samoa’s development process over the long term and from afar. Transnational faamatai experiences/meanings and attitudes encapsulated in the research findings and data are important indicators of the sustainability of faamatai and faasamoa in transnational spaces and ultimately in Samoa and should be acknowledged.

Having no control of erosion some say corruption of faamatai customary practices happening in Samoa, transnational matai are nevertheless continuing to value and act on their tautua to their diasporic Samoan communities, their families, and Samoa through their loto alofa ma lima malosi affective ties. Affective ties are much more than merely emotional ties. They are ties which produce effective action through remittances of comprehensive cash flows which are driving Samoa’s development. Aiga cash remittances, “tourist” dollars and visits, saofai contributions, aiga reunion, and funeral contributions are providing the bulk of Samoa’s development capital. Despite complaints of transnational Samoans and matai reading articles in *Samoa Observer* about challenges to faamatai from the Government and Land and Titles Court in Samoa, very few transnational matai have totally departed from its



practices. It is an integral part of their lives despite its alleged faults and ambiguities, and Samoa's sustainable future depends on it.

Soifua.

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## Cross-References

- ▶ [Ethnic Migrants and Casinos in Singapore and Macau](#)
- ▶ [Ethnic Minorities and Criminalization of Immigration Policies in the United States](#)
- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [Greek Identity in Australia](#)
- ▶ [Historical Memory and Ethnic Myths](#)
- ▶ [Indian Diaspora in New Zealand](#)
- ▶ [Indian Indentured Laborers in the Caribbean](#)
- ▶ [Italian Identity in the United States](#)
- ▶ [Migrant Illegalization and Minoritized Populations](#)
- ▶ [Museums and Identity: Celebrating Diversity in an Ethnically Diverse World](#)
- ▶ [Romanian Identity and Immigration in Europe](#)

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# Migrant Illegalization and Minoritized Populations

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Paloma E. Villegas and Francisco J. Villegas

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## Abstract

This chapter reviews literature on the production of migrant illegalization – the identification of immigrants/migrants and those imagined as immigrant/migrant as not belonging and a threat to the nation – and the ways it affects minoritized populations. It employs an intersectional framework to connect the ways immigration status, race, gender, and class converge to define specific populations as “other” and illegalized. It also proposes moving away from binary framings of immigration status, given the multiplication of temporary and precarious statuses globally that produce temporally and spatially specific contexts of precarity. Although socially produced, migrant illegalization has material effects that define individuals as disposable through forced removal or the creation of internal borders that “deter” or produce inhospitable migration contexts. Therefore, migrant illegalization contributes to the local (internal) and transnational

P. E. Villegas (✉)

Sociology, California State University, San Bernardino, CA, USA

e-mail: [paloma.villegas@csusb.edu](mailto:paloma.villegas@csusb.edu)

F. J. Villegas

Department of Anthropology and Sociology, Kalamazoo College, Kalamazoo, MI, USA

e-mail: [francisco.villegas@kzoo.edu](mailto:francisco.villegas@kzoo.edu)

development of borders. Finally, the chapter highlights the ways migrants and their allies mobilize to counteract illegalization and construct safer contexts of reception.

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**Keywords**

Borders · Precarious immigration status · Citizenship · Deportability · Deservingness

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## Introduction

Migrant illegalization involves a set of processes and projects that identify particular individuals as not belonging to a nation-space because of their real or presumed immigration status. These categorizations facilitate the deportability of migrants (the ever-present possibility of deportation) (De Genova 2005; De Genova and Peutz 2010) as well as their exclusion from social goods (Goldring et al. 2009). While it is mainly discussed in relation to juridical status and the law, the complexities and consequences of migrant illegalization are far-reaching and involve discursive and affective circulations in which differently situated actors participate to enforce social exclusion. For instance, individuals, through their implicit and explicit deputization, can contact immigration enforcement. They can also act as gatekeepers and participate in the enforcement of categories of belonging. These bordering practices uphold the external and internal boundaries of the sovereign state and categorize those deemed to belong or merit recognition. In this way, the space of illegalization is any location that dictates differential membership given the population's immigration status. However, illegalized migrants and their allies negotiate and challenge migrant illegalization, albeit in limited ways. This chapter focuses on the ways migrant illegalization is produced in specific contexts (primarily North American and Europe) and how racialized and minoritized migrants experience its effects.

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## Of Binaries and Multiplicities

Migrant illegalization is socially produced and embedded in the lives of migrants, their communities, popular discourse, the law, and media representations (De Genova 2005; De Genova and Peutz 2010; Goldring et al. 2009; Menjívar 2006; Gonzalez and Sigona 2017). It is an active process rationalized through the acceptance of sovereignty and nation-state borders as natural and commonsensical despite the fact that nation-states and borders are not natural entities; they are produced through conflict, dispossession, and negotiation. This essentializing of sovereignty and borders allows nation-states to determine rules for membership including who can enter, the conditions for entry, and when someone must leave. As a result, migrants are imagined to have contravened nation-states' sovereignty when they do not have the appropriate documents to reside or work in a country. As discussed

below, this process is influenced by forms of racialization and other interlocking forms of oppression.

The pejorative term “illegal immigrant” is often a starting point to think through the social production of migrant illegalization. Its use contributes to the circulation of criminalizing discourses, about immigrants/migrants and those identified as immigrants/migrants, through narrow conceptions of membership as well as stereotypes and profiling practices. Examples range from slogans about immigrants/migrants taking citizens’ jobs, health care, and other services to their presumed inherent criminality and lack of morality (Cacho 2012; Chavez 2008). While research consistently shows that noncitizens generally engage in less criminal activity than their citizen counterparts (Light and Miller 2018), the conflation of undocumented with “criminal” or “immoral” persists and works to legitimize the exclusion, exploitation, and deportation of migrants. These processes of criminalization therefore align with the reality that the end goal for nation-states is not to exclude everyone. Instead, states seek to manage docile migrants and funnel them to labor demands. Illegalization works to control the ways such migrants negotiate their rights and ability to complain about exploitation. And, immigration authorities can make an example of some migrants by vilifying and deporting them when their laboring bodies are no longer needed or when aiming to curry political goodwill.

The media is an important institution for disseminating ideas about immigrant/migrants (Santa Ana 2002; Nevins 2002; Chavez 2008; Goldring et al. 2009). Often depicted as neutral and objective, media editors make decisions about terminology and reproduce state and popular categorizations of migrants, e.g., the “illegal immigrant.” Such coded language is often deployed as a means of signaling specific emotions about migrants including their construction as “threats” to be feared or exploited and pitied. Stories repeat “official discourse” and circulate ideas of “illegal” migrants engaging in “criminal” activity, “stealing” citizen jobs, or “floods” and “waves” of immigrants/migrants “threatening” the nation’s border. Alternatively, stories of suffering migrants toiling long hours produce images of pity and abject existence. And, depictions of youth with exponential potential facing the “burden” of having migrated with their parents seek to depict precarious status migrants as exceptional and valuable to the nation. However, while these discourses seek to provide alternative representations, they reinforce migrant illegalization and one-dimensional representations. For instance, not all migrants can fulfill the ideals of the young *dreamer* given the various borders experienced in their daily lives.

Illegalizing terminology is often contrasted to the citizen or permanent resident, producing a binary understanding of citizenship and non-citizenship (Goldring et al. 2009; Menjívar 2006; Gonzalez and Sigona 2017). Examples of binary framings include “illegal”/“legal,” legal/extralegal, citizen/alien, status/non-status, regular/irregular, authorized/unauthorized, and documented/undocumented. While these categories are useful to examine the production and development of juridical statuses as well as those constructed through anti-immigrant and pro-immigrant discourses, the reality of immigration status is more complex.

Significant variability exists in the ways migrants are illegalized across the globe; however, the law is a fundamental aspect of the process. The law, like nation-states,

is not inherent; it changes over time and produces new or different legal categories that illegalize people. As a result, illegalization is not only reserved for the undocumented; some people are not citizens or permanent residents but are also not fully “undocumented.” Illegalization can also affect permanent residents and citizens (Coutin 2007; Zedner 2016).

Instead of a binary relationship to status, migrant illegalization signals a spectrum of “less than full” immigration status or non-citizenship (Goldring et al. 2009; Goldring and Landolt 2013). Migrants can experience “partial or incomplete forms of status” (Gonzales and Sigona 2017), “liminal legalities” (Menjívar 2006), semi-legality (Kubal 2013), precarious immigration status, or precarious legal status (Goldring et al. 2009; Goldring and Landolt 2013). These conceptualizations point to the variability and multiplication of status categories and how they influence a person’s relationship to the state, its legal institutions, labor markers, social services, and communities. In fact, “citizenship and alienage may be best understood as two key figures of a spectrum of bordered identities – categorical distinctions among different sorts of people configured in relation to territorially defined states by the differences in space produced by borders” (Gonzales and Sigona 2017, p. 11).

Several pertinent categories merit further discussion. First, the term undocumented is often used to refer to individuals who cross borders undetected and/or live in a country without legal rights to stay, work, and access social goods. A dominant example is Mexican migration to the USA, which is imagined to occur through land borders. However, undocumented migrants can arrive with temporary legal status (e.g., a visa) and then lose that status, meaning that some undocumented migrants are not lacking in documents but instead have lost legal rights due to a shift in status. Sometimes undocumented migrants are referred to as non-status, irregular, or extralegal although the categories can be taken up differently depending on the geographic and social context.

The second category involves asylum seekers or refugee claimants who seek protection due to varied types of persecution and displacement. Their status is often organized through international bodies like the UNHCR or national asylum systems. However, asylum seekers/refugee claimants often find difficulty having institutional systems understand their experiences *as* persecution, often a state strategy to restrict refugee flows and “send a message” to potential claimants to not follow suit. Asylum seekers/refugee claimants are often depicted by politicians and the media as “frauds” seeking to take advantage of nation-state services. This manifests through the language of “bogus” claimants (Zetter 2007). They also often face carceral systems in camps or detention centers while their cases are being heard resulting in additional forms of violence and temporal limbo (Vaughan-Williams 2015; Chak 2014). If their claims are refused, they can also become undocumented and deportable.

The third category includes temporary migrant workers who are “invited” to work in a country for set amounts of time and with set restrictions, often also referred to as “guest workers” or circular migration (Castles and Derya 2014). Because of their immigration status, which is often tied to their employment, they often cannot access the same rights and entitlements as citizens. If they lose work eligibility or stay beyond their permitted time, they can become undocumented (Calavita 2005).

Temporary permits are often organized under “skilled” and “unskilled” categories. The former provides more rights and the possibility of access to permanent residence (see, for instance, H1B visa in the USA or Temporary Foreign Worker Program in Canada). Under class-based, gendered, and/or race-based rationales, the latter often prevents access to permanent residence and promotes the production of a revolving door of global disposable migrant workers.

Binary framings of status fail to capture these realities. They also do not illustrate the ways migrants can shift immigration status categories across space and time, what Goldring and Landolt (2013) refer to as legal status transitions. In fact, Goldring and Landolt (2013) conceptualize these “legal status transitions” through the concept of “chutes and ladders.” Alluding to the children’s game, they illustrate the upward and downward trajectories possible for migrants and the rewards and punishments associated with each, also pointing to the fact that reaching secure status is a time-consuming, expensive, and intensive process for many, producing a long-term liminality or temporariness (Vosko et al. 2014). Common examples include transitioning to undocumented or no status, a downward trajectory in terms of protection from deportation and access to certain social goods. For instance, a temporary migrant worker may lose their status and become undocumented. Or, a refugee claimant may receive a negative decision, face deportation, and make the difficult decision to stay in the country undocumented. Alternatively, moving to a more secure status may involve significant bureaucratic knowledge to navigate governmental red tape (Calavita 2005), financial investment, and often luck. A commonality among these legal status categories is the possibility of deportation. And, the multiplication of illegalizing categories and migrants’ legal status transitioning also produce new opportunities for nation-states and other intermediaries to attempt to remove migrants who may have had secure status, including recent trends to deport permanent residents and citizens (Coutin 2007; Zedner 2016).

While some statuses provide temporary protection from deportation (for instance, Temporary Protected Status and Deferred Action for Childhood Arrivals in the USA), the possibility of deportation is ever present and menacing for illegalized migrants. Furthermore, deportation can also work to discipline them (De Genova and Peutz 2010), making them less likely to demand employment rights and social services to which they are eligible and control their day-to-day interactions. Deportability occurs through the public performance or spectacle of deportation: through media coverage, conversations of punitive raids, and arrests. Furthermore, an infrastructure to detain and manage deportable migrants has been produced through the growth in the immigration industrial complex and crimmigration, which seek to link the criminal justice system and local policing authorities with immigration enforcement, often also linked to private for-profit policing enterprises (Stumpf 2006).

Deportability also depends on the concept of conditionality. As Goldring and Landolt (2013) note:

Conditionality has two dimensions. It refers to the insecurity and contingency surrounding an individual’s ongoing presence, and includes the formal and practical conditions that must



be met in order to retain some form of legal status and/or remain present in a jurisdiction. It also refers to the uncertainty of access: to the multi-actor negotiations required to secure resources or public goods, whether these are formally defined as a right of the precarious non-citizen or not. (pp. 3–4)

The conditions that must be met depend on a person's specific immigration status category. For instance, a temporary migrant worker must keep her work permit valid to continue to have her (precarious) legal status. This often makes her presence and status contingent not only on the immigration system but on her employer. Someone seeking a spousal sponsorship is dependent on the spouse agreeing to fulfill the application as well as the immigration system and the possibility of eligibility requirements changing. Access to social goods can be dependent on gatekeepers and allies, as discussed below in reference to internal borders.

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## **Race, Gender, Class, and Illegalization**

Illegalization is affected by power structures and intersecting social locations. To be identified as other involves a process that outlines the parameters of belonging and non-belonging. In the context of migration, the intersections of race, gender, and class connect in ways that situate particular bodies as outside the national character, depicting them as inherent threats, as antithetical to the nation, or as a potential "burden/charge." There is a long history of theorizations and legislation sensationalizing the movement of non-dominant bodies in the Global North bolstered by eugenics, deficiency theories, and ideas about such bodies carrying a culture of poverty (Ngai 2004). Resulting representations become the justification for increased bordering and illegalizing practices as well as draconian measures to "deter" migration, often by redirecting migrants into crossing locations that can endanger their lives such as deserts and the open sea.

Migrant illegalization is inherently racialized. It is a process whereby the category of migrant is automatically imagined as racialized body in a Global North context (Dei 1996; Li 2001). Stephen Castles (2010) notes that there is a significant difference between the act of migration and the ability to engage in mobility. In large part, the latter refers to collective human movement imagined as skilled and desirable and the former as the flows of "unskilled" racialized laborers. Migration also takes a geopolitical and spatial character as it often involves movement from South to North, whereas mobility often relates to the ability to cross borders when privileged by the power of citizenship and cosmopolitanism in a northern nation. Castles' conceptualization of migration is key to analyzing the types of anxieties present in discourse in the Global North regarding the movement of poor and racialized peoples across its borders. This can include discourses regarding Mexicans and Central Americans in the USA, Syrians and Turks in Germany, Jamaicans in Canada, and North African migrants from previous colonial territories in England and France. It also affects the racialization of refugee claimants, who often come from Global South countries. Finally, temporary migrant worker programs are often

rationalized through the logic of supporting the development of poor Global South nations by recruiting workers to the Global North.

The fear of the “browning of the nation” (Santa Ana 2002) also manifests through vigilantes along the border and other overt white supremacist mobilizations, demands to remove birthright citizenship, calls to build physical obstacles across borders, and the denial of social services for migrants already in the country. While the use of pejorative discourses such as the “anchor baby,” “birth” and “health tourist,” and “bogus refugee” and depictions of abusive and violent migrants may not reference a clearly defined racial category, they inherently carry a racialized understanding of migrant bodies as constituting a threat to the national well-being.

The configuration of the “other” is also linked to colonial expansion projects and their justifications for genocide, chattel slavery, and displacement (Goldberg 2004). These processes are not only features of the past; they carry contemporary reverberations. For example, in the context of North America, they manifested in the ways colonial logic categorized Black and Indigenous peoples as subhuman. They are also present in the development of laws banning the migration of particular peoples in North America such as Chinese Exclusion Acts and Gentlemen’s Agreements and continuous raids to remove Latinx migrants and citizens from the USA, including the *braceros* between 1940 and 1960 through campaigns like Operation Wetback (Ngai 2004). Through these moves, the state identified particular communities as a threat to the nation and mobilized race to inform these practices.

One lens to think through the co-constitution of racialization and illegalization involves racial capitalism. Racial capitalism is a theoretical analytic used to explore the accumulation of capital as inherently linked to processes of racialization and racial exploitation (Robinson 1983). While capitalism has used the language of liberalism and democracy to produce a seemingly raceless process of capital circulation and accumulation, race has been and remains fundamental to its workings, from the inception of European colonialism to contemporary neoliberalism (Melamed 2015). Migrant illegalization is linked to racial capitalism through the subordination of transnational migrant labor to global capital. While offshoring has led industries to operate and exploit Global South contexts, some labor needs cannot be removed from localized Global North contexts, including the rise in service industries and creative classes in global cities. This produces seeming contradictions vis-à-vis border enforcement and labor protections. As mentioned above, border enforcement cannot be absolute given labor needs across class categories. At the same time, labor protections are limited or not granted to some migrants because they are seen to be contravening immigration law. Given Global North states’ support of racial nationalism and their reluctance to invest in the social reproduction of migrants, they prioritize temporary, precarious, regulated migration (e.g., temporary migrant worker programs) that increases risk and deportability for workers and provides employers and governments more power and control.

Gender is another important factor that influences migrant illegalization (Abrego 2014; Hondagneu-Sotelo 2007). Gender influences the recruitment of temporary migrant workers, the perception of refugee claimants/asylum seekers, and the representation of undocumented migrants. Oftentimes men are depicted as more adept

for arduous physical labor (e.g., construction), while women are seen as more likely to engage in service and domestic/reproductive work (paid and unpaid) (Hondagneu-Sotelo 2007). In fact, scholars refer to the feminization of migration, which involves not only increased numbers of women migrating on their own or as part of families but also the ways these migrations influence the treatment and understanding of migrants. When migrant illegalization is also accounted for, the feminization of migrant illegalization emerges. For instance, women migrants are often represented as “dependent,” “overusing” state services, and critiqued for their reproductive decisions. Gender intersects with race to inform ideas of abuse and violence, often depicting racialized immigrant/migrant women as “victims” and men as sexually aggressive, “macho,” and abusers. In terms of reproduction, discourses circulate about women utilizing their children to gain citizenship in places where birthright citizenship exists (Chavez 2008). This situates racialized migrant women as a “threat” to racial purity through discourses of racial nationalism. Furthermore, regardless of citizenship policy, anxieties about racialized immigrant/migrant women persist because they are seen as physical and social reproductive agents that birth and raise racialized children and pass down their culture, which is often imagined as “deficient.” These discourses contribute to the practice of migrant illegalization.

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## Borders

Borders are fundamental to the study of migration and illegalization. They designate not only the boundaries of sovereign space but also function as a filter delineating who belongs in the imagined community. McLaughlin (2010) states, “the idea of the border can be extended to include the lines that delineate movement and membership both between and within nations” (p. 81). Through iterations of nation-building projects, borders become naturalized and cross-border movement considered a transgression against the nation.

The border is also imagined as playing an important insulating capacity that “protects” those who have been categorized as belonging, what Anderson (2013) calls the “community of value,” from a dangerous “other.” The sensationalized fears of the migrant, driven by the aforementioned intersections of race, gender, and class, facilitate a demand for more stringent border control as a mechanism to protect “citizens” from “dangerous migrants.” In relation to the USA, DeChaine (2012) states that:

public attitudes regarding migrants, border inhabitants, and other border-crossing subjects are conditioned by prevalent narratives and imagery that depict the US-Mexico border as a badlands that is out of control—an unruly space in dire need of containment from the ravages of criminals, illegal aliens, terrorists and other undesirable threats to the national body. (p. 8)

In this way, the border is socially constructed as needing constant vigilance and enhancement and serves a rhetorical purpose as the distinguishing factor between

several Manichean constructs: rule of law and chaos, violence and safety, and the sovereign and the illegitimate.

For example, technologies such as walls, checkpoints, and identification documents are used to legitimate the sovereignty of the national space as well as monitor the movement of goods and people. The use of passports and other technologies of documentation emerged more consistently in the early 1900s to monitor and control the movement of individuals more extensively given increased access to travel (Torpey 2000). Such technologies of documentation have intensified in the ensuing decades, particularly due to discourses of national security. In this context, the border becomes imagined as a protective apparatus that provides safety from the “other” (DeChaine 2012). Implementing such a border requires the law to outline crossing requirements, a police force to implement them, and a citizenry to endorse it. The discourses produced at geographic and external borders are mobile and can “travel” beyond their initial application. Put differently, borders can also become externalized and internalized. For the former, borders extend beyond the geographic delimiting of nation-states through processes of interdiction and externalization (Casas-Cortes et al. 2011). These processes seek international or transnational cooperation among states to interdict migration through the implementation of buffer zones. They may engage third parties to practice border enforcement including airport officials. For example, the Canadian border is present in ports of entry within and outside the nation, including international airports (Pratt 2005). Similarly, many governments have placed penalties on airlines that transport individuals who are rejected at the port of entry, forcing the airline to fly pay for their return flights (Salter 2007).

In comparison, internal borders are those that operate through the policing of migrants, the gatekeeping of important services, and the control of migrants’ mobility on the basis of their immigration status (Willen 2007; Mutsaers 2014; Villegas 2018). Mutsaers (2014) identifies two types of internal border controls: “practices intended to trace, apprehend and deport migrants from state territories. . . [and] aims to exclude migrants from societal institutions and public provision” (p. 6). In terms of the former, policing bodies are increasingly incorporated into the work of immigration enforcement through municipal deputizing in the USA (such as the 287g program in the USA), the use of transit officials to identify undocumented migrants, and the extension of ties between police and border/immigration officials (including the renting of beds in county jails and the holding of uncharged individuals at the behest of immigration enforcement). Some police departments and municipalities have refused to participate in this process, for instance, through the passing of sanctuary policies or revoking prior agreements with immigration enforcement. Other stakeholders cooperate with immigration officials, for instance, through the building of detention centers in marginalized rural places or the passing of punitive municipal policies (Longazel 2016).

The exclusion of undocumented or precariously documented migrants from public institutions also creates boundaries of belonging. Often these services and protections are collectively understood as essential to people’s well-being, such as health care, housing, and schooling, but remain beyond the reach of illegalized communities. Rhetoric regarding the need to protect social institutions like welfare

and community housing defines the undocumented as likely to abuse such systems. Thus, the dangers placed on the border can also be recycled and reattached to local institutions. Often, exclusions do not explicitly outline their ineligibility but rather demand normalized documents, unavailable to them, to receive a social good. For instance, state-issued ID cards can be demanded in locations where undocumented migrants are barred from receiving them, making it difficult to enroll children in school, pick up medication, turn on utilities, or forward one's mail (Villegas et al. 2017). The normalization of identification serves to illegalize a significant portion of that population, not because they are legally ineligible to receive the service but because the process demands the display of such unattainable documents. In this sense, illegalization is also a process of rendering the undocumented abnormal and removing them from the space of community. Refugee claimants/asylum seekers may require evidence of an ongoing claim to access services to which they are eligible. Finally, temporary migrant workers might be eligible for state-sponsored benefits but may face difficulties obtaining them.

Formal education and health care are imagined as central features of a productive society. Schooling, often described as the great equalizer and the space where individuals may find social mobility, is a hotly contested area. Although the UN Convention on the Rights of the Child dictates the availability of K-12 schooling as a fundamental right to all children and many nations imagine it as a foundational space to society, this is far from an assured reality. In Canada, access to K-12 schooling for undocumented students remains an uneven terrain where individuals can be excluded based on their immigration status (Villegas 2018). There is significant variability across the European Union where banning of undocumented children has gained considerable traction and where institutional procedures can make it very difficult to enroll undocumented youth (Dorling 2013). And, efforts to ensure access can be met with limited implementation and an unwillingness to advocate on behalf of precariously documented students.

Higher education, now considered fundamental to receive a good job, also largely remains inaccessible to undocumented students without access policies. In the USA, while the availability of K-12 schooling is ensured by *Plyler v. Doe*, higher education is a difficult terrain to navigate as states can develop their own policies and these range from the availability to pay resident tuition and receive financial aid, to only being able to pay resident tuition, to outright exclusion (Gonzales 2016). Similar variability exists in Canada and Europe, where some migrants, like refugee claimants/asylum seekers, might receive access, while non-status migrants might continue to be excluded. Furthermore, access policies do not always attenuate financial need or responsibilities, particularly because precariously documented migrants often experience precarious working conditions as discussed below.

Another common site of exclusion is access to health care, which affects migrants' experiences of physical and mental well-being (Cuadra 2012). This is particularly the case in states with thick social welfare benefits because citizens feel compelled to "protect" those services for those deemed "deserving," i.e., citizens and long-term residents (Willen 2012). Access is often denied, ad hoc, or negotiated by migrants and gatekeepers who evaluate eligibility on the basis of specific status as

well as race, gender, age, and length of residence (Villegas 2013). Children are often depicted as more deserving given their age and assumed innocence, although race and gender often temper those categorizations. Those with chronic illnesses, pregnant women, and the elderly are often marked as less deserving because the assumption is that they will take up more resources than citizens or require long-term social reproduction from the state for their children. Long-term residents are also often depicted as more deserving than the newly arrived, particularly those who have visitor/tourist status, often referred to as “medical tourists.” Racial stereotypes, which already influence the medical field, also influence the quality of care precarious status migrant patients receive. Examples include lower-quality care, refusal of care, and use of criminalizing and vilifying stereotypes. Finally, cost also becomes an issue, especially if costs are unregulated for precarious status clients or if treatment requires hospital stays, expensive medicine, or exams. One outcome is that vulnerable, deportable precarious status migrants will delay accessing health-care services, often waiting until it becomes an emergency. This waiting turns treatable, preventable illnesses into more serious ones, something that increases costs for both patients and the health-care systems who treat them.

Workplaces also serve as bordered locations (De Genova 2005). One example is that nation-states require workers provide eligibility documents, such as a social security card in the USA and a social insurance card in Canada, to procure work. Like passports, the availability of a social security number at birth for US citizens is a relatively new process and is now normalized. Furthermore, the use of technologies has evolved from the issuing of employment eligibility documents to the availability of online databases validating a person’s ability to work in the country through programs like “e-verify” in the USA. Despite the law, there are many sectors of the labor market dependent on migrant labor, including undocumented workers. Agriculture, construction, domestic and care work, and landscaping often operate through the employment of racialized precarious status migrants. As discussed above, jobs are often also gendered, with more women in care and domestic work and more men in construction and landscaping. Migrants with other skills and qualifications, either from their countries of origin or obtained through post-secondary access policies, face deskilling unless they can access programs that provide a reprieve for deportation, like Deferred Action for Childhood Arrivals, leading to a loss of human capital.

While some precarious status migrants, including temporary migrant workers, have access to employment eligibility, they often face similar instances of vulnerability as their undocumented or non-status counterparts. And, sometimes, migrant workers with work permits face difficulties their undocumented counterparts may not face like the freedom to change employers (McLaughlin 2010). Finally, work permits expire and require effort, time, and money to renew, which can lead some migrant workers to fall out of status and face the possibility of not having their permits renewed (Calavita 2005).

Furthermore, as discussed above, the threat of deportability is not meant to bring about the removal of all migrants but instead serves as simultaneous spectacle of a country doing something about immigration enforcement and the disciplining

undocumented migrants. In relation to the latter, the threat of deportation facilitates the streaming of undocumented migrants into workplaces that hire individuals who cannot furnish the necessary documentation.

The jobs which precariously documented migrants can access are often precarious. Precarious employment refers to insecure, casual, temporary, and/or dangerous work with few benefits. Precarious jobs are often referred to as 3D jobs: dirty, difficult, and dangerous. Often imagined as doing “the jobs citizens won’t do,” precarious status migrant workers are fundamental to the maintenance of local economies while also reflecting the unwillingness of employers to provide living wages in jobs often characterized as “unskilled” (although “high-skill” employment can also be precarious when seasonal or contract-based). While it is clear that not all workers engaging in precarious employment are undocumented or have precarious immigration status, there is a high likelihood that said individuals are forcibly relegated to this labor sector given their inability to provide labor permits. Often this work is done under the table and includes being paid in cash and below the minimum wage. Thus, an important consequence of precarious immigration status is the relative unavailability of secure labor and the high possibility of exploitation.

Precarity is a direct result of the understanding of an abundant labor force, the construction of workers as disposable, and in the case of precarious status migrants, including the undocumented, legal limitations placed on workers due to their immigration status. Such workers also have a higher likelihood of experiencing wage theft (manifesting through no pay, less pay than agreed to, pay cuts, or fees charged to employees), unsafe conditions, and other forms of exploitation due to their immigration status and the fact that making complaints can lead to deportation. Similarly, immigration status places women and sexual minorities at an increased risk of sexual violence and harassment in the workforce (among other contexts). Finally, in addition to the relegation to precarious employment, precarious status migrant workers may not be eligible to safety nets available to citizens in welfare states such as unemployment benefits and disability protections.

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## **Support for Undocumented Migrants and Practices of Resistance**

Illegalization is not always an overt process. It often includes coded language that appears positive on the surface. This can consist of humanitarian language that aims to “save” migrants. For example, politicians and other stakeholders often use benevolent rhetoric when they claim to act on undocumented migrants’ behalf while criminalizing businesses, institutions, and strategies developed to survive lack of access to essential services (Menjívar and Kil 2002). Other examples include the circulation of a deservingness discourse that proclaims subsections of undocumented or precarious status migrants as the “good migrants” and by extension defines those outside such parameters as “bad migrants” (Anderson 2013; Willen 2012). These discursive tools uphold the boundaries of belonging and carry an important material consequence when they become the basis for action for



politicians and officials to pass punitive legislation, develop physical boundaries at the border space, carry out immigration raids, and separate families and communities.

While these multiple and assembled mechanisms illegalize migrants, they are not without agency. Migrants consistently engage in individual and collective practices of resistance. Individuals may negotiate their experiences of illegalization by avoiding certain public places and workplaces, speaking out against punitive practices, developing community ties with migrants and nonmigrants, and interacting with government representatives. They may also pressure or collaborate with governmental entities to enact policy changes and develop alternate structures to safeguard communities. These processes illustrate migrants' "embodied experiences of being-in-the-world," an important correction to focusing on migrant illegalization exclusively from a legal lens (Willen 2007). They also illustrate how migrants can participate in citizenship practices even when they do not have formal citizenship status (Coll 2010).

Scaling up from individuals, groups may engage in public workshops, demonstrations, and other manifestations of dissent alongside other stakeholders including allies and politicians. While developing spaces of absolute safety from immigration enforcement can only come through comprehensive immigration reform and the dismantling of borders, communities endeavor to create a patchwork of relative safety and access through the development of spaces of non-compliance with immigration authorities and rapid response teams. For example, campuses, municipalities, and other governments may pass welcoming policies (e.g., sanctuary cities). While these processes to negotiate illegalization may not bring about secure legal status, they demonstrate how migrants are not abject victims of global structural processes. Instead, they negotiate, to the best of their abilities, their experiences and strategize options for becoming more secure. This raises an important point about the ways migrant illegalization is experienced temporally. Scholars refer to long-term experiences of insecure or precarious status, for instance, undocumented migrants or temporary migrant workers without avenues for permanent residence, through the language of temporariness (Vosko et al. 2014). This liminal or limbo status makes it difficult for migrants to make plans for the future. Despite experiencing deportability, precarious status migrants engage in the making of short- and long-term plans, understanding that those plans are contingent on immigration applications, evading immigration enforcement, and often luck (Villegas 2014).

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## Conclusion

Migrant illegalization is a lens through which to understand the intersection between migration, legalities, and other forms of oppression. It is context specific, relying on legal precedents, discursive and affective circulations about migrants, and nation-state requirements for precarious laboring bodies, among other factors. The implication is a hierarchy of formal citizenship categorizations. These categorizations demonstrate the multiplication of precarious statuses as well as how migrants



experience and transition across them while often resisting the limitations placed around their access to social goods, mobility, security, and decent work.

Further research is needed in four research strands. First is the connection between migrant illegalization and affect (the social circulation of emotions). This research will expand work on migrant deservingness as well as provide a link between cultural studies of emotions and studies of migration/migrant illegalization, which have had limited conversations thus far. One example involves how migration is interpreted by citizens and lawmakers through the circulation of affect, that is, national sentiments can often drive policy responses. This is particularly important as law is a reactive institution, and ideas of deviance shift across time and space. Additional nuance in the ways collective responses to migration are defined, mobilized, and socially expressed can provide insights into policy creation and implementation. This will provide avenues to understand the creation of punitive legislation as well as social movements to facilitate access to formal citizenship. In this way, affect is integral to a better conceptualization of the drawing and redrawing of the boundaries of belonging.

Second, further research is needed on how other forms of oppression (besides race, class, and gender) affect specific instances of illegalization as well as its multiplicative consequences when analyzed through an intersectional lens. For instance, Queer, Trans, and LGBT studies provide important concepts to further refine framings of immigrant/migrant criminality at the border and within nation-states. They also refine discussions of how documents police and surveil what are framed as nonnormative bodies. Another example involves conversations with critical disability and crip studies and how framings of deservingness and medical admissibility also influence debates on migrant illegalization.

Third, more research is needed on the links between colonial practices and migrant illegalization. One strand of this research involves historicizing migratory trajectories given colonial and imperialist relationships. However, a second less studied process is how migrants relate to Indigenous communities in their spaces of residence. For instance, in settler colonial states, more research is needed in the sometimes contradictory ways in which migrants align themselves or challenge colonial practices of dispossession.

Finally, as described in the last section of this chapter, because of national governments increasing the punitive consequences of living with precarious immigration status, migrants and their allies have mobilized to develop spaces of relative safety. These moves include the use of local governmental structures to pass ordinances making their daily context safer: sanctuary policies, access without fear policies, resolutions prohibiting immigration holds in local jails, and the development of municipal and county IDs. Furthermore, mobilizations have targeted single institutions such as schooling, policing, health care, and housing to become spaces of non-compliance with immigration enforcement. While these moves do not remove the possibility of detention and deportation, they display migrant agency in reconstructing spaces. Specifically, although a school or health clinic may prohibit immigration enforcement from entering their grounds or accessing migrants' records, individuals liable for deportation remain vulnerable in other social spaces.

In this way, the development of safer spaces, through sanctuary policies or other strategies, is valuable to the community in question but is limited by state powers. The literature on resistance has primarily focused on the development of strategies within community-based organizations and large-scale protests to change federal policy. Additional work in this area will provide insight into the variance between local and national politics and the power and utility of smaller-scale community-building. It will also facilitate a more nuanced understanding of local spaces and their potential to have relative degrees of autonomy from national governments, rather than imagining politics at this broader level as concrete.

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## Cross-References

- ▶ [Ethnic Minorities and Criminalization of Immigration Policies in the United States](#)
- ▶ [Ethnicity and Class Nexus: A Philosophical Approach](#)
- ▶ [Media and Stereotypes](#)
- ▶ [Policing Ethnic Minorities: Disentangling a Landscape of Conceptual and Practice Tensions](#)
- ▶ [Racism and Stereotypes](#)

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## Abstract

This chapter surveys the Indian diaspora in New Zealand through both the earliest historical presence of Indians in Aotearoa and through the lens of Indian settlement as recorded in the New Zealand Census. The earliest Indian presence is summarized through a previously unused historical source, the ships logs and muster rolls of the very earliest European vessels of exploration and exploitation to New Zealand. It places Indians in Aotearoa at the very instance of Māori-European first contact on land in 1769, 70 years earlier than previously recorded. Indian settlement, viewed through a more complete review of the New Zealand Census than previously reported, also places the first instance of Indians in the New Zealand Census 20 years earlier than previously reported, back to 1861. The chapter also charts the historical growth of the Indian population, ranging from

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T. Nachowitz (✉)  
University of Waikato, Hamilton, New Zealand  
e-mail: [todd@earthdiverse.org.nz](mailto:todd@earthdiverse.org.nz); [toddnach@gmail.com](mailto:toddnach@gmail.com)

their first appearance in the 1861 Census through to the 2018 Census. It also discounts the previous belief that early Indian settlers were predominantly scrub cutters, hawkers, bottle collectors, and market gardeners, showing instead that early Indian settlement consisted of entrepreneurs, teachers, and skilled professionals as well. The chapter concludes with a brief look at Indian accomplishments in terms of their political participation, and their greater inclusion in modern New Zealand society, as compared with the invisibility that characterizes their earliest presence and settlement.

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**Keywords**

Indian diaspora · New Zealand · History · Earliest arrival · First contact · Indian presence · Indian settlement · Census · Ethnicity · Migration · Demography

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## Introduction

New Zealand's Indian population, as one of many possible minority ethnic communities to examine, makes an ideal case study due to a number of historical processes and unique conditions. These include (1) the early and wide dispersal of Indian populations globally (Clarke et al. 1990; Parekh 1993; Peach 1994; Lal 2006); (2) the resultant geographic range of birth countries from which they have emigrated to New Zealand (Kadekar 2005; Didham 2010), considering that most other migrant communities tend to have a higher degree of sociocultural and linguistic homogeneity and generally arrive from a single country or region of the world; (3) the direct immigration from India to New Zealand (Tiwari 1980; Zodgekar 1980; Leckie 2007); and (4) the extensive range of cultural, ethnic, social, caste, religious, and linguistic variation in the Indian population (Zodgekar 2010; Nachowitz 2015) not evident in other migrant communities in New Zealand. The long history of the Indian diaspora in New Zealand, beginning with its earliest sojourners in the late eighteenth century, continuing with Indian settlement in the 19th and 20th centuries, and comprised of both a well-established domestically-born minority and recent overseas-born migrants who hail from a wide variety of sending nations (Leckie 2010; Friesen and Kearns 2008; Bandyopadhyay 2010; Nachowitz 2015), should allow Indians to claim an equitable position in New Zealand's settlement narrative. Yet inclusion of non-Māori non-*Pākehā* minority communities in Aotearoa's earliest history has remained elusive.

Historically, South Asian sojourners first appear in Aotearoa along with the very first European ships of exploration and exploitation in the late eighteenth century (Nachowitz 2018). Indian settlement in New Zealand began in the mid-nineteenth century and consisted of mostly small populations of Punjabi and Gujarati settlers (McGee 1962, 1993; Tiwari 1980; McLeod 1980, 1986; McLeod and Bhullar 1992; Leckie 1995, 1998, 2007). Since reform introduced by the 1986 Immigration Policy Review and implemented following the Immigration Act 1987, the constitution of migrant populations underwent rapid transformation, significantly altering New Zealand's demographic composition (McMillan 2006;

Bedford and Ho 2008). The 1986 Census reported 15,810 ethnic Indians before immigration reform, while the 2013 Census recorded 156,567 ethnic Indians, an increase of 890.3% growth over the 27 intercensal years from 1986 to 2013. Those of Indian ethnicity in today's New Zealand are no longer just Gujaratis and Punjabis. There is a deeper heterogeneity in existence that is not evident in the publicly released statistics that hides a complex assemblage of Indian subethnicities that renders them virtually invisible through compacting differentiation into the single category "Indian." While the New Zealand census lumps Indians into the "Asian" category, most merely see "Indian" without ascertaining the myriad underlying differences of ancestry, regional geography, linguistic variation, religious affiliation, caste, country of birth, and national identity that more accurately define "Indian." This differentiation underscores the importance of a proper understanding of the concept of ethnicity and the significance of the invisibility of subethnicities. Although census figures are one indicator of population growth and demographic dispersion, they do not portray the dramatic internal changes within minority communities such as the Indian diaspora in New Zealand.

This chapter will briefly explore the circumstances surrounding the earliest Indian presence in Aotearoa, the period of permanent settlement which follows, and the demographic history of the population as reported in the Census statistics. A critical look at historic accounts of the earliest Indian arrivals in Aotearoa may reveal different interpretations of known history relevant to Māori-European first encounter. Indeed, the possibility of the involvement of non-Māori non-European others in the exploration and early settlement of Aotearoa has previously been poorly considered by historians. Being aware of their involvement in the early history of nation-building may help advance Indian objectives of inclusion in a shared national identity. Such an awareness of participation may further the aspirations of other minority communities in New Zealand which may help move Aotearoa New Zealand from its multidecade focus on biculturalism towards today's more modern notion that New Zealand is a multicultural state comprised of multiple ethnicities and subethnicities. Likewise, a brief examination of the census history of Indian settlement, as well as an examination of their early occupations, will reveal the extent and nature of their dispersal, as well as deflect a few well-known myths about the earliest Indian settlement in New Zealand. Finally, I will present more recent statistics of the Indian population in New Zealand and briefly report on Indian political representation in the New Zealand Parliament. The most recently available census statistics are currently from the 2013 Census. The online version of this chapter will be updated with the 2018 Census statistics when they are released publicly in 2019, in order to give a more complete snapshot of the Indian population in New Zealand today.

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## Existing Myths

There are a few existing myths in New Zealand's settlement narrative that can serve as a point of departure. The first myth is that of the general order of human settlement, which generally proceeds as follows: Māori were the first arrivals (as

*tangata whenua*), followed by Europeans, then Asians, and finally Pasifika populations. This narrative holds that Māori, arriving from their homeland of *Hawaiki*, were the first humans to settle Aotearoa. Europeans are believed to have followed many centuries after Māori settlement. The first European to sight Aotearoa was Able Tasman, who arrived in 1642 but did not come ashore. This was followed well over a century later by the very first European landings in 1769 by ships captained by James Cook (October 1769) and Jean-François-Marie de Surville (December 1769). Numerous other European vessels of exploration and exploitation followed in the wake of Cook's and Surville's initial visits. Nearly a hundred years later (1860s), this would be followed by the very first Asian arrivals, consisting of predominately Chinese miners who came to work the gold fields of central Otago on the South Island. Small numbers of Indians were also said to have arrived at this time. These early Asian settlers were then followed a century later (1970s) by Pasifika populations who settled in New Zealand in large numbers. Major immigration reform in 1986–1987 brought about new waves of migration, particularly from Asia, which helped nudge New Zealand further away from its bicultural roots. This story is therefore the dominant settlement narrative of Aotearoa New Zealand and represents the most commonly held belief. The narrative tells of Māori arrival and settlement, multiple centuries of developing a unique Māori culture and history (distinct from other Polynesian peoples throughout the South Pacific), then shifts into a bicultural narrative with the arrival of Europeans and their subsequent domination of Māori throughout the colonial period. Although Asian and Polynesian peoples are believed to have settled here from around the mid-1860s on, it is not until major immigration reform (the Immigration Act of 1986) that helps move New Zealand from a bicultural to a multicultural society. The Māori→European→Asian/Pacific settlement narrative mirrors this general monocultural→bicultural→multicultural shift. Multiculturalism, after over a century of bicultural discourse, is now seen as the dominant social form evident today. Indeed, New Zealand has maintained the unique nature of its bicultural discourse until very recently, when large numbers of migrants, from Asia and other parts of the world, helped changed the nature of the narrative from a bicultural focus (Māori and Europeans) to one of ethnic pluralism (Singham 2006; Sibley and Ward 2013). While parts of this narrative are true, the serial nature of movement into Aotearoa is less than accurate and includes the mistaken understanding that Asian populations arrived much later than Europeans. Also, the narrative shift towards multiculturalism is still a work in progress, while many still maintain the belief that biculturalism is still the dominant societal form.

A second myth holds that Chinese and Indian arrival generally began with the discovery of gold in Central Otago (1860s). While permanent Asian settlement generally begins around this time, Asian arrival, and Indian presence in particular, begins with the very first Europeans to Aotearoan shores. A third myth categorically states that “No one knows who was the first Indian to enter New Zealand” (McLeod 1986, p. 51). While McLeod and other historians and academics working on the Indian diaspora in New Zealand have contributed much scholarship, many missed the more obscure sources, inadvertently perpetuating the myth of more recent Asian



arrival to New Zealand. Unfortunately, this misnomer has prevailed throughout much of the research regarding the Indian diaspora in New Zealand and needs rectification (e.g., “The first Indian ever to set foot on New Zealand soil was a Bengali. We do not know his name, but he was a sailor who jumped ship in 1809 and was living with a local Māori”) (Bandyopadhyay 2006, p. 125). We do indeed know the names of the very earliest Indian arrivals, their ports of origin, and when, how, and under what circumstances they arrived on Aotearoan shores.

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## Background

This chapter briefly summarizes the hidden history of the very earliest Indian arrival and presence in Aotearoa. More detailed accounts can be found in earlier publications (Nachowitz 2015, 2018), but these are summarized here in an attempt to provide key details of the history of Indian arrival and settlement in Aotearoa New Zealand. The fact that this knowledge still remains obscure underlies the invisibility that early non-Māori non-Pākehā minorities still have in becoming part of a shared national identity within the still currently dominant bicultural Māori-European narrative. Making these stories more visible to students and teachers of New Zealand history, and those interested in ethnic pluralism and cultural diversity, is a primary objective. Members of ethnic minorities in New Zealand today are largely unaware of the importance of their ancestral contributions to the settlement of New Zealand, and wider awareness of such a past could help minorities reclaim a much-needed voice in the current debate over multiculturalism and within the wider context of the debate over immigration. As an example, Indians can now argue that since they were present at the very onset of Māori-European encounter, they have as much right to settle in New Zealand as do Europeans.

The historical invisibility of minority others supports the existing dominant bicultural settlement narrative and undermines minority inclusion in the history of the modern nation state. Such a retelling of events, which includes Indian presence at the time of Māori-Pākehā first encounter, may assist in the formation and strengthening of a shared national identity, allowing the knowledge of early participation in critical historical events to more deeply effect what it means to be a New Zealander of Indian ethnicity. A shared national identity would, therefore, build upon the necessary foundations of biculturalism that exclude the participation of non-Māori minority others in the historical narrative of Aotearoa’s founding. Unpacking erased histories in this way may increase minority and majority awareness of greater minority participation in its history, and knowledge of presence at initial Māori-European contact may help relevant minorities reclaim association in a newly formed shared national identity that has the potential to strengthen social cohesion and inclusion.

Of particular note is the distinguishing nature of early Indian migration to and settlement in New Zealand. What differentiates Indian arrival in Aotearoa from the other destinations of Indian émigrés during this period is that these voyages were predominantly voluntary, as opposed to the indentured servitude of the *girmitiya* that

characterized the overwhelming majority of Indian dispersal from South Asia through to the mid-1800s (see Lal 2006). While use of the term “voluntary” to refer to the earliest Indian migration to Aotearoa may be problematic, it is decidedly of a different nature than the early Indian emigration that occurred elsewhere (e.g., to countries of the British colonies under the Indian indenture system, such as Mauritius, Trinidad and Tobago, Guyana, Suriname, the Caribbean, Fiji, Malaysia, Singapore, and East Africa).

The earliest Indian arrivals and migrants can be depicted as reaching Aotearoan shores in three distinct waves. The very earliest Indian “sojourners” to Aotearoa were hired as ship labor on European vessels of exploration and exploitation and represent the first “presence” of South Asians in Aotearoa, their appearance brief and transitory, yet nonetheless, demonstrable and evident. These initial sojourners were later followed by sporadic “ship-jumpers,” Indian sailors who chose to remain and settle while their ships were temporarily anchored offshore. A possible reason to abandon crew mates and settle among Māori may have been the unsatisfactory shipboard conditions and the deplorable treatment that the Indian crew may have received while under European power and authority. The lure of the unfamiliar would have been an appealing incentive when compared with the tribulations of the voyage. These “ship-jumpers” may be considered the first Indian “settlers,” as some documentation exists attesting to their settlement among Māori and of their assistance to Māori as intermediaries with regard to European encounter. Documentation for these first two groups is poorly known and what evidence that has been uncovered to date has already been presented (Leckie 2007; Nachowitz 2015). The third group would be considered *de facto* settlers, either coming of their own accord (e.g., to mine gold, escape unfavorable conditions in India, or to farm) or arriving while under the employment, as *naukar* (household servants), of former British officers of the Rāj who were often granted land in New Zealand upon the successful completion of their tours of military duty in India. This group has been well documented in the existing literature. The following section, therefore, summarizes the very earliest Indian presence and arrival in Aotearoa.

Although there is still debate surrounding the actual date of the first human arrival and settlement, there is general agreement that Māori arrival is estimated to have occurred during the thirteenth century, and recent evidence shows that this settlement occurred more recently than was previously thought (McGlone 1989; Howe 2008; Moon 2013). As a way of providing important context, the first European explorer to the region, the Dutchman Abel Tasman, transited the islands in the summer of 1642–1643, although it was not until James Cook’s and Jean François Marie de Surville’s visits in 1769–1770, more than 126 years later, that Europeans began to become aware of the land “down under.” Cook was the first to extensively map the newly “discovered” territory and report back to Europe its resource largesse – its flax, timber, seals, and whales, which were, no doubt, of tremendous importance to his benefactors. Cook made two subsequent visits to New Zealand (1773–1774 and 1777), and his initial reports later led to the first European settlers. The first to arrive were timber merchants, sealers, whalers, and traders in the late 1700s, followed by missionaries in the early 1800s, with European settlers arriving in large numbers

from the late 1830s onwards (Graham 1992; King 2003). In the 1840 Treaty of Waitangi, Māori chiefs ceded “sovereignty” or “governance” to the British Queen, in exchange for which the chiefs and tribes retained their “full exclusive and undisturbed possession of their lands and estates, forests, fisheries and other properties” (Owens 1992, p. 51), along with granting to Māori their rights and privileges as British subjects. Although the meaning and intent of the treaty is disputable due to the nature of its poor translation and misrepresentations, it, nonetheless, secured British rule over Aotearoa, marked the genesis of the modern nation state, and provided Māori with a tangible base for the settlement of later historic grievances against the Crown.

The reports of initial European visits led to a rising awareness in Europe of the Antipodes and of the great store of natural resources available for exploitation. Anne Salmond (1991, 1997) provides detailed historical accounts of first contact between indigenous Māori and European explorers and settlers between the years 1642 and 1815. The early settlements of European sealers, whalers, and missionaries soon gave way to more permanent settlements throughout Aotearoa, bringing further migration from Europe, the Americas, and Australia. That small numbers of Indians were among the earliest post-Māori sojourners to Aotearoa is not well known.

The very earliest Indian presence in Aotearoa has remained obscure, hidden in old ship logs from captains on early sealing and timber voyages. Previous research on the history of Indian migration and settlement pegged the first known record of an Indian in Aotearoa to a Bengali who jumped ship in 1809 or 1810 to marry a Māori woman, although Leckie (2007, p. 21, 2010, p. 48) mentions earlier Indian visits without providing details. The exact date is unclear, as some cite 1809 (Salmond 1997, pp. 373–377; Entwisle 2005, pp. 103–106; Leckie 2006, p. 389, 2007, p. 21; Didham 2010, p. 4), while others 1810 (Friesen 2008, p. 47; Pio 2012, p. 2; Swarbrick 2015). Bandyopadhyay (2006, p. 125) states, “The first Indian ever to set foot on New Zealand soil was a Bengali. We do not know his name, but he was a sailor who jumped ship in 1809 and was living with local Māori.” These sources all appear to be based on the 3 May 1820 entry in the journal of Richard Cruise (1824), an English army officer on a 10-month visit to New Zealand. Referring to a man of Indian descent, he writes:

This man had left an East Indiaman that touched at the Bay of Islands ten years before, and married a woman of the tribe subject to Tekokee, whom he considered his chief. Though quite a New Zealander in his dress and habits, his diminutive person and dark complexion made him appear to great disadvantage among the handsome and athletic people among whom he had settled. (Cruise 1824, p. 315)

This would account for various claims of 1809 or 1810 as the first known recorded account of Indian presence. Complicating matters, Murphy (2007, p. 2) states that “the first known Indian person to come to New Zealand was Bir Singh Gill, an itinerant Sikh herbalist who arrived in 1890.” The murkiness and details surrounding the first known Indian presence in Aotearoa are complicated by both conflicting sources and researchers inability to pursue possible earlier and more

obscure materials. Earlier accounts of Indian sojourns to Aotearoa can be culled from ship logs and muster rolls from the earliest European voyages of exploration, including the earliest sealing and timber ventures to Aotearoan shores.

What is certain, however, is that Indian presence in Aotearoa is recorded along with the very earliest European explorers, an occurrence that is little known and absent from official histories which have generally neglected early Asian appearance and settlement prior to the arrival of Chinese goldseekers in the 1860s. Of the general invisibility of the Chinese from official history, Murphy (2003, p. 282) writes: “Chinese New Zealand history has rated barely a mention. Many earlier works compounded the neglect with a dismissive racism that reflects the attitude to Chinese New Zealanders at the time.” The same is true of general immigration histories to New Zealand, which equally ignore the earliest Asian appearance (Taher 1970, p. 38; Borrie 1991; Greif 1995) – Borrie’s history, for instance, begins with Chinese arrival in 1870. While Māori arrival and settlement, followed by European exploration, exploitation, missionization, and colonization, are both well documented, little or no mention is made of the earliest Asian contributions, even though Indian presence is recorded on the first visits of European vessels to the southern oceans from 1769. It is only recently that histories of early Chinese and Indian presence have begun to contribute to a wider, more inclusive, retelling of *tauiwi* arrival and settlement in Aotearoa (McLeod 1986; Ng 2003; Ip 2003; Leckie 2007; McCarthy 2009), yet these stories are poorly known – excluded from general texts of New Zealand history – and all of them disregard the earliest Asian presence.

Such easy dismissal of the very earliest Asian contributions prior to the Chinese gold rush is further reflected in the state reporting of minorities in such official documents as the national census (see Nachowitz 2015, Chap. 6). As early Asian sojourners are markedly absent from such histories (see Murphy 2009 for a discussion of Chinese exclusion), their appearance is insufficiently recognized in official documentation. While not totally absent, pre-1860s Asian presence in New Zealand is certainly difficult to discern. While newer ethnic histories are becoming increasingly accessible, the earliest accounts still remain concealed. It is unfortunate that we have few surviving records that can be directly attributed to our earliest Asian sojourners. We are, regrettably, forced to shape our understanding of their presence through the only means available to us – the eyes of those Europeans who accompanied them. While once removed, they nevertheless give us some insight as to how the early *tauiwi* may have lived and provide records of encounters for which there are no other extant sources. In examining the earliest stories of Indian encounters with both European and Māori, the historical misconception that there were only a handful of known Indians prior to the 1860s is rectified, and their presence affirmed with the earliest accounts of Māori–European encounter. There were hundreds of nameless and unknown South Asians who accompanied Europeans on the earliest voyages of exploration and exploitation to Aotearoa. Such a re-examination would thus revise existing scholarship on Indian history in the Antipodes and alter the majority narrative that characterizes *tauiwi* arrival and settlement as being a much later occurrence.

## Earliest Indian Presence, 1769–1782

The first known record of Māori–European encounter was the visit of Dutchman Abel Tasman in December 1642. Although Tasman never came ashore, four members of his crew were lost in a watery skirmish after an initial misreading of first contact at Taitapu (Golden Bay, north-eastern corner of the South Island). One hundred and twenty-seven years would pass before the next known European visits to Aotearoa by Cook and Surville in 1769. These initial visits were followed by two subsequent Cook expeditions (1773–1774 and 1777) and numerous additional voyages by other Europeans in the late 1700s, all well documented (Tapp 1958; Beaglehole 1968; Richards 2010).

After Tasman's 1642 voyage, Māori–European encounter next occurred during Cook's visit to Tūranganui (Poverty Bay, near Gisborne, east coast of the North Island) between 6 and 11 October 1769, marking the first known European landing and presence ashore, followed by subsequent encounters during Cook's first voyage through 31 March 1770 on the *Endeavour*. Most of the vessels of European exploration in the South Pacific were of the British East India Company traveling from India on their way to deliver convicts and supplies to the recently established settlements at Botany Bay in Australia and Norfolk Island. The British East India Company had played a key role in bringing Europeans to Aotearoan shores with regular sailings between India and Port Jackson, Australia. The French India Company, engaged in a commercial war with the British for power and control of the East, was also pursuing its interests in the South Pacific. Indian sojourners arriving on these trips were the first documented South Asians to set foot on Aotearoan soil.

Cook's first visit to Aotearoa on the *Endeavour*, having sailed from Plymouth, England in August 1768, was unlikely to have had any Indian sailors aboard. The story of Indian sojourns to Aotearoa therefore begins in 1769 with the sailing of the third European ship to visit Aotearoan waters, the French ship *Saint Jean Baptiste* under the command of its captain, Jean François Marie de Surville. Surville had been in India looking for trade opportunities between French colonies in India and China. He set sail from the French colony of Pondicherry, India, on 2 June 1769 on a voyage of combined exploration and trade to the central Pacific. He arrived off the coast of Hokianga (south of Ninety Mile Beach, near the tip of the North Island) on 12 December 1769 – just 2 months after Cook entered Aotearoan waters on the *Endeavour* – and looking for suitable anchorage, set off around North Cape, eventually stopping for 2 weeks between 18 and 31 December in Doubtless Bay (at present day Whatuwhiwhi on the eastern side of the northern tip of the North Island). Surville's crew suffered severely from the effects of scurvy, and he had taken them ashore multiple times to collect water and greens that helped restore the crew's health (Dunmore 1969). Dunmore's translation (1981, pp. 273–287) of the ship's muster roll of the crew reports a total of 53 Indian lascars from a crew of 232, making up 22.8% of the entire crew. These are recorded as: three Indian warrant officers, 47 Indian sailors, and three other Indians. Some of the lascars are named, and some of their deaths recorded in the ship's log. The three Indian warrant officers are recorded

(Dunmore 1981, p. 283) as an unnamed *serang* (chief lascar, or boatswain's mate) recorded as having "died at sea, date unknown"; "Taudel [?]," although this probably refers to the *serang*'s assistant, which is usually rendered in English as a *tindal* or gang boss (see Fisher 2006), recorded as dying at sea on 29 October 1769; and the third as "Kasap," a deck supervisor and lamp attendant, dying at sea on 10 November 1769. Of the remaining 50 lascars, the roll records three as dying in October, with 44 dying in November 1769, just prior to reaching Aotearoan waters in December 1769. Of the remaining three lascars, one is recorded as the chaplain's servant, a Bengali named "Nicolas," who died of scurvy on 29 November 1769. Of the total 53 lascars aboard the *Saint Jean Baptiste*, it would appear that only two survived to reach Aotearoa. The first is recorded as "Mamouth Cassem" in the ship's log, whose real name was probably Mahmud Qāsim, born in Pondicherry about 1755. The second is listed as a Bengali named "Nasrin," aged about 16 or 17 years, on the muster roll. Given their names, it can be assumed that both were Muslims. Both are recorded as dying in Peru on 14 April 1770, where the ship sailed after leaving Aotearoa under duress. Dunmore's earlier work (1969, pp. 113–114), however, mentions a Bengali lascar dying during the night of 7 March 1770, and two additional lascars (the first another Bengali lascar, the second a "Bengali servant boy, aged twelve or thirteen") as having died on 30 March 1770. This means that these additional Indians would have also survived the Aotearoan excursion in December 1769, bringing the total number of lascars surviving the Aotearoan excursion to five. Given their recorded survival, we can be certain that these men would have gone ashore along with the other sick crew members of the *Saint Jean Baptiste* during their 2-week stay from 18 to 31 December 1769 and their subsequent departure for South America. While numerous log entries attest to the crew's excursions on land, none of the landing parties are named, although it is known that Surville was quite concerned for their health and took sick crewmen ashore for short periods of time during their stay.

Sickness and death which appear indistinguishable among our crew have caused me to reflect seriously, to see if I could not find a solution more certain than that of following the course, planned from the start, which I am now keeping, and go, if I can, to New Zealand, and seek there a place of refuge where we can rest awhile. After considering the position, I believe that anything we could attempt elsewhere would be far less certain than this New Zealand suggestion, and that, anyhow, we have no alternative in the state in which we are. (Surville's log entry, 23 November, translated by Dunmore 1981, p. 126)

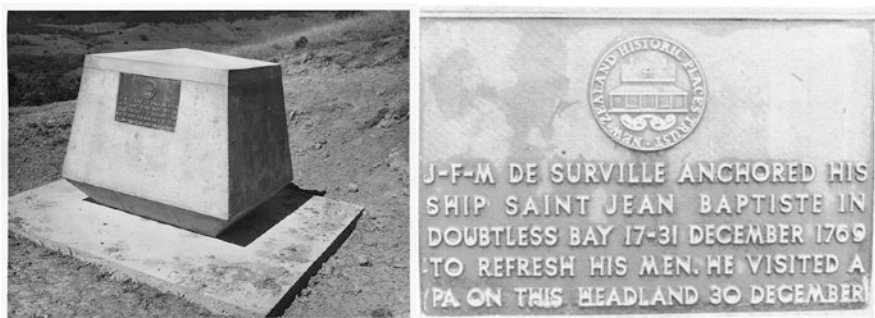
The journals of both Surville and his second, Guillame Labé, record daily entries between 18 and 31 December in which sick crew members were taken ashore for fresh air, water, and greens to help combat the ill effects of scurvy from which the crew greatly suffered. Since arriving,

our crew has been attacked by scurvy. Only 7 or 8 men are fit. I hope that this call will restore them by staying a whole month and putting them ashore. If not, we would be in a nasty situation. (Labé's log, 18 December 1769, translated by Dunmore 1981, p. 245)



Both Surville's and Labé's logs discuss the daily excursions ashore for the sick to recuperate and collect fresh water and greens. Although it is not recorded which sailors went ashore on which days, it is apparent, from both logs, that the sick were rotated, giving the ill a chance to rest and recover ashore for the day, returning to the ship by nightfall. It is clear that the landings were of immense value to the infirm and would have enabled the remaining lascars to survive their Aotearoan excursion. Due to misunderstandings and skirmishes with the local Māori, the crew was forced to leave and set sail for South America.

While there is no written record confirming lascar presence ashore in Aotearoa, their mere survival attests to the fact that they would have been included in the sick crew's landings and recuperated sufficiently to continue their journey to Peru. Of the remaining lascars that survived, three apparently died while traversing the Pacific, while the remaining two lascars died shortly after reaching Peru (Dunmore 1969, p. 113, 1981, p. 287). These two would have been Mahmud Qāsim of Pondicherry and the Bengali lascar Nasreen, both mentioned in the original muster roll, as both are recorded as dying on 14 April 1770. The manner of their deaths is unrecorded, though presumably from scurvy. On the basis of their being alive during the Aotearoan landings, we can be certain that Qāsim and Nasreen, along with the unnamed three lascars who died during the trans-Pacific journey, were the first South Asians to set foot in Aotearoa. The landings of these Indian lascars at Doubtless Bay would have occurred, perhaps multiple times, during the 2-week period of 18–31 December 1769. There is a plaque mounted at the site near today's settlement at Whatuwhiwhi (Karikari Peninsula), but it does not mention that Indian lascars were a part of the landing parties.



Monument and commemorative plaque marking the anchorage of the *St. Jean Baptiste* at Pātia Head, Whatuwhiwhi, Doubtless Bay

The next European ship to visit was the voyage of Marion du Fresne to the Bay of Islands, April–July 1772. Although the muster rolls of those departing on the two ships of this expedition, the *Mascarin* and the *Marquis de Castries*, are known (Kelly 1951, p. 18), only the officers aboard are named. As the ships departed from the French colony in Mauritius and called in at Cape Town, South Africa, before reaching Aotearoa's west coast at Taranaki, it is unlikely that lascars were aboard. Although a shore station was established to help the sick recuperate from scurvy

(Salmond 1991, p. 393) and to repair their ships (Kelly 1951, p. 29), there is no mention of an Indian crew. The four small straw huts that the crew built to remain ashore for several days and the repair camps they established at various anchorages during their 4-month stay might be regarded as the first known residence of Europeans in Aotearoa. Grant (2015) erroneously identifies the first European “residents” as a group of sealers dropped off at Tamatea in 1792 (with the uncertainty of a ship’s return many months later), having spent months ashore and providing for themselves while awaiting passage on a returning ship.

No lascars are known to have been aboard either Cook’s second expedition to Aotearoa on the *Resolution*, which he commanded, and the *Adventure*, captained by Furneaux, which sailed from England on 13 July 1772, nor on his third expedition on the *Resolution*, accompanied by the *Discovery*, which left Plymouth, England, on 12 July 1776 and reached Aotearoa in February 1777. Neither expedition is likely to have had any Indian crewmen. Cook’s voyages were considered to be largely exploratory and scientific in nature, and British engagement in the South Pacific only began in earnest as it subsequently solidified its trade interests in India and China.

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## Timber and Sealing Voyages, 1783–1808

The story of British engagement and sustained lascar involvement in Aotearoa began in 1783, when one of James Cook’s former companions, James Matra, first suggested establishing a permanent British settlement in Aotearoa in order to supply settlers in New South Wales with valuable flax and timber (Tapp 1958, p. 3). At the time, British East India Company (Salmond 1997, p. 235) ships were plying the waters between England, South Africa, India, Australia, and China engaging in trade. Many such voyages also brought convicts to Australia. The first named Indian on British ships plying these routes was the Indian Muslim convict, Zimran Wriam, on the *Atlantic* in 1791 on route to the convict settlement in Port Jackson (Akbarzadeh and Saeed 2001, p. 14). Establishing a British colony in Aotearoa to support the nascent Port Jackson settlement and to provide timber would become a priority.

In November 1792, John Thomson wrote to Henry Dundas, the British secretary of state at Botany Bay, suggesting that a British colony be established in Aotearoa. Thompson first suggested that a colonizing party from British India consisting of “fifty sober men; one hundred sepoy, & 100 convicts” might be sent to Aotearoa along with military supplies and stores necessary for 1 year. According to Thompson, the people in India were “just in that state of civilization proper to be made useful” (Salmond 1997, p. 234). Many of the ships that plied the route between India and Australia between the years 1794 and 1801 – in what Salmond calls “the timber voyages” (1997, p. 234) – were crewed by Indian lascars and *sepoys*. These ships most often sailed between India and China by way of Australia and Aotearoa. There are a number of records in the ships’ logs and passenger manifests documenting Indian crews and landfall in Aotearoa, with a few records



of “ship-jumpers” while transiting, and other records recounting landfall and work ashore (Furber 1970; Leckie 2007, p. 21; Kolig 2010, p. 22).

One of the first timber voyages to be recorded making landfall in Aotearoa was the *Fancy*, commanded by Edgar Dell, charged with delivering provisions from India to Port Jackson, and procuring the necessary timber and spars for delivery to India, which were desperately needed to repair British ships. The *Fancy*, along with an unknown number of Indian lascars and sepoy, departed from Mumbai in May 1794, arriving in Port Jackson 2 months later. After delivering its cargo, the *Fancy* set sail on 29 September 1794. Dell arrived in Aotearoa in November 1794 at Tokerau. The search for suitable timber led Dell to take the *Fancy* into the same waters that Cook had taken the *Endeavour* in 1769, inland, along the Waihou River (near present-day Thames in the Hauraki Gulf). Dell’s diary records:

At 4:00 am on 23 November, the brig’s boats were lowered, and at ten o’clock [we] went off in the longboat accompanied by six Europeans, two Lascars and five Sepoys; and the third officer Alms was in the jolly boat with two Europeans and two Lascars, to take soundings of the river. (Dell 1795, in Salmond 1997, p. 245)

Dell’s account records Indian crew in nearly equal numbers as Europeans. It is only the second known European visit to the Waihou River after Cook’s initial shore party in 1769. Yet, while both accounts are known, the fact that the second visit was accompanied by so many Indian sailors is not.

Dell recounts his visit ashore, numerous encounters with Māori, and the procurement of the necessary timber to transport back to India. Another log entry, from 3 December 1794, records “Denniston and Alms went with the carpenter, the sawyer, six Lascars and two Sepoys in the longboat to begin felling trees” (Dell 1795 in Salmond 1997, p. 248). The log entry for 5 December records Dell taking “a party of nine Europeans, a Sepoy and four Lascars up the river, where they cut down two tall trees, and four more at another place where trees had already been felled” (Dell 1795 in Salmond 1997, p. 249). These three references in Dell’s journal mark the second instance of documented Indian presence ashore in Aotearoa, after Surville’s 1769 visit. Regarding additional British visits, a total of “seven vessels had arrived in Port Jackson before 1795 with timber from New Zealand” (Tapp 1958, p. 51), and it is likely that many of these would have been carrying Indian crew and convicts on their journeys between India and Australia.

In addition to the timber voyages, ships were also outfitted for sealing and lascars served on these. Although Cook first visited Tamatea (Dusky Sound in Fiordland, South Island) in 1773 on the *Resolution*, and his sailors are reported to have killed a number of seals for food, the first known sealing expeditions to the South Island were not organized until 1791–1793. Sealing began in earnest in October 1792 with the arrival of the *Britannia* in Tamatea. The *Britannia* had earlier left England with the task of delivering convicts to the penal colony at Botany Bay, subsequently sailing to Aotearoa to procure seal skins for the Chinese market. Under the command of William Raven, the *Britannia* had left behind a gang of 11 sealers. This was not an unusual practice, as many sealing gangs were left ashore to exploit the rookeries

until their ships returned (Richards 2010, p. 165). When the *Britannia* did not return as scheduled, the sealing gang had abandoned hope and had begun constructing a schooner of about 60 tons, made entirely from Aotearoan timber. This half-constructed boat was left behind when the *Britannia* and *Francis* finally arrived 10 months later to pick up the sealing party in September 1793 (Richards 2010, p. 174). As most of these ships also plied the waters between Port Jackson and India and stopped in Aotearoa to fetch sealskins, it is likely that lascars were aboard these ships.

News of the partly built boat that had been left behind by the *Britannia* party attracted the next visitors to Tamatea in September 1795, when two ships, the East Indiamen sealing supply ship *Endeavour* and the small brig *Fancy*, arrived to collect sealskins, oil, and meat, all of which would have fetched profits in European and Chinese markets. This visit records that “244 people had arrived in the Sound, including European ex-convicts, escapees, deserters, passengers, officers, and sailors,” and “also carried Lascars and Sepoys,” and the ship’s extensive log records the movements of these men while on the coast, sealing and cutting timber to repair their boats (McNab 1914, pp. 518–534; Richards 2010, p. 174). The *Endeavour* made it into harbor after crossing the Tasman Sea in a raging storm, but it was badly damaged upon arrival in Tamatea and had to be left behind. This ship is the first Aotearoan shipwreck recorded by Europeans (Hutching 2006). Good timber that could be salvaged from the *Endeavour* was added to finish the construction of a new boat that was built from the half-constructed ship that the previous party had left behind. This newly constructed boat was named *Providence* (Richards 2010, p. 174), the first ship to be built mostly of Aotearoan timber. In January 1796, after four “settled” months of sealing and building boats, the *Fancy* and the *Providence* set sail for Norfolk Island. Not all of the original crew from the *Endeavour* and *Fancy* were allowed to board, and 35 men, including several Indian seamen, were forced to stay behind, “their dependence for provisions being chiefly on the seals and birds which they might kill” (Collins 1798, Vol. II, p. 460; Richards 2010, p. 174). This pathetic company of castaways, including lascars, was, in effect, the second sealing gang to be “stationed” in Aotearoa. Upon arrival of the two ships in Norfolk Island, supplies were loaded and “several Lascars and Portuguese seaman, and forty-eight half-starved passengers” were put ashore before carrying on to China to sell their cargo (Collins 1798, Vol. I, pp. 460–461; McNab 1914, Vol. II, p. 553). An American boat, *Mercury*, was later dispatched to Fiordland in 1797 to pick up “thirty-five half-starved survivors, finally landing them in Norfolk after a stay of more than eighteen months on their own in the Sound” (Collins 1798, Vol. II, p. 48).

These tales tell of the hardships experienced by the very earliest of the sealing gangs left behind in Fiordland between the years 1791 and 1797. While it is commonly believed that these parties consisted of only Europeans, it is evident from the information earlier that Indian lascars were also present and that not only did they serve as sailors aboard the vessels that plied these waters, but they also worked ashore as an integral part of the sealing and boat-building crews. While it has not been possible to confirm Indian presence on earlier sealing visits from 1791 to 1793, it is clear that Indian lascars were present in Tamatea from 1795 to 1797.

Sealing did not last very long, as the rookeries were soon depleted and the value of the procured skins had diminished. Richards (2010, p. 183) records the startling brevity of the sealing heyday which had collapsed by 1809. This helped focus the attention of European merchant ships back to the lucrative timber trade.

There were four subsequent visits by European ships to collect timber in the years since the 1794 sailing of the *Fancy*. These occurred between the years 1798–1800, and some of these would have had lascars aboard. The *Hunter* is recorded as sailing from Calcutta to Port Jackson and, under the command of Captain William Hingston, is known to have sailed from Port Jackson to the Waihou in Hauraki in October 1799 to collect timber and then return to Calcutta to deliver it (Salmond 1997, p. 525). Confirmation of lascar presence re-emerges in the 1801 crew manifest of the *Royal Admiral*, which was on its way from London to China via Port Jackson and sailed into the Hauraki Gulf on 20 April 1801, “heavily armed and manned by a crew of eighty-three European sailors and fifteen lascars” to obtain timber to sell in China. Captain William Wilson gives lengthy accounts of more crewmen going ashore to collect timber (Salmond 1997, p. 256). After the arrival of the *Royal Admiral* in 1801, there are over 50 European vessels recorded reaching Aotearoa between 1801 and 1809 (Salmond 1997, pp. 525–530), when our Bengali lascar who “jumped ship” in 1809 first appears, the same lascar who was previously believed to have been the first Indian in Aotearoa. It should be clear that many of these ships would have had lascars aboard, many of whom would have gone ashore with the ships’ officers to fell timber and transport it back to the ship to use as spars for ships needing repair or for the lucrative markets in China. Additional research should uncover the extent of Indian presence in Aotearoa during this period.

Overall, the presence of Indian lascars with Europeans on the very earliest voyages of exploration in 1769 and on subsequent sealing and timber ships to Aotearoa is poorly recorded and not well known. It is certain, however, that Indian sailors were there at the dawn of European arrival in Aotearoa and are equally entitled to claim their place in the history of first encounter and the exploration and settlement of New Zealand. What we have instead is a dominant discourse of a sequence of events that begins with Māori arrival and settlement, followed by European arrival and colonization, and later by Asian and Pacific migration and settlement, with New Zealand moving from a bicultural to a multicultural state with more recent immigration reform in 1987. This discourse is misinformed and largely a result of European control of historical narrative. Aotearoa, *from the very earliest appearances of Europeans ashore*, was markedly multiethnic in nature. Indian lascars aboard early European sealing and timber vessels may have been more numerous than suggested here and, in some instances, may have outnumbered their European crew. It should be clear, however, that Indian lascars made up significant portions of the crew aboard many of the earliest ships to visit Aotearoa. European retelling of events often reported and named only European officers serving aboard or going ashore. There are numerous references to named Europeans ashore retrieving timber or seals, and any accompanying Indians, if documented, were only mentioned in passing. As unnamed participants, they remain mostly

invisible and, hence, absent from the earliest history of European exploration, exploitation, and settlement in Aotearoa.

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## Earliest Indian Settlement, 1809–1850

As the presumptive “first Indian” on Aotearoan soil, it is important to recount the incident and embed it within its broader historical context. Although hundreds of South Asians may have left footprints prior to this event, it nonetheless remains significant as the first well-documented symbol of Indian settlement. Entwisle (2005, pp. 103–106) records an Indian of Bengali descent deserting the ship, *City of Edinburgh*, in 1809 in the Bay of Islands to live with his Māori wife. Salmond (1997, pp. 373–377) records in great detail the ship’s visit in March–May 1809. In 1809, Captain Alexander Berry sailed from Australia to Aotearoa with the intent to repatriate two Ngāti Manu chiefs to the Bay of Islands and with the hope of procuring much needed timber for spars (Perry 1966; Swords 1978). While under the protection of the two Māori chiefs in the Bay of Islands, Berry (1912) records an accompanying Bengali servant. It is certain that this servant is the same one recorded as deserting ship to marry and settle with a Māori woman. While certainly not the first record of Indian presence, this Bengali is evidently the first known reference to a prolonged Indian settlement as opposed to being put ashore with a sealing crew or landing for a few nights to procure timber. Although there may be earlier instances yet to uncover, this defiant act records the first currently known intended Indian settlement in Aotearoa and suggests that our Bengali preferred the company of the Māori ashore to that of shipboard life with British colonials. Hence, it becomes significant as a first recorded instance of Māori-Indian intermarriage and potential offspring.

The 1809 visit of the *City of Edinburgh* is also noteworthy, as it records the presence of an Indian-Portuguese servant, and both a Chinese blacksmith and a Chinese carpenter aboard ship (Salmond 1997, p. 379), which dates Chinese presence in Aotearoa much earlier than the currently believed year of 1842 (Ng 1993). Ships that sailed between Europe and its colonies not only carried Indian seamen, but also others of Asian and African ancestry. Since many of these sailed for the British East India Company and often made China a port of call for trade, small numbers of Chinese would also have served aboard European vessels.

Another significant account records the Macquarie Island shipwreck of the *Campbell Macquarie*, built and registered at Calcutta and under the command of Richard Siddons. While searching for new sealing sites south of Aotearoa, the ship ran aground on 10 June 1812 and was destroyed.

Her crew of 12 Europeans and 30 lascars were all got ashore. She had nearly three suits of sails, and when the weather cleared up the crew succeeded in getting these ashore, where they were stored in a hut, which was afterwards accidentally destroyed by fire. All her stores were lost, independently of which she had on board 2,000 prime skins, 36 tons of salt, and 118 tons of coal taken in lieu of ballast. Captain Siddons, Mr. Kelly, chief mate, and the

crew remained ashore from 10th June to 11th October, when they were taken off by the *Perseverance* and given passages to Sydney, where they arrived on 30th October at Broken Bay. While on the island four of the lascars died, also a seaman of the *Mary and Sally* named Thomas McGowen. (McNab 1907, p. 185)

This incident is noteworthy in that its British crew were considerably outnumbered by Indians, and it records unknown lascars who perished on the island. It is ironic that while the names of the Europeans are well documented and recorded, early mariner historians did not deem the reportage of the names of the Indian sailors necessary, giving some indication of British regard for the lascars. Their historic invisibility is palpable, given that this account records the death of the Indian crew in the southern oceans, not unlike lascars aboard Surville's 1769 visit on the *Saint Jean Baptiste*.

Further incidents of Indo-Māori engagement have been recorded. Otakou (an early Māori settlement on the Otago Peninsula, near present-day Dunedin) was also visited by occasional ships during this period, most probably searching for seal rookeries. One such visit involving lascars was that of Captain Fowler and the *Matilda* in August 1813 (McNab 1907, p. 216). He had entered Otago Bay "in some trepidation since his crew of lascars were emaciated by fatigue, being for a length of time without vegetables or fresh provisions and with only a few gallons of water left" (Richards 2010, p. 193). Fowler recalls an incident in which he lost

14 of his men on the coast of New Zealand, together with three of his boats. One was stolen by the natives, another was carried off by six of his crew of lascars. The third was sent with his chief officer (Brown), two Europeans and five lascars, all of whom are supposed to have foundered as no tidings were got of either boat or crew. (Carrick 1903, p. 172; McNab 1907, p. 115)

Entwisle (2005, pp. 103–106) and Leckie (2007, p. 21) record this anecdote in which six Indian sailors deserted the *Matilda*, making off with one of its boats.

Three were reportedly killed by Maori but three survived, probably settling near Whareakeake in Otago until 1823. This means they were some of the earliest long-term non-Maori residents of the Dunedin area. During this time, they assisted Ngai Tahu with strategies for attacking European ships. (Leckie 2007, p. 21, citing Bishop Selwyn's notes in Howard 1940, p. 379)

These passages are noteworthy, for they record the first instance of the theft of British property by Indian sailors, possibly lending support to the theory that lascars were not particularly well looked after. While their European crew may have labeled them as deserters and sent others for their capture (those sent to retrieve both the boat and the "thieves" also never returned), it is possible that the Indians, desiring change, left with whatever means they had at their disposal. McNab offers additional details:

Later on evidence was discovered of the fate of the men. De Blossville ascertained in Sydney, in 1823, that of the six lascars in the second boat, three were killed by the natives and the others were kept alive and taught the natives how to dive and cut the ship's cables

during the night and how to reduce the efficiency of firearms by attacking in wet weather. Mr. Kelly was told by one of the surviving lascars of the *Matilda* that Mr. Brown, with six men, had been killed and eaten by the natives. (McNab 1907, p. 217)

It is evident, however, that some survived, and those who did aided local Māori in managing European presence in Otakou. Living under Māori *kaitiakitanga* (guardianship) may have been what the Indian “thieves” had intended.

There are further isolated incidents of Indians being left behind. McNab (1914, p. 202) records four lascars left under the charge of the missionaries at the Bay of Islands in 1814, while the Europeans amongst them proceeded to Tahiti. After the visits of the *Matilda* and subsequent incidents, there are few detailed accounts of Indian sailors ashore. There are, however, literally hundreds of newspaper accounts recording the comings and goings of ships in the various ports and settlements from the early 1800s onwards, and these warrant further research. Newspapers such as the *Sydney Gazette* regularly reported the movements of European vessels along with their ports of call, including destinations, cargo, and passenger lists. Accounts of crew movement were likewise considered important news. Many of these describe the numbers of Indian sailors arriving or departing, with names withheld, and little is known of their activities. They remain innumerable yet invisible.

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## Indian Settlement from 1851

What follows begins a more formal period of early Indian settlement in which many are named or enumerated. The first Indian to achieve fame was an Anglo-Indian from Goa who arrived in 1853, having previously worked at the California gold fields. Edward Peter, later known as “Black Peter,” was a farm laborer and gold prospector. Although the Australian Gabriel Read is credited with discovering gold at Tuapeka in Otago, it was Peter who told him where to find it (McLintock 1966; Leckie 2007, p. 21, 2010, p. 48, 2011, p. 54; McLeod 1986, p. 51), leading to the first workable gold claim at Glenore, Otago (Ip and Leckie 2011, p. 162). His gold prospecting in Central Otago brought about the gold rush upon which much of Otago’s wealth was built, but Peter received very little attention (Leckie 1998, p. 163). What little is known of Peter comes predominantly from a few main sources (Mayhew 1949; McLeod 1986, p. 51; Dwyer 1990; Williams 2009). Instead, historians focused on honoring the European Read as the discoverer of Otago gold (Leckie 1998, p. 163), furthering notions of historical minority invisibility and the dominant colonial discourse, obscured by a European history dedicated to retelling its revisionist tale. *Te Ara*, the official online encyclopedia of New Zealand, states that “Otago’s first gold rush was in 1861, after Gabriel Read found gold in what would be called Gabriel’s Gully. Thousands of diggers, later including men from China, went there to make their fortune” (Walrond 2006). Even though Peter had discovered gold at Otago, Read was the one to remain historically visible, while the Indian Peter is relegated to a historical footnote. Through peopling the historical record with what European history has expunged, a contrasting narrative emerges.

Reinserting Asian presence into an overwhelmingly European history produces a more thorough and inclusive account. The first step towards righting this historical inaccuracy was the publishing of William's book (2009) and the erecting of an interpretive monument to Edward Peter's discovery of gold in Otago (Phillips 2009).

The advent of the gold rush coincides with the first visible Indian settler to be named (McLeod 1986, p. 51), and details of his doings can be found in the historical record. Bishop Selwyn (Howard 1940; Leckie 2010, p. 48) mentions another Indian who settled with Otago Māori, took *moko* (tattoo), and was renamed Te Anu. As his Indian name is lost to history, his region of birth in India and his religion will also remain obscure. These incidents mark the end of the earliest "settlement" narrative, as it transitions from a period of early sojourner to that of the more visible early Indian settler. The history of Indian settlement that follows is exceptionally well documented by Leckie and others (McGee 1960, 1962, 1993; McLeod 1980, 1984, 1986; Tiwari 1980; Zodgekar 1980, 2010; McLeod and Bhullar 1992; Leckie 1998, 2006, 2007, 2011; Kolig 2010; Ip and Leckie 2011; Bola 2014).

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## Indians in the New Zealand Census, Phase I: 1851–1911

The previous sections revealed that accounts of early Asian presence in Aotearoa have been largely ignored by currently accepted histories, and reset the date of earliest known Indian presence from 1809 (Bandyopadhyay 2006, p. 125; Leckie 2007) back to 1769, 40 years early than previously thought. This places Indians in Aotearoa at the precise point of Māori-European encounter. The only difference being that Europeans were present in larger numbers than Indians during the early period of contact and held the balance of power in their colonial relationship. The implementation of census enumeration is symbolic as it marks the move from Indian presence to permanent Indian settlement, as initial records of domicile appear. Yet, like historical accounts of early presence, census records also obscured early Asian settlement. This section also reveals earlier evidence of Indians in the census than previously known, as notations were often relegated to insignificant footnotes or concealed in ambiguous census categories that obfuscated the tabulation of Indian ethnicity. Examining these categories provides insight into early state reportage of Asian presence in New Zealand, as much of what is presented is as relevant for early Chinese settlement as it is for Indian.

While early censuses record Indian ethnicity, these are just as inaccessible as the historical anecdotes presented earlier. Early European censuses constructed a past in which minorities are thoroughly absent, reaffirming a predominantly colonial narrative. As examples, Māori are not included in the official New Zealand Census until 1951, and formal recording of Indian ethnicity did not occur until 1916. This section therefore reviews historical census records of Indian settlement from the first national census in 1851, picking up where the earlier "presence" narrative roughly ends. Statistics detailed here continue through to the most recently available Census Statistics from the 2013 Census. A more detailed analysis of Indians in the New Zealand census can be found in Nachowitz (2015). More recent Census figures on



the Indian population from the March 2018 Census will be publicly released in 2019. This chapter will be updated once these figures become available.

This section summarizes three distinct periods of Indian demography as evident in the New Zealand Census. The first period of census reporting begins with the original national Census of 1851 through to the 15th Census of 1911. The earliest references to Indian ethnicities or religions in the 1851–1911 censuses are reported in Table 1. This phase ends with the 1911 Census as censuses from 1916 had standardized ethnicity reporting, and the enumeration of Indian ethnicity was clearly and continually reported. The religious affiliation of census respondents has been recorded from the very first census and continues today. It is in these records of religious affiliation that the very first references to those of Indian ethnicity appear. This is probably why other researchers, examining census records for those of Indian ethnicity, overlooked footnotes to religious affiliation tables and pegged

**Table 1** Indians in the New Zealand Census, Phase I: 1851–1911

Year	Total population				Indians		
	Total European	Māori (estimates)	Total stating an ethnicity	Total people	Number of Indians	% of total people stating an ethnicity	% of total people
<b>1851</b>	28,865	–	–	28,865	–	–	–
<b>1858</b>	61,294	56,049	117,343	117,343	–	–	–
<b>1861</b>	106,315	56,336	162,651	165,651	14	0.009	0.008
<b>1864</b>	172,158	–	172,158	172,158	–	–	–
<b>1867</b>	218,668	38,540	257,208	257,208	–	–	–
<b>1871</b>	256,398	37,502	293,895	295,350	–	–	–
<b>1874</b>	294,698	45,470	344,984	344,984	9	0.003	0.003
<b>1878</b>	409,979	43,595	458,007	458,007	–	–	–
<b>1881</b>	484,923	44,097	534,030	534,030	6	0.001	0.001
<b>1886</b>	573,940	41,969	620,451	620,451	–	–	–
<b>1891</b>	622,214	41,953	668,651	668,651	–	–	–
<b>1896</b>	699,603	39,834	743,214	743,214	46	0.006	0.006
<b>1901</b>	769,838	43,112	815,862	815,862	24	0.003	0.003
<b>1906</b>	886,002	47,701	948,649	948,649	11	0.001	0.001
<b>1911</b>	1,005,823	49,829	1,070,910	1,070,910	15	0.001	0.001

Sources: Censuses from 1851 to 1911, Nachowitz 2015, Appendix A. The numbers of Indians in the years 1861 and 1874 are found in the Religious Affiliation tables in their respective Censuses and are listed as “Hindoos.”

Note: European figures in the Census years 1851, 1858, 1861, and 1871 include figures reported in an “Other” category, which includes “Military and their families.” There were no Māori estimates for 1851 and 1864. Total of those Stating an Ethnicity for the 1874–1886 Censuses included those of Chinese ethnicity. Total of those Stating an Ethnicity for the 1891–1901 Censuses included those of Chinese ethnicity as well as those that stated their ethnicity as “Moriari at Chatham Islands.” Total of those Stating an Ethnicity for the 1906 and 1911 Censuses included those of Chinese ethnicity, those that stated their ethnicity as “Moriari at Chatham Islands,” and those that stated at Pacific Islands ethnicity.



Indian enumeration to later dates. Early census reporting of minority populations was tenuous at best, and there was considerable blurring of census categories. Table 1 presents actual population numbers, as gleaned from different sections in the Census reports, e.g., religious affiliation, birthplace, and race are combined to create a true representation of the actual numbers of Indians reported in the Census statistics. For example, no Indian *ethnicities* are reported in 1861, yet 14 “Hindoos” are reported in a footnote for the “Other” category for religious affiliation; hence, Table 1 reports 14 Indians in the 1861 Census, where previous research recorded no Indians. This is only done in years where no ethnic Indians have been reported, so as to make certain that no duplications occur. In *no* years have numbers of Indian ethnicity been combined with numbers of Hindus or Muslims, as some overlap may occur. As a result, the statistics presented here may not correspond with official Census statistics for *ethnicity*, nor will they reflect previously presented statistics on the Indian diaspora in New Zealand. Instead, they present a more accurate rendition of the population that appears by scrutinizing in the various sections on religious affiliation, birthplace, and ethnicity in the published Census tables. Since ethnicity reporting becomes standardized from the 1916 Census onward, the numbers presented from 1916 represent the actual reported “ethnicity” figures for the Indian diaspora. Table 1, however, does present compiled numbers from 1851 to 1911 from the various ethnicity, birthplace, and religious affiliation tables where there is certainty that no duplication has occurred.

Although Indian sojourners have been recorded entering and leaving Aotearoa since 1769, it was not until the third national Census of 1861, that their official enumeration began. New Zealand’s first national population census took place in 1851, although smaller regional official enumeration goes as far back as 1842. Many of the Indians present in Aotearoa between 1769 and 1861 had either come for a brief period lasting days or months (i.e., the fleeting visits of Indian lascars on European ships, or the more prolonged stays of European sealing parties ashore), or while transiting on ships that plied the international trade routes between Europe, India, Australia and China. The majority of Indians present during these years would have been considered sojourners, not settlers. Although there were instances of Indians jumping ship, settling under Māori protection, marrying into Māori tribes, and others who came to prospect for gold, only a few of these early sojourners and settlers were recorded in early New Zealand censuses.

While the comings and goings of ships’ crews are well recorded in the arrival and departure records of main ports or in ship captain’s logs, it is unclear how many Indians may have arrived, however briefly, during the period 1769–1861. Old newspaper accounts of arrivals and departures of Indian lascars on transiting ships suggests the possibility that dozens of Indian sailors were domiciled in New Zealand before they begin to appear in the census. Since these are “newsworthy” stories, many refer to extraordinary situations (e.g., lascars arriving in ports in emaciated states, ill treatment at the behest of European superiors, or having been left ashore in sealing parties) or antisocial behavior, while others refer to specific crimes committed by both Europeans and Indians, or lascars remanded to jail.

Early censuses recorded predominantly European Christian adherents and great detail was paid to the particular denominations to which respondents belonged. Like practices in other national censuses based on race (e.g., “white” and “non-white”), early religious affiliation in New Zealand was described solely in terms of “Christian” or “non-Christian” dichotomies. The first national Census of 1851 records the only non-Christians as “Jews,” along with those recorded as “Non Sectarian, professing to belong to no Sect, or neglecting or refusing to state their adherence to any.” If ethnic Indians were enumerated in 1851, they would have been included in this category. In that year, 97.8% of the population were recorded as “Christian,” tabulated under entries denoting their particular denominations. The second national census of 1858 recorded similar categories of Christian denominations, and as with the first national census, only European populations appear to have been tabulated, although separate estimates of the Māori population were appended.

In subsequent censuses, the categorization of religious affiliation grew more complex. The third national Census of 1861 is important to historians of religious diversity as it includes the first genuine tabulation of those with “Other” religious persuasions, referring to non-Christian or non-Jewish Europeans. This census is significant as it records a total of fourteen “Hindoos,” four “Mahometans,” and three “Buddhists” in a footnote to the “Other” category that appears in the original tables in the 1861 census documents. Knowledge of this footnote has not previously been identified by researchers of the Indian diaspora in New Zealand, and this mention uncovers an earlier appearance of Indians in the New Zealand Census than previously known. It is likely that these 14 “Hindoos” are Indians recorded in the religious affiliation tables who were not elsewhere classified, as ethnicity was not formally recorded in the Census until 1916. Many of the early censuses record ethnic Indians in the religious affiliation tables, but these, curiously, were subsumed in the European category before the section on “Race Aliens” was introduced in the 1916, and subsequent, censuses. This meant that “Hindoos” were enumerated and categorized as Europeans. The four “Mahometans” recorded in this census would be more difficult to place. It is likely, however, that they were brought here on European ships, making it possible that some originated on the Indian subcontinent as lascars, or were Chinese Muslims coming to work the Otago goldfields. It is not possible to state with any certainty based solely on available data presented in the census record. If “Hindoos” are to be considered ethnic Indians, then presence in the 1861 Census has not been previously uncovered by other researchers of the history of religious diversity or of the Indian diaspora in New Zealand, and the reporting here represents the earliest known or published citation of their presence in a census. Taher (1965, p. 44), McLeod (1984, 1986, p. 52), and McLeod and Bhullar (1992, p. 5) all mention that the first Indians to appear in census returns were six recorded in the 1881 Census, and Taher categorically states that “statistics showing arrivals of Indians before 1897 are not available” (Taher 1970, p. 39). The 1881 citation probably references the “Birthplace” tables from the 1881 Census that record the numbers of both “European” and “Asiatic” populations born in India. There are six “Asiatics” recorded as being born in India in the 1881 Census. Leckie

(2007, p. 22, 2010, p. 48), possibly following earlier references from Taher and McLeod, also makes reference to the three Indian males noted as living in Canterbury on the Census of 1881 as being the first, but prior to this no other earlier citation of Indian presence on the census exists. This reference therefore places the earliest Indian appearance in the New Zealand Census back 20 years from when previously thought, from 1881 to the 1861 Census.

After an absence in the censuses of 1864, 1867, and 1871, Muslims and Hindus next appear in the 1874 Census; and Buddhists, who also first appear in the 1861 Census, do not specifically reappear as “Buddhists” in the religious affiliation section until the 1896 Census, although ethnic Chinese first appear in the Census of 1874, and in all successive census records. Chinese, however, do appear in the religious affiliation tables in the 1867 Census. It is unclear if the early reference to three “Buddhists” in the 1861 Census actually refers to Buddhism as a religious affiliation, as the category “Buddhist,” used as a proxy for race or nationality similar to “Hindoo,” cannot be easily discounted. Thus, it is possible that this 1861 reference represents the earliest appearance of Chinese in the national census.

Indian presence in the fourth Census of 1864 is wholly absent. While Indians were recorded in the 1861 census, their nonappearance here is likely due to inconsistent application of census categories, census enumerator inexperience, their disappearance into Māori communities, or the possibility that none were present during enumeration. The 1916 Census attempts to correct the record with a full accounting going back over 50 years and states that early Indian appearance was underreported in the very earliest censuses. The fifth 1867 Census marks the beginning of measuring racial fractions, as “Half-castes” are included for the first time in the European totals. This Census is also the first to mention “Other Foreign Countries” in more detail, and records 2,448 persons born in either Europe, North America, New Zealand, Australia, “Other British Dominions,” “At sea,” or “China,” so it is possible that of these 2,448 individuals, some may have originated in South Asia and appeared in the “Other British Dominions” category. In this census, it is impossible to determine if all of those born in “Other British Dominions” are European, as it has been previously shown (Nachowitz 2015) that some of these numbers referred to enumerated “Hindoos” and “Mahometans.” The 1871 Census introduces a new category enumerating the Chinese. Porous boundaries and inconsistent use of terms also prevail in the 1871 Census, and “Birthplace” tables, inconsistently used as a proxy for ethnicity where non-Europeans were included, largely reflected colonial attitudes of the time as these consisted mostly of British citizens born in overseas colonies.

In considering the tables of birthplaces, it should be borne in mind that the numbers given as born in any country are not necessarily natives of that country, the children born of British parents being included. (1871 Census, p. 10)

The use of “not necessarily natives” in the 1871 Census demonstrates the ambiguity of the Birthplace tables as being unreliable markers for ethnicity. “Other British Possessions” lists 713 persons as born in India, although many (or most) of these were of European ethnicity.

In the absence of any formal ethnic categorization, the religious affiliation tables in the 1874 Census again provide the best evidence of non-European non-Māori populations. Nine “Hindoos” appear in the religious affiliation tables, 13 years after the first known appearance of Indians in the 1861 Census and 7 years before the previous earliest-known reference in the 1881 Census. This would account for two earlier confirmed citations (the 14 “Hindoos” referred to in 1861 Census, and the nine recorded in 1874) than those referred to by others (Taher 1965, p. 44, 1970, p. 39; Shepard 1980, p. 150, 2002, p. 234; McLeod 1984, 1986, p. 52; McLeod and Bhullar 1992, p. 5; Drury 2000, 2006; Leckie 2007, p. 22, 2010, p. 48; Kolig 2010, p. 21; Pratt 2010, 2011) as being the first known census record.

Regarding birthplace, the 1878 Census lists 905 people as born in India, but presumably these are of European ethnicity rather than ethnic Indians, although this is impossible to verify. Table IV (1878 Census, p. 230) includes “Birthplace Unspecified” which has two distinct subcategories entitled “British Names” (686 individuals), and “Foreign Names,” which accounts for 26 persons (19 males and seven females) living in New Zealand in 1878 with non-British names. This would presumably include non-Māori and non-Chinese names as well. These 26 are distributed through the colony as five (four males and one female) in Wellington, 11 (six males and five females) living in Nelson, three males in Canterbury, and seven (six males and one female) in Otago. It is possible that this earlier record of three males with foreign names living in Canterbury is the same referred to in the 1881 Census (McLeod 1986; Leckie 2007, p. 21, 2010, p. 48; Beattie 2011, p. 142) as the servants of Sir Johan Cracoft Wilson, a retired magistrate from the British Civil Service in India, who settled in New Zealand after his years of service to British India along with his Indian servants. It is likely that their ethnicity became obscured by census enumerators in 1878. If these are indeed the same Indians, it would uncover an earlier reference for birthplace (i.e., those of Indian ancestry or ethnicity) than that of the 1881 citation.

Ethnic Indians receive no mention in the religion tables in the 1881 Census, but there is a solitary reference in the “Birthplace” Tables (1881 Census, Table IV, p. 192) that separates the 1,106 Europeans from the six “Asiatics” born in India. This listing confirms that six Indian males are included in the European ethnicity totals, as they are not elsewhere accounted for. This would appear to be the first confirmed reference to Indian ethnicity in the census, although not the first reference for Indian religious affiliation. Indian presence in the 1881 Census is corroborated by McLeod (1986, p. 51) and Leckie (2007, p. 22, 2010, p. 48), who make reference to a retinue of 17 Indian servants eventually brought to Canterbury by Sir Wilson. This small enclave that served under Wilson is perhaps the first known settled Indian community in New Zealand.

Several of the Wilson retinue deserted their master when they discovered that they could earn better wages elsewhere. Most of them, the loyal and the deserters alike, are said to have married Māori wives. If indeed they can be regarded as a community it was a transient one, obscure while it existed and eventually merging in the society which surrounded it. (McLeod 1986, pp. 51–52)

Leckie (2007, pp. 21–22, 2010, p. 48) records some of the original Indian settlers that arrived with Wilson, and their descendants, as the Sohman and Bussawan families, who have subsequently married into both Māori and Pākehā families, taking on new identities. There is, however, a claim that the six Indians mentioned in this census were independent Punjabi settlers rather than in Wilson's service:

According to an old Indian resident of Pukekohe, the six Indians recorded in the 1881 census were Punjabis and North Indians who, destined for Fiji, had stayed here instead, for a few years. (Taher 1965, p. 44)

McLeod (1986, p. 52) states that this is unlikely to be true. Gillion (1977, p. 131) records that the first free Punjabi immigrants reached Fiji in 1904, which would render Taher's citation incorrect, leaving McLeod's and Leckie's accounts more likely to be accurate.

The religious affiliation and birthplace tables of the 1886 Census make no separate reference to ethnic Indians or the religious affiliations of Hindus or Muslims, although it can be stated that if these did exist, they would either be listed as "Other denominations-Pagans," which recorded a total of 4,472 individuals (4,466 males and six females), or as "Other denominations-others (variously returned)," which recorded a total of 179 individuals (111 males and 68 females). As the Chinese population is not elsewhere included in the religious affiliation tables this year, it is likely that the majority of those returned as "Pagans" are ethnic Chinese, although some of the remainder, and those returned as "others (variously returned)," are likely to be ethnic Indians. The "Birthplace" category makes the explicit mention that those included in the tables are those with "British names" only, so ethnic Indians can be discounted as having been included in the birthplace tables this year. The same convention for birthplace and religious affiliation continued in the 1886 Census, so no ethnic Indians or revealing religious affiliations can be ascertained from the tables and no further footnotes mention either.

The 1896 Census records 46 Indian males, 43 of whom are listed as "Mahometans" while three are listed as "Hindoos." These appear in Table VI of the Census of 1896 (p. 124), which lists 1,192 Europeans (664 males and 528 females) and 46 "Asiatics" (all male), as being born in India. It is assumed that all 46 males would be of Indian ethnicity. Leckie corroborates:

Religious returns indicated that most of these were Muslims. Only three people in New Zealand that year declared themselves as 'Hindoos'. (Leckie 2007, p. 22)

The religious affiliation tables of the 1901 Census list two male "Brahmins," 41 male "Mahometans," and three "Zoroastrians." The two male "Brahmins" would certainly be Indian Hindus, although it is unclear which countries the 41 Muslims are from. This reference is the first to conflate Indian caste affiliation with ethnicity. The three "Zoroastrians" listed in the religious affiliation tables are enumerated as two "Zoroastrians" and one "Parsee," which would indicate that the Zoroastrians

were probably of Persian descent, and, as Zoroastrian Indians are generally known as “Parsis” (or “Parsees”), the sole “Parsee” listed in the 1901 Census would most certainly represent the first confirmed Indian Zoroastrian. In addition to the entries in the religious affiliation tables, the birthplace tables list a total of 24 Indian “Asiatics.” Of these 24, two would be male “Brahmins,” one “Parsee,” and the remainder presumably Indian Muslims.

Birthplace and Religious Affiliation tables in the 1906 Census continue to serve as proxies for ethnicity. This year records six India-born male “Asiatics” along with 1,224 India-born Europeans (695 males and 529 females). In the religious affiliation tables, ten Hindus are described, consisting of nine “Brahmins” and one “Hindoo,” all of whom are certain to be ethnic Indians. There are also 17 Muslims described, 16 as “Mahometans” and one returning as “Islam.” A single “Zoroastrian” is also enumerated. These tables record two “Vedantists,” but it cannot be said with any certainty that these are ethnic Indians, as ethnic Indians were unlikely to report a Hindu religious affiliation as “Vedantist,” although Vedanta philosophy had become fashionable in European circles due to the writings of Thoreau, Emerson, Blavatsky, and others. It is unclear why only six ethnic Indians are enumerated in the birthplace tables as “Asiatics” while ten Hindus are mentioned in the religion tables, so it is likely that the actual number of ethnic Indians recorded in the 1906 Census is slightly greater than six. These examples underscore the great number of inconsistencies throughout this census phase. It also demonstrates the difficulty early census enumerators experienced in recording ethnicity in the field, as the concept was poorly described by census bureaucrats to insufficiently trained enumerators. Instead, religious affiliation, birthplace, race, or skin color often substituted for ethnicity.

The 1911 Birthplace tables record 15 India-born male “Asiatics” along with 1,191 India-born Europeans (677 males, 514 females), so at least 15 ethnic Indians were recorded this year. The religious affiliation tables record two male “Hindoos,” 12 male “Mahometans,” and two male “Zoroastrians.” The first “Sikh” in New Zealand is also recorded, unsurprisingly categorized under “No Religion,” which explains why it was previously overlooked by other researchers. McLeod (1980, p. 115, 1986, p. 53) correctly states that the very first known Punjabi immigrants, two brothers, Phuman and Bir Singh, most likely came to New Zealand in the early 1890s, with the first census record of an Indian domiciled here in 1881 (1986, p. 52), which is incorrect. The first census record of Indian presence would be the 1861 reference mentioned earlier, with this 1911 census citation being the first of a Punjabi Sikh in the New Zealand census. While the Bir brothers, of whom much is already known (McLeod 1980, 1986; McLeod and Bhullar 1992; Leckie 2007), may have arrived circa 1890, it does not necessarily mean that they were the first Punjabis to reach New Zealand nor the first Punjabi settlers, as others could have arrived earlier and were unreported. However, this 1911 Census citation is the first to record a Punjabi Sikh in New Zealand, and, following McLeod, it is entirely possible that they may have arrived, and appeared on a census, long before this, although such references would not be distinguishable from other ethnic Indians enumerated in earlier census years.

In sum, this census period is marked by inconsistencies in race and religion reporting, and the relative invisibility of non-European populations. While exclusionary legislation prevented Asian populations from immigrating, and ideologues campaigned to keep New Zealand racially white, the low numbers of Indians and Chinese reported appear out of proportion to the exaggerated emotions stirred by fervent anti-immigration campaigners (see Leckie 1985). As a result, this period was mostly characterized by ideological concerns at play by both political actors in the legislative realm and those charged with the collection and presentation of census statistics designed to reflect such principles.

## Indians in the New Zealand Census, Phase II: 1916–1981

Ethnicity, as a distinct table, did not appear in a national census until 1916, which saw the introduction of a novel section entitled “Race Aliens.” The use of this term to refer to racialized ethnic “others” categorizes non-European non-Māori populations as “alien,” i.e., without “race.” This confirms their ambiguous status as neither belonging nor welcomed and elevates those *with* “race” (Europeans), as racially superior to others *alien to* “race.” The 1916 Census, therefore, marks the beginning of a distinct phase of minority statistical reporting that, over a period of 65 years, saw the ideologically driven elements of the first phase give way to a more embedded racialization in the second (Table 2).

Regarding the first appearance of ethnic Indians, Vasil and Yoon (1996, p. 2) state “It was only with the 1916 Census that Indians began to be listed separately as a distinct ethnic segment.” While technically correct, earlier references to religious affiliation, the 14 “Hindoos” in the 1861 Census, which Vasil and Yoon (1996) missed, cannot be so easily dismissed. Prior to 1916, Indians were not officially enumerated as

**Table 2** Indians in the New Zealand Census, Phase II: 1916–1981

Year	Total population	Indians		Intercensal increase	
		Number	% of total population	Number	Percent
1916	1,162,022	181	0.016	166	1,106.7
1921	1,321,216	671	0.051	490	270.7
1926	1,463,264	987	0.067	316	47.1
1936	1,647,278	1,200	0.073	213	21.6
1945	1,790,256	1,554	0.087	354	29.5
1951	1,939,472	2,425	0.125	871	56.0
1956	2,174,062	3,151	0.145	726	29.9
1961	2,414,984	4,179	0.173	1,028	32.6
1966	2,676,919	6,843	0.256	2,664	63.7
1971	2,862,631	7,807	0.273	964	14.1
1976	3,129,383	9,247	0.295	1,440	18.4
1981	3,175,737	11,244	0.354	1,997	21.6



a distinct ethnic category, although earlier censuses list the numbers of Chinese, Māori, Chatham Islands Moriori, and Pacific populations over which New Zealand had dominion. Although Indians do indeed appear in earlier censuses, they regularly appear in the “Race Alien” tables begun in 1916. The “Race Aliens” section also included minority breakdowns of religious affiliation for the very first time:

The principal religions of the Hindus were: Hindu, 53; Mohammedan, 25; Vishna, 22; Sikh, 15; Brahmin, 12; while 20 returned themselves as belonging to the Church of England. (1916 Census, pp. 143–144)

The first instance of “Hindu” used in the above quote refers to those of Indian ethnicity and the second to religion. The Census of 1921 was also the last to refer to ethnic Indians as “Hindoos” or “Hindus,” and from 1926 on, those returning a Hindu religious affiliation were identified as such and appropriately distinguished from Indians of other religious affiliations. “Vishna” [sic], instead of the correct “Vishnu” or “Vaishnavite,” is how it appears in the Census. It is unclear why “Vishna” and “Brahmin,” both of which should clearly fall under the religious use of the term “Hindu,” are listed separately. This is most likely due to census enumerator error or ignorance, or perhaps they were instructed to record exactly what respondents returned when questioned. The above quote also indicates that by 1916, over half (25 individuals) of the 47 Muslims enumerated in the religious affiliations tables were Indian Muslims. This provides insight into earlier enumerations, which record the total number of Muslims, but provide no ethnicities or birthplaces. Extrapolating backwards, this reference provides further evidence that the known Indian Muslim population in earlier census years may have been underreported, with the balance being ethnic Chinese. Earlier censuses record the total Muslim population as follows: 1861 (4 Muslims), 1874 (17 Muslims), 1878 (39 Muslims), 1881 (7 Muslims), 1896 (43 Muslims), 1901 (41 Muslims), 1906 (16 Muslims), and 1911 Censuses (12 Muslims).

The 1916 Census also marks the first appearance of a distinct subcategory of the “Occupations” section that records the various trades in which 167 male and 14 female “Hindus” (following earlier practice, the use of “Hindus” here refers to those of Indian ethnicity) were engaged in at the time. Table 3 is remarkable for what it reveals. Of the 167 Indian males “38 were engaged in dealing in food, &c, 26 in pastoral and 24 in agricultural pursuits” (1916 Census, p. 146).

Another Table (1916 Census, p. 147) details the specific occupations of selected “Race Aliens” (i.e., “Chinese, Hindus, Syrians, and Others”). It provides insights into the working lives of the Indian population in 1916. Summarizing, the largest number worked in agricultural or pastoral pursuits (27.6%), followed by those selling food and drinks (21.0%), followed by those dependent on natural guardians (7.7%), and those engaged in domestic service (7.2%). The table provides earlier and more detailed employment records than has been previously published in academic accounts of the earliest Indian settlers (Taher 1970; Palakshapa 1973; Tiwari 1980; McLeod 1986). McGee (1962, p. 215) and Zodgekar (1980, pp. 195–196) provide similar tables, but only beginning with the 1921 Census, and Leckie (1998, pp. 169–170, 2007, pp. 36–65) discusses the diversification of the employment of early



**Table 3** Occupations of 181 ethnic Indians recorded in the 1916 Census

Occupations	Males	Females	Total	Percent
Employer	6	0	6	3.3
Self-employed	49	0	49	27.1
Relative assisting	4	0	4	2.2
Wage earner	99	6	105	58.0
Wage earner unemployed	0	0	0	0.0
Not applicable	9	8	17	9.4
Not stated	0	0	0	0.0
<b>Totals:</b>	<b>167</b>	<b>14</b>	<b>181</b>	<b>100.0</b>

**Table 4** Length of residence of the Indian population, 1916 Census

Length of residence, in years	Full-blooded			Half-caste		
	Male	Female	Total	Male	Female	Total
Under 1	31	–	31	1	–	1
1 and under 2	3	–	3	–	2	2
2 and under 3	16	1	17	2	1	3
3 and under 4	42	–	42	–	1	1
4 and under 5	21	1	22	–	–	–
5 and under 6	7	–	7	1	–	1
6 and under 7	–	–	–	–	–	–
7 and under 8	2	–	2	1	–	1
8 and under 9	1	–	1	–	–	–
9 and under 10	1	–	1	1	–	1
10 and under 15	4	–	4	–	–	–
15 and under 20	3	1	4	–	–	–
20 and under 30	8	–	8	–	–	–
30 and under 40	3	–	3	–	–	–
40 and under 50	3	–	3	–	–	–
50 and over	–	–	–	–	–	–
Not stated	11	–	11	–	2	2
Born in New Zealand	4	2	6	1	3	4
<b>Totals:</b>	<b>160</b>	<b>5</b>	<b>165</b>	<b>7</b>	<b>9</b>	<b>16</b>

Source: “Table showing the number of Hindus in New Zealand classified according to Length of Residence in the Dominion, Census”. (1916 Census, p. 149)

Gujarati and Punjabi settlers during this period and beyond in great detail, based on her ethnographic research.

Table 4 specifically details the number of years that 181 Indians have lived in New Zealand. Of these, 165 are recorded as “Full-blooded” and 16 as “Half-castes.” The number of “half-castes” recorded provides early evidence of Indian intermarriage with European and Māori populations, as the second parent’s ethnicity is

unclear. This Table provides evidence of settlement 40–50 years prior to 1916, that three males were settled as far back as 1876–1886.

It will be noted that of 145 full-blooded male Hindus born abroad whose length of residence is known, 113 had been under five years in the country; and of 6 half-caste males 3 had been under three years in the country, 4 under six, 5 under eight, and all under ten. These figures clearly show the increase in the number of persons of this race in the Dominion. It will also be noted that 6 full-blood and 4 half-caste Hindus have been born in the country. The table affords good evidence that until recent years at least a large proportion of Hindu arrivals in the country merely stayed here a few weeks in transit to, or from, the Pacific Islands. A comparison of the arrivals of Hindus during each of the 10 years ended 1916 with the approximate year of arrival of those included in the above table gives the following results (1916 Census, pp.148–149).

Table 5 provides evidence that the majority of the early Indian arrivals recorded in the 10 years before the 1916 Census were transient, for instance, of the 325 ethnic Indians that arrived in New Zealand in 1912, only 22 were still recorded as domiciled in New Zealand in 1916. If cross-referencing the list of Punjabi immigrants provided by McLeod (1984) with the years of arrival above, it might be possible to put names to many of the numbers referenced above.

Note the discrepancy between the numbers of Hindus recorded in the religious affiliation tables in 1916 (88 individuals), versus the number of “Hindu” (i.e., Indian) “Race Aliens” (181 individuals). This means that only 48.6% of the ethnic Indians recorded in 1916 were Hindu, with the remainder most likely being Muslims or Christians. Of the 181 ethnic Indians recorded, 165 were full ethnic Indians and 16 were children of mixed marriages, 4 of whom were New Zealand-born, 10 born overseas (possibly the progeny of European-Indian marriages born in India), and 2 unknown (see 1916 Census, p. 139).

Zodgekar (1980, p. 183) records that “Indians have largely arrived since the suspension of the indentured system in 1917 and its abolition in 1920” and notes

**Table 5** Indian arrivals in the Colony, 1907–1916

Year	Arrivals during the year	Number in Dominion in 1916 who arrived in same year
1907	20	2
1908	24	1
1909	157	3
1910	80	0
1911	190	8
1912	325	22
1913	133	43
1914	257	20
1915	13	5
1916	92	32

Source: extracted from the 1916 Census, p. 139

that many of the early arrivals came from Fiji as a result of the end of the indenture system. Historical evidence, however, suggests that the increase in arrivals of Indians in New Zealand may be more due to the increasing awareness of impending immigration restrictions in New Zealand rather than the end of the indenture system in Fiji. Leckie (1998, 2007) also considers that increased chain migration from Gujarat and Punjab to New Zealand were important factors. This is corroborated by Kondapi (1951) and was the major source of the dramatic increase in ethnic Indians in the 1921 Census. This year saw an increase from the 181 individuals noted in the 1916 census to 671 individuals in the 1921 Census. Although Zodgekar notes the presence of ethnic Indians based on census figures from 1916 onwards, he does not record any earlier Indian presence in census records before 1916.

The 1921 Census continues the “Race Alien” section begun in 1916:

Third in numerical importance (behind the Chinese and Syrians) among the race-alien communities are the Indians. The Indians arriving in New Zealand are British subjects, and in that respect differ from the bulk of other race-alien immigrants. Until very recent years there was scarcely a handful of Indians resident in the Dominion. (1921 Census, p. 118)

New Zealand had difficulty classifying Indian arrivals during this period as Britain governed colonial India until 1947 and Indians under the British Rāj in India were considered British citizens. This created conflict for anti-Asian immigrationists in enacting suitable legislation upholding a white New Zealand policy that prevented further Indian and Chinese immigration (see Murphy 2007 and 2008 for the legislative differences between the Indian and Chinese populations, respectively). This exemplified the rather ambiguous positioning of Indian immigrants at the time, as their status as British subjects did not translate into a more favorable immigration status (see Murphy 2007).

Table 6 clearly shows that Indians who do not appear in earlier censuses, were indeed present and recorded, most probably as “Others.” This table confirms the first recorded instance of ethnic Indians present, although not separately enumerated, in earlier censuses, even though it remained unrecorded until 1921.

**Table 6** Summary of Indians noted in previous Census years (1921 Census, p. 118)

Census year	Males	Females	Total
1881	6	–	6
1886	–	–	–
1891	–	–	–
1896	46	–	46
1901	–	–	–
1906	6	–	6
1911	15	–	15
1916	167	14	181
1921	622	49	671

The intercensal increase between 1916 and 1921 was 409, or 270 percent. It is however, believed that the number in 1916 was slightly understated owing to the method of inquiry presenting a possible defect, remedied in 1921. (1921 Census, Race Aliens, p. 118)

The religious affiliation of “Race Aliens” are also described in the 1921 Census, as follows:

Speaking generally, non-Europeans are comparatively illiterate, and this fact combined with language difficulties and customs foreign to New Zealand practice tends towards a reduction in the degree of accuracy in census statistics. It seems probable that statistics of religions are among those more affected. A large number—2113—of the race aliens was recorded as Christian, comprising 24 percent of the males of full blood and 76 percent of the females. Half-castes were almost all (males, 92 percent; females, 97 percent) described as Christians. The various churches with their adherents are briefly tabulated. (1921 Census, p. 121)

This table confirms that the majority of ethnic Chinese that came to work the Otago goldfields in the late 1860s were largely recorded as Confucian (63.7%, or 2,081 Confucians recorded from 3,266 ethnic Chinese). It is unclear, however, if these are indeed Confucians or a proxy for Chinese ethnicity, as in the use of the word “Hindoo.” The 371 Hindus recorded in the above table account for 55.3% of the 671 ethnic Indians recorded in the “Race Alien” table, which would mean that of the remaining 300 ethnic Indians, the majority would have been Muslims, with a smaller number of Christians (Table 7).

There are 386 “Hindus” listed in the religious affiliation Tables (1921 Census, p. 125) for all respondents (371 of whom are Hindus accounted for in the religious affiliations of the “Race Aliens” table above). However, a closer inspection under the section “Non-Christian Religions” in the general tables for all respondents (not just

**Table 7** Religious affiliation for “Race Aliens,” 1921 Census

Religious affiliation	Number
Church of England	703
Presbyterian	198
Roman Catholic	756
Methodist	112
Baptist	117
Other Christian churches	227
Confucianism	2,081
Hinduism	371
Buddhism	36
Others	837
<b>Total:</b>	<b>5,438</b>

Only about one-sixth of the Chinese are Christians, belonging principally to the Church of England, Presbyterian, and Baptist Churches. The great majority were returned simply as followers of Confucius. Syrians, who were almost all Christians, are chiefly adherents of the Roman Catholic Church. Such few of the Indians as claimed Christianity were mainly attached to the Church of England. The great bulk were Hindus or Mohammedans. (1921 Census, p. 121)

for “Race Aliens”) reveals further breakdowns into Muslims, Buddhists, and Hindus: “Mohammedans, Buddhists, and followers of one or other of the group of religions associated under the generic name of ‘Hindu’ compose the greater part of the remainder.” Note that the conflation of “Hindu” with ethnic “Indian” continues in the 1921 census. Those labeled “Hindu” in the religion section are those of Indian ethnicity answering the religion question and include Muslims and Buddhists. As Muslims are not specifically mentioned, there is no way to confirm the numbers present in 1921, although the figure of 837 “Others” provides some insight.

The “Industrial Distributions” of “Race Aliens” are given in great detail in the 1921 Census. Table 8 represents the 671 ethnic Indians recorded this year. In order to simplify the table, the Chinese data has been removed and a percentages column of the total population added.

Chinamen are comprised very largely of market-gardeners, laundrymen, and fruiterers. Industries followed by Indians are very much more varied and of considerably different character. (1921 Census, p. 121)

The various “Grades of Occupation” of those of Indian ethnicity from the 1921 Census given in Table 9 represent the 671 ethnic Indians recorded this year.

The 1926 “Race-Aliens” section is quite extensive. It records 987 ethnic Indians, and the first children of Indian-Māori marriages (“half-castes”). This Census lists a total of nine “Indian-Māori,” enumerated in the Race Alien tables. Table 10 lists the various religious affiliations of all 987 ethnic Indians and continues to highlight the preoccupation with reporting mixed races. This table shows that 35.7% of ethnic Indians in 1926 recorded a Hindu religious affiliation (this consists of the 34.3% who returned “Hindu” plus the 1.1% that returned “Brahman”), 32.4% Christian, 9.9% Sikh, 5.5% Muslims, with 9.7% objecting to answer the question. However, while 338 “Hindus” returned as ethnic Indians under “Race Aliens,” an additional 21 ethnic Indians (15 “Brahmins,” one “Rajput,” one returning as “Temple of India,”

**Table 8** Industrial distribution of ethnic Indians, 1921 Census

Type of employment	Number	Percent
Sale of vegetables and fruit	102	15.20%
Staff of licensed hotels	42	6.26%
Dependent on hosts or natural guardians	41	6.11%
Brick and tile making	42	6.26%
Dairy-farming	36	5.37%
Hawking	32	4.77%
Land-drainage	31	4.62%
Dealing in scrap metal, used bottles, &c.	30	4.47%
Shipping	28	4.17%
General farming	27	4.02%
Others	260	38.75%
<b>Totals:</b>	<b>671</b>	<b>100%</b>

Source: 1921 Census, p. 121

**Table 9** Grade of Occupation of "Race Aliens" described in the 1921 Census

Grade of occupation	Indians	
	Number	Percent
Employer	21	3.1
Working on own account	187	27.9
Relative assisting	12	1.8
Wage-earner	363	54.1
Wage earner, but unemployed	24	3.6
Not applicable	64	9.5
Unspecified	0	0.0
<b>Totals:</b>	<b>671</b>	<b>100.0</b>

Source: 1921 Census, p. 122

**Table 10** Indian religious affiliation, 1926 Census

Religion	Males		Females		Total	
	Full-blood	Mixed	Full-blood	Mixed	Number	Percent
Church of England	10	57	2	45	<b>114</b>	<b>11.55%</b>
Roman Catholic	12	13	6	25	<b>56</b>	<b>5.67%</b>
Presbyterian	2	34	3	45	<b>84</b>	<b>8.51%</b>
Methodist	7	8	5	9	<b>29</b>	<b>2.94%</b>
Baptist		2			<b>2</b>	<b>0.20%</b>
Salvation Army	3	6		13	<b>22</b>	<b>2.23%</b>
Missions	1				<b>1</b>	<b>0.10%</b>
Latter-day Saints	1	3			<b>4</b>	<b>0.41%</b>
Protestant, <i>nfd</i>	1				<b>1</b>	<b>0.10%</b>
Bretheren	1	1			<b>2</b>	<b>0.20%</b>
Christian, <i>nfd</i>		1			<b>1</b>	<b>0.10%</b>
Christian, other	3			1	<b>4</b>	<b>0.41%</b>
Hindu	333	2	3		<b>338</b>	<b>34.25%</b>
Buddhist	4	1			<b>5</b>	<b>0.51%</b>
Sikh	90	1	7		<b>98</b>	<b>9.93%</b>
Mohammedan	49	5			<b>54</b>	<b>5.47%</b>
Brahman	11				<b>11</b>	<b>1.11%</b>
Theosophist	4			1	<b>5</b>	<b>0.51%</b>
Other non-Christian	11				<b>11</b>	<b>1.11%</b>
No religion	1	1			<b>2</b>	<b>0.20%</b>
Other beliefs	10	1	3	2	<b>16</b>	<b>1.62%</b>
Object to state	78	12	1	5	<b>96</b>	<b>9.73%</b>
Not specified	29	1		1	<b>31</b>	<b>3.14%</b>
<b>Totals:</b>	<b>661</b>	<b>149</b>	<b>30</b>	<b>147</b>	<b>987</b>	<b>100%</b>

Source: Census of 1926, Vol. 6 – Race Alien Population, Tables 12 and 13, pp. 26–27

Note: *nfd* not further defined

and four stating their religious affiliation as “Vedic”) would bring the total to 359. Also of note is the large increase in the Sikh population (98 individuals) up from a population of 18 recorded in 1916, and the first Indian “Jain” appears in 1926. It is evident from the overall number of Muslims in the 1926 Census (76 “Mahometans” and four “Sufis” recorded in the general religious affiliation tables), that 54 were of Indian ethnicity with 22 originating in other countries, possibly China.

The 1926 Census also reports in detail the number of male and female Indians engaged in different industries. These tables reveal a far wider set of occupational skills than has previously been recorded for the Indian population. For example, Leckie states: “Most Indian pioneers worked long hours, in hard work, and travelled widely as hawkers, rural labourers or as domestic workers. These men were part of New Zealand’s working class” (Leckie 2010, p. 51). Others scholars described this early period of Indian settlement, approximately 1910–1930, in this way:

The majority of Indians intended to take up farming and a few of the artisans hoped to continue with their trades such as shoemaking. But as land was too expensive to buy, they were forced into rural labouring jobs such as road-building, or rural industries such as brick and tile making. The artisans found their intentions frustrated by the trade unions. The Indians in the urban areas were forced into the hawking of fruits and vegetables, bottles and rags. Here, at least, hard work and long hours could yield some return. Others became servants or washerman. Everywhere the Indians met with occupational prejudice and were forced to take jobs which limited the form of their contact with the host society. (McGee 1962, p. 214)

The history of Indians in New Zealand has been closely bound up with the dairy and market-gardening industries but at the early stages of their immigration they sought employment as flax workers, bottle-collectors, drain diggers and scrub cutters. (Tiwari 1980, p. 7)

These statements are not necessarily true, and were probably based on anecdotal or interview evidence, rather than statistical data. Table 11 demonstrates a broader degree of expertise noted by the higher percentage of skilled jobs (e.g., administrators, shop owners, teachers, lawyers) that Indians were employed in 1926, and many of these might have been civil servants in the British Rāj (i.e., telegraph operators, government service) prior to emigration.

Based on an analysis of Table 11, only 16% of the total Indian population in 1926 was involved in agricultural and pastoral industries, 2.2% involved in clearing bush (forestry), 0.3% in the mining and quarrying industry, 4.2% in milling flax, 2.2% in land drainage, 1.9% in scrap metal and bottle collecting, 2.5% in hawking and street selling, for a total of 29.4% of the population involved in menial labor. A considerable percentage (21.9%) were dependent on their “natural guardians,” demonstrating the increasing numbers of children of Indian migrants, or recently arrived Indian wives not otherwise employed, while 1.3% of the total population were either in hospitals, wards, mental institutions, or jail. A further 0.3% of the population was retired. This accounts for a total of 52.9% of the total population. An additional 7.0% of the population is not specified. The remainder (40.1%), forming the majority, were involved in other manufacturing and industrial pursuits; the building and

**Table 11** Industries of the ethnic Indian population, 1926 Census (main sectors only)

Industry	Gender		Total	
	Males	Females	Number	Percent
Agricultural and pastoral:	158	0	158	16.0
Forestry:	22	0	22	2.2
Mining and quarrying:	3	0	3	0.3
Manufactures and industrial:	66	5	71	7.2
Building and construction:	30	0	30	3.0
Transport and communication:	49	0	49	5.0
Commerce and finance:	223	2	225	22.8
Public administration and professional:	10	9	19	1.9
Recreation:	3	0	3	0.3
Personal and domestic service:	78	28	106	10.7
Other industry, or not specified:	168	133	301	30.5
<b>Totals:</b>	<b>810</b>	<b>100</b>	<b>987</b>	<b>100.0</b>

Source: This table is based on a more complete Table that appears in the 1926 Census, Vol. VI "Race Aliens," pp. 28–29. The original Table contains the subcategories while the above Table contains only the main headings. Percentages and totals for each sector have been added for easier comparison

construction, and the transport and communication sector; commerce and finance; public administration and professional employment; recreation; and personal and domestic services. In sum, approximately 30% held low-waged menial jobs, approximately 30% employed in other services, while approximately 40% were involved in more settled, higher-waged positions.

Many of the early Indian and Chinese settlers are often portrayed as market gardeners in the 1920s, and the difficulties they faced in making ends meet were emphasized (Tiwari 1980, pp. 7–9; Leckie 1985, 2007). However, Table 11 reveals that only six ethnic Indians were recorded as market gardeners in 1926, while 1,144 ethnic Chinese held the same occupation (1921 Census, p. 28). Many more Indians at the time were engaged in mixed farming practices, or in bush- and scrub-cutting, trades or commercial occupations.

Table 12 records the "Occupations" of ethnic Indians in the 1926 census. These are only presented once, in the detail in which they appear in the census, in order to reveal and substantiate the wide range of economic activities in which the Indian population was engaged at the time. A thorough accounting of the breath of occupations has not previously been presented outside of the original census.

The wide array of skills and occupations, including a doctor, and shopkeepers is evident (see the original Table in the 1926 Census, Vol. VI "Race Aliens," pp. 30–32). This information shows that the early Indian settlers of this period were a mix of highly skilled and unskilled laborers, and not just flax and scrub cutters, hawkers, market gardeners, or bottle collectors as is often portrayed in histories of the Indian diaspora in New Zealand. Many held reputable positions, owned shops, had employees, taught school, drove trains, and were cooks. This data further supports the emergence of an Indian entrepreneurial class as early as 1916. Additionally, as three (2 males, 1 female)



**Table 12** Reported occupations of the ethnic Indian population, 1926 Census

Occupations	Indians		Total	
	Males	Females	Number	Percent
Agricultural and pastoral:	132	0	132	13.4
Forestry:	58	0	58	5.9
Miners and quarrymen:	2	0	2	0.2
Nonprecious metal workers, electrical fittings, &c.	5	0	5	0.5
Workers in fibrous materials other than clothing:	17	0	17	1.7
Workers in clothing and dress:	7	4	11	1.1
Workers in food, drink, and tobacco:	3	0	3	0.3
Workers in wood:	11	0	11	1.1
Workers in building and construction, <i>nei</i> :	35	0	35	3.5
Workers in transport and communication:	44	0	44	4.5
Commercial occupations:	211	2	213	21.6
Public administration:	1	4	5	0.5
Clerical and professional occupations:	7	5	12	1.2
Occupations connected with sport and recreation:	2	0	2	0.2
Personal and domestic occupations:	84	29	113	11.4
Other ill-defined occupations:	92	2	94	9.5
Persons not actively employed in gainful occupation:	99	131	230	23.3
<b>Totals:</b>	<b>810</b>	<b>177</b>	<b>987</b>	<b>100.0</b>

Source: The complete Table, along with the various sub-categories, can be found in the 1926 Census, Vol. VI “Race Aliens,” pp. 30–32. Only the main categories are included here. The percentages column, with sector totals, has been added for easy comparison

Notes: *nei* not elsewhere identifiable

are listed as students, this may be the first reference to Indians attending public school, demonstrating sustained Indian settlement.

From 1926, enumeration of ethnic Indians continued in this fashion, so further descriptions are unnecessary, as subsequent history is well described (Leckie 2007). Indian presence in the census continued to increase throughout this period, and a greater transparency is evident in improved, more consistent, ethnic reporting. The eventual inclusion of Māori in the 1951 Census marks an important turning point roughly halfway through this phase and provides an example of the increasing participation of minority populations in the national arena, although the inclination to maintain racial purity remained a primary concern of the majority. This second phase is bounded by the historical significance of allowing individuals to report multiple ethnicities for the first time in the 1986 Census, largely brought about by significant sociopolitical changes occurring in New Zealand society leading up to the transition. Such macro-political factors (e.g., significant changes in immigration policy, rapid demographic change, increased bicultural discourse, Māori cultural resurgence and the beginnings of Treaty of Waitangi claims) neutralized the need for the continuation of “Race Alien” reporting and categories that identified and highlighted miscegenation.

## Indians in the New Zealand Census, Phase III: 1986–Present

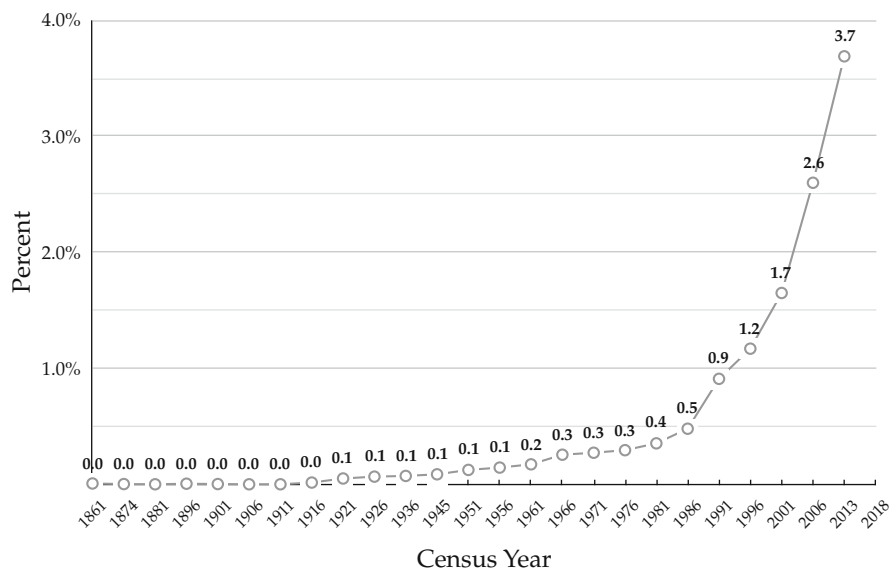
The third census phase is marked by the emergence of ethnicity as the central concept for minority reporting in the national census. The 1986 Census is a critical starting point for this transition as it marks the move away from the previous preoccupation with blood quantum and “race alien” reporting to that of self-identification with the particular ethnicities of one’s choice. The first appearance of the ability to tick affiliation with more than one ethnicity is one of this phase’s chief characteristics. This adaptation parallels the corresponding transformations that were occurring in immigration reform at the time, which ceased to rely on the traditional source countries of Western Europe (and more recently, the Pacific Islands), and opened up migration from nontraditional sources, including Asia. The focus on ethnicity, rather than physical characteristics, replaced the nomenclature of race, but the classifications and categories continued to conflate birthplace, ancestry, nationality, and culture. Ethnic self-identification coincided with general improvements of minority performance in a variety of socioeconomic indicators (Callister 2007; Poata-Smith 2013), the emergence of political representation (Banducci et al. 2004; Park 2010; Sullivan 2010), and the commencement of inclusion in a common national identity (Greif 1995; Ip 2003; Ip and Pang 2005; Bandyopadhyay 2006; Dobson 2011). Such recognition allowed advancement of both government and minority interest in improving inequality and in better addressing minority aspirations (Park 2010, Kukutai 2012:28).

These changes brought about, or are a result of, identity politics based on increasing minority recognition, as this period witnesses the substantial growth of minority communities. Demographic change can best be observed in the increases in intercensal growth in minority populations during this phase. The growth in the Indian population is highlighted in Table 13, which grew 1,292% between 1981 and 2013, i.e., since just prior to when immigration reform began in 1987. While intercensal growth reached its zenith of 93.6% in the 1986–1991 period, in the wake of the passing of the 1987 Immigration Act, the Indian population continued to increase. The 2006 Census identified an Indian population growing at a faster rate

**Table 13** Indians in the New Zealand Census, Phase III: 1986–2018

Year	Total population	Indians		Intercensal increase		Change since 1981 (%)
		Number	% of total population	Number	Percent	
<b>1986</b>	3,307,086	15,810	0.48	4,566	40.6	40.6
<b>1991</b>	3,373,962	30,606	0.91	14,796	93.6	172.2
<b>1996</b>	3,618,303	42,408	1.17	11,802	38.6	277.2
<b>2001</b>	3,737,346	61,803	1.65	19,395	45.7	449.7
<b>2006</b>	4,027,947	104,625	2.60	42,822	69.3	830.5
<b>2013</b>	4,242,051	156,567	3.69	51,942	49.6	1,292.4
<b>2018</b>						

Note: 2018 statistics will be released in 2019



**Fig. 1** Indians as a percentage of the total New Zealand Population, 1861–2018

than the Chinese for the first time, and this trend was confirmed by the 2013 statistics.

Figure 1 displays the Indian population as a percentage of the Total New Zealand population historically, including all years in which Indians were present in the Census. It shows the tremendous growth of the Indian diaspora in New Zealand, especially in the aftermath of recent immigration reform.

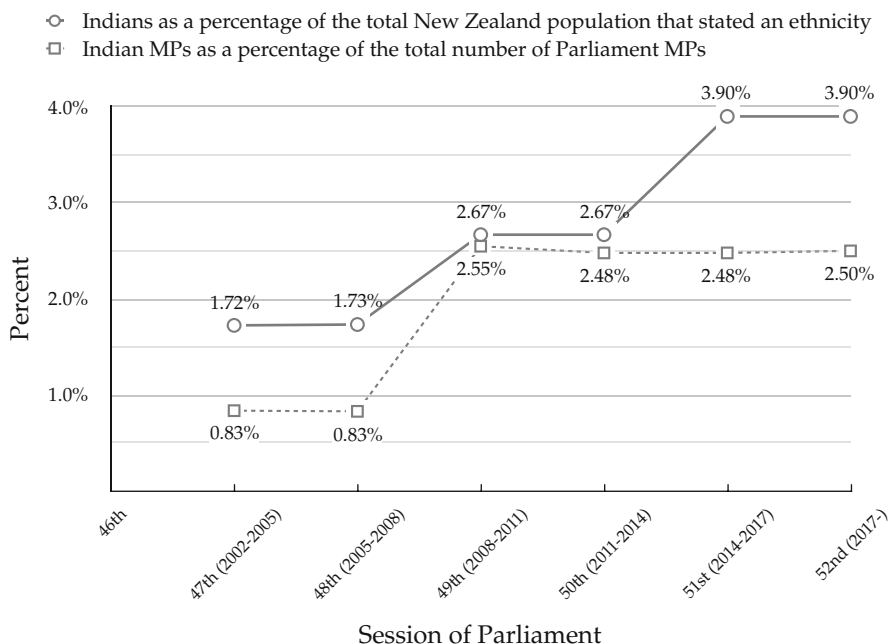
Along with rapid and consistent population growth came an increased need for Indian sociocultural groups, as a larger population brought about a communal shift away from primary economic pursuits and the business of survival, evident in the first two phases, towards a greater enjoyment and celebration of one's heritage and cultural roots, which became important in the third phase. Greater political organization and representation also emerged during this period. Rapid population growth mirrored significant changes in the number and extent of organizations and associations that cater to the thriving Indian population today. Prior to 1986, there were only a handful of organizations and associations that represented the needs of the Indian community. The first to form was the New Zealand Indian Central Association.

Ironically, it was the vehement opposition to their settlement in New Zealand that induced Indians to form a national association in 1926 that would long outlive the White New Zealand League. (Leckie 2007, p. 140)

The early formation and expansion of such cultural, religious, and political networks, along with the growth of an increasingly expressive Indian identity,

is well chronicled by Leckie (2007, pp. 140–168). Today, there are hundreds of Indian organizations and associations that represent the needs and aspirations of the various regional, cultural, religious, linguistic, sporting, women’s, professional groups and trade organizations that now operate in New Zealand (see a list of Indian organizations and associations in Nachowitz 2015, Appendix K). This list, however, does not represent the continued growth and influence of Indian enterprise in the economic sector and the steady drive towards a New Zealand-India free trade agreement, currently underway.

Whereas there was scant political representation of the Indian community in New Zealand, there have been a number of key representatives and elected officials at local, regional, and national levels, including two mayors and several MPs, since the beginning of the third census phase. These changes all represent minority aspiration and affirmation for greater political voice in the national arena that is a defining characteristic. Figure 2 demonstrates that the proportion of the Indian community to the total New Zealand population stating an ethnicity (solid line) is in close approximation to the proportional representation of Indian MPs elected to the New Zealand Parliament (dotted line). The first South Asian elected to Parliament was Dr. Ashraf Choudhary in 2002, at which point the total Indian population represented 1.7% of the total New Zealand population. As the only



**Fig. 2** Indian representation in New Zealand’s Parliament. (Note: The figures for 47th and 48th Parliaments are based on statistics from the 2001 Census, the figures for the 49th and 50th Parliaments are based on statistics from the 2006 Census, and the figures from the 51st and 52nd Parliaments are based on statistics from the 2013 Census)

elected South Asian member in the 47th Session of Parliament, his representation amounted to 1 of 120 seats, or a proportion of 0.8%, less than half of what proportional representation should account for, and well below parity. This scenario was repeated in Parliament's 48th session, which had 121 members. Near parity was reached in the 49th and 50th Parliaments, both of which saw a total of three South Asians MPs.

In the 2013 Census, the Indian population reached 3.9% of the total New Zealand population stating an ethnicity. Due to the dramatic rise in the Indian population in the 2013 Census data, and the fact that only three Indian MPs were elected to Parliament in the September 2013 elections, the 51st Session again fell below parity. This trend continued in the 52nd Parliament, which currently continues to have three elected members of Indian ethnicity. It should be noted, however, that each of the South Asians that made their way into Parliament were List MPs and not Electorate MPs, i.e., they were not elected by the constituency of their electorate. This allowed, for example, New Zealand First MP Mahesh Bindra (ranked 11th on the New Zealand First party list) to be awarded a seat in the 51st Parliament on the coattails of New Zealand First's party vote, even though he received a total of only 717 votes of the 34,097 received in his Mount Roskill electorate (2.1% of the total number of votes cast in his electorate), losing to Phil Goff, who received 18,637 votes (or 54.7% of the total votes cast in the electorate). The differential between the two lines in Fig. 2 reached its largest gap in the 51st and 52nd Parliaments (a difference of 1.4%, compared with the lowest, achieved in the 49th Session, of 0.1%), since South Asians first appeared in the New Zealand Parliament during its 47th Session. This would be due to the increase in the Indian population without a concomitant rise in the number of Indian MPs entering Parliament in October 2014. It will be interesting to continue tracking proportional representation in Parliament in this way as minority populations continue to increase. What remains then would be for Indian political representation to achieve or exceed parity in proportion with the percentage of Indians in the total New Zealand population.

Table 14 includes a list of South Asians elected to the New Zealand Parliament, along with their political party, country of birth, respective religions, and the years each served in Parliament. Other politicians of note include one of the earliest elected

**Table 14** South Asian representation in New Zealand Parliament

Name	Party	Dates served	Religion	Electorate or list MP	Country of birth
Dr Ashraf Choudhary	Labour	2002–2011	Muslim	List MP	Pakistan
Dr Rajen Prasad	Labour	2008–2014	Hindu	List MP	Fiji
Kanwaljit Singh Bakshi	National	2008–	Sikh	List MP	India
Mahesh Bindra	NZ first	2014–2017	Hindu	List MP	India
Dr Parmjeet Parmar	National	2014–	Sikh	List MP	India
Priyanca Radhakrishnan	Labour	2017–	Hindu	List MP	India

officials of South Asian descent in New Zealand, Dame Sukhinder (Sukhi) Kaur Gill Turner, who served as the Mayor of Dunedin from 1995 to 2004, serving a full three terms. Turner was born in Ludhiana, Punjab, educated in the USA, and became a New Zealand citizen in August 1973 (Kumar and Jacob 2004). She is a Sikh, married to the New Zealand cricketer Glenn Turner. In 2004, Turner received a *Pravasi Bharatiya Samman* award, presented by the Indian government to honor those making significant contributions in the countries of their residence. She has also been twice awarded in New Zealand, in 2002 Queen's Birthday Honours as Distinguished Companion of the New Zealand Order of Merit (*New Zealand Gazette* 2002, issue 57), and again in 2009 as a Dame Companion of the New Zealand Order of Merit (*New Zealand Gazette* 2009, issue 118).

Another statesman of merit is The Right Honourable Sir Anand Satyanand, who served as the 19th Governor-General of New Zealand from 2006 to 2011. Satyanand, born in raised in an Indo-Fijian family in Auckland, became a lawyer, graduating from the University of Auckland in 1970, later becoming a Judge of the District Court of New Zealand in 1982. Appointed by Prime Minister Helen Clark, he became the first Governor-General of Indian descent. In 2009, he became a Knight Grand Companion of the New Zealand Order of Merit (GNZM). He also served as Chair of the Commonwealth Foundation from 2012 to 2016. A full biography of Satyanand appears in Leckie (2018). Another Indian politician, K (Guru) Gurunathan, was elected as the Mayor of the Kapiti Coast in 2016. Gurunathan, a Malaysian-born Indian, former journalist and City Councillor, became the first ever non-European elected to office in his district.

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## Conclusion

This chapter refashions minority history in New Zealand and establishes early Indian presence at the time of initial Māori-European first contact, and Indian settlement according to the Census, long prior to dates originally reported. Indians are not just recent migrants pinching Pākehā jobs, but are, more appropriately, a population that played a vital role in the very foundations of New Zealand history alongside indigenous Māori and their European colonizers. That Indians have a claim, however small, to Aotearoan history and early Māori-European encounter has significant implications for both how majorities perceive minorities and how minorities perceive themselves in relation to majority society. *Tauīwi* need no longer consider themselves recent arrivals or as outsiders needing to be integrated into society, but rather as having just as much a right as Europeans to live and fully engage in a plural, deeply diverse, New Zealand society.

Demographically, the Indian population in New Zealand is expected to continue to grow and flourish. New Zealanders of Indian origin are expected to continue to engage in all sectors of society, have attained notable achievements, and made significant contributions in the Arts and Entertainment industry, media, business, politics, and sports.

## Cross-References

- ▶ [Indian Identity in South Africa](#)
- ▶ [Indian Indentured Laborers in the Caribbean](#)
- ▶ [The Legacy of Indentured Labor](#)

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# Ethnic Migrants and Casinos in Singapore and Macau

# 67

Juan Zhang

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## Abstract

This chapter offers an empirical account on migrant workers, their identities, and their embodied experiences of labor hierarchy along ethnic lines in mega-casino resorts in Asia. As casino resorts become opportunities for fast-track economic development and urban renewal in the region since 2010, the Asian gaming sector has become a major industry relying heavily on rural-urban, inter-regional, and international migrant labor. With a focus on Filipino and Chinese casino workers in Singapore and Macau, this chapter explores complex inequalities experienced by migrants in a highly cosmopolitan and highly competitive work environment. Job hierarchies are often established based on cultural assumptions of particular characteristics and competencies attributed to different groups, consolidating classed and gendered stereotypes in the workplace. Although migrant workers in casinos try to resist negative ethnic stereotyping by emphasizing on their credentials and professionalism, they continue to perform the identity of

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J. Zhang (✉)

Department of Anthropology and Archaeology, University of Bristol, Bristol, UK

e-mail: [juan.zhang@bristol.ac.uk](mailto:juan.zhang@bristol.ac.uk)

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the “perfect worker” with an “Asian-style” of conformity, self-discipline, and flexibility.

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**Keywords**

Ethnic subjectivity · Casino · Complex inequalities · Transnational migration · Singapore · Macau

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## Introduction

Workers in Southeast Asia are on the move. The World Bank (2017) estimates that countries of the Association of Southeast Asian Nations (ASEAN) now supply 8% of the world’s migrants, who cross various national, cultural, and politicoeconomic boundaries in search of better economic opportunities. Intraregional migration has grown significantly over the past decades, with Malaysia, Singapore, and Thailand as regional migration destinations. Around 6.5 million migrants now reside and work in these most desirable destinations, taking up a range of employment in agriculture, manufacturing, construction, health care, domestic work, hospitality, and service sectors (United Nations 2015).

As millions cross borders in Southeast Asia, migrants constitute a mobile workforce that continues to provide inexpensive, flexible, and often times disposable labor that supports the region’s rapid economic growth and integration. Perceived by many as “a necessary cog in the machinery of capital accumulation” (Terry 2014: 79), most migrant workers are seen as to be “naturally suited” for low-end, low-skilled, and undesirable jobs that somehow match their “cultural traits” or various “innate characteristics.” Such imaginations of migrant “natural dispositions” justify inequalities in wage levels, labor rights, and welfare processes across borders. They also consolidate the hierarchical formation of stratified work relations along racial, ethnic, gender, and class lines (Leitner 2000; Pratt 1997; Waldinger and Lichter 2003). Construction workers from Thailand and Myanmar are often described as “hardworking” and “diligent,” who rarely complain about the “bare life” they live in the host society (Kitiarsa 2014). Filipino workers, on the other hand, are seen as “naturally caring” and “cheerful” (e.g., Chin 2008; Guevarra 2014), and are therefore “perfectly suited” to work in care work and service-oriented industries. Prevailing stereotypes that certain kinds of jobs are best performed by certain groups normalize the discursive framing of labor identity, denying migrant workers the ability to access a higher degree of entitlement, acknowledgement, and upward social mobility in host societies (see Kelly 2012; Mullings 2012).

This chapter contributes to the debate on the production of multiple and complex inequalities in the cosmopolitan workplace, where ethnicity, gender, and class continue to bear significance on laboring subjectivities. Locating Southeast Asian migrants in an exceptional and truly globalized industry of casino gaming and entertainment in two holiday destinations in the region – Singapore and Macau, this chapter aims to show how migrant subject formation and social relations are produced through intersectionality. In particular, ethnicity, gender, and class shape

the ways in which migrant “self-fashioning” takes place in cosmopolitan casino resorts, where schemes of discipline and regulation reinforce hegemonic ideas of skill, competency, and professionalism. Ethnicity in this case is theorized as a purposefully constructed and carefully maintained *awareness of difference* that produces a set of categorizing practices to formalize and normalize unequal positions of power (Louie 2014; Wallman 1996). In the cosmopolitan workplace, a worker’s ethnicity is both ascribed as a pre-given social identity (i.e., often one and the same as one’s nationality) and as a set of “soft skills” that indicates this person’s “natural disposition,” communicational competencies, and labor market desirability (Friberg and Midtboen 2018). Rather than showing something “innate” and “unchanging” about an individual, ethnicity makes sense only in social situations where “us” and “them” need some degree of differentiation. As Wallman (1996: 2) argues eloquently, “it is not possible for me to be ‘ethnic’ by myself, or even in the company of others of my own ethnic kind. Each of us needs a ‘them’ to make us feel like part of an ‘us.’” The production of difference in the globalized workplace becomes extremely useful when laboring subject are “interpellated” into working beings with appropriate appearances, proper conducts, and the right kind of attitudes (Gill 2008; McDowell et al. 2007). Along this theoretical line, this chapter examines not the “ethnicity” of transnational casino workers per se but the specific social relations and power locations where workers’ ethnicity can be used as a productive marker of difference and hierarchy.

Mega casino resorts provide an interesting case for analysis because of their “exceptionality” (Zhang and Yeoh 2016). On one hand, these resorts are the cosmopolitan workplace par excellence where employees from diverse cultural and national backgrounds come together and work under one roof in the global gaming industry that is deeply rooted in the speculative logic of neoliberal capitalism (Vlcek 2015). On the other hand, casino resorts often require a more fundamental separation between “us” and “them” in the Asian contexts, when the moral economy of gambling produces sharply differentiated subjects associated with notions of productivity and risk (Zhang 2019). Chinese and Indian nationals of a lower socioeconomic status (often loosely defined, as these two categories can include a much wider group of individuals with East Asian and South Asian features), for example, are often believed to face a “higher risk” of gambling addiction and are in need of “regulation” and “protection”; whereas Western (i.e., white) patrons and employees are believed to be “low risk” individuals who are capable of working and having a good time at the casino. This form of “typecasting” of different groups at casino resorts shows the intersectionality of power, when one’s appearance and skin color are tied to economic status, class positions, self-conduct, gender identities, and social relations. Ethnic typecasting also implicates the wider perceptions on work competency, professionalism, and performance as it influences silently the ways in which individual ranks, wage levels, and career development are determined in the cosmopolitan workplace.

This chapter begins with a theoretical engagement of ethnicity and its embodied complex inequalities in the context of labor migration in Southeast Asia. Following a brief discussion of research methods, this chapter introduces the

Asian casino economy and its rapid development in the past few years, with Singapore and Macau as examples of success. Next, discussions on ethnicity as a skill in the casino will show how one's ethnic identity becomes an indicator of a set of informal skills. In this process, certain ethnic migrant groups "fashion" a particular professional identity that fits and conforms to the dominant perception of the "ideal worker" in the casino. This "fashioning" in turn consolidates the cultural association of ethnicity and "soft skills." Lastly, this chapter examines the politics of differentiation through the making of "strategic alterity" (Kingsolver 2007). The chapter concludes by drawing attention to migrant strategies of building a transnational "portfolio career" that plays up on what they believe as positive ethnic stereotyping. In doing so, they also downplay negative stereotyping that trivializes their professional contribution and identity in the workplace. Ethnicity in this case can be performed strategically as migrant workers actively promote an "Asian-style" of conformity, self-discipline, and flexibility that may potentially enhance their desirability in the neoliberal labor market.

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## Ethnic Migrants and Complex Inequalities

Ethnicity has been an enduring concept in the social sciences and continues to be a focus of theoretical debate. Earlier studies on race and ethnicity focus primarily on the power relations between groups that are categorized as "us" and those deemed as the "Other" (e.g., Bhabha 1983; Briggs 2003). Such a focus shows the intellectual tradition of colonial and imperial projects, where racial and ethnic classifications have been used as a powerful tool to serve the management of Empire (e.g., Stoler 2010). Classic works such as Fabian (1983), McClintock (1995), Loomba (2005), and Eriksen (2002) show the persistence of the politics of making difference through colonial, imperial, and nationalist projects, where groups are classed and categorized by a set of selected cultural, social, and biological traits regarded as "natural" and "inherited characteristics" of these individuals. Critical race and ethnic studies have since moved the debate forward to highlight the specific conditions of power where one group is able to exercise dominance over others based on ideologies of ethnic differentiation (Sonenshein 1993; Yelvington 1995).

Feminist scholars point to the interrelationships between race, ethnicity, gender and class, and call for a stronger analytical attention on questions of power and multiple forms of social inequalities through an examination of intersectionality (Valentine 2005; Yuval-Davis 2006). Scholars also suggest racial performativity as a key analytical lens to unmask the ways in which identities are socially constructed and contested (Muñoz 2006; Veninga 2009). Classrooms and workplaces are particular social sites where "bodies do race" (Veninga 2009: 107), as individuals perform their identities in the normalized context of discipline, surveillance, and self-regulation (Crang 1994; McDowell 2009). It has been noted that many forms of work involve specific "performances" of certain laboring subjectivities. Low-skilled service sectors, for example, rely heavily on feminized labor to perform

domestic and care work (see England 2005; Parreñas 2015). Merchant seafaring, on the other hand, has become a male-dominated ethnic niche industry staffed primarily by Filipino maritime workers (McKay 2007).

Domestic and care work, commercial seafaring, health and hospitality (Batnitzky and McDowell 2013), call centers (Shome 2006) – these sectors are among the emerging and globalizing “ethnic labor market” that relies on the racialization and the specific “sorting” of different immigrant groups into different lines of work. The reproduction of a niche industry is maintained through a continuation of ethnic and gendered “typecasting” which determines who gets what jobs. Ethnic migrants are allocated into different types of work because “each group is perceived to posit a unique set of informal qualifications or ‘soft skills’” (Friberg and Midtboen 2018: 1464). It is not uncommon to hear employers in different trades comment that migrant workers are more “hardworking” (McLaughlin 2010: 79), willing to “go the extra mile” (Friberg and Midtboen 2018: 1472), and more “service-oriented” (Chin 2008: 12). Southeast Asian migrant workers in particular embody the “naturalness” of good service work, as Chin (2008: 12) cites a cruise line management staff who claims that: “they seem to have been born with a wonderful service culture. They always greet the guests and always smile. And they do it so naturally.” As Mullings (2012: 414) notes, “performances of deference, docility, aggression, or care can be crucial to the way that individual bodies are recruited, assessed, or advanced within work systems.” The ascription of “service orientation” to Southeast Asian migrant workers effectively places them on the global labor market hierarchy where they are seen as “naturally suited” to be “servants of globalization” (Parreñas 2015) from various social and economic positions.

Once such stereotypical cultural representations are firmly established in the global labor market, migrant workers often find it difficult to shake off biased images and perceptions. With the rapid expansion of neoliberal industries on a global scale, a process of “strategic alterity” (Kingsolver 2007) produces different categories of laboring subjects. Using tobacco farmers and farmworkers as examples, Kingsolver (2007: 89) shows how American farm owners are valued as “independent” and “free-trading citizens of the market,” whereas low-wage and non-wage farmworkers (mostly migrants) are no more than being part of the “globalized labor force” supplementary to the tobacco industry. Migrant workers therefore are denied any claim of ownership or recognition of their contribution to the multi-million dollar industry, as they are “othered” as strategic alters and enslaved labor in neoliberal capitalism. McKay’s (2007) study shows a similar “othering” process on commercial ships where Asian workers constitute nearly 70% of the seafaring labor force onboard yet remain devalued as cheap maritime workers who can be easily replaced. Filipino seamen have learned to “fashion themselves as masculine exemplars” (McKay 2007: 626) to resist and go beyond ethnic stereotyping to defend their status on and off the ship, at work, and in their home communities.

In a truly cosmopolitan workplace like the mega casino resort, categorical associations between ethnicity, gender, and occupational “sorting” remain stubbornly consistent. Similar to McDowell et al.’s (2007: 3) description of Bellman International (pseudonym of an international hotel chain in London), within the



casino resorts “a set of often-stereotypical assumptions about embodied social attributes influences employers’ and managers’ judgments about the acceptability of particular workplace presences and performances.” There have been studies on the gendered, and often sexualized identities of female casino workers (de Volo 2003; Jones and Chandler 2007), and the hegemonic control of labor practices in the United States and South Africa (Sallaz 2009). Zhang et al. (2017) use “self-fashioning” to describe the embodied experiences of flexibility and discipline in Singapore’s casinos. As casino workers perform professionalism, many strive to become “exceptional workers” (Zhang et al. 2017: 4) who are highly employable in the transnational labor market. What remains missing in these discussions is an examination of how ethnicity and class also play into the construction of a working identity in global casino establishments. This chapter aims to fill this gap and provide a preliminary account on cultural representations, class, and labor subjectivation in Asia’s thriving casino economy.

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## Research and Methods

This chapter is based on two years of research (2013–2015) in Singapore and Macau’s mega casino resorts. Data used in this chapter were collected in two projects, the first on the expanding casino industry in Singapore and its associated labor and consumer mobilities, and the second on the development of the Asian casino economy with a focus on Macau. Fieldwork included semi-structured interviews with local and migrant workers in the casino resorts in these two destinations, and employees in hotel and hospitality, entertainment, and retail as part of the larger casino resort establishments.

This chapter draws insight from interviews and interactions with 40 casino employees in Singapore and Macau. One third of the interviews were with Singapore and Macau local workers, and the rest come from the Philippines, Malaysia, China, Taiwan, and Japan. Most of the migrant workers in Singapore’s casino resorts are hired as skilled or semiskilled employees with either an Employment Pass or an S Pass under the country’s “highly stratified system of work visas (Wise 2016: 2289).” With the ASEAN agreement on visa exemption, Malaysia and Philippine nationals can enter Singapore without a visa for 14 days. A number of Malaysian and Filipino employees are able to find work in Singapore’s casino resorts within the 14-day period and convert to work visas subsequently. In recent years, however, it has become increasingly difficult to gain employment this way as Singapore tightens its immigration regulations. Migrant workers now have to either go through labor agencies or apply for vacancies via online job search engines (e.g., JobStreet.com or JobsDB.com). Interviews by skype are common. Internal referrals within multiple casino establishments are widely practiced.

In Macau, most Southeast Asians can enter and stay as a visitor for 30 days without a visa. This longer time frame allowed more migrant workers from, for instance, Indonesia and the Philippines to go to Macau without a job offer in hand. Once arrived, they often stay with friends or acquaintances and start actively looking

for work. Migrant workers obtained nonresident work visas in order to be legally employed in the cosmopolitan resorts. As casinos and tourism are the main industries in Macau, and due to Macau's local labor protectionism (Choi 2016), available jobs to migrants are mainly in the low-paying service sectors with limited long-term employment prospect. Workers from Southeast Asia constantly rely on co-ethnic networks for work-related introductions and referrals. They also use employment agencies if they are close to the end of the visitor's visa. At the time of research, most of the workers interviewed had been working in the casino resorts in a range of services for as little as six months to as long as about 3 years. By the time of writing, some have left the casinos for a better job and others are actively looking for new positions. Most of the employees working on the main casino floors had to sign a confidentiality agreement as part of the contract, which prohibited them from sharing any specific information concerning the day to day operations within the casino establishment. To respect the confidentiality agreement, interviews centered mainly on casino employees' professional experiences, migration trajectories, and personal views on their lives and employment in a foreign country. Informant identities and their specific occupations are deliberately kept vague, and pseudonyms are used throughout this chapter.

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## The Asian Casino Economy

In the past decade, a "casino fever" took over Asia (New York Times 2014) where luxurious mega casino resorts became spectacles of economic growth and urban development. PricewaterhouseCoopers projected in 2015 that casino revenues throughout the Asia Pacific region grew by 18.3% per annum on average (PwC 2015) led by the exceptional performances in Singapore and Macau. The *New York Times* reported that within 2 years of the opening of Singapore's two casino resorts, or Integrated Resorts (IR) – Marina Bay Sands and Resorts World Sentosa – visitor arrivals increased by 50% and tourism revenue reached \$18 billion (New York Times 2014). The IR business success helped to fashion a new "Singapore model" in leisure gaming with a highly regulated approach (Zhang 2017). After Macau, Singapore has become the second best grossing leisure and gambling destination in the region, cashing in billions in not only gaming but also hospitality, retail, and entertainment.

Macau's status as the most established gambling hub in Asia has also elevated to being an Asian metropolis during the past decade (Simpson 2014) and a consumption heaven frequented by the increasingly affluent Asian visitors. As a Special Administrative Region (SAR) of China, Macau is home to over 40 casino resorts with major international casino operators including Wynn, Sands, Galaxy Entertainment, SJM Holdings, MGM Holdings, and Melco Crown. In 2013, Macau's leisure and gaming revenue grossed US\$45 billion, surpassing the total revenue generated on the entire Las Vegas Strip by seven times (Simpson 2018: 75). Although the gaming industry in Macau and Singapore took a massive hit in 2014 with China's economic slowdown, and especially when Beijing launched a series of anti-corruption

crackdown that targeted overseas VIP casino gambling, in 2016 the industry saw a turnaround. The Global Betting and Gaming Consultants (GBGC, an international gaming consultancy company) estimated that the global gambling revenue achieved US\$435 billion in 2017, with Asia being the largest gambling region, taking up 31.3% of the market (GBGC 2018).

Such success stories inspired other Asian cities to follow suit. In the less developed parts of Asia, mega casino resorts are seen as opportunities “for fast-track economic accumulation and infrastructural development,” and for “drawing in foreign direct investment, contributing to state tax revenue, and creating local jobs (Zhang 2017: 651).” In countries like the Philippines, Laos, Cambodia, and Vietnam, large-scale international casino resorts were built and in operation, contributing to the booming gambling industry across Asia. As of 2017, at least 17 new IRs are being planned in the region. South Korea opened the “first Korean-style integrated resort” Paradise City in 2017. Japan’s parliament passed a bill of casino legalization. Taiwan is going through rounds of referendums on casino legalization as well. These projects, backed by strong market and states’ political interests, promote different versions of Asian “casino urbanism.” As Zhang (2017: 666) notes, “China’s growing wealth and Asia’s rise in power and influence stimulate imaginations of a profitable future made possible by the recent casino fever.”

In both Singapore and Macau, the mega-casinos and associated leisure and entertainment industries make significant contribution to the national economies and labor force participation. S. Iswaran (2012), a Singaporean minister in the Prime Minister’s Office and second minister for Home Affairs and Trade and Industry in 2012, noted that Singapore’s two IRs contributed between 1.5% and 2% of the nation’s GDP and employed nearly 2% of Singapore’s total labor force. The gaming industry in Macau contributed to 47% of the GDP in 2016 and provided over 92,000 jobs, accounting for 23.8% of Macau’s total employment (Sheng and Gu 2018: 76).

In order to support the operation and expansion of the gaming industry, large numbers of imported workers are recruited from the region, mostly in China, Malaysia, the Philippines, Indonesia, Taiwan, and Hong Kong. In Macau, migrant workers are barred from taking up the higher-end occupations in the gaming industry, such as croupiers and pit supervisors (Sheng and Gu 2018: 74). In Singapore, although there is no specific regulatory order that prohibits foreign workers from taking up certain types of jobs in the casino industry, the Ministry of Manpower (MOM) maintains a strict “foreign worker quota” system that sets a limit on the number of Work Permit and S Pass holders the industry can hire. (See <https://www.mom.gov.sg/passes-and-permits/s-pass/quota-and-levy/levy-and-quota-requirements>. The current cap for hiring S Pass holders is 15% of the company’s total workforce in the service sector. Employers are also required to pay a “foreign worker levy” for S Pass holders. In the service sector, the monthly levy rates for one worker are tiered at SG\$330 and SG\$650.)

There is no official statistics on the exact number of migrant workers hired in the casino industry in Singapore and Macau. Interviews with several Human Resource (HR) staff members in the industry yielded vague answers. Foreign workers remain a

sensitive issue and processes of hiring are confidential information in both countries. It is clear, however, that the casino sectors cannot function properly without migrant workers, and business operators are constantly battling with hiring restrictions and quota systems because, as one HR manager has implied, they prefer foreign workers over local workers if given a choice. One Singaporean HR staff made a comment off the record that the casinos would have to hire local workers just to have more quotas for foreign workers. With restrictive labor regulations, migrant labor become invisible in official statistics and are treated as secondary to local residents and citizens. While they make significant contribution to the economic success of the industry and the national economies, they remain “an indentured, invisible majority” and “immediately deportable noncitizens,” just like the disenfranchised migrant workers in Dubai (Davis 2006: 64).

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### **The Perfect Worker? Ethnicity as Soft Skills**

As a multi-billion dollar industry and as new icons of Asia’s tourism destinations, mega casino resorts in recent years have become a highly desirable place for work in the region. The cultural fascination with glamorous casinos (usually fuelled by images and imaginations of Las Vegas or Monaco portrayed in Hollywood blockbusters), the cosmopolitan lure of working in a world-class facility, working among international colleagues, and attractive salary packages (compared to other available jobs to transnational workers) give casino work a particular kind of appeal that is beyond just an ordinary “service job.” Zhang et al. (2017: 10) have shown how working in Singapore’s casinos is associated with not only “gaining relevant skills and qualifications” but also “gaining status, recognition and possibly prestige” in the globalizing labor market within the service and hospitality sectors. In their 2007 study of employment in an international hotel in London, McDowell et al. (2007: 8) note the increasing presence of migrant labor in London’s hospitality sectors due to their low labor cost and the possibility of making flexible employment contracts. Citing a survey of UK employers, they show that foreign workers not only “filled technical skill gaps” but also embodying work attitudes as “being more appropriate for the hospitality sector.” In fact, one of the key reasons for the employment of migrant workers was their “capacity for hard work” (McDowell et al. 2007: 8).

In Asia’s casino resorts, similar views and perceptions of migrant “work attitudes” and “capacities” are also strong, as employers rely on a flexible migrant labor force to keep their businesses functional and profitable. Asian employees are particularly welcome as they fit in different types of jobs that require different kinds of skills and knowledge. Employees from mainland China, Hong Kong, and Taiwan usually work in front office, customer relations, and VIP services. Most of them are female, embodying a specific kind of femininity for appropriate “emotional labor” (Hochschild 1983). The main reasons for Chinese and Taiwanese employees to work directly with resort guests are their perceived “cultural affinity” to Chinese gamblers and their ability to speak fluent mandarin Chinese and Cantonese. These

front-office employees are selected based not only on their ability to “understand our valued guests better” (according to a casino management staff member in Macau) but also on their “pleasant appearances and personalities.” In Singapore’s resorts, the management places a strong emphasis on diversity and the importance of having a multinational team of workers in the establishment to service international guests. Employees’ ability to communicate in English and to provide “professional services” (e.g., servility, deference, effective communication) is considered more important than individual appearances. By simply having a “Chinese” face is usually enough, and the ability to understand and speak Chinese is a plus.

In Macau, however, things work out differently. Because the majority of the clientele come from mainland China and Hong Kong, specific requirements on the cultural and image presentations in the casinos become a must. Young female workers who are employed as receptionists, front-desk staff, and VIP lounge staff usually come from the northern parts of China, who are believed to be taller, “in shape” (*shencai hao*), “more beautiful” with “a fairer skin tone” (compared to Chinese originally from southern provinces who are believed to be shorter and have darker skin tones). There are also fairly open criteria for body height and weight. One of the front-desk employees explained that although it was never stated in the hiring conditions, everyone knew that one’s appearance was extremely important for female job applicants. “The taller and the slimmer the better of course,” she explained matter-of-factly, “and image management is key. If we are not careful and have gained weight while on the job, we will be removed from front-line services.” A male guest relations employee originally from Shandong province in northern China commented that “the employer wants everyone on the front line to look like models.” Although male workers are subjected to less scrutiny with regard to their appearances, they are expected to be “well groomed” in general – i.e., dressing sharply, doing up their hair in style, and keeping fit.

In both Singapore and Macau, many mainland Chinese employees are aware that they are hired not because of their professional qualifications but simply because they are Chinese. Their supposed cultural knowledge of what mainland Chinese casino guests need and desire for is considered an important part of their employment. A Chinese employee in one of Singapore’s casino resorts who called himself Jim explained that it was not just simply about understanding the Chinese language. “Singaporean Chinese or Malaysian Chinese can understand and speak Chinese well, but they may not understand what a mainland Chinese guest really likes or dislikes.” Some mainland Chinese gamblers believe that the likelihood of losing is greater if they gamble within the same casino resort where they stay. Some guests believe that by consuming free drinks and free meals within the same casino where they gamble, their luck is likely to run out because they have taken advantage of casino “freebies.” In these instances, Jim explained, it would be important to not promote in-house gambling packages or give free gifts or drinks so as to avoid offending these Chinese guests. But such “taboos” may not apply to all Chinese guests, as ethnic Chinese from Malaysia or Indonesia usually enjoy free gifts and packaged deals very much. A nuanced understanding of the different cultural preferences among guests of different Chinese backgrounds therefore is key to the

delivery of satisfactory services. There are also occasions when problems take place in the guest's hotel room where housekeeping staff may have accidentally moved the arrangements of the guests' personal items during cleaning (e.g., the orientation of shoes and bags, or the specific positioning of lucky charms that are supposed to enhance the guest's winning chance), guest relations staff like Jim need to come in to act as a cultural mediator and to resolve potential conflicts. In this sense, being mainland Chinese itself is seen as a kind of skill in guest relations and guest services that comes with the familiarity of certain cultural notions and practices.

Away from the front line of casino work, in switchboard and in a range of other VIP services, for example, Taiwanese employees are seen as perfect for the job because they are more soft spoken, more gentle, and polite in comparison to mainland Chinese employees (who are often stereotyped as being loud and lacking a "soft touch"). In the more hidden lines of work, gentle voices, patience, and a pleasant demeanour are regarded as more important than the guest's first impression of striking beauty or physical attractiveness. This is especially the case when VIP services involve taking care of the VIP gambler's family members (usually the wife and children who do not gamble). Taiwanese employees are seen as gentle, detailed, and caring. Female employees are not required to look like "models," as they project a professional image of being friendly and approachable, suitable to work with the entire family. Their line of service is still heavily feminized, but intentionally de-sexualized so it is seen as less aggressive and more care-oriented.

In food and beverage, housekeeping, and concierge, Southeast Asian employees become the dominant group. The stereotypical portrayal that Southeast Asians are diligent, hard-working workers who rarely complain persists. These jobs and positions are key to the successful operation of casino resorts, yet they are often located further away from direct interaction with casino guests. Kitchen work and housekeeping in particular provide backstage functions in all casino resorts. This line of work is strenuous and highly labor intensive, and it is something local workers are reluctant to take up. Filipino, Malaysian, and Indonesian workers with restaurant and hotel experiences usually fill up these positions. Mainland Chinese workers who are hired through transnational employment agencies also take up these jobs with lower visibility and lower status. They are often older and do not possess the physical attractiveness to work in the front line. One Filipino supervisor in the housekeeping sector of one casino resort in Singapore made clear that "Asian people are the best labour." He said:

Compared to the Europeans, Americans, and the Western side, Asians are the best. Hardworking, best in service, good recall, patience, everything. Mostly patience, mostly Southeast Asian people. Pinoys, Indonesians. .Indonesians are quite good. It's the way we Filipinos work and Indonesians work, almost the same. But if you see someone, oh, from China, (big sigh and laugh), we are not being racist! We are not being racist. We just know. It comes from experience.

Apart from making cultural differentiations between Asian and non-Asian workers in the back stage operations of the casino resort, there is also an internal ethnic hierarchy between different groups of Asian workers. Mainland Chinese, in this

instance, are often seen as less capable and less international compared to the more seasoned employees from the Philippines. Filipino supervisor Neal who managed a team of 23 staff members in the concierge services of one casino resort in Singapore shared the difficulties of working with mainland Chinese colleagues in his day to day experience. In the interview Neal said:

Neal: To be honest, because of the communication, it is not that easy. Because there is a (language) barrier. I don't blame them because they are from China, so they have a different attitude, you know. Maybe it's their culture or whatever. Okay, so for them it is like "okay this is my job". They don't go the extra mile. I think because of the government that they have over in China, they just follow orders, you know. They have to be told what to do, and nothing more. If their daily work is this, even though they see something else, they will not touch it.

Interviewer: But are the Malaysians or Filipinos in your team different? Are they more willing . . . (interrupted)?

Neal: Yes, especially Filipinos. I am not saying this because I am a Filipino. But you know Filipinos are actually, they are just automatic. Yeah, automatic. They have the pride.

Interviewer: Pride?

Neal: About their jobs. Meaning, if this work is assigned to me, nothing problematic will happen. A sense of ownership is there.

In Neal's view, mainland Chinese workers are more difficult to work with and they deliver less satisfactory job performances because of their "culture" and "attitude," which have stopped them from becoming competent employees in the cosmopolitan casino resort. In contrast, Filipino workers are "automatic" who have a strong sense of pride and responsibility in their job, which enables them to uphold a professional identity as the "perfect worker" (Terry 2014: 76) in a globalized work environment.

The contrasting constructions of laboring identities and the ethnic hierarchies based on notions of work-related "soft skills" and competencies consolidate the categorical inequalities within the stratified arrangement of casino work. Just as Friberg and Midtboen describe:

Such soft skills may also be related to the social and communication competencies needed to interact with co-workers, employers and customers, or to more intangible personal traits, such as sociability, pleasantness, or discreetness – whatever makes someone "fit in" in a particular workplace and in particular positions. In the end of the day, subtle traits such as, demeanour, accent, style, and physical appearance, will often influence employer's gut feelings about which worker "looks and sounds right" for a particular job. (Friberg and Midtboen 2018: 1465)

For mainland Chinese workers who have specific cultural knowledge, stronger communicational skills, and a more attractive appearance, they are able to occupy the much desired front line work that enjoys higher visibility and better employment benefits (e.g., opportunities to receive gifts and cash tips from guests and promotions if they receive compliments). Other Southeast Asian workers will have less access to these positions. Within the back stage operations of the

casino business, less attractive and less qualified Chinese workers are perceived as professionally inferior to other Asian workers who embody more desirable traits and attitudes. In the cosmopolitan workplace, what Chinese, other Asian, and non-Asian employees can and cannot do often boils down to a specific understanding of culture and ethnicity masked as “skills.” Such perceptions of “skills” in return reinforce persistent stereotypes of labor and the hierarchical formations of recognition and reward in the global labor market.

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## Local Workers as the Other

The politics of ethnic differentiation play out not only between different groups of migrant employees in the casinos; they are also salient in the ways in which local workers are differentiated from those with transnational experiences. Quite different from studies that demonstrate workplace ethnic hierarchies where local workers are usually the valued labor force whereas migrant workers tend to occupy lower places of marginalization (e.g., Harris and Valentine 2016; Lee 2018), in the casino resorts, such hierarchies are often actively resisted and on occasions reverted. Given the casino’s cosmopolitan image and reputation, local workers with little or no overseas experience are regarded as less qualified, less competent, and less competitive. Migrant employees complain that locals remain employed in casino resorts simply because of their citizenship status and the local workforce protective measure that governments have enforced. In this regard, many believe that local employees in Singapore and Macau do not possess the competitive edge if they are placed in the global labor market. When migrant employees talk about their local colleagues, a common impression has it that locals are spoiled, too “fragile” as they lack a sense of self-direction and work responsibility.

The Filipino supervisor Neal in one of Singapore’s casinos described the problem with manpower he had to deal with in the workplace. In concierge services where he managed over 20 employees, most came from China, Malaysia, and the Philippines. There were a few local Singaporean employees from time to time, but Neal professed that these local workers often gave him various issues. Singaporeans did not really want to work in the service industry, he explained, and they certainly did not want to work under a Filipino. Employees from other countries worked with him collegially because they respected his extensive overseas experience working in international hotel chains and resorts elsewhere. But local Singaporeans would always see him as “just a Filipino,” he complained.

In Macau’s casinos, high-earning jobs such as croupiers (or card dealers) are reserved only for local residents. Local dealers as young as 18 years of age can already apply for entry level positions in the casino establishments. Shi and Liu (2014) have made a clear case that young people in Macau often quit schooling to work for a casino for immediate economic gains. “Because the gambling sector does not require a college education to work in the casino and because the job market has been dominated by the sector and offers little opportunity for non-gambling professionals, education is never seen as necessary to get a ‘good’ job” (Shi and Liu 2014: 938).



In contrast, most of the migrant workers in Macau's casinos have received tertiary education or specific vocational training (e.g., in tourism or hospitality sectors) in their home countries before getting employed. Many have had extensive work experiences in the service industry. Migrant employees therefore like to see themselves as more mature, more experienced, and more qualified than local workers.

In interviews, Filipino and Chinese employees often highlight their training and professionalism, and complain that their local co-workers perform poorly yet receive high salaries and bonuses. A Chinese mid-level management employee Leo said that of all the 50 plus staff members he was in charge of, the locals could not meet the same standards set by his migrant employees. "I wouldn't see anyone (local workers) who would work voluntarily overtime; but we (foreign workers) can extend working hours without payment. I can see the difference in the amount of passion for work." What Leo's words reveal is quite a troubling perception that the willingness to perform overtime work (without pay) is equated to a strong passion for work. Just as Friberg and Midtboen (2018: 1465) argue, this kind of willingness is interpreted as a skill or "work ethic" that ethnic migrant workers possess, which also shows the level of exploitation they are willing to endure just to be perceived favorably in the workplace. Employers are likely to see this "willingness" as a plus, and local workers in comparison offer "no value added."

In the casino workplace, local workers are thus constructed as the "other" who make little actual contribution but continue to occupy favorable positions simply because of their resident status. In the migrant discursive construction of the local-foreign divide, local employees are strategically undervalued as the "other" to the more diligent, competent, and competitive migrant professionals. In doing so, a process of "strategic alterity" (Kingsolver 2007) takes place in the casinos where the assertion of local workers as "the other" establishes a sense of pride and superiority among transnational workers who see themselves as capable individuals in the neoliberal labor market. The Filipino housekeeping supervisor in Singapore indeed described local employees who worked under him as almost a "burden" – "even though I see that local staff are not at the standard that I want, I cannot kick them out." Because of the labor quota system in Singapore, he explained:

Manpower is a problem. Local can decide, "Eh, I go to another company tomorrow", and it's quite difficult for the company because we have to fight to get another local staff to fill (the gap). So you have to manage them (local employees). If he has one year (contract), you have to live with him. Especially right now MOM doesn't give us any quota (for foreign workers). Our quota is closed and of course we have to work on the budget. At the moment, the quota for PRC (mainland Chinese workers) is closed for the rest of the year. MOM is encouraging the company to hire more Singaporeans, which is difficult for us. No Singaporeans want to do work (in housekeeping). There are some, but the age is ... (long pause) quite mature (laughing). We have local staff like over 60 years old. You can't scold these aunties or uncles, or tell them how to do their job.

A Filipino guest services manager Adam who works in the same resort in Singapore believed that foreign employees like him and his colleagues are far more exceptional than their local colleagues. "They (Singaporeans) somehow think that the

government took foreigners in and that's why we are losing our jobs. But on the other hand, the reason why the government actually took foreigners in is that . . . their locals cannot do the work!" These discursive constructions that foreign workers can do the job better than locals reflect a strategic process of elevating migrants' social and professional status in the workplace. Datta and Brickell (2009: 459) in their study of Polish builders on London's building sites show a similar strategy where Polish builder construct themselves as "artistic, versatile, professional, cultured, and hence 'superior' workers to English builders." In this way, Polish builders are able to "stress a Polish work ethic" and "negotiate their place in the London labor market and the social hierarchies of the building site." Polish workers thus claim that "we have a little bit more finesse as a nation" to deflect detrimental stereotypes that run along ethnic and class lines. In a similar fashion, in Singapore and Macau's casino resorts, migrant employees also highlight professional differences between themselves and local workers. In doing so, they may be able to counter certain cultural stereotypes and fashion themselves as high skilled and highly valuable employees in the neoliberal labor market (see Zhang et al. 2017).

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## Concluding Remarks

This chapter brings to light the intersectionality of ethnicity, gender, and class in identity politics and labor hierarchies in a cosmopolitan workplace like the mega casino resorts in Singapore and Macau. Focusing on migrant workers' experiences, this chapter shows how migrant subject formation and social relations are shaped by various notions of skill, competency, and attitude that play along ethnic and class-based assumptions about "culture" and "nature." With a focus on Filipino and Chinese casino workers in Singapore and Macau's mega resorts, this chapter shows how "Asian" workers turn themselves into "perfect employees" in global casino resorts, capable of demonstrating the right kind of professionalism, self-responsibility, and self-discipline as the ideal "neoliberal worker" (Waite 2009). Their desirability is further contrasted in the casino space against other low-wage South Asian migrant workers who patronize casinos as gamblers, who are seen as lacking self-control and easily fall into "debt traps" and develop "addictions" (e.g., Ang 2010; Kok and Lin 2010; Lee and Kor 2017). The juxtaposition of the ideal "Asian professionals" in the cosmopolitan resorts and the vulnerable low-skilled migrant workers in construction sites reflects the socially constituted meanings of ethnicity and class in migrant recipient countries.

In the casino workplace, an implicit labor hierarchy is in place based on the logic of labor racialization. Workers' racialized identities often "dictate the sorting of different immigrant groups into particular kinds of work" (Kelly 2012: 438), reinforcing stereotypical perceptions of which group is suited to perform what kinds of tasks. In the casino resorts, Asian and non-Asian migrant workers occupy different positions of recognition and reward, with Chinese workers performing front line services due to imagined cultural affinity to Chinese gamblers, and Southeast Asian workers performing behind the scene tasks of cooking, cleaning,

servicing, and other types of care giving. Within the broader classification of “Asian workers,” more subtle differentiations persist to separate the more “qualified Asians” who enjoy higher social and economic status in the workplace, and the less qualified Asians who are rendered more or less powerless in their social relations. Qualification in this sense is akin to “skill” and remains a vague and often arbitrary marker (Friberg and Midtboen 2018: 1465) that serves to differentiate rather to define. It can be about the migrant worker’s education, work experience, background, or simply about one’s language proficiency, cultural knowledge, and physical appearance. These different aspects are often folded into unquestioned ideas of ethnic identities and national characteristics, where some Asians are perceived as more competent and more desirable than other Asians in the labor market.

This chapter also argues that in the casino workplace migrant workers often place a strong emphasis on their transnational competencies, professionalism, and flexibility to resist being identified as the inferior “Other.” Many build successful “portfolio careers” (Power et al. 2013; Waite 2009) in different sectors and in different locations with the hope that their transnational work experiences would downplay their ethnic identity and its associated presumptions, and highlight their professional identity as highly desirable in a global market. In this sense, ethnic characteristics and differences are minimized where necessary when migrant workers need to project a more “cosmopolitan” identity that embodies the neutral corporate professionalism in the workplace. Their “ethnic characteristics” and cultural knowledge can also be activated strategically when these workers need to bank in on their social capital and “soft skills” when it comes to securing an employment or demonstrating better competent work performance. The production of cultural differences in and around the casinos reinforces different positions of power, naturalizing regulatory structures that serve the neoliberal workplace.

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# Ethnic Minorities and Criminalization of Immigration Policies in the United States

# 68

Felicia Arriaga

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## Abstract

Immigration policies in the United States not only describe the inclusive and exclusive nature of citizenship but also define that very citizenship through various arenas of law, namely, immigration and criminal law. Some ethnic groups are able to “become white” through legal definitions of citizenship, while others – racialized immigrants – remain as “second-class citizens” subject to criminalization and perceived criminality. It is only by considering how criminalization processes target

F. Arriaga (✉)

Sociology Department, Appalachian State University, Boone, NC, USA

e-mail: [arriagafa@appstate.edu](mailto:arriagafa@appstate.edu); [felicia.arriaga@gmail.com](mailto:felicia.arriaga@gmail.com); [felicia.arriaga@duke.edu](mailto:felicia.arriaga@duke.edu)

other racial groups that one can construct how the criminalization of immigration policies serves to maintain a system of domination. The racialization process of certain immigrant groups has occurred through relational race making, whereby ethnic immigrants and the immigration policies pertaining to these groups also serve to criminalize them vis-à-vis other racial or racialized immigrant groups.

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**Keywords**

Criminalization · Racialized immigrants · Crimmigration · Immigration enforcement

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## Racialization and Racialized Immigrant Groups

In *Race and Races: Cases and Resources for a Diverse America*, the authors:

Define an **ethnic** group as a group of people larger than an extended family whose boundaries are marked by a social practice or experience perceived as distinct: a history or a religion; customs or traditions; a language or alphabet; perhaps even a geography. An ethnic group, in other words, is defined by the perception of a unique culture.

Whereas, **race** has been defined in a variety of ways:

- The nineteenth century – defined in quasi-biological terms as a group of humans with common biological ancestors who share certain physical characteristics, especially skin color and lip and eye shape (Perea et al. 2006).
- Racial ascriptions (initially) are imposed externally to justify the collective exploitation of a people and are maintained to preserve status differences (Bonilla-Silva 1997).

And for the purposes of this chapter, the term **racialized immigrants** (Sáenz and Douglas 2015) is also used to indicate the racialization of ethnic immigrants. **Racialization** has a variety of meanings from the application of racial categories to individuals from colonized nations based on biological differences (Banton 1977) to signifying the extension of racial meaning to a previously racially unclassified relationship, social practice, or group (Omi and Winant 1986), to a definition not dependent on phenotype but used to demarcate difference based on ideological or cultural traits (Miles 1993). This racialization process has occurred through relational race making, whereby ethnic immigrants and the immigration policies pertaining to these groups also serve to criminalize them vis-à-vis other racial or racialized immigrant groups. In this section, three broad groups are highlighted, whites, Asians, and Latinos.

## Becoming White and Free from Criminalization

It is very rare to hear a news story about a white immigrant facing deportation proceedings. But was that always the case? The 1790 Naturalization Act began to



construct the legal definition of white by the common understanding and/or through biology (Haney Lopez 2006). Furthermore:

Many new immigrants learned to deploy and manipulate white supremacist images from vaudeville stage and the screens of Hollywood film where they saw “their own kind” stepping out of conventional racial and gender roles through blackface and other forms of cross-dress. (Perea et al. 2006)

In the late nineteenth century, Karen Brodtkin Sacks (1994) suggests all southern and eastern European immigrants were subjects of racism like Asian immigrants and were therefore subject to similar exclusionary immigration policies in the 1920s. After 1880, 23 million European immigrants came to work in the United States, and some of these individuals were targeted in a conflation of anti-communism and anti-immigrant sentiment in 1919 during the Red Scare. Theodore Roosevelt also insisted that these groups were inferior individuals, so by the 1920s, “scientific racism sanctified the notion that real Americans were white and came from northwest Europe” (Perea et al. 2006: 519). Furthermore, this notion of eugenics stemming from the European model, namely, that proposed by Cesare Lombroso in *The Born Criminal*, proposed that criminality was a function of various physical abnormalities. Also influential in this area was Madison Grant (1916) who wrote *Passing of the Great Race*, which claimed that southern and eastern races were inferior. This extended into “intelligence tests,” which grouped together southeastern European immigrants, African-Americans, American Indians, and Mexicans as “feebleminded” (Perea et al. 2006: 518; Painter 2010).

### Irish

Between 1845 and 1855, 2 million Irish migrated to the United States pushed by the Great Famine, which meant they arrived with limited resources. The Irish were often the target of more racial differentiation than some of their European immigrant counterparts. The development of the term “Irishism” – an alleged condition of depravity and degradation habitual to immigrants and maybe even their children exemplifies this:

Negative assessments of Irishism or Celtism as a fixed set of inherited traits thus became linked at mid-century to a fixed set of observable physical characteristics, such as skin and hair color, facial type, and physique. (Jacobson 1998: 48)

At points in history, the census bureau gave this group their own racial category, separate from other foreign populations, yet the Irish were often compared to African-Americans for the following reasons:

- They often lived side by side in American cities in the 1830s.
- They both worked in domestic service and the transportation industry.
- Both were poor and often vilified.
- Both had experienced oppression and wrenched from a homeland (Roediger 2007: 134). Although many Irish in Ireland were against slavery, this did not



necessarily transfer when many emigrated as a result of famine after 1845 and Roediger suggests the Irish became white through a two-sided process. They won acceptance among the larger population, and second they embraced their own whiteness driven by “the particular ‘public and psychological wages’ whiteness offered to a desperate rural and often preindustrial Irish population coming to labor in industrializing American cities” (Roediger 2007: 137). Democrats also capitalized on recruiting the Irish to their party during a time of conflict with Mexico, a rise of Chinese immigrants, and continued disenfranchisement of blacks.

## Jews

Although Jews were the first to enter colleges, Protestants did not praise this entrance into higher education, and some individuals were openly opposed to Jews at Harvard but still used the opportunity to block both black students and Jewish instructors (Graham Synott 1986). Elite schools utilized psychological tests and other quotas to try to keep Jews out but Jewish social mobility but Stephen Steinberg (1989) suggests, “Jewish success in America was a matter of historical timing.” They came from urban, commercial, craft, and manufacturing backgrounds and were able to become the:

first of the new European immigrants to create a middle class of small businesspersons early in the 20<sup>th</sup> century. . . Compared with other immigrants, Jews were upwardly mobile. But compared with that of nonimmigrant whites, their mobility was limited and circumscribed. Anti-immigrant racist and anti-Semitic barriers kept the Jewish middle class confined to a small number of occupations. (Perea et al. 2006: 521)

For Jews, class differences persisted, while simultaneously fascism in Europe probably contributed to confronting anti-Semitism at home.

## Italians

At first, Italians were considered “the Chinese of Europe” and were associated with the US black population During the Louisiana state constitutional convention of 1898 when the “white man’s government” was being disputed, Italians were considered “as black as the blackest negro in existence” (Cunningham 1965). More specifically, Italians were scrutinized for their possible connection to Moorish or African blood. Two years after the Louisiana state constitutional convention, a murder trial showcased “a popular understanding of Italians’ innate criminality,” which resulted in the lynching of 11 immigrants accused of conspiring to murder the police chief of New Orleans. Furthermore:

So fused in popular perception were the issues of Mafia conduct and Italian racial character that, in editorials about the affair, the *Times* would cast Italian immigrants’ behavior as racially determined and question their fitness for citizenship. “These sneaking and cowardly Sicilians,” pronounced one editorial, “who have transplanted to this country the lawless passions, the cutthroat practices, and the oath bound societies of their native country, are to us a pet without mitigation. Our own rattlesnakes are as good as they get. (Jacobson 1998: 56)

Similar efforts across the country focused on an Italian immigrant connection to the Mafia and suggested this type of violence would continue without proper migration control. A 1925 study of immigrants and the justice system concluded that “Italians are by nature emotional and demonstrative, and should not be allowed to drive into racial communities [ghettos], forming habits of thought..that are limited and warped” (Jacobson 1998: 62).

## **Asians**

### **Chinese**

Chinese immigrants first began to migrate to the United States as sojourners in 1849/1850 when about 400,000 came to California in the gold rush. In the 1850s and 1860s, various restrictions existed delegating who could and could not give testimony in court against a white man, which included in writing black, mulatto, or Indian person but in the broader sense was determined to mean any nonwhite person to include the Chinese in this group, effectively excluding them from providing testimony and from “becoming white with all its privileges (Perea et al. 2006: 401). The California Constitution of 1879 targeted immigrants but Chinese immigrants specifically and labeled them as criminals in a variety of ways (Elmer Sandmeyer 1991):

- Section 1 sought to protect the state “from the burdens and evils arising from the presence of aliens, who are or may become vagrants, paupers, mendicants, criminals or invalids afflicted with contagious or infectious diseases. . .provide the means and mode of their removal from the state.”
- Section 2 sought to implement employer sanctions for hiring Chinese or Mongolians.
- Section 3 restricted any employment “except in punishment for crime.”

The first act excluding one country was the Chinese Exclusion Act in 1882, which suspended the use of Chinese laborers, charged those with facilitating their migration with a misdemeanor. The Geary Act, passed in 1892, imprisoned Chinese immigrants not lawfully entitled to be in the country before removal and required any legally residing Chinese laborers to obtain a certificate of residence or face deportation.

### **Japanese**

Japanese immigrants began coming to the United States in 1885. Early restrictions focused on land claims in the Alien Land Laws. Under Executive Order 9066, then President Franklin D. Roosevelt created internment camps for Japanese immigrants prohibited from becoming citizens. Many stayed in these camps from 1942 to 1944. These camps were proposed as a means to provide security against sabotage and espionage. No acts were committed by these individuals during this time period, and similar internment were not directed at ethnic whites like the Germans and Italians

whose “countrymen” were also participating on the opposite side of the war (Perea et al. 2006: 436).

## Latinos

### Mexicans

Although a relationship between the United States and Mexico existed prior to the Treaty of Guadalupe Hidalgo in 1848, this treaty solidified the territory lines between the two countries. According to Article VIII of this treaty, Mexican nationals could remain on their lands in US territory and become citizens or return to Mexico. At the time, Mexico did not have formal racial restrictions on who could be full citizens like the United States did, and many Mexicans applying for US citizenship were forced to assert their Spanish ancestry even though this would still not guarantee that legislatures would not discriminate against someone’s phenotype (Menchaca 1993). After this, Mexican resistance to conquest took the form of border warfare, social banditry, community upheavals, long-term skirmishes, and coordinate rebellions (Perea et al. 2006). From this point forward, Massey et al. (2002) describe five periods of Mexico-US migration.

1. Enganche (1900–1929) characterized by restrictive immigration policies for other countries, namely, the Chinese and Japanese, resulting in a labor shortage for the United States that needed to be filled.
2. Era of Deportations (1929–1941) coinciding with the Great Depression in the United States, and Mexican laborers became scapegoats.
3. Bracero Era (1924–1964) created by Theodore Roosevelt to work during war years. But in 1954 Operation Wetback also resulted in the apprehension of one million Mexican migrants, while visas for braceros doubled.
4. Era of Undocumented Migration (1965–1985) began once the bracero program was ended, but the labor demand still existed.
5. Great Divide (1986–2000) characterized by the passing of Immigration Reform and Control Act (IRCA) of 1986 which included employer sanctions for hiring undocumented workers among other provisions. The creation of the North Atlantic Free Trade Agreement in 1994 also highlights the desire to “export goods and not people.”

### Central Americans

The Central American Free Trade Agreement, impacts of Hurricane Mitch in 1998, and political uncertainty have encouraged increased migration from Central America, namely, from the countries in the Northern Triangle formed by El Salvador, Guatemala, and Honduras (Menjívar and Abrego 2012; Lesser and Batalova 2017). More recently, unaccompanied children from these areas have arrived in the United States – forcing some changes in family detention centers with the United States. Many of these children can remain in the country for a limited amount of time, but recent incidents also demonstrate that both the 44th and 45th

presidential administrations took a strong stance to quickly deport newcomers to the United States of any age (Johnson 2014). From 1980 to 2015, the Central American population residing in the United States grew from approximately 354,000 to 3,385,000. In 2015, 40% of that population was from El Salvador, 27.4% from Guatemala, and 17.7% from Honduras. Unfortunately, the current presidential administration often conflates migration from these countries with gang violence and activity, some of which originated in the United States. For example, MS-13 or the Mara Salvatrucha originated in Los Angeles during the 1980s by El Salvadorians fleeing the country's civil war. In the 1990s, the United States conducted anti-gang crackdowns and deported members of the gang, and now the gang has more members outside the United States (BBC News 2017; Wolf 2010).

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## Criminalization Processes

Criminologists define **criminalization** as the process whereby criminal law is selectively applied to social behavior through a threefold process involving (1) the enactment of legislation that outlaws certain types of behavior, (2) the surveillance and policing of that behavior, and (3), if detected, the punishment of that behavior (Beirne and Messerschmidt 2014: 19). Yet, the criminalization of certain groups, namely, ethnic minorities, racial groups, and racialized immigrants, extends beyond this definition, particularly because these groups are perceived, judged, and policed by the overextension of criminal law. In the section that follows, I trace both the criminalization of these groups and the convergence of criminal and civil law procedures and practices. The latter phenomenon is called **crimmigration** or the criminalization of immigration law and procedure (Stumpf 2006). These changes in both criminal and immigration law focus on individual migrants while simultaneously broadening penalties to those facilitating their presence within the country.

## Criminalization Pre-civil Rights

Not only were immigrant groups undergoing the process of racialization (previously outlined) vis-à-vis the law subject to criminalization practices through immigration laws, but so too were any individuals who previously committed crimes. The Page Act of 1875 included a prohibition against the entry of convicted felons (Garcia Hernandez 2013). The 1882 Chinese Exclusion Act not only barred Chinese from entering the country but also added criminal penalties for those helping them migrate.

## Criminalization Post-civil Rights

During this time period, it was no longer acceptable to base immigration policies solely on overtly racial terms. Cesar Cuauhtemoc Garcia Hernandez (2013: 1485–1487) describes this shift:

Cultural and legal shifts in race relations spurred by the civil rights movements of the mid-twentieth century constrained reliance on overt racism. In place of openly racist rhetoric and *de jure* racism, policymakers adopted facially neutral legal regimes in criminal law and procedure and immigration law and procedure that proved anything but racially neutral in practice. Crucially, lawmakers concerned about the civil rights era's elimination of cultural and legal mechanisms used to subordinate entire racial groups turned to the government's criminal law power to stigmatize and punish. With the legitimacy of ostensibly race-neutral criminal law and procedure, lawmakers reproduced the racial hierarchies of decades past. . . Civil rights era legislative successes did not assure the end of deeply ingrained racial biases that dominated the United States' history. Instead, individuals who in the past had openly championed explicitly racialized methods of subjugating people of color set their sights on discrimination packaged in a race-neutral veneer. They found their answer in crime. A "law and order" discourse that had existed in limited fashion prior to the demise of Jim Crow quickly gained ground as the new paradigm of choice for governing social relations.

During this time, the Hart Cellar Act or the Immigration Act of 1965 repealed national origins quotas, which would impose uniform immigration rules. Particularly for those migrants from Mexico – coming to the United States for economic purposes – these changes shifted a long-standing relationship with the United States, whereby Mexicans "became illegal." As Massey et al. (2002) describe, prior to the 1965 Act, the relationship between the United States and Mexico was characterized by the Bracero Era, spanning from 1924 to 1964. This program created in 1924 continued until the Immigration Act followed the liberalization of the Civil Rights Act that created formal equality. Unfortunately, this did not account for the long-standing relationship between the two countries nor the dependence on Mexican labor. Like most immigration policies, considerations for other country's economic situation were not taken into account. On the other hand, migrants from Asian countries were able to immediately benefit from lifted quota restrictions. This shift also framed migration as a moral issue:

By framing its formal equality regarding the number of people from a given country who could lawfully immigrate each year as a gesture of fairness, immigration law pinned the onus of unauthorized immigration on the migrants themselves.

In some ways, crime became a proxy for race in the post-civil rights period foreshadowing the disproportionate impacts of the convergence between criminal sanctions and migration flows.

## **Crimmigration**

The term **crimmigration** or the criminalization of immigration law and procedure emerged in the past three decades and is distinct from both criminal and immigration law. Criminal law meant to punish social harms to individuals, whereas immigration law focuses on who may or may not cross our borders. Both areas of law "regulate the relationship between the state and the individual" and are "systems of inclusion

and exclusion” (Stumpf 2006). Juliet Stumpf further describes this merger has taken place in three arenas:

1. The substance of immigration law and criminal law increasingly overlaps.
2. Immigration enforcement has come to resemble criminal law enforcement.
3. The procedural aspects of prosecuting immigration violations have taken on many of the earmarks of criminal procedure (381).

First, a series of acts showcase Stumpf’s first point. The 1986 Immigration Reform and Control Act created a variety of penalties for those hiring unauthorized workers, for bringing someone into the country, and for possession or use of false documents (Garcia Hernandez 2013). In addition, the Immigration Marriage Fraud Amendments Act created a penalty for knowingly committing marriage fraud by marrying an unauthorized immigrant in order to avoid immigration laws. In 1988, the Congress raised the maximum term of imprisonment to 15 years for those immigrant previously convicted of an aggravated felony.

Second, although most criminal law enforcement agents carry firearms, not until 1990 did representatives from the precursor to ICE, Immigration and Naturalization Services (INS) begin to do so. In 1952, Border Patrol agents were able to make immigration arrests. In the mid-1980s, INS officers also began to participate in drug-related enforcement activities.

## **Crimmigration After 9/11**

In a recent Breitbart interview with Kris Kobach, Kobach reiterates his stance which would guide him to create the template for a variety of statewide anti-immigrant legislation across the country.

All Americans should be aware of that. We had the opportunity to stop the 9/11 hijackers, but because state and local police didn’t have the information they needed, it didn’t happen. (Kobach 2005; Binder 2018)

The turn toward interior enforcement is described further on this chapter, but other notable changes are described by Juliet Stumpf (2006: 286):

As examples, soon after September 11, 2001 the Department of Justice initiated the National Security Entry-Exit Registration System (“NSEERS”) that required noncitizen men from certain Muslim and Arab countries to register with the INS. The DHS Absconder Apprehension Initiative targeted for detention and deportation noncitizen men of Muslim faith and Arab ethnicity who had criminal convictions or immigration violations, regardless of whether the crimes or violations related to terrorism. The USA PATRIOT Act of 2001 has resulted in detentions of noncitizens without charge for an undefined “reasonable period of time” under extraordinary circumstances. All of these examples permit the government to employ immigration rules to detain or deport noncitizens suspected of terrorist tendencies without resort to the criminal justice system.

Other scholars particularly note the both the racialized and gendered aspects of those impacted by immigration enforcement. Tanya Golash-Boza and Pierrette Hondagneu-Sotelo (2013) describe this new course after 9/11 as a gendered and racial removal project. They find most deportees are working-class Latino men. They further comment (2013: 273):

that the institutionalized criminalization and surveillance of men of color in urban streets-heightened in the post-9/11 climate of Islamophobia and male joblessness exacerbated by global financial crisis and economic restructuring—have created the context for this shift.

After 9/11, the majority of individuals removed are of Mexican origin. In FY2016 and FY2017, this was still the case where 146,821 Mexican nationals were removed and 128,765 were removed, respectively (ICE FY2017 Report). Furthermore, 61% of the total people removed were Mexican nationals in FY2016 and 57% of the total removed in FY2017. The remaining top five countries of removals by country of citizenship were Guatemala, Honduras, El Salvador, and Haiti. Although the number of removals declined for most of those countries, those removed from Haiti increased from 310 in FY2016 to 5578 in FY2017 (ICE FY2017 Report). Although these numbers come directly from ICE Enforcement and Removal Operations, the Transactional Records Access Clearinghouse (TRAC) at Syracuse University also requests case-by-case deportation records from ICE but frequently runs into challenges obtaining sufficient amounts of data (TRAC 2014). In 2012 and 2013, they found that Mexican nationals were the largest group of those deported, that the typical median age for these individuals was 30, and that 9/10 were identified as male.

## Changes Under the 45th Presidential Administration

It is important to note that many of the efforts to criminalize migration behaviors stem from **moral panics** whereby the mass media channels viewer attention toward particular events in an episodic fashion (Stanley Cohen 2002). One example is the story of Mollie Tibbetts, who was killed by a native of Mexico (Peters 2018). This story has now become a rallying cry for the conservative media and Republicans to continue pushing forward anti-immigrant legislation and enforcement practices both within the country and in immigration policies more generally. The current administration has ceased opportunities like this and capitalized on issues of immigration to push forward a series of changes relatively unique in the history of the criminalization of immigration policies in the United States. Some of these are described below.

### Executive Orders: Border and Internal Enforcement

On January 25, 2017, the 45th President of the United States issued two Executive Orders to expand border and interior immigration enforcement. The Border Security and Immigration Enforcement Improvements Executive Order (Executive Order 2017b) included:

- Authorization to construct a more fortified wall at the southern border with Mexico and expedited decisions for those crossing the border.
- Resources to construct and operate more detention facilities along the southern border.
- A change from the catch and release policy previously implemented and forcing individuals to be detained.
- The hiring of 5000 additional Border Patrol agents.
- More enforcement of paroles and asylum seeker processes.
- And, encroaching on tribal sovereignty to allow for officials to enter federal lands to enforce these laws (Levin 2017).

That same day, the Enhancing Public Safety in the Interior of the United States Executive Order was also signed, which focuses more on internal enforcement (Executive Order 2017a). This order included the following:

- Targeting of **sanctuary cities** and localities by threatening to withhold federal funding from these places. Following this, many states also began to consider copycat legislation that would also limit state funding like North Carolina House Bills 100 and 318.
- Broadening the scope of who is deportable. On November 20, 2014, then Department of Homeland Security Secretary Jeh Johnson announced a new set of priorities for deportation known as the **Priority Enforcement Program (PEP)**. Under this Executive Order, PEP was terminated and **Secure Communities (S-Comm)** was reinstated and allows immigration officers to prioritize for removal those that “In the judgment of an immigration officer, otherwise pose a risk to public safety or national security.”
- Proposes the payment of fines for those living in the country without legal status.
- Hiring of 10,000 new immigration officers and increased resources to see the prosecution of criminal immigration crimes.
- Proposed expansion of 287(g) programs and most striking was the recent effort in 2017 where 18 law enforcement agencies adopted these programs along the border and proudly announced this at a joint press conference (ICE News Release 2017).
- Public lists of criminal actions committed by those without legal status.
- Restricting Privacy Act to no longer apply to those who are not lawful citizens or permanent residents. Collection of the immigration status of those currently in a variety of federal, state, and local prisons and/or detention centers.

### **Executive Order: Muslim Ban**

Two days later, on January 27, 2017, the “Muslim Ban” or the Executive Order 13769: Protecting the Nation from Foreign Terrorist Entry into the United States was signed. This ban restricted immigrants and those with immigrant visas from majority-Muslim countries (initially Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen) from entering the United States for 90 days,



building upon a racialized history of this group (Selod and Embrick 2013). It also barred refugees for 120 days and an indefinite ban on those from Syria. Protests erupted across the country in response, and many states began to file lawsuits to block the executive order. The order was revised in March and a partial travel ban would go into effect in June (McGraw 2017). The full ban has been in effect from January 2018 to the present, and North Korea and Venezuela were added (Parlapiano 2018).

### **Ending Temporary Protected Status (TPS)**

**Temporary protected status** is one type of humanitarian program that attempts to protect migrants seeking refuge from a variety of conditions in their homeland. According to the US Citizenship and Immigration Services (USCIS) website, the Secretary of Homeland Security may designate a country for TPS due to the following conditions in a country:

- Ongoing armed conflict (such as civil war)
- An environmental disaster (such as earthquake or hurricane) or an epidemic
- Other extraordinary and temporary conditions

Although the USCIS website currently lists the following countries designated for TPS (USCIS 2018) – El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria, and Yemen – in 2017 and 2018, announcements to strip individuals from the following countries were announced, Haiti (set to terminate on July 22, 2019), El Salvador (set to terminate on September 9, 2019), Nepal (June 24, 2019), Honduras (set to terminate on January 5, 2020), and Nicaragua (set to terminate on January 5, 2019). These would force individuals, many of whom have lived in the country for more than 20 years, to return to countries where the conditions listed above have not changed or become part of the roughly 12 million people living in the United States without legal authorization.

### **Department of Justice Guidelines and Public Shame Lists**

In 2017, Attorney General Jeff Sessions announced that the Department of Justice (DOJ) would award extra points to those agencies willing to comply with ICE. Moreover, these grants require applicants to certify that (1) if the applicant operates a detention facility, the applicant must provide DHS access to their detention facility and (2) the applicant must provide advance notice as early as practicable (at least 48 hours, where possible) to DHS of an unauthorized immigrant's release date and time (DOJ Press Release 2017). Similar language was included in the 2018–2019 grants. In 2017, DHS also began to publish list of jurisdictions that rejected immigrant detainer requests as another incentive for localities to comply and communicate with ICE. This practice eventually failed as jurisdictions disputed finding themselves on the list, showcasing the disorganization of the agency (Gonzales 2017).

## **Border and Internal Enforcement**

### **Border Enforcement**

In 1924 the Border Patrol was created by the Labor Appropriation Act and in 1925; it was expanded to patrol the seacoast (Border Patrol History 2018). It was mainly constructed in response to the 18th Amendment, which prohibits “the importation, transport, manufacture, or sale of alcoholic beverages” and the Immigration Acts of 1921 and 1924 (Border Patrol History 2018). The Border Patrol initially functioned under two directors – one for the Mexican border and one for the Canadian border. At that time, the majority of the Border Patrol was placed at the northern border. In 1952, the Border Patrol was able to begin arresting individuals entering into the country illegally. In 1986 the Immigration Reform and Control Act (IRCA) increased allocations for border security. In 1990, more Border Patrol officers were hired through the Immigration and Nation Act and in 1996 IRAIRA provided even more funding for military equipment and additional officers (Massey et al. 2016).

In 2003, the Department of Homeland Security was established, which now houses a variety of agencies including the US Customs and Border Protection and US Immigration and Customs Enforcement. In 2004, the National Intelligence Reform and Terrorism Protection Act included funding for equipment, aircraft, agents, immigration investigators, and detention centers (Massey et al. 2016: 1569). The 2006 Secure Fence Act allowed the agency to fortify fences, satellites, and unmanned drones among other things.

### **Internal Enforcement**

Large-scale studies focus on the implementation of immigration policies across the country and at the state level instead of focusing on the site specificity or the “local migration state” (Coleman 2012). This omission neglects to provide a thorough understanding of the devolution of immigration federalism which allows the criminalization of immigrants to occur within the interior of the United States, where local law enforcement is taking on more immigration policing responsibilities. Furthermore, the implementation of state and national policies are not implemented similarly across localities, particularly when it comes to immigration enforcement practices.

Immigration enforcement programs, like 287(g) and Secure Communities introduced in the late 1990s and early 2000s, were amended to the 1996 Illegal Immigration Reform and Immigrant Responsibility Act. Initially, few localities showed interest in 287(g) programs until after 9/11. Prior to Obama’s Executive Order in November of 2015 which formally did away with Secure Communities and replaced with the Priority Enforcement Program (PEP) but did not do away with the technology and biometric data sharing, every local law enforcement agency in the country participated in the program, giving local law enforcement officers the ability to run arrestee prints through an FBI criminal database and the IDENT database. These fingerprints are then

routed to ICE officials, who can determine whether to initiate removal proceedings. 287(g) programs, on the other hand, authorize local law officers to detect, detain, and deport unauthorized immigrants through an agreement with ICE (Nguyen and Gill 2010). These fingerprints were then routed to ICE officials, who could determine whether to initiate removal proceedings, a technological process which Juan Pedroza (2013) refers to as “removal roulette.” Coleman and Kocher (2011) also highlight de facto immigration enforcement that may result from the collaboration between Secure Communities and a 287(g) partnership, and Menjivar (2014) shows how enforcement at various levels of government work together to compound the effects of federal policies. Menjivar (2014, p. 1806) describes this multilayered enforcement regime as “the federal, state, and local level laws and ordinances and the various enforcement strategies, acting all at once and often in highly articulated fashion, exacerbating the effects of each layer on the everyday lives of immigrants.” Under the current presidential administration, Secure Communities has been reinstated.

## Surveillance Techniques

### Database Expansion

Fueled by efforts to create systems within the interior of the country after 9/11, biometric screening became central in migration control within the United States (Activated Jurisdictions 2013).

As part of the Secure Communities strategy, ICE is leveraging a federal biometric information sharing capability to quickly and accurately identify aliens in law enforcement custody.

This technology activation began in 2008, and by 2013, 100% of 3181 jurisdictions were activated. Early adopters of this tool – where at least one county began adopting in 2008 – were Arizona, Maine, Massachusetts, North Carolina, Pennsylvania, and Texas.

### Facebook Monitoring

In 2017, ICE officials began searching for data/text mining tools to comb Facebook, Twitter, and the broader Internet for their “Extreme Vetting Initiative” (Harwell and Miroff 2018). Those opposing such a move considered this to be a “digital Muslim ban.” Earlier this year, ICE backtracked taking this route and opted for enhancements in staff training for about 180 people to monitor social media posts among other things, although ICE’s Counterterrorism and Criminal Exploitation Unit spokeswoman Carissa Cutrell stated:

an automated system would provide a more effective way to continuously monitor the 10,000 people determined to be the greatest potential risk to national security and public safety... that system could provide nonstop tracking of social-media behavior for “derogatory” information that could weigh against their applications, including radical or extremist views.

### **Ankle Bracelets and Electronic Monitoring**

Prior to the 45th presidential administration, ICE implemented the Intensive Supervision Alternative Program (ISAP), a GPS ankle monitoring program. This program is run by a subsidiary of the GEO Group and allows case workers and immigration officers to track immigrants with GPS ankle monitors linked to a cell phone application (Fernandez Campbell 2018). This program led to a 99.6% compliance rate for court appearances, saw a lower rate for deportation orders, and is considered less costly than indefinite detention – the current administration’s most recent focus.

### **Mexico’s Internal Deterrence Policies**

Increasingly migrants from Central American countries are crossing through Mexico to welcoming states within the country or to continue on to the United States. As an extension of United States border enforcement and migrant control, Mexico does the following to deter migrants throughout the country:

- Limited funding for migrant shelters throughout the country.
- Participates in the Southern Border Plan – funded by the United States. “Rather than amassing troops on its border with Guatemala, Mexico stations migration agents, local and federal police, soldiers and marines to create a kind of containment zone in Chiapas state. With roving checkpoints and raids, Mexican migration agents have formed a formidable deportation force” (Fredrick 2018).
- Seizing “La Bestia” from private control in order to, “patrol the train lines with extra guards, cameras, motion detectors, geolocation devices, and even drones” (Campoy 2016).
- Participates in the Merida security assistance program launched by President George W. Bush in 2008 where information gathered from individuals in Mexican custody is forwarded to DHS and other US law enforcement databases (Partlow and Miroff 2018).

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### **Direct Threats and Resistance (A Case Study)**

Sheriff elections in 2018 are forcing ICE to also make distinctions among its programs, particularly in localities where candidates include noncompliance with ICE as part of their platform to counter the criminalization of immigrants. Unfortunately, ICE has also taken this opportunity to further threaten and demonize the Latino community. This is characteristic of four recent responses by ICE officials – mainly from the Southeast Communications Director, Bryan Cox – justifying an increase in local ICE raids if these localities ended local partnerships and communication with ICE. These threats throughout the state began in March of 2018 in Western, NC, which experienced increased ICE arrests prior to Henderson County’s annual 287(g) Steering Committee meeting. Community members with a local

organization – *Companeros Inmigrantes de las Montanas en Accion (CIMA)* – followed ICE around Western, NC, for 3 days during these arrests and then turned their attention to encouraging community members to show up to the annual steering committee meeting in an effort to question ICE about the recent raids. During that steering committee meeting – ICE officials made it clear that ending the 287(g) program in that county would increase the likelihood that more arrests where ICE officials were out in the community would occur. Moreover, they emphasized the possibility of “collateral” arrests – whereby community members could be arrested even if they were not on a specific list but were encountered by ICE officials out in the field (DeGrave 2018; Feldblum 2018).

During this time, the 287(g) program and detainer usage became front and center in the Mecklenburg County Sheriff’s race. Two of the three Democratic candidates agreed to end the 287(g) program, while the third, the incumbent maintained his desire to keep the program. Sheriff Carmichael echoed the warnings made by ICE officials in the 287(g) Steering Committee in Henderson County. A small community group – *Comunidad Colectiva* – put pressure on all these candidates to discuss the program during a variety of public events and led the local campaign against the 287(g) program that deported 15,000 immigrants over a 10-year period. Immediately after Carmichael lost (Terry 2018) to Gary McFadden, ICE put out a statement again warning how the end of the program would impact ICE operations locally.

Two hours away, although with no 287(g) program, detainer usage became an important issue in the Durham County Sheriff’s race. After years of questioning the incumbent, Mike Andrews, about his collaboration with ICE, a challenger promised a different way forward – both more transparent and willing to end collaboration with ICE. Clarence Birkhead overwhelmingly won the election – provoking a response from ICE officials (Blythe 2018).

Prior to these 2018 Sheriff races, only three Sheriffs claimed to not honor detainer requests from ICE, yet ICE did not make direct statements against this new policy. That is until July 23, 2018 when ICE officials made comments to *The Herald Sun* about the Orange County Sheriff’s Office’s decision to release an undocumented man without first notifying ICE (Lamb 2018). Orange County ended that policy in 2017. In this instance, ICE focused on the individual’s previous offense, “What is not in dispute is the sheriff’s major failed to contact ICE to let us know he had an egregious criminal offender he was about to return to community.” This statement further iterates how racialized immigrants in particular are viewed by ICE – the individuals who upload immigration policies throughout the United States.

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## Conclusion

The criminalization of immigration policies clearly shifts under each presidential administration in response to economic, social, political, and relational race dynamics. Yet, it is still unclear who is ultimately responsible in what some call a **deportation continuum** (Kalir and Wissink 2016), **deportation regime** (Golash-Boza and Hondagneu-Sotelo 2013), or the **immigration industrial complex**

(Trujillo-Pagan 2013). The first term alludes the variety of actors and ways that civil society and NGOs participate in the deportation process. This chapter mainly focuses on those entities who enforce immigration and criminal justice policies, but a more thorough study would consider the ways in which other actors within society participate in the criminalization of racialized immigrants. Furthermore this criminalization does not simply take place in the legal sense, but is expanded to a sense of perceived illegality (Garcia 2017), which equates to perceived criminality or criminalization.

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## Cross-References

- ▶ [Policing Ethnic Minorities: Disentangling a Landscape of Conceptual and Practice Tensions](#)

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# Diaspora and Ethnic Contestation in Guyana

# 69

Ralph Premdas and Bishnu Ragoonath

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## Abstract

Guyana, an ethnically bipolar state has suffered immense developmental damage as a consequence of competitive partisan elections based on communal mobilization. After colonial control was relinquished, the country fell into two and half decades of corrupt authoritarian ethnocratic rule. In 1992, free and fair elections were restored, but in succeeding general elections, the pattern of ethnic preference persisted. The discovery of immense petroleum resources in 2016 is about to confer unprecedented wealth on this small country of about 800,000 people. The problem now consists in the challenge to overcome the bipolar ethnic antagonism between Indians and Africans even as the new wealth itself threatens to unleash its own form of curse.

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R. Premdas (✉)

University of the West Indies, St. Augustine, Trinidad and Tobago

e-mail: [ralphpremdas@hotmail.com](mailto:ralphpremdas@hotmail.com)

B. Ragoonath

Department of Political Science, University of the West Indies Trinidad, St. Augustine, Trinidad and Tobago

e-mail: [bishnu.ragoonath@sta.uwi.edu](mailto:bishnu.ragoonath@sta.uwi.edu)

### Keywords

Ethnic bipolarity · Communal elections · Authoritarian rule · Walter Rodney · Cheddi Jagan · Forbes Burnham · Cooperative republic · ExxonMobil · Resource curse

## Introduction

Situated on the northeast shoulder of South America, Guyana with only about 746,955 people is the only English-speaking state in South America. A former British colony independent since May 1966, Guyana's peoples are a multiethnic polyglot (Table 1) derived mainly from Africa and Asia; they are embroiled in persistent ethnic inter-communal strife that has left the country deeply divided and chronically unstable resulting in as many Guyanese living within the country as outside (Despres 1967; Premdas 1995; Spinner 1984; Williams 1991; Morrison 1998). From its colonial history, a society of ethno-cultural compartments has emerged with various forms of inter-communal antagonisms of which the African-Indian dichotomy dominates all dimensions of daily life. Its multiethnicity has been created mainly by the importation of immigrants from other countries to meet the colonial demands for labor on plantations (Smith 1962).

The majority of the population are diaspora, as shown in the 2012 census figures below.

## The Making of a Multiethnic State

In the seventeenth century, the Dutch were the first European settlers; they established plantation production of coffee, cotton, and sugar which required massive amounts of cheap labor. After the Amerindians and "Poor Whites" were experimented with, massive numbers of African slaves were imported. The Dutch were evicted by the British in 1803, and in 1807, the British slave trade with Africa was halted, and in 1833 slavery was abolished. The anticipated dearth of labor after the freeing of the slaves prompted the planters to recruit, between 1835 and 1840, small batches of German, Portuguese, Irish, English, Indian, and Maltese laborers. In

**Table 1** Ethnic distribution of the Guyanese population

Ethnic group	Percent and total
Indians	39.8 (297,493)
Africans	29.2 (218,483)
Mixed Races	19.9 (148,532)
Portuguese and Europeans	0.26 (1910)
Chinese	0.8 (1377)
Amerindians	10.5 (78,492)

Source: Ministry of Information: 2012 Census

the end, Asian Indians proved most adaptable, economical, and available. They came, under 5-year contract indentures (Nath 1950). The first batch of Indians (396) arrived in the colony during May, 1838. With the exception of a brief interruption in the early 1840s, Indian immigration continued until the indentureship system was abolished in 1917 (Nath 1950). Between 1838 and 1917, approximately 238,960 Indian laborers arrived in Guyana. An additional 707 Indians were imported as free settlers between 1917 and 1926. At the expiration of their indentures, nearly two-thirds opted to remain as permanent residents.

After the abolition of slavery, few Africans returned to the sugar plantations, for their place was taken gradually by the arrival of indentured laborers. Employment in urban centers attracted many Africans; migration to the cities proceeded apace so that by 1891, Africans constituted about 47.19% of the colony's urban population. Between 1900 and 1965, this figure stabilized at roughly 50%. Africans who have remained in villages constitute about 20% of the total village population; most live predominantly in African villages. Paralleling their concentration in urban centers, Africans increasingly provided the staff for government service so that by 1950, Africans dominated every department of the civil service. In 1960, some 73.5% of the security forces, 53.05% of the civil service, 62.29% of the government agencies, and 58.87% of teachers in primary education were Africans.

Many Indians acquired farmland contiguous to the estates in exchange for giving up their contractual right to return to India. Gradually, however, many Indians moved away from the sugar estates, turning completely to peasant farming. A series of Indian villages sprang up, mainly within a radius of 10 to 15 miles of plantation lands. In the 1960s, 25.5% of the Indian population was on the sugar plantations, 13.4% in urban centers, with the remaining 61.1% found in villages. Guyana's Indians are therefore predominantly rural dwellers, living mainly in Indian villages and on land adjacent to the sugar plantations. Indians, known for their thrift, invested their savings in small businesses and in the education of their children. Increasingly after the World War I, they began to compete for places in the civil service and the teaching profession, but prior to World War II, Indian participation in the governmental bureaucracies was negligible. According to the 1931 census, Indians constituted 8.08% of all persons in the public service, and nearly half of them were in the lower grades such as messengers. Out of 1,397 teachers, only 100 were Indians. By 1964, when Indians constituted slightly over half the country's population, their social, political, and economic condition had improved so dramatically that they constituted 33.16% of the civil service, 27.17% of government agencies and undertakings, and 41.49% of teachers in primary education. Indians not only regard themselves as a separate community in Guyana but are perceived by other Guyanese as a distinct entity.

Portuguese also were imported as indentured laborers to serve on plantations. Between 1834 and 1890, the period of Portuguese immigration, over 32,000 Portuguese from Madeira arrived in Guyana. Many Portuguese returned home with savings after serving their indentures, but most stayed in the colony. Those who remained immediately abandoned the estates and entered the retail trades. Chinese were the last of the indentured laborers brought to Guyana (Fried 1956). The first

Chinese immigrants landed in 1853; by 1880, a total of only 13,533 had arrived. The Amerindians, who also preceded the arrival of Africans, are the descendants of the original people of Guyana (Saunders 1987). When the first colonist arrived, there were 19 tribes with about 700,000 Amerindians. This number had diminished significantly so that by 1969, the Amerindian Lands Commission estimated the number of Amerindians as 32,203 living in 138 communities.

Thus then would a multiethnic plural society be formed constituted of East Indians, Africans, Amerindians, "Coloreds" (Mixed Races), Portuguese, Europeans, and Chinese. Slavery and indenture were the twin bases on which successful colonization occurred. A work force of culturally divergent immigrants was recruited to labor on plantations in the New World. The different patterns of residence, occupation, and political orientations by the imported groups reinforced the original differences of the settlers laying from the inception of colonization the foundations of Guyana's multiethnic politics. By the beginning of the twentieth century, certain features were clearly embedded in the social system. A communally oriented, multiethnic society was being fashioned and institutionalized. Several layers of cleavage appeared and reinforced each other. Hence, separating East Indians and Africans were religion, race, culture, residence, and occupation. Multiple coinciding divergences deepened the divisions without the benefit of a sufficiently strong set of countervailing integrative forces. To be sure, most immigrants participated in varying degrees in a commonly shared school system, national laws, color-class stratification system, and experiences in suffering. At an elementary level, there was even a measure of shared cross-communal class unity at places where Indians and Africans worked such as certain factories or labor gangs. But these were few and far between.

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## **Decolonization and Ethnic Mass Politics**

The twentieth century would witness the unleashing of new forces which would eliminate the seemingly permanently set colonial structures of dominance in Guyana. Against the trajectory of a divided society consigned to perpetual internal strife dominated by a manipulative colonizer, a new tidal force of unity was unleashed in an independence movement. A common enemy in colonialism impelled the emergence of cross-communal leadership which mobilized non-white workers and others to challenge the plantocracy, the color-class value system, the unjust distribution of jobs and privileges, and all the other iniquitous aspects of the multiethnic immigrant society. A multiethnic independence movement called the People's Progressive Party (PPP) was formed under the leadership of two charismatic sectional leaders, one an African (Forbes Burnham) and the other, an Indian (Cheddi Jagan). They successfully won the first elections but almost immediately after victory engaged in a rivalry over sole leadership of the PPP. In the end, this led to a fatal split in the independence movement along ethnic lines. The two leaders parted company and formed their own party, and thereafter Guyana was transposed into a territory riven by deep and destructive ethnic and racial politics (Premdas 1996). A new type of

party emerged constructed on the discrete ethnic fragments into which the old unified party had broken. Following the historic split of the national independence party, the PPP, two new factional parties emerged around the leadership of Dr. Jagan and Mr. Burnham. After the 1955 split, a general scramble commenced between the Jaganite and Burnhamite factions to ensure that Indians and Africans respectively stayed with their ethnic leaders. Sectional identification with the two major parties emerged as a fundamental fact of Guyanese politics. *Apanjaat*, the local colloquial term for “vote for your own kind,” was the dominant factor which governed the political choices of nearly all Guyanese. Everyone expected an Indian to support and vote for the PPP and an African for the PNC.

The spiral of intensifying ethnic conflict slowly but inexorably exacerbated by the way the political parties organized the lives of their constituents, the manner in which election campaigns were waged, and the method by which voluntary associations were enlisted in the struggle for communal ascendancy, led almost inevitably to cataclysmic inter-ethnic confrontation and civil war. Between 1961 and 1965, the screws of communal conflict were slowly tightened so that few persons could escape being a coopted participant in a system of mutual communal hate. Inter-ethnic relations especially between Africans and Indians were increasingly marked by covert contempt and deceptive distrust. The elements of an impending explosion were registered first in the fear of ethnic domination of Indians by Africans and of Africans by Indians. A new drama was unfolding in which the main motif was a struggle for ethnic ascendancy compounded by a politically instigated terror of internal communal colonization. Introduced mass politics was betrayed by sectional leaders jockeying for power. A moment of opportunity for reconciliation and reconstruction was squandered, and the innocence of legitimate inter-ethnic suspicion was nurtured into a monster obsessed with the fear of communal dominance. One cleavage after another that separated the ethnic segments – race, traditional values, religion, residence, and occupation – was reinforced by a mode of modern mass ethno-nationalist politics that drove the society to the brink of self-destruction.

After the 1961 elections, in the aftermath of an intensively organized ethicized election campaign and with the promise of independence soon thereafter, the victory by Cheddi Jagan’s Indian-based PPP posed a fundamental threat to the survival of Africans, Mixed Races, Europeans, Amerindians, Chinese, and Portuguese. The system of electoral politics enabled the victor in a zero-sum game of competition to assume complete control of the resources of the government. In the multilayered communal order established by the colonial power, an interdependent economy of specialized parts, each part dominated by one ethnic group, was institutionalized. No ethnic group could live without the other.

The impending ethnic catastrophe in Guyana following the 1961 elections was compounded by a second factor apart from the inter-communal conflict and the attendant fear of ethnic domination. Ideology assumed a salient role, for Dr. Jagan’s PPP unabashedly espoused a Moscow-oriented socialist policy for the transformation of colonial Guyana (Jagan 1966). More specifically, Guyana under the avowed Marxist-Leninist Cheddi Jagan sought a new radical direction at the inopportune time that Cuba under Castro had become an acutely uncomfortable thorn in the side

of the United States. After the Bay of Pigs fiasco, President Kennedy had firmly decided that there would not be another Cuba in the Western Hemisphere (Schlesinger 1965). Defiantly, Dr. Jagan had declared unreserved support for Fidel Castro calling him the greatest liberator of the twentieth century. Guyana was still a colony at the time. Hence, the PPP government posed a triple threat to various opponents, both internal and external. First, the Burnham-led PNC representing mainly the African section saw Jagan's PPP as a communal threat in the possibility of permanent ethnic domination. Second, the laissez-faire capitalist-oriented United Force (headed by Portuguese businessman Peter D'Aguiar), representing for the most part the well-off non-African non-Indian sections of the Guyana population, feared the PPP because of the communist threat to private property. Third, the Kennedy regime feared the PPP because of its threat to the geopolitical security interests of the United States in the Western Hemisphere in the context of Cold War politics (Sheehan 1967).

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### **Seizure of Power and Ethnic Domination by the PNC**

After the historic 1964 elections which witnessed the defeat of Jagan's PPP, the new coalition of Forbes Burnham and Peter D'Aguiar acceded to power. Subsequently, disenchantment between the UF and PNC grew to intense proportions destroying the coalition. About 6 months before the elections, party crossings in parliament, giving the PNC a majority, allowed the party to evict the UF from the coalition government. The PNC reconstituted the Electoral Commission, staffing it with its own sympathizers and changing the procedures of administering the elections. In the 1968 elections, in what would be established incontrovertibly as rigged elections, involving tens of thousands of fictitious votes, an astounded UF and PPP witnessed a PNC "victory" at the polls (Guyana 1984). We refer to the 1968 elections as "a seizure of power." By declaring Guyana a republic, Burnham thwarted legal challenges to the election results that would have led to adjudication by the Privy Council of England (Burnham 1970).

From mid-1968 onward, Burnham would preside over a minority government kept in office by repeated electoral fraudulence and a politicized and ethnically sanitized army and police. The "seizure of power" in 1968 was a watershed in ethnic relations in Guyana. In a multiethnic society, the PNC representing a minority African group (32%) grabbed the government. To avert internal disruption, the PNC government embarked on purging the critical pillars of its power – the coercive forces and the civil service – of most of its non-African elements. Where communal malcontents did not strike and demonstrate, many migrated to Europe and North America. Especially this became the case of the Europeans, Chinese, and Portuguese. The massive migration of this group from Guyana left a society predominantly polarized between Africans and Indians.

Toward the end of 1969, then, the PNC regime proclaimed a socialist framework for Guyana's reconstruction. In 1970, Guyana was declared a "cooperative republic." From private enterprise, the economy was to be founded on cooperatives as the main

instrument of production, distribution, and consumption. But crises continued to bedevil the regime. The government ran a gauntlet besieged by high unemployment (30%), underemployment (36–40%), double-digit inflation, demonstrations, boycotts, strikes, and, later on as a result of the Arab-Israeli war, prohibitive fuel costs. A vicious cycle of poverty was created by a pattern of polarized and unstable ethnic politics intermixed with the salve of socialist rhetoric and programmatic justifications.

Between 1971 and 1976, the government nationalized nearly all foreign firms bringing 80% of the economy under state control (Thomas 1983). These public agencies were staffed overwhelmingly by the regime's communal supporters. The police, security, and armed forces, in particular, were expanded to protect the besieged PNC government (Hintzen and Premdas 1982). The judiciary also came under the PNC's regime's direct influence. The appointment of judges and magistrates was routinely based on party loyalty (Premdas 2017). The polarization of the two main ethnic races was probably attributable as much to ethnic chauvinism among PNC activists as to PPP boycotts and strikes against the government. The economic situation had deteriorated so badly that toward the end of the 1970s, the impact reverberated adversely on everyone alike, regardless of ethnic membership. Strikes and demonstrations and other challenges to Burnham's power increasingly came from all ethnic segments including Africans. The arsenal of coercive powers previously used against Indians was now used against African dissidents also. Among the victims of the purge was famed scholar Walter Rodney (Rodney 1980).

Since 1968 when the PNC first rigged the elections, and repeated fraudulence in 1975, 1980, and 1985, systematically cutting down all its opponents in the process, the ruling regime retained power from external Western support because of its anticommunist stand. In 1992, however, in the wake of the disappearance of the Cold War, the United States and the West abandoned their support of anticommunist authoritarian regimes and actively embarked on sponsoring democratic governments based on free and fair elections and respect for individual human rights. It was this external factor above all else that led to the first free and fair elections, which were actively promoted by the Atlanta-based *Carter Center*, which had overseen similar elections in Nicaragua, Panama, Haiti, and Zambia. The repressive PNC government was thereby shorn of its Cold War shield of protection and compelled in a new international order of human rights and democracy to submit itself to the voice of the electorate.

In the watershed elections of 1992, Guyana witnessed the ousting of the People's National Congress (PNC) regime from power (Premdas 1993). Led by Dr. Cheddi Jagan, the old sell-styled Marxist-Leninist who in the Cold War setting of the 1960s was maneuvered out of power by covert US-British interference, the People's Progressive Party (PPP) was voted back to power in free and fair elections. Central to the October 5, 1992 elections was the electoral machine itself, the procedure by which political power is legitimized in democratic settings. The words "free," "fair," and "transparent" became the defining terms and the substantive feature of the elections. The elections were about the elections – its authenticity and its honesty.



After nearly three decades of exclusion, the PPP regained power in 1992 as well as in the successive elections of 1997 and 2001. In 1996, Cheddi Jagan died in office, and his wife, Janet Jagan, succeeded to the Presidency. During its new tenure, the PPP restored much health to the economy but failed in forming a government of national unity across the ethnic divide that separated Indians from Africans. The PPP had promised to form a government of national unity during its successful campaign to oust the PNC from power. It failed to follow through in sharing office not only with the African-based PNC but with a number of smaller multiethnic parties which were its electoral allies. In addition, the PPP dragged its feet in reforming the old "imperial constitution" against which it inveighed while it was out of power.

The neglect of the political aspects of power in the reconciliation of PPP and PNC followers came back to haunt it in the subsequent elections of 1997 and 2001. While the PPP had benefited from a demographic shift in favor of an Indian majority, the PNC faced a permanent minority condition in a society that was deeply polarized and in which ethnic identity determined voter preference. In the 1997 elections, the PPP won but the PNC was unwilling to accept defeat. Its supporters practically seized Georgetown, the capital city which was its stronghold, claiming that the elections were rigged. Independent recounts showed that the PNC supporters were wrong; the PNC did lose. But, what was at stake was not merely an arithmetic count of ballots but the fate of a communal section who felt that they were doomed to permanent domination under the governance of another community. The facts of the PPP term in office suggested that on balance, the PPP did not overly discriminate against Afro-Guyanese. The facts were irrelevant however with the PNC portraying the PPP regime as racist and communalist. Controlling Georgetown and the loyalty of the public service and the coercive forces which were predominantly staffed by Afro-Guyanese, the PNC was in a position to nullify in practice the election victory of the PPP through persistent demonstrations and riots. Accompanying the PNC intransigence was widespread communal violence reminiscent of the 1963–1964 period when similar strife wreaked havoc on the country's social fabric leaving deep scars and memories of hurt. The PNC riots and demonstrations came to an end in a political compromise which abbreviated the PPP's 5-year tenure by 2 years. Mrs. Jagan, the European widow of the deceased PPP leader Cheddi Jagan, hounded by the PNC, stepped down as President of Guyana ostensibly for reasons of health and was succeeded by an Indian, Bharrat Jagdeo. Meanwhile, as part of the PPP-PNC agreement, a new constitution was supposed to be negotiated incorporating elements of power sharing. New elections came again in 2001, and again in a familiar cycle of a PPP victory, the PNC argued that the elections were rigged and mounted protracted demonstrations and strikes that brought the government to a standstill leading eventually to a political compromise. The PPP under President Jagdeo remained in power but agreed to the establishment of a number of bipartisan committees which made policy recommendations on a wide variety of subjects expected to be implemented by the government. Even this very limited cooperation floundered with the PNC withdrawing from the committees as well as the national parliament

threatening more street demonstrations. The stalemate was broken taking a turn for the better after the death of the Opposition PNC Leader, Desmond Hoyte and the accession of Robert Corbin as the new party leader in late 2002. Not only have the bipartisan committees been resurrected but also the Opposition PNM has returned to the parliament. Even an Ethnic Relations Commission has been established. While these arrangements manifested a tenor of power sharing, it has failed to make much of an impact on the ethnically divided population, deeply suspicious of each other, in reconciliation or healing.

The PPP would win the next elections again in 2011, but it would lose power in 2015 to a multiethnic coalition of parties called APNU led by the African-based PNC. An analysis of these election results showed that ethnic partisan pattern persisted. Dramatic events would intervene in 2016 with the discovery of huge oil deposits off the coast of Guyana in an event that would challenge the leaders of the ethnically based parties to overcome their primordial loyalties for a wider unity that transcends ethnic preference in voting and policy behavior. Fears abound that the old pattern of ethnically bipolar politics would prevail against all reasons.

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## Conclusion

Essential to the analysis of Guyana's communal strife is the creation of an "ethnic state," a concept that alludes to the descensus in the social demographic structure created by colonialism. The multiethnic state in Guyana, as in many parts of the Third World, was a colonial artifact. State and nation were not co-terminus entities; rather, the colonial state deliberately spawned an ethnically segmented social and cultural fabric. The role of the state in the creation of the underlying conditions of communal conflict is therefore critical to an understanding of Guyana's difficulties. In looking at the state, attention is focused not only the policies related to the formation of a multiethnic society but also on the political institutional apparatus through which state power is contested. Specifically, this refers to the competitive parliamentary system that was grafted onto Guyana as part of the state apparatus and that engaged parties in zero-sum struggles for power. When Guyana obtained independence, the state apparatus that was bequeathed to the local rulers was the most highly articulated and developed set of institutions in the entire society. However, it was trammled by an institutional political apparatus that tended to accentuate the ethnic segmentation in the society. A particular variant of the imported parliamentary system fashioned on the zero-sum electoral and party system in Britain played a major role in structuring and institutionalizing ethnic conflict and competition in the state. The rival parties, linked to discrete ethnic clusters, confronted each other in a manner similar to military warfare over fundamental issues on the form of the society, economy, and polity. The salient issue was that the mode of conflict resolution in collective decision-making that was adopted tended to encourage the formation of ethnic groupings which in turn competed for outright control of all the values

of the state. Zero-sum parliamentary contests do not encourage sharing or fixed proportions. This meant that the stakes were high in the contest for political power and victory viewed as conquest. A system of pre-arranged results with guaranteed minimum rewards would have tended to depoliticize the intensity and stakes in the contests enabling the defeated a share in the polity and society (Lijphart 1977). This is particularly important in a setting where the constituent elements in the population are cultural communities which share few overarching traditions and institutions.

The logic of the communal society implanted in Guyana pointed to a future of inevitable sectional strife (Despres and Premdas 1996). Not only were many layers of fairly distinct communal divisions erected, but in the absence of equally strong rival overarching integrative institutions, the immigrant groups viewed each other from the perspective of their respective compartments with misinformed fear and much hostility. The colonial pie was small, most of it allocated to the governing European colonizer element occupying the top echelon of the color-class stratified system. Of the remaining jobs and other opportunities, the non-white segments fought among themselves for a share. African-Indian rivalry for the few scarce values of the colonial order would feature as a fundamental source of inter-communal conflict from the outset of the creation of the multi-tiered communal society. It would be sustained by a deliberate policy of divide and rule but would be mitigated by the urban-rural pattern of residence especially of Africans and Indians, respectively. What had evolved assuming the pretensions of a society was an order based on sustained and manipulated communal conflict without any prospect of overcoming these basic divisions in the foreseeable future. Institutionalized division and embedded conflict were the defining features of the system in perpetuity. Or so it seemed even at the end of the nineteenth century.

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## **The Future Trajectory? Some Concluding Remarks**

The trajectory of Guyana's pattern of ethnic politics will soon be challenged by the arrival of new wealth anticipated in 2020 when ExxonMobil will commence oil production. This is expected to provide unsurpassed revenues for Guyana and raises fundamental issues regarding the future of the country. It is important to explore what this could conceivably mean in this concluding section of the essay. With the sugar industry becoming unprofitable, petroleum will constitute the main pillar of Guyana's economy. Without a government of national unity that brings Indians and Africans together, chances are that the spoils of petroleum will become a curse stemming from the anticipated ethnic rivalry that will be enacted in the familiar pattern. Apart from the threat of a new oil-based ethnic conflict, Guyana faces a serious border problem with its militarily superior neighbor, Venezuela. Guyana's territorial boundaries are contested by Venezuela on the West claiming about 130,000 km<sup>2</sup> or 60% of the entire country and Suriname on the east claiming another significant segment, about 6,000 km<sup>2</sup>. Guyana's oil-rich

region which is about 50 miles off shore from its northern coast has now been claimed by Venezuela. In making the deal with ExxonMobil for the exploitation of the oil in contested territory, the United States has declared that it does not accept Venezuela's claims. In the absence of a credible Venezuelan threat, clearly, this implies that Guyana will have to manage its massive new revenues within the context of its pattern of ethnic competition.

The literature on oil and gas (and other resources) exploitation following major discoveries that has witnessed a pattern of boom and bust describes the experience as "a resource curse" (Acar 2017; Sachs et al. 2007). According to its chief proponents (Sachs and Warner 2001; Auty 2001), this adverse consequence is empirically based on patterns found between 1970 and 1990 in nearly all of 95 cases examined (except Malaysia and Mauritius). Apart from the argument that the sudden booms in wealth and revenues tend to lead to distortion in the development of the economy labelled the "Dutch disease," there are also negative social and political consequences that have a direct bearing on Guyana. Specifically, a distributive crisis may occur as partisan and factional conflicts arise when different interests compete for "a fair share" or control over the wealth. This distributive crisis is likely, in the case of Guyana to take on an ethnic form. Inequalities are also likely to become wider and insidious, both between sectors and individual workers' wages, where the rewards of workers in the boom sector are privileged, provoking unrest and organized discontent that may spillover into disorder and systemic instability. The wealth may also attract external bidders triggering another conflict as exemplified by the claims of Venezuela. Thus, conflicts both internal and external may eventuate destabilizing the country suddenly blessed with oil or mineral wealth. The resource curse argument points also to the creation of weak governments stemming from these conflicts, and further the additional wealth tends to create the conditions for corruption. In this vein, it is also argued that when domestic decision-makers discover that they are not accountable to the general population for the wealth, they in turn become unresponsive to popular will, and thus this undermines democracy and promotes authoritarianism.

The "resource curse" thesis is however hotly contested by other researchers who empirically examined a different set of countries like Chile, Botswana, Canada, Finland, the United States, and Sweden and came to the opposite conclusion (Maddison 1994; Maxwell 2001). They have argued that there was nothing inevitable about the decline of economic growth and the instigation of political conflict and instability when the economies of these oil/mineral-rich states are properly managed. In effect, part of the resource curse is traced to financial mismanagement and inappropriate economic planning and short-sighted strategy. Thus, in challenging the resource curse hypothesis, they point to other causes of decline in governance and rise of social and political tensions in those developing countries which have been blessed by sudden oil/mineral wealth. They suggest institutional and structural factors that account for the collapse and crisis following the boom. All of this points to the role of the ethnic bipolarity in Guyanese social structure as a likely institutional factor in determining the impact of the upcoming oil boom.

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# Ethnic Relations and Policy Responses

## Part Introduction

There are many ways of conceptualizing relevance of ethnic relations to public policy. One of the key dimensions is the historical relationship between the state and society, which was dramatically reframed with the rise of the welfare state and its reach into issues such as diversity and equitable development. In ethnically diverse societies, institutions and policies of states are confronted with addressing the challenges of vertical inequalities (such as reduction of poverty and lack of opportunities) and horizontal injustices (such as leveling the playing field for historically discriminated ethnicities including indigenous populations, African Americans, Muslims, or ethnic minorities). Policies undertaken to address such injustices include affirmative action and other strategies related to diversity promotion.

Chapters in this part provide critical analyses of policies addressing problems associated with ethnic relations, such as healthcare, education, economic policy, political participation, and conflict resolution. Sarah Herbert, Heather Came, Tim McCreanor, and Emmanuel Badu discuss New Zealand's health policies and the reasons for their failure to address the needs of Indigenous peoples, and the need to provide an inclusive "Tiriti-based" Maori transformational solution for more equitable healthcare. Gawaian Bodkin-Andrews, Tereena Clark, and Shannon Foster scrutinize the concept of racism in Australia, arguing that academic discourses have insufficiently addressed personal, institutional, and collective racism experienced by aboriginal Australian and Torres Strait Islands peoples, especially among youth and children. Jean M. Allen and Melinda Webber reach similar conclusions in their sociopsychological study focusing on the negative impact of stereotyping of minorities in the educational context in Aotearoa New Zealand. To cope with such negative stereotyping, they suggest educational methods such as limitation of competition, encouragement of trust, promotion of collaboration, or development of strong positive self-identification linked to growth mindset (embedded achievement). Ryota Nishino discusses the persistence and change in Japanese national imagination through portrayals of linearity between ancient and modern Japanese in middle school textbooks, which over time have become less genealogy-based and more cultural as it increasingly accounts for multicultural and local influences.

Nevertheless, this has forestalled any critical understanding of the present-day Japanese state. Finally, Mitchell James Chang evaluates US discriminatory policies toward Asian Americans in university entry examinations, pointing out their deficiencies and implicit defense of whiteness despite affirmative action projects adopted to the contrary.

Kristen Lyons introduces an example of how trade and economic policy in Uganda and Ghana has benefited local indigenous organic farmers producing for export. The two cases suggest that policy tools such as smallholder group certification and domestic organic inspection help empower local producers vis-à-vis their northern buyers. From a conflict resolution perspective and based on her fieldwork in Maluku of Eastern Indonesia, Brigit Bräucher argues that building on local culture and tradition may overcome violence induced by religious and cultural tensions accompanying colonialism or state consolidation. Madushree Sekher, Mansi Awasthi, Allen Thomas, Rajesh Kumar, and Subhankar Nayak investigate alternative channels of political representation in India, such as social movements and public protests, which help redress injustices. This is to take place within the framework of legally guaranteed but poorly implemented affirmative action policies to ensure the improvement of life conditions for the Dalit caste.

Finally, Ralph Premdas makes a critical review of affirmative action policies and challenges in India, US, Northern Ireland, Malaysia, South Africa, and Fiji, looking at their problems, achievements, and opportunities. In his view, a new order of affirmative action clearly requires a new frame of mind by both beneficiaries and the old guard. He argues that the success of such innovative policies will depend on how far they win wide societal support. Premdas' comparative, empirical, and comprehensive study of multiethnic and deeply divided societies offers many thoughtful suggestions about framing and reframing ethnic relations and public policies addressed in this part.

Radomir Compel



# Role of Crown Health Policy in Entrenched Health Inequities in Aotearoa, New Zealand 70

Sarah Herbert, Heather Came, Tim McCreanor, and Emmanuel Badu

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## Abstract

In Aotearoa (New Zealand), health disparities between Pākehā (non-Māori settler) and Māori (Indigenous person/s in Aotearoa) are deep, long-standing, and an indictment of decades of neglect, abuse, and racism despite the commitments of *te Tiriti o Waitangi* (te Tiriti) and ideological claims to a just and egalitarian social order. In this chapter we focus on the key health policy frameworks operated by the Crown and scrutinize the adequacy of their orientation to the provisions of te Tiriti and the effects they have in terms of health disparities. We undertake an analysis framed around the holistic Māori model of health promotion, *Te Pae Māhutonga* (Durie, Health Promot Forum Newsl 49:2–5, 1999), that supports the pursuit of the aspiration of health equity for the nation. We begin with an outline

S. Herbert (✉) · H. Came · E. Badu

Faculty of Health and Environmental Studies, Auckland University of Technology, Auckland, New Zealand

e-mail: [Sarah.Herbert@aut.ac.nz](mailto:Sarah.Herbert@aut.ac.nz); [Heather.Came@aut.ac.nz](mailto:Heather.Came@aut.ac.nz); [emmanuel.badu@aut.ac.nz](mailto:emmanuel.badu@aut.ac.nz)

T. McCreanor

Te Rōpū Whāriki, Massey University, Auckland, New Zealand

e-mail: [T.N.McCreanor@massey.ac.nz](mailto:T.N.McCreanor@massey.ac.nz)



of demography and health disparities, lay the foundation of critical analysis based on te Tiriti and *Te Pae Mahutonga*, introduce and critique three key health policies, and close with an argument for a transformational approach to health in Aotearoa.

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**Keywords**

Māori · Health policy · Te Tiriti o Waitangi · New Zealand · Health equity · Health disparities · Health · Te Pae Mahutonga

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## Introduction

In 2013, the New Zealand population was 4,242,048, of whom 598,605 (14.9%) identified as Māori (Statistics New Zealand 2018). European people were 74%, while Pacific (7.4%), Asian (11.8%), Middle Eastern, Latin American, African (1.2%), and “other” (1.7%) peoples made up the balance. The population of Aotearoa is youthful with 20.4% aged under 15 years. The Māori population in particular has a youthful age structure with 33.8% aged under 15 years. However, Aotearoa is also experiencing population aging with 14.3% over 65 years, and by 2063 this segment is projected to reach 26.7%, while the proportion under 15 is expected to decrease to 15.5% by 2063.

Sociodemographic data allows important insights into the social determinants of health. A total of 79.1% of people aged 15 years and over have a formal qualification, and 20% of these people hold a tertiary qualification. In contrast, only 66.7% Māori aged 15 years and over have a formal qualification, while only 10% are tertiary qualified. In the population as a whole, unemployment is at 7.1% among people aged 15 years and over, and the majority of those employed work in professional occupations. For Māori, the unemployment rate is more than double that figure, and those employed mostly occupy laboring occupations. Income differences are stark; 38.2% aged 15+ years earn less than \$20,000 annually, while 26.7% earn over \$50,000, but for Māori, the figures are 46.3% and 18.1%, respectively. Moreover, New Zealand European and others are more likely to attain higher-level educational qualifications, are more likely to be employed, feel safe at work, earn higher wages/salaries than Māori and Pacific people, and are the least likely to feel discriminated against or harassed (Statistics New Zealand 2017b).

Life expectancy provides a useful indication of how social, economic, behavioral, environmental, and health system factors interact to impact on a person's life from birth. Between 1996 and 2016 life expectancy from birth increased by 5 years for males and 3.6 years for females of all groups (Institute for Health Metrics and Evaluation 2016). Increases in life expectancy were largest among Māori males (6.4 years) and females (5.8 years). However, although the situation has improved steadily from a 15+ year deficit in 1951 when data were first collected, currently non-Māori males (80.3 years) and females (83.9 years) enjoy longer life – 7.3 and 6.8 years, respectively – than their matched Māori peers (Statistics New Zealand 2017a).

Better access to effective, quality healthcare means that New Zealand European and others are less likely to die prematurely (under age 75 years) from preventable diseases or injuries (Ministry of Health 2016a, 2018) than Māori or Pacific people. For instance, European and others are less likely to be diagnosed with, and die from, cancers than Māori and Pacific peoples (Ministry of Health 2017b). Similarly, New Zealand Europeans suffer stroke 15 years later than Māori and Pacific peoples and have seen a more accelerated decline in stroke incidence and mortality than Māori and Pacific (Feigin et al. 2015).

Beyond health system factors are individual behaviors that positively or negatively impact health. Engaging in health-promoting behaviors is not simply individual choices; they are the outcome of people responding to the systems and environments around them. The Global Disease Burden Study (Institute for Health Metrics and Evaluation 2016) identified obesity, diet, tobacco use, high blood pressure, and alcohol and other drug use as the leading modifiable risk factors for health loss in Aotearoa. Significant disparities exist such that New Zealand Europeans and others are about half as likely to be obese than Māori and Pacific and are less likely to smoke (Ministry of Health 2017b).

## Te Tiriti o Waitangi

The founding document of the colonial state of New Zealand is *te Tiriti o Waitangi* (Māori text). It was negotiated and signed by Māori rangatira (chiefs or leaders) and the Crown at Waitangi and elsewhere beginning on 6th of February 1840. It outlines the intended strategic relationship between rangatira, representing hapū (sub-tribe), and the British Crown (Healy et al. 2012b) at a time of peace when Māori were the dominant population. *Te Tiriti* consists of a preamble and four articles. Within Article 1 Māori delegated limited *kāwanatanga* (governance responsibilities) to the British to oversee their often wayward citizens in Aotearoa. Article 2 reaffirmed the words of the 1835 *He Whakaputanga o Te Rangatiratanga o Nū Tīreni* (Declaration of Independence) guaranteeing Māori *tino rangatiratanga* (absolute sovereignty) over Māori lands and *taonga* (resources or treasured items). Article 3 relates to *ōritetanga* (equity) and promised Māori the same rights as British subjects. The fourth, oral article pertains to *wairuatanga*, protecting all faiths with a promise of religious freedom.

The Māori text is the document recognized under international law through the doctrine of *contra proferentem*. It was signed by more than 500 rangatira throughout Aotearoa and by Captain Hobson representing the Queen of England. Durie (1998) and others have argued that Māori remain committed to the Māori text, and the Waitangi Tribunal (2014) has ruled that in signing *te Tiriti*, rangatira did not cede sovereignty. The Crown has sought to limit the *mana* of the Māori text by developing a collection of “Treaty principles” (Hayward 1997) used by courts and government departments.

In the 170 plus years since the negotiation of *te Tiriti*, the many breaches have drawn resistance, protest, and legal action. Since the 1970s, the long-standing efforts

of rangatira Māori and activists have achieved a substantial repositioning of te Tiriti in the social, cultural, and political life of Aotearoa (Walker 1990). The establishment of the Waitangi Tribunal was part of this re-engagement and reconciliation process that has seen the New Zealand government apologize for past misconduct and provide partial reparations through the transfer of whenua (land), money, and, in some instances, co-management arrangements. The Tribunal is a permanent Commission of Inquiry which has spent the first three decades of its existence dealing primarily with claims over land that have arisen from unjust confiscations, illicit purchase arrangements, and theft, all of which have impacted with terrible harm on the health, well-being, and sustainability of hapū Māori.

As the land issues have been slowly settled, attention has refocused on what are known as the kaupapa (theme or purpose) claims, the harms arising from breaches of te Tiriti that have damaged, limited, or undermined aspects of te ao Māori (the Māori world). There are currently 170 deeds of claim before the Tribunal relating to the actions and inactions of Crown Ministers and officials in the health sector. The long-standing existence of serious disparities between the health status of Māori and Pākehā is the sentinel issue.

Te Tiriti is of paramount importance to healthy relationships between Māori and the Crown and is therefore critical to the development, implementation, and effectiveness of any policy. This is never more obvious than in the context of health. For example, within te *Tiriti o Waitangi*, Māori sovereignty is guaranteed, Māori leadership is acknowledged, and there is provision that Māori models of health should be as visible and valued in policy. Te Tiriti affirms the right of Māori to see their taonga; in this instance health, theories, and aspirations advanced as part of their sovereign rights. In critique and analysis of established policy, te Tiriti is a foundational tool in understanding the Crown's shortcomings in their administration of the health system, and it underlies the standpoint of this chapter. It is also a vital underpinning of the Māori health promotion framework known as *Te Pae Mahutonga* (Durie 1999).

## Te Pae Mahutonga

*Te Pae Mahutonga* identifies two te Tiriti-based (Article 2) prerequisites for healthy populations, ngā manukura (Māori leadership) and te mana whakahaere (autonomy), both of which can help us understand what health policy is doing in this context. It also points to four key tasks (relating to Articles 2 and 3 of te Tiriti) in relation to health, mauriora, facilitating access to te ao Māori and strengthening cultural identity; waiora, ensuring environmental protection; toiora, promoting healthy lifestyles; and te oranga, facilitating participation in society – that we argue policy should be able to fulfil if it aspires to health equity in Aotearoa.

Given entrenched systemic health inequities between Māori and Pākehā, we argue that existing health policy in Aotearoa has failed the nation by breaching te Tiriti and allowing preventable disparities to continue and in some circumstances worsen, harming the whole of society. Māori theory including *Te Pae Mahutonga* and other frameworks has been marginalized or regarded as of niche value only.

The six points of *Te Pae Mahutonga* provide an elegant framework, underpinned by te Tiriti, that can be used to understand why health policy has historically and particularly in the contemporary setting made no impression on health disparities and compounded the injustice of the ill-health of Māori introduced by colonization. We will use ngā manukura and te mana whakahaere as critical lenses to critique policy and the four tasks as markers of the degree to which policy reflects the aspiration of *Te Pae Mahutonga* for health equity – the elimination of health inequities.

## New Zealand Health Policy

Despite pre-existing indigenous health systems in Aotearoa, in 1900 the New Zealand government established a Department of Health to oversee health policy development and the funding and delivery of health services. In the same period, it sought to destabilize the existing Māori health system by outlawing its practitioners via the introduction of the *Suppression of Tohunga* [expert Māori healer] *Act 1907* (Waitangi Tribunal 2011). Successive governments have reformed this system to reflect their ideological values (Dow 1995, 1999; Lange 1999) including the economic rationalism of recent neoliberal administrations, but none of these changes have eliminated health disparities, and some have made them worse (Ajwani et al. 2003).

Aotearoa has two core health policy documents: the *New Zealand Health Strategy* (Ministry of Health 2016b) and *He Korowai Oranga* (Ministry of Health 2014). These guide the health sector and inform funding decisions. The *Primary Health Care Strategy* (PHCS) (King 2001) is also of critical significance to Māori health, given its governance of first contact services. The NZHS and PHCS are minimalist in their engagement with te Tiriti. For example, the PHCS refers (once) to a “special relationship between Māori and the Crown” (King 2001, p. 2) but provides no detail of what this should mean in terms of policy implementation and outcomes. Māori are listed as a hard-to-reach group, the majority of whom will get their healthcare from generic services, to be approached with cultural “sensitivity” but essentially as just another minority rather than a partner under te Tiriti.

Broadly, the PHCS (King 2001) was published as part of a range of reforms within the New Zealand health sector to strengthen the population health focus, enable stronger community control and collaboration, introduce capitation funding, and shift from the medicalized emphasis of doctors to a more socioculturally oriented paradigm. These reforms were underscored by the need to reduce health inequalities and address causes of poor health status.

In the NZHS, which makes scant mention of te Tiriti, are the notions of lifestyle choice, the neoliberal requirement of people taking personal responsibility for their health, and the economic rationalization of services. The document is framed around five key themes – “people-powered,” “closer to home,” “value and high performance,” “one team,” and “smart system” (Ministry of Health 2016b, p. 15) – reflecting

Crown enthusiasm for disinvestment in health services and passing the responsibilities to markets, consumers, and communities (Came et al. 2016).

*He Korowai Oranga* (HKO) is a framework intended to assist DHBs and providers to achieve “the best” for Māori health. It has an overarching goal of pae ora (healthy future), which has three elements: (i) mauriora, healthy individuals; (ii) whānau ora, healthy families; and (iii) waiora, healthy environments. These elements are to be achieved through collaboration across the health sector to deliver high-quality and effective services as well as through embracing holistic definitions of health and well-being. HKO makes specific reference to rangatiratanga – the capacity to take control over one’s destiny – as a core component of health and well-being. However, it also takes only the weakened principles of te Tiriti – partnership, protection, and participation – as its standpoint on Crown/Māori relationships.

Below NZHS, PHCS, and HKO are a series of lesser strategies pertaining to particular foci within the health sector. These include disease-based strategies such as cancer prevention, treatment strategies, and population-based strategies targeting groups such as older people. All are expected to align to directions set out in the NZHS, HKO, and PHCS.

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## **Te Pae Māhutonga as a Framework for Health Policy in Aotearoa**

### **Ngā Manukura**

Ngā manukura concerns Māori concepts of leadership which, as Ratima and Ratima (2003) argued, are culturally constructed. Durie (1999, p. 5) promotes a relational approach to leadership which fosters alliances and brings together diverse contributions. Māori leadership must be present in all domains (community, tribal, academic, and political) which are collectively critical for health, since no single group is understood to hold all the necessary expertise to transform Māori health.

At present, most major health policy is drafted by Crown Officials from the Ministry of Health, often assisted by stakeholder or advisory groups. Despite the Treaty partnership, usually only one or two Māori experts are included. A study by Came et al. (Forthcoming) found Māori knowledge and experience is not consistently valued within such contexts with some participants reporting racism and tokenistic engagement with their contributions. Makowharemahihi et al. (2016) argued indigenous health advancement required structural mechanisms including expert advisory groups to optimize indigenous input into policy.

To enhance Māori leadership, it is necessary to invest, strengthen, and expand the Māori health workforce (Ratima et al. 2007; Sewell 2017). Recognizing the importance of Māori practitioners, Durie (1999) has consistently argued for 1 hauora kaimahi (health worker) for each active marae (traditional meeting place/s of Māori) or Māori community of 3000 people. Findings from a survey conducted by the New Zealand Medical Council (2016) showed only a marginal increase in the number of Māori doctors between 2005 and 2016 (2.6–3.3%). Ihimaera and Maxwell-Crawford (2012) found a twofold increase in the number of registered Māori

nurses between 1991 and 2001, but Māori continue to be underrepresented in the clinical health workforce (Ihimaera and Maxwell-Crawford 2012; Sewell 2017) and occupy primarily support and administrative positions. These data suggest current government workforce development strategies (Ministry of Health 2006, 2007, 2008) are making limited progress in achieving the goal of an ethnic match between the health workforce and the communities in which they serve. Developing the Māori health workforce and addressing the systemic upstream challenges within the education system remains a necessity for Māori leadership within the health sector.

Ngā manukura constituted with a te Tiriti-based analysis suggests that Māori leadership needs to be embedded in the process of policy development. It is critical to Māori workforce development and central to the relationship between Māori and the Crown to ensure Māori have an equitable and sovereign voice in the development, application, and evolution of policy. Currently, NZHS, HKO, and PHCS make no substantive provision for Māori leadership. More broadly, this is not aligned to key international human rights instruments to which the Crown is a signatory, particularly the *Declaration on the Rights of Indigenous Peoples* (UN 2007) and the *Convention on the Elimination of All Forms of Racism and Discrimination* (UN 1966).

## Te Mana Whakahaere

Te mana whakahaere implies Māori control over destiny, which is critical to the elimination of disparities. Durie (1999, p. 5) argued that little health gain can be achieved if health policy and programs are imposed without a sense of community ownership or control:

Good health cannot be prescribed. Communities – whether they be based on hapū marae, iwi [tribe/s], whānau [family] or places of residence – must ultimately be able to demonstrate a level of autonomy and self-determination in promoting their own health.

This conceptualization relates to the concept of empowerment which is used extensively within the public health sector (Labonte 1990) and where researchers have highlighted the need for communities to determine their own priorities (Durie 1999, 2004; Hamerton et al. 2012; Laverack and Labonte 2000; Ropiha 1994; Simmons and Voyle 2003). This requires culturally tailored interventions, whose success is measured using indicators which are meaningful for Māori (Durie et al. 2002; Hamerton et al. 2012; Ropiha 1994; Simmons and Voyle 2003). Te mana whakahaere necessitates control of health to be held by Māori. This means prioritizing Māori aspirations within health policy and proceeding according to (diverse) Māori cultural preferences (Ratima et al. 2015).

Systemic inequities in social, educational, and health outcomes (Marriott and Sim 2014) are an indication of the presence of institutional racism and potentially breaches of te Tiriti. Institutional racism, inimical to te mana whakahaere, is a *pattern* of differential access to material resources, cultural capital, social

legitimation, and political power that advantage one group over another (Came 2014). Lukes (2005) argued power can be exercised through the framing of policy, decision-making, agenda setting, prioritization, and imposing worldviews. In the context of Aotearoa, it manifests as:

... the outcomes of mono-cultural institutions which simply ignore and freeze out the cultures of those who do not belong to the majority. National structures are evolved which are rooted in the values, systems and viewpoints of one culture only. (Ministerial Advisory Committee on a Māori Perspective for the Department of Social Welfare 2018, p19)

Racism involves the structures, practices, and policies of a system that reflect and maintain cultural dominance (Paradies 2006). Racism becomes “naturalized” in the routine, mundane workings of established social orders (Adams and Balfour 2009). Detection requires vigilance in terms of examining organizational practices and reviewing action and inaction in the face of need (Human Rights Commission 2011).

Te mana whakahaere is largely absent or unrecognized within health policy partly due to the marginalization of te *Tiriti* within health policy. A study by Came et al. (2018) of te *Tiriti* and public health policy between 2006 and 2016 found only 12 out of 48 policy documents made any mention of the Māori text, the English version, or the Treaty principles. The marginalization of te *Tiriti o Waitangi* in health policy was a deliberate decision (Wall 2006) taken after a senior conservative politician made a speech about nationhood and Māori privilege, arguing that culturally tailored programs advantaged Māori, at the expense of other New Zealanders.

Data from the Ministry of Health and DHBs (2017a) shows in 2015/2016 total investment in Māori health providers was \$270.3 million which equates to 1.86% of the total health budget. Māori health providers have proven themselves effective at delivering kaupapa Māori health interventions and services to diverse Māori (and non-Māori) communities (Cram and Pipi 2001; Pipi et al. 2001). Māori leaders have consistently maintained that such underfunding compromises efforts to achieve health equity and is a breach of te *Tiriti*.

Research by Came et al. (2017) revealed further complexity within health funding practices. Through a nationwide survey of public health providers, the authors showed statistically significant variations in length of contracts, intensity of monitoring, compliance costs, and frequency of auditing between Māori and non-Māori providers. This example of institutional racism reflects a failure of equitable practice which undermines the ability of Māori providers to enact te mana whakahaere within the health system.

In summary, te mana whakahaere, underpinned by te *Tiriti*, should be visible within contemporary health policy and health service provision. This would be illustrated by Māori having clear control over their health and well-being priorities and outcomes. However, institutional racism compromises the realization of te mana whakahaere, and, along with the marginalization of te *Tiriti*, this has flow-on effects to health investment decisions and health service provision which undercut Māori ability to exercise te mana whakahaere in the health sector.



## Mauriora, Waiora, Toiora, Te Oranga

Health policies engage in passing with some of the four tasks of *Te Pae Mahutonga*. In the NZHS (Ministry of Health 2016b), mauriora is fleetingly implied within the theme of “people-powered” in the sense of recognizing the need for pathways to care “that meet individual needs... across all stages of their life” (p. 17). Specific recognition is given to waiora conceptualized as “the wider context of health.” It is stated that “Waiora captures the idea that the environments in which we live have a significant impact on the health and wellbeing of individuals, whānau and communities” (p. 4). Toiora is incorporated in the NZHS through an emphasis on building health literacy as a pathway toward improved health outcomes, but health literacy is framed as a highly individualized set of health knowledges. The goal of te oranga is touched upon within the “investment approach” some agencies are using to ensure “best outcomes for all New Zealanders” (Ministry of Health 2016b, p. 5). Here investment in the health sector which supports increased participation in education and employment is acknowledged to have positive long-term financial impacts for the social sector (p. 6).

The PHCS (King 2001), while consistently referring to “tackling inequalities in health,” nominally recognizes the importance of culturally appropriate healthcare (p. 1) which relates to the domain of mauriora. In outlining the new “vision” for the PHCS, attention is paid to education and prevention [of ill-health] as being important, thereby supporting notions of toiora. The need for community participation to improve health and well-being is also recognized which speaks to te oranga. However, there is little to no consideration of waiora.

Unsurprisingly, HKO has the most evolved consideration of the four key tasks, with explicit recognition and attention paid to both mauriora and waiora as key elements of Māori health (Ministry of Health 2014). Recognition of “living healthy lifestyles” – or toiora – is included within the notion of whānau ora (p. 5), and clear pathways toward “supporting Māori participation” (p. 3) are identified thereby supporting the notion of te oranga.

Mauriora is about facilitating access to te ao Māori in order to support the development of identity and sense of belonging. Implicit in this goal is the importance of Māori having access to economic, social, and cultural resources that support the development of Māori identity to achieve positive hauora (health and well-being). Cultural identity is recognized as a determinant of health (Auger 2016; Durie 2001), and 70% of Māori believe it to be important to them (Statistics New Zealand 2014). However, it has been compromised by long processes of colonization and forced assimilation. For instance, in 2013 only 21.3% of Māori reported they could hold a conversation in Māori about everyday things (Te Puni Kōkiri 2014). Deculturation has been linked to poor health (Reid and Robson 2007), and Durie (1999) notes few social institutions in contemporary Aotearoa are orientated to Māori values and worldviews, further impeding access to critical goods and services necessary for well-being. Mauriora should be highly visible in health policy in order to enhance its effectiveness as has been shown by examples such as Korikori a Iwi (Henwood 2007, p. 34) a successful Māori nutrition and physical activity program



utilizing kapa haka (Māori performance or performing group), waka ama (Māori canoeing sport), and rongoā (medicine) activities.

*Waiora* refers to spiritual connections with the external world encompassing physical, temporal, and cosmic domains. *Waiora* thus reinforces the interconnectedness within te ao Māori and factors which promote, or detract from, hauora. As Durie (2017, p. 34) states “If the environment does not flourish, the people cannot flourish” meaning that environmental degradation is bad for human health, an idea central to “Ko Aotearoa Tenei” (Waitangi Tribunal 2011, p. 5). Health policy must prioritize the protection and nurturing of the environment in recognition of the healthy relationship between Indigenous and other humans and their environments as being central to hauora.

*Toiora* is about minimizing threats to health by supporting healthy lifestyles. Risks such as alcohol and tobacco use, poor-quality diets, unprotected sex, and sedentary habits have well-known and preventable health consequences. However, as Durie (1999, p. 4) has noted:

... it would be an over simplification to suggest that everyone had the same degree of choice regarding the avoidance of risks. Risks are highest where poverty is greatest.

The potential gains from reducing engagement in risk-laden lifestyles among Māori are significant (Marriott and Sim 2014). To effectively uphold the task of *toiora*, culturally appropriate interventions must stand alongside clear macro policy solutions that address poverty traps and deculturation. For instance, Glover et al. (2015) found that recruiting older Māori aunties to support pregnant women to quit smoking increased quit attempts and engagement with effective cessation methods.

New Zealand health policy is substantially cast in terms of the neoliberal notion of personal responsibility in relation to health outcomes. As mentioned, within the NZHS, this ideology manifests as strong emphasis on health literacy, that is, fostering people’s ability to secure and understand health information and make informed decisions based on that information (Kickbusch and Abel 2013). Health literacy thus becomes a tool that transfers responsibility for health promotion and disease management from the powerful who administer the health system to the less powerful users of health services. The injustice of uneven access to the prerequisites of health, a key driver of health inequities, is minimized through this focus on health literacy and may contribute to limited fulfilment of *toiora*.

Moreover, health policy minimizes that lifestyle “choices” are shaped by the social and built environments in which citizens live. Healthy public policy initiatives are one way to support making healthy choices, easy choices (Warwick-Booth et al. 2012). New Zealand has had several successful legislative interventions from the introduction of seat belts (Garbacz 1991) to the decriminalization of prostitution (Healy et al. 2012a). However, Durie (1999) draws attention to the conflicting health goals of successive New Zealand governments. He notes a simultaneous investment in discouraging risky alcohol use among youth alongside legislation that allows for increasing the number of alcohol outlets, as well as a lowered drinking age. Similarly, Batty and Gee (2018) note the tension with

promoting physical activity and the prevalence of sports clubs relying on funding from gambling, or the sale of soft drinks, fast food, and alcohol as fund-raisers. In order to fulfil the goal of *toiora* within health policy, the aims and objectives which support the attainment of *toiora* must be clearly outlined and remain consistent over time.

The notion of collective well-being is fundamental to preferred Māori lifestyles (Durie 1998). The *whānau ora* program (part of HKO) engages with the well-being of the collective, in this context the *whānau* unit. *Whānau ora* was established to provide resources for *whānau* to create and enact plans about health, housing, and employment. The *Whānau Ora Taskforce* (2010, p. 7) initially explained *whānau ora*:

. . . recognises the many variables that have the potential to bring benefits to *whānau* and is especially concerned with social, economic, cultural and collective benefits. To live comfortably today, and in the years ahead, *whānau* will be strengthened by a heritage based around *whakapapa* [genealogy], distinctive histories, *marae* and customary resources, as well as by access to societal institutions and opportunities at home and abroad.

A report from the Auditor General's Office (Provost 2015) gave considerable credit for achievements under this initiative, noting that the \$137 m spent over 4 years was an efficient contribution to improving conditions of life for participating *whānau*.

Presently, *whānau ora* is an exception within health policy in its focus on collective/*whānau* well-being rather than individual health. However, research supports the effectiveness of a collective approach to improving health (Hamerton et al. 2012; Warbrick et al. 2016). The NZHS consistently includes rhetoric around *whānau* well-being, but this inclusion is not reflected in changes in relation to contracting for public, primary, secondary, and tertiary health services. We argue the need to emphasize a *whānau*-based approach as being central to all health policy in order to fulfil the aims of *hauora*. This would require a shift from individual capabilities such as health literacy which is emphasized in current health policy to considering the capabilities and potential within and across *whānau* in order to effect positive health change.

*Te oranga* is about participation and requires consideration of the broader socio-structural factors known to impact on health and well-being outcomes (Wilkinson and Marmot 2003). Such factors include political, historical, social, and cultural influences. Durie (1999, p. 4) argued:

[Wellbeing] is also about the goods and services which people can count on, and the voice they have in deciding the way in which those goods and services are made available.

There is evidence that Māori participation is low across a number of areas such as electoral engagement (UMR Research 2006). The goal within health policy then would be to ensure equitable access to society's goods and services (Ratima et al. 2015), as well as ensuring Māori voice in the development of all social and economic policy.

The New Zealand health system is based on the premise of universally accessible services – the notion of equality – but in reality, there are innumerable barriers to equitable access. These include diverse aspects of social capital such as wealth, education, and inclusion as articulated in Wilkinson and Marmot's (2003) notion of the social gradient which accounts for variations in health outcomes at the population level because of the conditions in which people are born and raised and age within. Marmot (2010) argued that to reduce health inequities, interventions must be universal but at a scale and intensity that is proportional to the level of disadvantage. The absence of proportionate provision within New Zealand health policy means only a small part of the problem of inequalities is being addressed. In a colonial context such as Aotearoa, this requires acknowledging the intergenerational impacts of colonization as historic and contemporary determinants of health (Kiro 2000).

We argue the need for Māori voice to be present in the development and execution of all public policy, including social, economic, and health sectors in order to reduce the barriers to equitable access to the goods and services within society that support positive health outcomes.

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## Conclusion

The right to health is guaranteed for all within the Constitution of the World Health Organization (WHO 1948, p. 1) and specifically among Indigenous peoples in the *Declaration on the Rights of Indigenous Peoples* (UN 2007). In the context of Aotearoa, this is further promised/consolidated through te *Tiriti o Waitangi*. Prior to 1840 when te *Tiriti* was signed, hapū “had the right, capacity and authority to make politically binding decisions for the wellbeing of their people and their lands” (Matike Mai Aotearoa 2016, p. 8).

Enduring health disparities between Māori and Pākehā not only highlights the inadequacies of current key health policy frameworks in Aotearoa; they also illustrate a broader failure to uphold people's right to health and show clear breaches by the Crown of the provisions held within te *Tiriti o Waitangi*. In light of the identified failures of existing health policy, a transformational approach that is based on the framework of *Te Pae Mahutonga* offers pathways through which to support the pursuit of the aspiration of health equity for all who reside in Aotearoa. We believe that through adopting a framework based on *Te Pae Mahutonga*, this will allow for Māori to re-establish their decision-making capacity, thereby allowing for the realization of tino rangatiratanga and what is provided for within te *Tiriti o Waitangi*.

Through utilizing *Te Pae Mahutonga*, we suggest a transformational approach to health in Aotearoa. In the current health policy context, this requires emphasis and recognition of the need to build ngā manukura and te mana whakahaere; prerequisites for healthy populations. We argue these prerequisites are not currently upheld, effectively disabling the mana of Māori or warranting Māori powerless in determining their own health outcomes and thereby contributing in various ways to the ongoing disparities in health.

In the context of ngā manukura, this is illustrated through the lack of Māori leadership present in the policy development process, thereby marginalizing Māori agency in determining health priorities and approaches to advancing health in Aotearoa. It is further illustrated through the unmet need to develop the Māori health workforce in order to bolster Māori leadership in the health sector. Finally, the relationship between Māori and the Crown illustrates an unequal partnership, where Māori are not positioned as equal leaders alongside Crown equivalents. We have argued this relationship must be reconsidered in order to enable Māori leadership to contribute to improvements in health rather than Māori being constructed as high users of health services. These examples highlight a breach of the provision of kāwanatanga, as outlined by Article 1 of te Tiriti. To this end, we assert that, through building ngā manukura, Māori will be afforded an equitable and sovereign voice in the development and application of health policy.

Te mana whakahaere is also not upheld, as illustrated by the presence of institutional racism within the health sector and through the marginalization of te *Tiriti o Waitangi* which has led to an absence of recognition of te mana whakahaere within health policy. This compromises the realization of te mana whakahaere and further illustrates breaches of te Tiriti as Māori are not enabled to exercise their rights to tino rangatiratanga as guaranteed by Article 2 of te Tiriti. The flow-on effects are that te mana whakahaere is also not present in health investment decisions and health service provision, thereby diminishing Māori ability to be in control over their health and well-being outcomes.

The development of ngā manukura and te mana whakahaere must be prioritized and supported within the health sector. This needs to occur from the development of health policy through to health investment decisions and health service provision and within the health workforce, if we are to effectively transform health outcomes and achieve equitable health outcomes. We also argue the need for stronger recognition and clearer incorporation of the four key tasks of *Te Pae Mahutonga*, mauriora, waiora, toiora, and te oranga, which should be at the fore of health policy in order to fulfil health equity in Aotearoa.

In the context of mauriora, this requires health policy to prioritize Māori access to economic, social, and cultural resources that support the development of secure Māori identities and have positive health impact. Further, we argue the need for mauriora to be clearly visible in all health policy in order to enhance its effectiveness. Recognizing and incorporating waiora require prioritizing protection and nurturing of our environments in recognition of the positive role that healthy relationships between humans and their environments have on health and well-being outcomes. While toiora is focused upon in current health policy, we argue the need to provide clear, macro policy solutions that address poverty traps and deculturation as a way to fulfil the goals of toiora. The aims and objectives within health policy that support the attainment of toiora must also be clearly outlined and consistently held over time.

Further, the limitations and unequal access afforded to Māori when emphasizing health literacy as an appropriate vehicle toward toiora must be recognized as this is a present focus within health policy. We argue the need for whānau-based approaches, rather than individual approaches, as a culturally appropriate vehicle toward the

attainment of toiora. This would require a shift from individual capabilities such as health literacy which is emphasized in current health policy to considering the capabilities and potential within and across whānau and hapū in order to effect positive health change. In order to fulfil the goal of te ora, we argue the need for health policy to ensure equitable access to the goods and services available in society. This requires active Māori engagement in the development of all social and economic policy in recognition of the broader socio-structural factors which impact health outcomes.

Despite the rhetoric, policy development and expenditures entailed in adjustments to the health domain since 2000, outcomes measures show very little gain in terms of improved health equity between Maori and other New Zealanders. Given the long history of disparity, such approaches have little relevance to the aspiration for health equity, and it is time to respond to Tiriti-based Maori theorizing to drive transformational approaches that can address this deep-seated injustice.

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# Aboriginal and Torres Strait Islander Secondary Students' Experiences of Racism

# 71

Gawaian Bodkin-Andrews, Treena Clark, and Shannon Foster

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## Abstract

The issue of race and racism within varying Australian contexts is hotly contested politically and across a wide range of media narratives. These debates often center around questioning the very existence of racism, while simultaneously ignoring and denigrating the voices and lived experiences of minoritized groups within Australia. This is particularly notable for Aboriginal and Torres Strait Islander peoples who have been continually forced to navigate the oppressive nature of

G. Bodkin-Andrews (✉) · T. Clark · S. Foster  
Centre for the Advancement of Indigenous Knowledges, University of Technology Sydney,  
Broadway, NSW, Australia  
e-mail: [gawaian.bodkin-andrews@uts.edu.au](mailto:gawaian.bodkin-andrews@uts.edu.au)

systemic racism throughout Australia's "colonial history." Drawing from the theoretical and methodological foundations of Indigenist research (Rigney, *Wicazo Sa Rev* 14(2):109–121, 1999; Martin, *J Aust Stud* 27(76):203–214, 2003) and Indigenous and First Nations standpoints on Historical Trauma (Brave Heart and DeBruyn, *Am Indian Alsk Native Ment Health Res* 8(2):56, 1998; Pihama et al. 2014), this chapter will commit to a parallel mixed-methods design to explore how Aboriginal and Torres Strait Islander secondary school students both understand and are impacted by racism today. These findings will be extended through an Indigenous quantitative methodology that will fully articulate the impact of racism over Aboriginal and Torres Strait Islander students' well-being. Themes emerging from the interviews ( $n = 17$ ) suggested the Aboriginal and Torres Strait Islander students understood racism to be much more systematic and endemic (e.g., individual, teacher, community, politics, epistemic) than has been portrayed within previous literature. The quantitative analyses ( $n = 49$ ) also revealed that a more complex understanding of racism is necessary to understand how racism, in its many guises, can negatively impact Aboriginal and Torres Strait Islander students today.

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**Keywords**

Indigenous Australians · Indigenous peoples · Race · Racism · Historical Trauma

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## Introduction

Racism, in all of its manifestations, is intrinsically and inseparably tied to the ongoing forces of colonization. Although there may be some debate as to what preceded what, racism or colonization (Paradies 2016), it cannot be denied that racism is a powerful weapon through which colonization perpetually oppresses, denies, and erases the human and sovereign rights of Indigenous and First Nations peoples and communities around the world (Walter 2018). It may be argued that there is an abundance of academic literature highlighting strategies to either fight racism through anti-racism discourses (Brown 2011; Hollinsworth 2006; Pedersen et al. 2005) or resist the impact of racism through resiliency and strengths-based discourses (Bodkin-Andrews and Craven 2013; Dune et al. 2018); the ongoing pervasiveness and impact of racism on Indigenous and First Nations peoples cannot be ignored. Many Indigenous scholars though have noted that across contemporary nations forged through colonial invasion, not only are there dominant trends for an obsessive level of avoidance toward meaningfully discussing racism but also a pathological (and often hostile) denial of the very existence of racism itself (Bond 2017; Battiste 2013; Moreton-Robinson 2015; St Denis and Hampton 2002). This, in essence, is one of the key tactics for perpetuating racism, and we argue that while blatant racism and subsequent denial and avoidance of racism may be easily identified (for some), the depths through which racism has been ingrained into the very social fabric of colonial societies, and their agencies for knowledge production (e.g., universities, schools, media), need to be continually monitored and critiqued.

This is powerfully argued by Cree scholar Margaret Kovach (2009, p. 28) who identified that:

While anti-racist efforts that attempt to decolonise human relationships within sites of research (e.g., the academy) move forward, albeit slowly, there has been little systemic shift in the ideology of knowledge production. ... From an Indigenous perspective the reproduction of colonial relationships persists inside institutional centres.

So it is the purpose of this chapter to examine potential discrepancies in understanding racism itself within the secondary (high school) sector of an Australian education system. More specifically, this chapter will privilege the voices and lived experiences of Aboriginal and Torres Strait Islander secondary school students to understand how they may construe, and be impacted by, racism itself. These themes emerging from the student voices will then be utilized in a small sample of quantitative data, where the impact of racism on the well-being of Aboriginal and Torres Strait Islander students will be investigated.

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## Positioning

It is critical to note that the three authors of this chapter are not approaching the research from some allegedly benign position of neutrality – a neutrality, although often peddled as the pinnacle for scientific methods, is noted by many critical Indigenous scholars as a colonial illusion (Foley 2003; Kovach 2009; Smith 2012; Walter and Andersen 2013). Rather, each author has been racialized under the English-imposed homogenous label of Aboriginal Australian, and as a result, our diverse ancestral lineages since colonization, and our lived experiences, have continually been forced to navigate and survive the varying and ever-evolving manifestations of racism itself. So we come into this research with a drive, or “conscious bias,” to uncover and combat the complexities of racism that our future generations will be forced to endure.

Gawaian Bodkin-Andrews identifies as Bidjigal, an Aboriginal clan/family group connected to the bitter-waters (inland river systems influenced by the tides) of the D’harawal nation. He brings to this chapter his lived experiences as D’harawal, yet due to his mixed heritage, he also acknowledges his ability to pass as a non-Indigenous Australian. Regardless, he has always identified as D’harawal and has witnessed, experienced, and fought racism for much of his life. Salient to this chapter is one of his first clear memories of directly experiencing racism, where the legal overturning of *terra nullius* in 1992 (and subsequent media and political debates surrounding *Native Title*) reverberated within the very secondary school he was situated. Specifically, he remembers being targeted with taunts and threats by students (some of whom he thought were friends) who wanted no “abo” (a derogatory label for Aboriginal people) getting free land and living next to them. It is from experiences like this that he has developed a drive to understand how racism has long embedded itself within the wider Australian psyche and how this may impact many individuals’ lives.

Treena Clark is a Kokatha and Wirangu woman born and raised in Adelaide, South Australia, who currently lives in Sydney. Treena is a PhD candidate at the University of Technology Sydney, where she is researching Aboriginal and Torres Strait Islander ways of conducting public relations, frameworks for decolonizing the western (Australian) practice of public relations, and privileging the voices of Indigenous women who have contributed and carved their path and name within it. Treena attended public high school in a low SES and multicultural area of Adelaide from the early to mid-2000s where she experienced casual racism among her peers outside of the classroom (“Abo” was the “friendly” word of choice) and systematic racism within the classroom (with the whitewashing of Australian history and classmates complaining about studying “Abos”). Treena had a relatively sheltered existence from racism in high school; she had many cousins and other Aboriginal students at school, which contributed to a support system. It wasn’t until university that Treena experienced severe racism from people with a lack of understanding and prejudice mindset.

Shannon Foster is a Sydney D’harawal Saltwater Knowledge Keeper, educator, and artist who was raised and educated during the Integration Era of the 1970s, 1980s, and 1990s when there was no information regarding Indigenous cultures taught in her formal education whatsoever. During this time, Shannon experienced firsthand the devastating effects of colonization through the Western Eurocentric education system and what has been referred to as the “Great Australian Silence” (Stanner 1968) and the “silent apartheid” (Rose 2012). Shannon suffered significantly, not just from the silencing and erasure of her culture, but also in the views of the people in the predominantly white community surrounding her, who believed that she was not a “real Aborigine” because of her fair skin and green eyes – the product of government assimilation policies that impacted directly on her D’harawal father’s life. It was these experiences of systemic and educational racism that has inspired Shannon to undertake a PhD in Education and document her family’s Narinya stories (Living Dreaming) in an effort to decolonize and center the knowledges and lived experiences of her family for use in education and, importantly, to forge a connection to culture for future generations.

Together, the three Aboriginal authors have lived with racism for the majority of their lives and have seen the impact of racism on not only themselves but also their families and kin. Partly due to this positioning, the authors will also approach this chapter from an Indigenist research lens (Martin 2003; Rigney 1999).

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## Indigenist Research

Both nationally and internationally, many respected Indigenous scholars have stressed the importance of approaching research from the foundations of a diversity of Indigenous standpoint theories and research methodologies (Archibald 2008; Battiste 2013; Foley 2003; Kovach 2009; Martin 2008; Moreton-Robinson 2013; Nakata 2007; Smallwood 2015; Smith 2012; Walter and Andersen 2013). Indigenous standpoint theories critically engage with the historical and ongoing forces of colonization that perpetually seek to silence and erase Indigenous perspectives and knowledges

(Behrendt 2016; Moreton-Robinson 2015; Nakata 2007; Walter and Andersen 2013). While this critical engagement is an essential foundation for Indigenous standpoint theories, research must also seek to engage with constructive narratives that not only seek to break down dominant stereotypes associated with colonial-centered Indigenous research but also commit to the strengthening and centering of Indigenous realities (Martin 2003). A seminal work by Narungga scholar Lester-Irabinna Rigney (1999) labels this as the Indigenist research paradigms. Here, Indigenist research must first be an act of emancipation from the dominant colonial discourses ultimately oppressing Indigenous peoples and communities. Indigenist research must also commit to a political integrity where the research should be ultimately led by Indigenous peoples and communities. Finally, Indigenist research should privilege the voices of Indigenous peoples as the primary driver for knowledge production and understanding.

Quandamooka scholar, Karen Martin (2003), highlights the need for engaging with Rigney's (1999) Indigenist research paradigms not only as an act of resistance against colonization but as an act of centering the strengths deeply embedded within diverse Aboriginal heritages, epistemologies, and ontologies. As a result, Martin adds that Indigenist research must also recognize that Indigenous worldviews, knowledges, and realities are critical for our very survival (and thus should not be reduced to some exotic fringe within research and knowledge production). The social customs and protocols of Indigenous peoples and communities must also be deeply respected and engaged with (when permission is given), and it must be recognized that social, political, environmental, and historical contexts will continually influence these knowledge, customs, and protocols. As a result Martin (2003) stresses that the privileging of Indigenous voices is not just about listening (and hearing) but deeply engaging with holistic Indigenous worldviews that embed not only the voices of Indigenous peoples but Indigenous Country and all entities within it (e.g., spiritual animals, ancestral beings, medical plants, waterways, sacred lands – Martin 2008).

Rather than simply recognizing the principles of Indigenist research in some tokenistic gesture, this chapter will seek to engage with principles through the entirety of the chapter, particularly when it is necessary to engage with, and correct, non-Indigenous standpoints in Indigenous research. This is critical, for as Rigney (1999, p. 133) forcefully argued:

This means that our struggle against racism is not solely the fight against racist lunatics on the fringe. The struggle against racism must also include the fight to deracialise micro- and macro-social formations left to us by colonization that continue to affect and shape the lives of my people.

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## Defining Racism

There is a popular trope within media and politics (and research) that race itself is not real, as it is not based on some “biological fact,” but rather is a social construct. While identification of the “illusion” of race may be tied to resistance against (or

failure of) biological and scientific racism (e.g., research espousing racial superiority), a number of critical scholars have noted that the denial of “race” has become linked to the denial of racism itself – for example, “I treat everybody equally” (Bond 2017; Bonilla-Silva 2013; Moreton-Robinson 2015; Walter and Butler 2013). Munanjahli and South Sea Islander scholar Chelsea Bond (2017, p. 6) powerfully rejects such assertions by arguing that although race may not be an immutable biological construct, it is certainly a powerful social construct that determines both the societal goods and barriers that particular racial groups may be chronically exposed to. Ongoing inequities and inequalities are thus a (colonially) imposed indicator for race itself and that “not talking about race does not render it less powerful or less real. Proclaiming that race is not real does not minimise racism as a lived experience; instead it trivialises the trauma of those who experience it. . .” (Bond 2017, p. 7).

The denial of race does not erase racism, but rather obfuscates any attempt to understand racism itself and to recognize the immense impact that racism has on the lives of Indigenous peoples around the world. Yin Paradies, a prolific Aboriginal Australian scholar whose work has done much to delineate the ongoing pervasiveness and complexities of racism targeting Aboriginal and Torres Strait Islander peoples today, defines racism as the “unfair and preventable disparities in resources, power, opportunities or capacities along ethnic, racial, religious, or cultural lines. . . racism may occur via cognitive beliefs (e.g., stereotypes), feelings (e.g., anxiety) or practices/behaviours that are discriminatory (e.g., disparate treatment)” (Paradies 2017, p. 170). Paradies extends on this definition to suggest that racism may manifest itself across internalized, interpersonal, and systemic (e.g., institutional/organizational racism) levels. What is critical about understanding the nature and impact of racism is that the methods and levels through which racism may be realized do not occur in isolated moments of time, place, or being, but are interconnected across the entirety of Indigenous people’s historical and lived experiences with colonization itself.

In understanding the contemporary negative impacts of colonization beyond current (and arguably experientially individualistic) and rather fixed notions of inequality and blatant racisms, a number of Indigenous scholars have engaged with Historical Trauma through an Indigenous lens (Brave Heart and DeBruyn 1998; Brave Heart et al. 2011; Pihama et al. 2014). Lakota scholar Maria Yellow Horse Brave Heart et al. (2011) identified Historical Trauma as a collective and intergenerational source of emotional and psychological trauma and grief that has accumulated across the lifespans of Indigenous peoples. Historical Trauma for Indigenous peoples began with the first contact with colonizers, who over generations have threatened and destroyed Indigenous peoples’ knowledges and heritages through the dispossession and rape of their lands. This is realized through the introduction of diseases, addictive substances, war and massacres, and the systemic epistemic violence where collective and sustainable epistemologies were replaced by economic and individualist greed. The enacting of racist ideologies of white supremacy resulted in child removal, abusive boarding schools, and oppressive poverties that became a systemically forced way of life (Duran and Duran 1995; Pihama

et al. 2014). Brave Heart et al. (2011) notes that the impact of Historical Trauma is ongoing as the genocidal practices of colonization continue to exist through the perpetual colonial narratives that continue to silence and erase Indigenous peoples' existence (Behrendt 2016; Bodkin-Andrews et al. 2017a; Brave Heart et al. 2011; Moreton-Robinson 2015; Rigney 1999).

Within the Australian context, Aboriginal and Torres Strait Islander scholars have directly and indirectly engaged with Historical Trauma in theory and research (Atkinson and Atkinson 2017; Paradies 2016). The potential links between Historical Trauma and the experiences of Aboriginal and Torres Strait Islander peoples are numerous. They range from an Indigenous population that, after 230 years, has still yet to reach parity with estimates of their pre-colonial lives (Muller 2014), the role of disease and biological warfare waged against Aboriginal and Torres Strait Islander peoples, blatant massacres, and ongoing policies related to dispossession, poverty, starvation, and child removal (e.g., Stolen Generations) as colonial weapons used in the pursuit of the genocide of Aboriginal and Torres Strait Islander peoples and customs (Paradies 2016; Rose 2012; Smallwood 2015). As Paradies (2016) warns though, Historical Trauma is not just about the past, it is about the ongoing and transgenerational effects of colonization. It is about the ongoing practices of Indigenous child removal endorsed by successive governments and the mainstream media (McMillan and Rigney 2018); the essentialist and negative political and media narratives demonizing Aboriginal communities (Proudfoot and Habibis 2015; Stoneham et al. 2014; Williams et al. 2017), the assimilative and deficit discourses rampant within our educational, legal, and health institutions (Porter 2015); and, as is the emphasis within this chapter, the persistence of racism within individual attitudes, institutional practices, and the collective Australian psyche that seemingly attempts to minimize the existence of, and responsibility for, racism itself (Bodkin-Andrews and Carlson 2016; Walter and Butler 2013).

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## Racism Matters

In a landmark study just after the turn of the millennia, Mellor (2003) conducted a series of in-depth interviews with Aboriginal Australian adults in an attempt to understand their experiences of living with racism. What this study uncovered was that for Aboriginal peoples, racism could not be simplified into some blatant or subtle dichotomy, but rather racism was multidimensional and multileveled in nature. Racism was reported at the interpersonal level with verbal racism (e.g., name-calling, jokes, threats) and behavioral racism (e.g., avoidance, assault), as well as at the institutional (e.g., denial of services, overapplication of punishment) and at cultural/macro levels (e.g., media misinformation, selective views on history, lack of concern). In addition, Mellor (2003) found that regardless of the dimension or source of racism, the participants overwhelmingly reported that the racism was both an everyday occurrence and blatant in nature (see also Bodkin-Andrews and Craven 2013; Ziersch et al. 2011 for similar results).



A wealth of quantitative literature has emerged to not only highlight the prevalence of racism experienced by Aboriginal and Torres Strait Islander adults but also the negative impact of racism. Larson et al. (2007), in a study that included responses from 187 Aboriginal adults, found that over 40% had experienced interpersonal racism within the last 4 weeks (nearly four times more likely than non-Indigenous adults). Of Aboriginal adults who did experience racism, they were 3.6 times more likely to report lower levels of physical health and 9.2 times more likely to report lower levels of mental health. In a more recent study involving 755 Aboriginal adults, Ferdinand et al. (2013) found that after utilizing a multidimensional measure of interpersonal racism (eight items including name-calling, physical abuse, stereotypes, etc.), 97% of the respondents reported experiencing some form of racism in the last year. In addition, five of the eight types of racism measured were significantly associated with high or very high levels of psychological distress.

It is important to note that research on racism is not limited to Aboriginal and Torres Strait Islander adults. For example, two papers utilizing the data from the *Western Australian Aboriginal Child Health Survey* found that for Aboriginal youth who experienced racism, they were significantly more likely to partake in risky health behaviors such as alcohol, tobacco, and marijuana consumption (Zubrick et al. 2005) and for both children and youth, racism was linked to increased risks of developing clinically significant emotional, behavioral, and conduct problems (aged from 4 to 17 years – De Maio et al. 2005). A more recent study utilizing the *Longitudinal Study of Indigenous Children* database (see Martin and Walter 2017 for a detailed overview of this database) found that while only 14% of Aboriginal and Torres Strait Islander children (5–10 years of age) directly experienced racism (as reported by primary carers), those who did experience racism were significantly more likely to be at high risk of clinically significant emotional and behavioral difficulties, sleep difficulties, obesity, and asthma (Shepherd et al. 2017). Utilizing the same database, Bodkin-Andrews et al. (2017c) found that the impact of racism was not limited to the direct experiences of Aboriginal and Torres Strait Islander children. They found that not only were the parents' (primary carers) direct experiences of racism associated with significantly increased levels of worry, anger, and depression, but if their child experienced racism, then the carers showed significantly higher levels of worry and depression. The authors linked these findings to the previous work of Priest et al. (2010), who found that the worry or expectation of experiencing racism by Indigenous carers was enough to not only substantially increase the risk of carer drug taking but was associated with a significantly increased risk of physical illness (e.g., respiratory infections, diarrhea, vomiting, scabies) impacting upon their Indigenous children. These findings that emphasize that racism can impact the whole family both directly and indirectly led Bodkin-Andrews et al. (2017c) to conclude that researchers must more carefully consider not only the transgenerational impact of racism but also the shared and cyclical threat racism holds over not only individuals but their families and communities. In addition:

...racism must be understood more comprehensively, particularly with regards to its endemic and systemic nature and impact. Relying solely on non-Indigenous representations



of racism not only silences Aboriginal and Torres Strait Islander voices and scholarly research, but also dangerously underestimates the insidious and enduring ways in which racism manifests in society today and in the future. (Bodkin-Andrews et al. 2017c, p. 202)

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## This Study

While quantitative research has attested to the negative impact of racism on Aboriginal and Torres Strait Islander children, youth, and adults, such research, particularly within child and youth contexts, is often limited by simplistic measures of racism that may underestimate its prevalence and impact. This is highly problematic, as qualitative research has highlighted the complexity of ways in which racism may be experienced by Aboriginal and Torres Strait Islander adults. To what extent is our understanding of racism and its impact from Aboriginal and Torres Strait Islander children and youth standpoints limited by the very research methods utilized? Each one of the studies involving Aboriginal and Torres Strait Islander children and youth did not move beyond single-item measures. Is it possible that such research may be inevitably contributing to the minimization and even silencing of Indigenous perspectives on racism itself? For research to truly act as a tool for emancipation from colonial academic narratives, the voices of our Aboriginal and Torres Strait Islander children and youth must be heard. As a result, this study aims to:

1. Identify how Aboriginal youth within urban schooling environments may define, understand, and experience racism.
2. Assess the degree to which multiple levels of racism may impact upon the well-being of Aboriginal youth.

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## The Use of an Indigenous Ethno-methodology

### Overview

This chapter has committed to a parallel mixed-methods design that will engage with both Indigenous research principles (Martin 2003; Rigney 1999) and an Indigenous quantitative research methodology (Walter and Andersen 2013). These approaches have been taken because Paradies (2006) has argued prior quantitative literature on racism may be inadequate to capture both the subtleties and true pervasiveness of racism targeting Aboriginal and Torres Strait Islander peoples. For example, in a report on the social and emotional well-being of Aboriginal and Torres Strait Islanders (Australian Institute of Health and Welfare [AIHW] 2009), “racial discrimination” was measured simply by asking if “you had been treated badly” because of your Indigenous background in the last 12 months. While the majority of participants responded “no” (84%), the Aboriginal steering committee noted this measure’s

inconsistently with other quantitative research (e.g., Paradies and Cunningham 2012) and argued against simplistic single-item measures of racism – “the workshop agreed that it is likely that the current definitions are too narrow. It was suggested that this concept should be expanded to capture oppression and racism” (p. 82).

Drawing from the foundations of Indigenist research (Martin 2003; Rigney 1999), it is critical to note that if research aims to understand and combat the racism that Aboriginal and Torres Strait Islander peoples and communities are forced to endure, such research must be built from Aboriginal and Torres Strait Islander standpoints. From this, qualitative research methods offer the unique opportunity to more precisely capture not only that which may not have been previously measured but also further substantiate important insights and results for the research topic (Sechrest and Sidani 1995). This chapter firstly utilized an Indigenous qualitative technique of yarning that incorporated semi-structured research yarns (Bessarab and Ng’andu 2010) with Aboriginal high school students to more fully understand their perceptions and experiences of racism within Australia.

It also should be recognized that while many Indigenous scholars note how often quantitative research has misrepresented Indigenous peoples (Nakata 2007), an increasing number of Indigenous scholars are committed to deeply engaging with Indigenous epistemologies as a primary driver for realizing Indigenous quantitative methodologies and methods that center measures (and discussion) on the standpoints of Indigenous peoples (Kukutai and Andersen 2016; Bodkin-Andrews et al. 2017c; Kukutai and Walter 2015; Lovett 2016; Rainie et al. 2017; Walter and Andersen 2013). As a result, Indigenous quantitative research methods can avoid prioritizing non-Indigenous standpoints, take part in the breaking down of systemic colonial dominance in knowledge production, and be continually mindful of the risk of perpetuating many (but not all) of the norms of colonization that statistics have too often reinforced (Walter and Andersen 2013). As a result, the second study in this chapter will adhere to an Indigenous quantitative research methodology by drawing from a multidimensional racism measure both written by an Indigenous scholar and constructed from Aboriginal standpoints (Bodkin-Andrews et al. 2010, 2013).

## Procedure

After consultation (and ongoing negotiations) with NSW Aboriginal Educational Consultative Committee (AECG) representatives (both state and local), ethical approval was awarded from both the university Human Resources Ethics Committee and the NSW Department of Education and Communities (DEC) to conduct the research from 2013 to 2014. Schools were approached due to their high population of Aboriginal students from urban areas (around 10%) or being situated within a highly multicultural area. Both quantitative and qualitative data was gathered only from students and parents/primary carers who provided informed consent (a total of 563 secondary students gave full consent, with 49 students identifying as being of Aboriginal descent – see Bodkin-Andrews and Craven 2014 for more detail).

## Qualitative Yarning Method

A total of 17 Aboriginal Australian secondary school students were interviewed for the project and came from five rural/urban public high schools in the Australian state of New South Wales. Due to necessary ethical considerations (both Indigenous and non-Indigenous), both timing of the interviews and selection of consenting students (with parental consent) were determined by the school representatives (either a nominated teacher representative for the project or an Aboriginal Education Officer) to minimize impact on their studies. While all identified as Aboriginal Australian, only six named their Aboriginal Nation and/or clan grouping. Nine of the students were female (eight male), and students ranged from 12 to 16 years of age (mean age of 13.94 years).

The qualitative data was collected through audio recordings (as agreed to by all participants) of the individual yarning sessions conducted by an Aboriginal researcher. These sessions were conducted in school rooms which had no other staff or students present (although the door was left open). The sessions began with what Bessarab and Ng'andu 2010 label as social yarning where the Aboriginal researcher and student shared information about their families and mob (i.e., nation and clan group) and/or the Aboriginal Country on which their school was located. As already noted, only a minority of students showed an awareness of their Aboriginal Nation and/or Clan/Tribal groups, so the Aboriginal researcher fluidly transitioned the discussion onto the Aboriginal Nation group in which the schools were located (to minimize feelings of cultural threat) and positive cultural activities within the school. This was followed by research yarning where the themes of the yarn were shared with the student (feelings about school in general, how students may or may not respect each other's cultural background, and overall levels of cultural respect and racism both within and outside the school). Once completed, students were offered a small gift for their time (usually a bag of lollies endorsed by the school representative) and thanked for their time. The yarning sessions generally took up to 30 min. All interviews were transcribed verbatim and then entered into the NVivo 11 (QSR International, 2012) for coding. Each transcript was dealt with on a sequential basis and was carefully read prior to entry into NVivo. All coding was done by the lead author of this chapter, and the coding processes for each participant went through a number of stages, beginning with basic descriptive coding for participant details and then the process of more detailed free coding where each interview generated its own set of analytical codes. Finally the coded data was revisited, and not only were shared themes identified, but inconsistencies between respondents were carefully noted (Richards 2009; Strauss and Corbin 1990).

## Qualitative Yarning Results

For the Aboriginal students, a wide diversity of themes emerged surrounding not only the existence of racism within Australia but how the students themselves personally experienced these racisms. The emerging themes will be presented in order of how many Aboriginal students voiced their concerns about racism today.

## Racism on the Outside

Fourteen of the seventeen students voiced concerns regarding the ongoing existence of racism within Australia (yet outside the direct schooling environment). This included repeated concerns about racism within their local communities, where, for example, a 13-year-old male student spoke of the racial tensions he was aware of:

**Interview 5** – 13-year-old male student: *Because it's just a split community and I just want them to get together. That's what I figure, Australia has got to come together. . .*

Intrinsically linked to this theme was how Aboriginal and Torres Strait Islander peoples and communities were presented within the media, as students often spoke of how media and political representations seemed to fuel racial tensions. For example, one student spoke of a frustration toward ongoing debates about a national day commemorating the 2008 national apology for the *Stolen Generations*:

**Interview 8** – Interviewer: *Why you think there was this resistance to Sorry Day?*  
15-year-old female student: *Oh, because people in the past, when they got taken, and no-one had the guts to say sorry.*

Naturally, politics was also directly raised as an example of racism:

**Interview 11** – Interviewer: *Can you think of any examples of what would constitute racism in Australia?*  
12-year-old male: *Yes, in political reasons at the moment there are only two Aboriginals in political. . . parliament.*

That a majority of the students revealed an awareness that racism existed outside their own individual experiences is important to recognize. This ranged from references to community racial tensions, racism within the news media, and racism within the highest levels of governance. Although such “perceptions” may be reduced to notions of “vicarious racism,” considering the possible links to Historical Trauma (Brave Heart and DeBruyn 1998), evidence for the effects of trans-generational racism (Bodkin-Andrews et al. 2017c), and evidence suggesting that macro racism is indeed detrimental to Aboriginal and Torres Strait Islander student school engagement and achievement (Bodkin-Andrews et al. 2010), one should not assume that these wider forms of racism may be meaningless occurrences that are unrelated to Aboriginal and Torres Strait Islander student well-being.

## Racist Slurs

Ten of the 17 Aboriginal students spoke about racist slurs that frequently occurred within their schools. This was most frequently typified by direct name-calling:

**Interview 1** – 15-year-old female: *Yeah. I got a scholarship once during school and this guy walked off stage and he said just because you're fucking Abo.*

**Interview 12** – 14-year-old male: *Where they tease you about your culture and they put you down.*

Yet references to racist slurs were also typified by everyday “playground” dialogues that some of the students also revealed some discomfort over:

**Interview 3** – 15-year-old male: *Like people might sort of say like the N word. . . it's like they won't sort of say it to a person of a different culture sort of offensively. Like they might say it sort of like – from what I've seen, it's like for emphasis sort of thing. . . I don't see why, but they like using it. . . It's just kind of a bit like – more like an insult, but not an insult directly. . .*

While name-calling and verbal abuse would easily fall into the more blatant types of racism, and identifiable by its intent to harm, some Aboriginal student concerns about nondirected dialogues (arguably normalized through popular culture) blurred attempts to separate intent and non-intent as a defining feature of racism itself.

### Subtleties of Stereotyping

For 8 of the 17 Aboriginal students, the subtleties of racism were highlighted, yet they were voiced in a manner that suggested personal implications. Similar to nondirected racist slurs, although (possibly) not meant as direct insults, these subtle stereotypes were often seen to target their own lives or families. For example, one student spoke of his Aboriginal father and false stereotypes of Aboriginal people lacking intelligence:

**Interview 11** – 12-year-old male: *Well my dad didn't pass through high school. He stopped at Year 11 and he's actually. . . Aboriginal so since he didn't pass, everyone thinks that he's not really smart but he knows quite a lot about maths.*

This is not to state that the use of stereotypes was due to lack of intent and naivety, for the following student spoke of a stereotype used as a direct attack through emphasizing derogatory false beliefs that Aboriginal communities and cultures are inherently violent:

**Interview 9** – 14-year-old female: *They said oh, you don't belong here. You need to go and kill someone or whatever to fit in. It made no sense but it was just – like there was no need for it.*

### Racism as Erasure

Six of the 17 Aboriginal students spoke of racism in a manner that either identified the erasure of Aboriginal people within varying forms of knowledge production or attempts to erase the individual students' right to identify as Aboriginal.

**Interview 1** – 15-year-old female: *In history, we get told the minimum of what actually happened. Where if they get told to the full extent and what it does to people today, maybe, they actually would realise why we get scholarships and need a little bit more help.*

It should be noted that within the above quote, a direct link between Historical Trauma and the lived experiences of Aboriginal students can be observed, as the

student notes the ongoing negative impact of colonization on Aboriginal and Torres Strait Islander peoples today. Extending on the implication of this quote, this student is suggesting that the erasure of Aboriginal standpoints in framing Australia's colonial history actually amplifies the impact of Historical Trauma, as the racism of erasure (also known as epistemological racism – Rigney 1999; Scheurich and Young 1997) seems to amplify the resistance to righting past wrongs. As suggested in the introduction to the erasure of racism though, this is not just limited to broad notions of understanding Aboriginal and Torres Strait Islander histories and knowledges but individual student connections to their very identity:

**Interview 4** – 15-year-old female: *People always say stuff to me because they don't think I'm Aboriginal because I'm white. But I just tell them to shut up.*

### No Racism

Somewhat encouragingly, six of the students initially spoke of not experiencing racism personally within the schooling environment yet had difficulty articulating why racial tensions may not exist.

**Interview 8** – 15-year-old female: *Because everybody just – it's – no-one's really racist at this school so everybody gets on.*

Interviewer: *Do you think there's any special ingredient that's helping people get along?*

15-year-old female: *Maybe... I don't know.*

It is important to note though that for three of the students who did not experience racism directly, they later highlighted examples of racism either impacting other student ethnic groups within the school (e.g., **Interview 14** – 12-year-old male: *Depends on what the background is like if they're Indian*) or, as already discussed, outside the schooling environment.

### Physical Racism

Five of the 17 Aboriginal students spoke of racism manifesting in a physical manner within their schooling environment. While three of these reports were centered on witnessing fights due to racial tensions, two of the students directly experienced physical abuse. For example, when one student was asked about any racism they had witnessed in the school:

**Interview 4** – 15-year-old female: *Some of the students have no respect. I've been spat on by some of them because they've got nothing better to do... Just they think they're better than everyone else.*

### Teacher Racism

Finally, the last substantial theme of racism to emerge centered on four of the students who were aware of teachers within their schools who held racist attitudes (although none of these examples were direct experiences of blatant racism). For example:

**Interview 16** – 14-year-old female student: *One of the teachers. She does history. She doesn't teach me but she teaches my younger sister and my younger sister, she sits with all of her friends who are also Aboriginal, and the teacher never talks to them. She doesn't take any of their opinions or anything.*

It is important to note that each example of racism emanating from teachers, as listed by the Aboriginal students, was not centered on blatant forms of racism (e.g., name-calling, abuse), but rather aligned more closely to the themes of *racism as erasure* (epistemological racism). Another powerful example of this includes the following quote that alludes to a possible systematic denial of student experiences of racism:

**Interview 4** – Interviewer: *Have the teachers supported you in any way in terms of these incidences?*

15-year-old female: *Not really, no.*

Interviewer: *No?...*

15-year-old female: *Yes – well, I reckon they should just find out who is targeting other people and deal with them, instead of just saying oh, they'll get over it or just ignore them – because just ignoring them doesn't help.*

## Qualitative Yarning Summary

In answering the first aim, this chapter attempted to privilege the voices of a small number of Aboriginal secondary school students with regard to their lived experiences of racism both within and outside of the schooling environment. What can be noted is a diverse range of reoccurring themes centered on the existence of multiple dimensions of racism (both direct and indirect) that are significant to the lives of these students. By identifying the themes of *Racism on the outside*, *Racist slurs*, *Subtleties of stereotyping*, *Racism as erasure*, *Physical racism*, and *Teacher racism*, researchers must realize that simplistic measures of the “have you experienced racism” ilk are not enough to truly understand the nature and impact of racism itself, even for our younger generations. It is with this finding in mind that this chapter will now report on the quantitative component of this study.

## Indigenous Quantitative Method

A total of 49 Aboriginal Australian students (25 male, 24 female, from years 7 to 11) participated in the quantitative survey from 4 separate schools. The schools were all classified as having a below-average socioeconomic status (as drawn from [www.myschool.edu.au](http://www.myschool.edu.au)), with scores ranging from 844 to 967 (mean SES of 928.65, the national mean sitting at 1000).

As already stipulated within this chapter, an Indigenous quantitative research methodology (Walter and Andersen 2013) will guide the analyses within this

chapter. This is not only done through the prioritizing of a previous measure created from Indigenous standpoints on racism (Bodkin-Andrews et al. 2010, 2013), but the specific engagement with this measure will center on the voices of the Aboriginal students within this study. Rather than utilizing the predefined generalized factor structure, the voices of the Aboriginal students were privileged to define specific item selection. As a result, the following items have been selected for analyses as per the themes raised in the qualitative yarning interviews (and they were scored on a six-point Likert scale ranging from 1 “False” to 6 “True” with regard to student experiences in the previous year) (Table 1):

In assessing the potential impact of racism, a variety of outcome variables were selected to capture both Aboriginal student well-being and engagement with school. For student well-being, single items were selected from the short version of the Depression Anxiety Stress Scale (Szabó 2010) and scored on a four-point Likert scale ranging from 1 “Did not apply to me at all” to 4 “Applied to me most of the time”:

- Stress: I found it hard to wind down.
- Anxiety: I felt scared without any good reason.
- Depression: I felt downhearted and blue.

For engagement with school, single items were selected from a prior school enjoyment measure (Craven et al. 2005) and purposely written disengagement measure (Bodkin-Andrews and Craven 2014) and were scored on a six-point Likert scale ranging from 1 False to 6 True:

- School enjoyment: I enjoy being at school.
- School disengagement: I think school is a waste of my time.
- School helplessness: I don’t know how to achieve at school.
- School truancy: I sometimes look for excuses to skip school.

Table 2 contains the descriptive statistics for each of the measures, including the percentage of students who agreed with each question (pending the Likert scale utilized). As can be noted from this table, the range of students agreeing to

**Table 1** Quantitative measures of racism

Yarning theme	Quantitative measure
<i>Racism on the outside</i>	Most other Australians believe political parties who unfairly target people from my cultural background
<i>Racist slurs</i>	I have had people call me nasty names based on the culture I come from
<i>Subtleties of stereotyping</i>	I have had people rudely stare at me when they become aware of my culture
<i>Racism as erasure</i>	Most other Australians don’t understand the history of my culture
<i>Physical racism</i>	I have been physically threatened because of my cultural background
<i>Teacher racism</i>	Some teachers don’t seem to trust me or other people from my culture at school



**Table 2** Descriptive statistics for the racism and student outcome measures

	Range	Mean	Standard deviation	% agree
Racism on the outside	1–6	3.50	1.77	51
Racist slurs	1–6	3.08	2.16	45
Subtle stereotype	1–6	2.80	1.89	39
Racism as erasure	1–6	3.29	1.88	47
Physical racism	1–6	2.27	1.69	29
Teacher racism	1–6	2.32	1.62	29
Stress	1–4	2.37	1.07	71
Depression	1–4	1.72	1.00	43
Anxiety	1–4	1.93	1.06	55
Enjoy	1–6	4.00	1.61	78
Disengage	1–6	1.93	1.93	45
Hopeless	1–6	1.69	1.69	41
Truancy	1–6	1.54	1.54	22

*Note.* Considering the small sample size and that individual variables contained no more than 8.2% of missing responses (namely, four or less participants), the expectation-maximization (EM) substitution technique was used to replace missing values (Hills 2010)

experiencing racism moved from 29% (teacher racism – lack of trust) to 51% (outside racism – people believing political parties). When these diverse experiences of racism are combined though, it is important to note that 38 (78%) students experienced at least one form of racism.

For the student outcome variables, with the well-being variables, scores of “2” or above on the Likert indicated that they had experienced some form of stress, depression, or anxiety in the last 2 weeks. Forty-three percent of students admitted to feeling depression, 55% admitted to feeling anxious, and 71% reported feeling stress. For the school engagement variables (responses were on the same Likert scale as the racism measures), 78% of the Aboriginal students enjoyed school, and a large minority of students felt disengaged (45%) and hopeless (41%) and showed a desire to be truant (22%) from school.

## Quantitative Inferential Analyses and Results

The final analysis for this chapter consisted of an inferential statistical technique known as partial correlation (Hills 2010), which was used to ascertain if the varying racism measures were associated with the student well-being and school engagement outcomes after controlling for the effects of student year level, gender, and school socioeconomic status. Table 3 offers the results for the final set of analyses.

As can be noted from Table 3, a range of significant (or approaching significant) associations can be observed (and this is after controlling for the explained variance in student year level, gender, and school socioeconomic status). For student self-reports on stress in the last 2 weeks, the racial slur ( $r = .32$ ) and physical racism ( $r = .35$ ) variables were significantly associated with *higher levels of stress* (as

**Table 3** Associations between racism and student outcomes after controlling for student year level, gender, and school socioeconomic status

	Outside racism	Racial slurs	Subtle racism	Erasure racism	Physical racism	Teacher racism
<b>Stress</b>	–	.32*		.26^	.35*	.28^
<b>Depression</b>	.33*	–	.28^	.31*	.32*	.37*
<b>Anxiety</b>		–	.26^	.27^	.42**	.34*
<b>School enjoyment</b>	–.30*	–	–.41**	–	–	–.35*
<b>School disengage</b>	–	–	–	–	–	.37*
<b>School hopeless</b>	–	–	–	–	.25^	.34*
<b>School truancy</b>	–	.43**	.33*	–	.36*	.40**

Note. ^ =  $p < .10$ , \* =  $p < .05$ , \*\* =  $p < .01$ . – = nonsignificant

were erasure and teacher racism, but these only approached significance). Outside ( $r = .33$ ), erasure ( $r = .31$ ), physical ( $r = .32$ ), and teacher ( $r = .37$ ) racisms were all significantly associated with *higher levels of depression* for the Aboriginal students (subtle racism was approaching significance here). Finally physical racism ( $r = .42$ ) and teacher racism ( $r = .34$ ) were both associated with *increased levels of anxiety* (subtle and erasure racism were approaching significance).

For the school engagement outcomes, another wide range of significant associations were identified. With regard to school enjoyment, outside ( $r = -.30$ ), subtle ( $r = -.41$ ), and teacher ( $r = -.35$ ) racisms were associated with *decreased levels of enjoyment at school*. For both school disengagement and school hopelessness, teacher racism ( $r = .37$  and  $r = .34$ , respectively) was associated with *increased risk* of these outcomes. Finally for school truancy, racial slurs ( $r = .43$ ), subtle racism ( $r = .33$ ), physical racism ( $r = .36$ ), and teacher racism ( $r = .40$ ) were associated with increased risk of students looking for reasons to skip school.

## Quantitative Methods Summary

In engaging with an Indigenous quantitative methodology (Walter and Andersen 2013) to prioritize the standpoints of the Aboriginal students within this study, two key findings emerged. Firstly, across the students the prevalence of lived experiences of racism varied according to the type of racism being measured, with students least likely to report teacher (29%) and physical (29%) racism but most likely to report outside (51%) and erasure (47%) racism. These figures may suggest that the majority of students don't experience most racisms over a year, yet, when tallied, the results revealed that 78% of the Aboriginal students experienced at least one form of racism in the last year. Disturbingly though, the inferential results suggest that every one of these experiences of racism was not superficial in nature, but rather has diverse

negative effects. That is, varying forms of racism were associated with an increased risk of stress, anxiety, and depression for the Aboriginal students, in addition to negatively impacting how they may engage with school.

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## Discussion

Combined, the qualitative and quantitative results attest to not only the complexities of how racism may be experienced by Aboriginal students but also the potential negative impact of racism on the well-being and school engagement of Aboriginal students. Both sets of results speak together with regard to the complexity of racism that Aboriginal students in this research experienced and the negative effects of such racism. The results have built upon prior literature that revealed how racism may be a critical element toward the perpetuation of Historical Trauma for Aboriginal and Torres Strait Islander adults, youth, and children (De Maio et al. 2005; Ferdinand et al. 2013; Larson et al. 2007; Mellor 2003; Paradies 2016; Ziersch et al. 2011). This is particularly important as this study, in part, adds to the literature suggesting that understanding the experiences of racism should not be limited to direct interpersonal interactions but also vicarious, systematic, and transgenerational effects (Bodkin-Andrews et al. 2017c; Paradies 2016; Priest et al. 2010).

Returning to the theoretical and methodological foundations of this chapter, it has only partially met the conditions of Indigenist research paradigms though (Martin 2003; Rigney 1999). That is, in attempting to address potential misunderstandings and silences regarding Aboriginal and Torres Strait Islander youth and their experiences of racism, this chapter has contributed to an emancipatory narrative attempting to fight dominant colonial discourses about racism. It has also, in part, engaged with Aboriginal communities (e.g., AECG) and been led by Indigenous scholars and thus privileged the voices of Aboriginal and Torres Strait Islander peoples (both in the student participants and an emphasis on citing Indigenous scholars). This paper's engagement with Indigenist paradigms centered on a strengths-based approach (Martin 2003) though is lacking. One key feature of Indigenous research methodologies though is the emphasis on reflexivity, not only in the recognition of the positioning of the authors but through the entirety of the research practice itself (Archibald 2008; Bodkin-Andrews et al. 2016; Kovach 2009; Martin 2008; Smallwood 2015; Smith 2012; Walter and Andersen 2013). So the question remains, how can Martin's (2003) extensions of Indigenist research be met? At the very least, we can briefly engage with research that has explored this possibility.

Indigenous scholars who have recognized the existence and ongoing impact of Historical Trauma also stress that such recognition creates space for future narratives and processes that enable the development, and in some cases the strengthening, of Indigenous recovery and healing practices (England-Aytes 2013; Fast and Collin-Vézina 2010; Pihama et al. 2014). For example, in a chapter led by Métis scholar Fast (Fast and Collin-Vézina 2010), the overarching need for self-governance and self-determination is stressed (e.g., Indigenous Data Sovereignty – Kukutai and Taylor 2016), in addition to the advancement of cultural and spiritual renewal

projects that strengthen the identities and cultural practices of Indigenous peoples (e.g., Archibald 2008; Linklater 2014). While the two overarching principles suggested by Fast and Collin-Vézina (2010) are indeed relevant to strengthening Indigenous communities, Cherokee scholar England-Aytes (2013) offers a more detailed set of principles that also warn against the dangers of homogenization and essentialism often plaguing Indigenous “intervention.” That is, to meaningfully address Historical Trauma, there is also a need to:

- Recognize the diversities of histories and experiences of Indigenous peoples.
- Explore, share, and draw strength from the diversities of internal representations of Indigenous peoples, communities, and their knowledges.
- Respectfully engage with Indigenous community representatives and organizations to assist in the learning processes.
- Move beyond “authentic” colonial understandings of “Indigenous history” and engage with the lived experiences of Indigenous peoples.
- Be empathic and identify signs of distress that can be linked to both contemporary and historical contexts.
- Recognize the systemic nature of racism and discrimination across personal, institutional, and border governmental and societal contexts.

The need to recognize the ongoing impact of racism, in all its complexity, is of critical importance, for racism is not only a barrier to addressing Historical Trauma, but it is a perpetuator and enabler of Historical Trauma itself. This is powerfully evidenced by Pihama et al. (2014), who cited zealous reactions by New Zealand politicians and media representatives in response to an associate minister for Māori Affairs utilizing the term “holocaust” to describe (accurately) the impact of colonization on Māori peoples. Pihama et al. (2014) list not only repeated reprimands from the then New Zealand prime minister but highlight the resulting tensions within the wider non-Māori community and concluded that “these debates illustrated a limited acknowledgement or recognition of the history of colonization and the severity of the traumatic acts perpetuated against Māori” (p. 257).

Paradies (2017) offers five key principles for combatting systemic racism that too often targets Aboriginal and Torres Strait Islander peoples. While these key principles may also be seen as essential first steps in the reduction of risk factors associated with Historical Trauma itself (namely, persistent colonial attitudes and actions), any enthusiasm may need to be tempered with a degree of Indigenous cynicism. That is, the first, and arguably key principle, is the presenting of accurate information that may foster a greater level of awareness of the social and historical forces that work against Aboriginal and Torres Strait Islander peoples (yet see the Pihama et al. example 2014 above). It may be argued though that the remaining four principles (centered on promoting egalitarian beliefs, enhancing empathy, increasing positive inter-group contact, and promoting positive social norms) are intrinsically and deterministically tied to the original “accurate information” principle and non-Indigenous peoples’ willingness to engage with this. Unfortunately, it can be argued that the media and political climate within Australia is not one that fosters accurate

and positive knowledge production for or with Aboriginal and Torres Strait Islander peoples and communities (see also Parker et al. 2018). The very awareness of the complexities of racism within the ongoing Australian colonial context (and targeting Indigenous peoples around the world) will continue to be subdued, if not oppressed, by the very colonial systems that enable and perpetuate Historical Trauma and racism itself. That is perpetuated by the ongoing forces that deny racism and, knowingly and unknowingly, reinforce colonization – be it the schooling system, media, politics, or academia itself. And so racism lives on, and as per the findings of this chapter, and the many prior research findings cited within it, it is our children and youth who will continue to suffer.

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## Abstract

Stereotyping is a phenomenon that impacts a range of people from diverse racial groups, ethnicities, genders, sexualities, and socioeconomic statuses. While all people are subject to stereotyping, the development of the process of stereotype threat (Steele, *Am Psychol* 52(6):613–629, 1997) has provided insight into how people from ethnically diverse groups are negatively impacted by stereotype threat to a greater extent than those from dominant ethnic groups. Extensive social-psychological research on minority test performance demonstrates that ethnically diverse students suffer underperformance due to their response to stereotype threat in the academic domain. These threats, which are a result of stereotypical beliefs, impact ethnically diverse students in a plethora of ways. In the Aotearoa New Zealand educational context, impacts from stereotype threat hold especially damaging consequences for Māori and Pacific students. The persistent disparities in educational opportunities and achievement for Māori and Pacific students are created and sustained by negative academic stereotypes

J. M. Allen (✉) · M. Webber

Faculty of Education and Social Work, The University of Auckland, Auckland, New Zealand

e-mail: [jean.allen@auckland.ac.nz](mailto:jean.allen@auckland.ac.nz); [m.webber@auckland.ac.nz](mailto:m.webber@auckland.ac.nz)

that characterize these students as lacking in academic potential, motivation, and engagement with education. This chapter highlights how the stereotypes about Māori and Pacific student potential have a life of their own and can powerfully shape the educational opportunities and experiences of Māori and Pacific students. We end this chapter by suggesting concrete ways to mitigate stereotype threat, building upon the existing strengths of Māori and Pacific students.

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**Keywords**

Pacific · Māori · Stereotype threat · Education · Ethnically diverse

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## Introduction

To increase the participation and achievement of ethnically diverse students in school, educators must actively work to counter the negative stereotypes that suppress their achievement. Long-standing cultural myths about the educational potential and abilities of ethnically diverse students have been shown to diminish the expectations of educators, resulting in differentiated learning opportunities. Through a process labeled stereotype threat, an awareness of negative perceptions and beliefs can affect ethnically diverse student test performance, their willingness to engage in challenging academic activities, and, as a result, their long-term academic development (Steele 1997, 1998; Steele and Aronson 1995). Stereotype threat has been defined as “the threat of being viewed through the lens of a negative stereotype, or the fear of doing something that would inadvertently confirm that stereotype” (Steele 2003, p. 109). It has also been described as “a disruptive apprehension about the possibility that one might inadvertently confirm a negative stereotype about one’s group” (Taylor and Walton 2011, p. 1). Steele (1997) has postulated that there is a prior condition that must exist for stereotype threat to become an issue: the individual who is susceptible must be invested in the domain of interest. In essence, the domain must be a salient contributor to the individual’s personal identity, having implications for his or her self-concept.

Everyone is vulnerable to stereotype threat, at least in some circumstances – because each of us possesses multiple social identities. In certain contexts, one or more of our social identities may be devalued. One needs not be in an extreme situation to feel the weight of a devalued social identity. More subtle situations may also place a burden upon individuals who are somehow stigmatized. In response to this devaluation, an individual’s behavior or sense of self may change, disrupting their ability to perform to potential. Research has shown that stereotype threat can harm the academic performance of individual for whom the situation invokes a stereotype-based expectation of poor performance. Any salient social identity can affect performance on a task that offers the possibility that a stereotype might be confirmed. Stereotype threat effects have therefore been shown with a wide range of social groups and stereotypes including women in math (Spencer et al. 1999; Walsh et al. 1999); Whites with regard to appearing racist (Frantz et al. 2004); students from low socioeconomic backgrounds compared to students from high socioeconomic

backgrounds on intellectual tasks (Croizet and Claire 1998; Harrison et al. 2006); Whites compared with Asian men in mathematics (Aronson et al. 1999); and Whites compared with Blacks and Hispanics on tasks assumed to reflect natural sports ability (Stone 2002). Consequently, stereotype threat is a robust phenomenon, well-replicated in different groups, on different tasks, and in different countries. Even groups that are not traditionally marginalized in society (e.g., White men) have been shown to exhibit stereotype threat effects if, for example, they are led to believe that their performance on a math test is being used to examine Asian superiority at math (Aronson et al. 1999). There are a number of factors which may play a role in one's "stereotype vulnerability" (Steele and Aronson 1995) including group membership, domain identification, group identification, internal locus of control/proactive personality, and stereotype knowledge and belief, among others.

School is an important context for identity development during adolescence, yet creating a positive academic identity may be more challenging for ethnically diverse students. Who must cope with negative academic stereotypes that undermine their engagement and attainment? Simply thinking about these stereotypes can lead to decreased attainment. When ethnically diverse students perform in a domain in which their personal identity is invested, and about which there exists a negative societal stereotype, stereotype threat can develop if the students believe that their performance is being judged by others who have the stereotype in mind. The result is an emotional reaction that interferes with their performance. In the long term, stereotype threat can lead to disidentification with the domain, as the ethnically diverse student who is afraid of constantly being judged decides that this domain in which they are judged stereotypically is no longer important, or too stressful, and they cease to invest energy in that domain. As such, stereotype threat often cause people to focus on negative stereotypes about their potential to perform, rather than their actual abilities, which can lead to decreased performance (Smith and Hung 2008). This "threat" of confirming the negative stereotype creates questions of self-perception and uncertainty about one's abilities.

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## **Racism, Stereotype Threat, and Ethnicity**

In almost all countries in the world, ethnically diverse students are confronted with unfavorable stereotypes about their ethnic group, stigmatization, and racism. Compared to ethnic-majority students, they have to deal with these racism more often and sometimes on a daily basis. Racism is highly consequential to societies, to intergroup contexts within societies, and to individual members of society. It is a complex phenomenon whose markers – stereotypes, prejudices, and discrimination – are distinct but interwoven. Negative beliefs (stereotypes) and attitudes (prejudices) toward other racial-ethnic groups can eventuate in discriminatory behavior, defined as "actions or practices carried out by members of dominant racial or ethnic groups that have a differential negative impact on members of subordinate racial or ethnic groups" (Feagin 1991, p. 102). Racism can include explicit, overt actions (e.g., verbal antagonism, physical aggression) and more subtle, covert actions (e.g., being

ignored when queuing, being overlooked for a promotion). However, as Feagin's (1991) definition indicates, racism can transcend individual-level actions or personally mediated racism and encompass institutional practices that result in racial disparities in terms of access to goods, services, and opportunities.

As such, racism can be experienced by ethnically diverse students in multiple ways, including directly, from peers in the form of name-calling or social exclusion and/or from adults through stereotyping, hostility, rejection, or acts that reinforce negative expectations. However, an individual needs not be personally involved in racism to be negatively affected – ethnically diverse students may be affected by vicariously experiencing racism that is directed toward their peers, relatives, parents, and others. Hence, vicarious racism is another pathway of influence. In addition, ethnically diverse students need not be present in order for racism to be influential. For example, parents' experience of racism in schools when they were young may have an intergenerational effect, and/or the socialization strategies used by parents, in some cases, to promote mistrust against others may reflect the exposure to racism that parents experienced themselves (Hughes et al. 2006). And finally, racism is also a "system of advantage based on race" that includes institutional practices and policies, cultural messages, as well as the beliefs and actions of individuals (Tatum 1997, p. 7). Accounting for the persistence of racism requires consideration of its structural nature and the systematic advantages and disadvantages that it confers (Wellman 1977).

The negative impact of racism on children's development has been recognized in the psychological research since at least from the Clark and Clark (1950) doll study which focused on stereotypes and children's self-perception in relation to their race. The results of the above study were used to prove that school segregation in the United States was distorting the minds of young Black American children, causing them to internalize stereotypes and racism, to the point of making them hate themselves. Clark and Clark (1950) found that the Black children often chose to play with the white dolls more than the black ones. When the children were asked to fill in a human figure with the color of their own skin, they frequently chose a lighter shade than their actual skin color. The children also gave the color "white" positive attributes like "good" and "pretty." On the contrary, "black" was attributed to being "bad" and "ugly." The results of this study were interpreted as reliable evidence that Black children had internalized racism caused by being discriminated against and stigmatized by segregation.

Racism has also come under increased scrutiny as a force that shapes children's development and psychological functioning (Fisher et al. 1998; García Coll et al. 1996). It has been found that children as young as 6 years old have the ability to make attributions to racism and, by early adolescence, have a sophisticated understanding of both individual-level and institutional-level racism (Brown and Bigler 2005; McKown 2004). McKown and Weinstein (2003) found that the proportion of children that are aware of others' racism increases between ages 6 and 10, such that by age 10, 80% of African American children and 63% of White and Asian children manifest awareness of racism. Research also documents that older adolescents perceive more experiences with racism than children in early adolescence (Brown

and Bigler 2005; Greene et al. 2006). Underlying these developmental changes are changes in children's social contexts and growth in abstract thought, cognitive processing skills, social perspective taking abilities, and the ability to integrate one's own experiences and the experiences of others (Steinberg and Silk 2002).

Although cognitive growth during adolescence may endow ethnically diverse students with more cognitive resources to deal with experiences of racism, it may also result in increased vulnerability to these experiences and circumstances. In particular, with the expansion in cognitive processing skills that occurs during this period, adolescents are not only more cognizant of the prevalence of racism but also have the ability to integrate individual- and group-level experiences with racism into their self-perceptions and world views (Tarrant et al. 2001), and the implications of this integration can be far reaching. These considerations, taken together, underscore the importance of better understanding how racism influences student engagement and achievement at school.

In addition to perceptions of racism, children's awareness of intellectual stereotypes about their social group appears to emerge during middle childhood (McKown and Strambler 2009; McKown and Weinstein 2003), and, by early adolescence, some children may personally endorse this stereotype (Rowley et al. 2007). Both awareness and endorsement of stereotypes about intellectual competence may have implications for motivation and achievement. Moreover, endorsement of negative racial stereotypes by significant others, including teachers, may indirectly influence academic outcomes for members of this group. As such, stereotype threat has been one of the most widely studied topics in social psychology research of the last decade.

Research on stereotype threat has provided important insights into the negative motivational consequences of racial stereotypes about intelligence. Although stereotype threat is considered to be a general psychological state applicable to any negative group stereotype, the construct originated in the achievement domain and has been applied to the study of ethnically diverse students' awareness of the cultural stereotypes associating their race with intellectual inferiority. That awareness can be quite debilitating, especially for those ethnically diverse students who are invested in doing well in school. Furthermore, it is not necessary that a student endorse the stereotype; mere awareness of its existence is sufficient to activate threat.

There appear to be both adaptive and maladaptive motivational consequences of the anxiety associated with thinking about race and intelligence in highly evaluative achievement contexts. On the adaptive side, like reactions to discrimination for particular students, stereotype threat might be a motivational enhancer. Webber et al.'s (2013) study showed that, in some circumstances, ethnically diverse students have higher educational achievement aspirations than their majority peers, despite stereotypes positing them as less likely to achieve academically. Moreover, the ethnically diverse students in Macfarlane et al.'s (2014) study indicated that they were "as good as anyone else if we really out our mind to it. . .I'm not restricted by those stereotypes out there" (p. 112). For many ethnically diverse students, succeeding in the face of threat can be "psychologically beneficial if the experience is used as a barometer of self-esteem" (Leitner et al. 2013, p. 18). It is evident that

some ethnically diverse students may choose to work especially hard as a way of disconfirming the stereotype. Of course, high effort in the face of increasing academic challenge may be difficult to sustain and may even lead a student to question his or her abilities. One additional possibility is that situational threat does not directly decrease engagement. Instead, threat may increase sensitivity to all situational cues (Murphy et al. 2007).

Regarding maladaptive motivational consequences, it has been suggested that stereotype threat promotes performance-avoidant goals or concerns about public displays of low ability (Ryan and Ryan 2005; Smith 2004). Stereotype threat can also influence achievement values, causing students to minimize effort and downplay the importance of doing well in school. Steele (1997) coined the term “academic disidentification” to describe students who no longer view academic achievement as a domain that is important either to them or to their self-definition. Disidentification has been operationalized as the absence of a relationship between academic performance and self-esteem and has been associated with declining achievement between middle school and high school (Osborne 1997). A similar process, labeled “academic disengagement,” occurs when students begin to discount the feedback they receive about their performance or to devalue achievement altogether (Major and Schmader 2001). Although there appears to be more empirical support for disidentification than disengagement among studies involving African American adolescents (Morgan and Mehta 2004), it is evident that each process is something of a double-edged sword. Both disidentification and disengagement may be self-protecting mechanisms for coping with negative racial stereotypes; however, in the long run, their detrimental effects on achievement motivation would probably outweigh any short-term self-enhancing effects.

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## **Stereotype Threat in the Aotearoa New Zealand Context**

Stereotypes about the abilities of many ethnically diverse students exist, and for Māori and Pacific students in the New Zealand school context, they are largely negative, depicting them as less intelligent and academically disengaged (Nakhid 2012; Turner et al. 2015; Webber 2011). Some Māori and Pacific students may feel challenged to work harder to disconfirm negative stereotypes but simultaneously worry that increased effort means they are not as smart as they thought, or as capable as others who appear to have to work less. Other Māori and Pacific students may choose to disengage completely and adopt the view that academic achievement is not important to their future or worse, not relevant to their ethnic self (Nakhid 2012; Webber 2011).

Research has suggested that culturally diverse students are more vulnerable to stereotype threat than other children (Ford et al. 2008). So too are students who care more about achieving in a particular subject or domain (Aronson and Juarez 2012). In essence, high-achieving culturally diverse students may feel they must make the choice between prioritizing academics (and playing down their ethnic identity) and prioritizing their ethnic identity (and playing down their academic identity) (Mila-Shaaf 2010; Webber 2008). In New Zealand, the underperformance of

Māori and Pacific Island students has been well documented (Hunter et al. 2016; Turner et al. 2015). It has been suggested that the deficit theorizing of teachers in relation to Māori students may result in lowered expectations for their achievement and a corresponding negative self-fulfilling prophecy for them (Ministry of Education 2003). Steele (1997) indicated that there was a 15-point IQ gap between Māori and New Zealand European students (and indeed between ethnic minorities and the dominant group across several other countries). He suggested that such groups like Māori and Pacific are vulnerable to stereotype threat and that the negative stereotyping of these students by teachers who are often White and middle class can lead to poorer school performance, higher dropout levels, and subsequent behavioral difficulties. St. George (1983) found that New Zealand teachers judged the Polynesian students in her study (most of whom were Māori) to come from less supportive home backgrounds than the New Zealand European students. St. George stated that, in most cases, teachers had not met the parents, let alone visited their homes, and hence such judgments were most likely made on the basis of ethnic stereotypes and staffroom conversations. Rubie-Davies et al. (2006) have further suggested that Maori students are aware of the stereotypes about them and become anxious about performing in line with such stereotypes, and the resulting anxiety actually causes declines in performance. Finally, research has suggested that the Māori and Pacific students most likely to succeed and, those most motivated to achieve academically, have the greatest risk of disengaging from school because of the many impacts of stereotype threat (Webber 2015).

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## Impacts of Stereotype Threat

The disengagement of ethnically diverse students from education is often due to the threat they feel within specific domains where their academic ability and ethnic identity are questioned and under scrutiny. Steele (2003) reiterates that though this threat may never be verbally communicated, it is still present, a threat that hangs in the air, rarely explicitly stated but there still the same (Bishop and Goodwin 2010). However, it is imperative to note that stereotype threat while having impacting ethnically diverse students is not an all-consuming or defeating process. Rather stereotype threat “becomes this extra thing you have to deal with, navigate, and figure out throughout your life” (Gates and Steele 2009, p. 256). Thus, stereotype threat in academic domains can affect students in various ways by adding pressure and requiring those impacted to multitask. In the following section, we review the impact of stereotype threat on performance burden and also highlight the long-term impact of disidentification.

## Performance Burden

Performance burden is a short-term consequence of stereotype threat where Māori and Pacific students who feel the impact of particular stereotypes in testing situations



underperform. The extra pressure to perform to an expected standard manifests due to the student concerns that to fail, or not reach a particular standard, reinforces the negative stereotype about their lack of intelligibility (Steele 1992, 1998). Feelings of anxiety, fear of confirming stereotypes, distraction, loss of motivation, and increased mental workload when trying to challenge stereotypes are commonly identified psychological reactions to stereotype threat. While the individual exploration of each of these reactions has been carried out here in this chapter, it is important to note that they do overlap and are not necessarily part of every student's experience of performance burden.

### **Anxiety**

Experiencing performance burden can stem from feelings of anxiety. Individuals can experience additional levels of risk and pressure when participating in tests or evaluations (Aronson 2004). While some amount of anxiety is a typical reaction to high-pressure situations such as tests, anxiety due to performance burden is more intense and can often result in students becoming distracted (Osborne 2007). This distraction further influences the performance of minority students as "failure to perform up to expected standards is psychologically distressing because it implies that the stereotype may, in fact, be true" (Massey and Fischer 2005, p. 47). While some students try to challenge their feelings of anxiety by actively fighting the stereotype, Ewing (2015) states that this often causes further anxiety and leads to poor performance of students. Within the New Zealand context, research by Hill and Hawk (2000) found that Māori and Pacific students' school experiences were impacted when teachers did not believe in their student's ability to achieve academically. Similarly, Nakhid (2003) found that teachers felt that Pacific students were not "motivated enough to want to improve their level of achievement" (p. 308). In Allen (2015), young Pacific people from the predominantly Māori and Pacific community of South Auckland, New Zealand, spoke of how other students perceived Pacific people to be unmotivated. One of the young men shared his experiences of going to a predominantly White school where Pacific students were put down and comments were made about them not pushing themselves as much as their White counterparts (Allen 2015). While these studies did not necessarily identify anxiety as a consequence of others' expectations, they both reflect attitudes and situations in which Māori and Pacific students felt threatened. It is these stereotype threats that cause anxiety, because Māori and Pacific students can become preoccupied with the possibility of being marginalized because people around them believe negative stereotypes about them (Gates and Steele 2009).

### **Fear of Confirming the Stereotype**

Fear of confirming negative stereotypes is another way anxiety manifests and impacts students who experience stereotype threat. While Māori and Pacific students may know that negative stereotypes are not true for all within their stereotyped groups, fear of failure and consequently confirming negative stereotypes can influence performance. Aronson (2004) found that some students embraced stereotype threat as extra motivation "to disprove the negative stereotype or, at least, to deflect it



from being self-characteristic” (p. 16). However, extra motivation from stereotype threat can also manifest in increased anxiety, pressure, and underperformance (Massey and Fischer 2005; Steele 1997; Steele et al. 2002). The fear of confirming stereotypes can also cause extra anxiety and pressure due to ethnically diverse students believing that if they fail academically “it will reflect badly not only on themselves and their family, but on the entire race” (Massey and Fischer 2005, p. 49). Similarly, New Zealand studies by Allen (2015), Warren (2017), and Webber (2012) alluded to Māori and Pacific students’ tension regarding fear of confirming negative stereotypes and expectations that others had of them based on their ethnic identification. Collective ethnic stereotypes cause anxiety for students where “any discipline enforced for *one* of the group was perceived as confirming a negative stereotype for *all* in the group” (Warren 2017, p. 58 *emphasis added*). However, like Aronson (2004), students in Allen’s (2015) project reiterated that stereotypes that linked their ethnicity and academic ability made them want to work harder and do better to prove people wrong. Though the fear of confirming negative stereotypes about ethnic group intelligence can have both a positive and negative impact on performance, it is an impact that can take over one’s thought process and resulting in underperformance. Gates and Steele (2009) reiterate:

the detriment in performance comes from the attempt to disprove the stereotype. It doesn’t come from giving up. It comes from the person saying ‘I’m going to beat this thing,’ because the person cares about it. They don’t want to be seen that way. And it’s that extra over-effort that causes all the physiological reactivity. (p. 255)

This over-effort causes further anxiety. Therefore, the pressure placed on ethnically diverse students to perform for fear of confirming stereotypes about their ethnic groups inevitably results in them becoming distracted and unmotivated.

### **Distraction and Loss of Motivation**

Performance burden and anxiety can also impact student efforts by distracting them from their academic work and causing them to lose motivation in academic settings. For some ethnically diverse students, the threat of reinforcing negative stereotypes causes a lack of effort on their part. Student lack of effort can manifest in avoidance of challenging work and selecting easier options where students have less chance of failure. These choices work as a defense mechanism that does not necessarily challenge the negative stereotype but attempts to protect the minority students from the initial threat. However, an outcome of these “easier” choices is that ethnically diverse students “rob themselves of opportunities to expand their skills and intelligence” (Aronson 2004, p. 17). By not extending their skills and intelligence, by being off task and not participating, Māori and Pacific students are understood to be conforming to negative stereotypes (Warren 2017). Siopé (2011) found that Pacific students often kept quiet and did not participate as often as their peers in educational settings as a way of “not being so visible or noticeable as to bring negative attention from school peers and, dare I say it, teacher’s in general” (p. 12). Perhaps wanting to remain unnoticed is also a defense mechanism as

Aronson (2004) reiterated that some students “report feeling a sense of unfairness, that there will be less patience for their mistakes than for white students’ mistakes, and that their failure will be seen as evidence of an unalterable limitation rather than as the result of a bad day” (p. 16). While some ethnically diverse student experiences of stereotype threat cause them to lose motivation and become distracted, for others the same threat causes them to increase their mental workload and attempt to challenge the stereotype that is threatening them.

### **Increased Mental Workload due to Challenging Stereotypes**

For some students, the fear of confirming negative ethnic stereotypes about academic ability resulted in ethnically diverse students increasing their workload as a way of proving the negative stereotype wrong. Stereotype threat has caused students to respond by trying harder on assessments and increasing their academic efforts to challenge or disprove negative stereotypes about the academic ability of minority students (Aronson 2004). Māori and Pacific students in New Zealand schools have also exhibited attitudes and practices that attempted to challenge negative stereotypes about their academic ability. Pacific and Māori students in Allen’s (2015) study spoke of the way they use negative stereotypes as motivation to try harder and to do better. Similarly, Pacific students in Warren’s (2017) project reiterated the same sentiment, in that they reworked negative stereotypes to their advantage by using them to push harder for academic success. In Webber’s (2012) study, Māori students felt it was imperative to challenge and dispel negative stereotypes about intellectual inferiority attached to their ethnic identity. Though challenging negative stereotypes of academic inferiority is essential for many ethnically diverse students, Aronson (2004) and Steele (1997) question whether individual effort can impact the stability of stereotypes. Aronson (2004) suggests that “such a reflex can be advantageous in situations requiring brute effort” (p. 16). Therefore, questions need to be asked as to whether the increased workload that some ethnically diverse students take on to challenge negative stereotypes is not only causing underperformance but is also pointless.

### **Disidentification**

Disidentification is a form of disengagement that is a result of a long-term reaction to stereotype threat. It occurs when the stereotype threat pressures result in not only underperformance within a specific domain but also a lack of care for their underperformance and no desire to try and improve their ability within the domain. Thus, disidentification disrupts a person’s identification with schooling and/or specific academic subjects (Steele 1997). Students may try to justify underperformance by expressing a lack of concern or interest in the subject (Good et al. 2007), and if they are disidentified with the domain, “they no longer incorporate the domain into their identities” (Good et al. 2007, p. 124). While disidentification may seem like a choice students make, it has far-reaching consequences for their futures as they distance themselves from educational spaces. A secondary consequence of

disidentification is the distancing of themselves from the domain where the stereotype has been most salient. The distancing of individuals from specific educational domains has significant impacts for ethnically diverse people, and their career trajectories as limited specific domain involvement can limit career opportunities (Good et al. 2007; Steele and Aronson 1995; Pronin et al. 2004). While disidentification is a long-term impact of stereotype threat, there are a number of practices that contribute to de-identification, such as students feeling a lack of belonging within educational domains. Part of this lack of belonging is a result of teachers having low expectations of minority student's academic ability. Dealing with the stereotype threat of low expectations can be troublesome, and for Māori and Pacific students who place such importance on the development of relationships, it can be detrimental to their continuation in education.

### **Lack of Belonging and Low Teacher Expectations**

Extensive educational research reiterates the importance to ethnically diverse students feeling like they belong in educational settings. One of the most significant contributors to this sense of belonging is teachers' expectations and belief in their student's ability to achieve. However, if teachers have low expectations or reflect negative stereotypical perceptions about specific ethnic groups of students, then this can affect their sense of belonging and result in a threat "by creating a belief that the school views certain students as weak links in the chain" (Aronson 2004, p. 18). This threat to ethnically diverse students belonging can become discouraging, and thus students feel that not only do teachers but others within their school environments doubt their academic ability (Steele 1997). Māori and Pacific students value relationships and see teacher-student relationships specifically as an important part of their learning success (Hill and Hawk 2000). However, New Zealand research by Rubie-Davies et al. (2006) and Webber et al. (2013) found that teacher expectations were often founded on ethnic stereotypes and that this was particularly damaging to Māori and Pacific students' academic success. Similarly, Warren (2017) found that teachers in her study consciously and subconsciously had lower expectations for Pacific student while "implicitly or explicitly ascribing expectations of success to other ethnic groups" (p. 58). For indigenous Māori students, a comparable pattern arises where "teachers expected Māori achievement gains to be less than for any other ethnic group" (Turner et al. 2015). Teachers' negative perceptions of Māori and Pacific students have been shown to have considerable effects on students' sense of belonging, to the point where it can undermine their feelings of membership within academic communities and thus affect their intent to stay in school (Good et al. 2007).

### **Rejection of Ethnic and Academic Identification**

Another consequence of stereotype threat that contributes to disidentification is when ethnically diverse students distance themselves from the group identity that is being threatened. For many ethnically diverse students, stereotype threat is a daily issue that they must cope with. Many ethnic stereotypes are negative and thus have an extensive effect on students' academic efficacy. Therefore, a result of this

stereotype threat is that negative stereotypes can become internalized and can “cause rejection of one’s own group, even of oneself” (Steele 1997, p. 621). As a result of this added pressure, some ethnically diverse students attempt to distance themselves from the identity which carries the threat. The process of rejection of ethnic and academic identity is understood to be part of a defense mechanism where as a way of protecting one’s self from the stereotype, threat individuals distance themselves from specific identities (Good et al. 2007). For Māori and Pacific students, stereotype threat is often attached to ethnic identity and promotes the belief of academic inferiority. This threat often results in minority students either distancing themselves from their ethnic identity or from an academic identity. International research such as Pronin et al. (2004), who focused on female participation in mathematics courses, purports that this abandonment may be a result of the need for those experiencing stereotype threat to assimilate into another group and “abandon previously valued aspects of identity and sources of self-esteem” (p. 153). Some Pacific students in Warren’s (2017) project rejected their ethnic identity by taking on “‘plastic’ traits” (p. 58). These “plastic” traits included socializing with students outside of their ethnic group. Socializing with other ethnic groups, rather than their own, was done as a way for Pacific students to remove or make the threat of negative stereotypes associated with their ethnic identity as Pacific Islanders less salient. However, the rejection of ethnic and academic identities is detrimental to minority Māori and Pacific students as when they reject their academic identity they are also affecting their ability to succeed later in life.

### **Distancing of Self from Educational Spaces**

Long-term impacts from stereotype threat can also result in students distancing or completely disengaging from educational spaces. Students who feel the effect of stereotype threat over a sustained period of time may decide to protect themselves by distancing themselves from classes where they feel threatened or may leave educational institutions entirely (Steele 1997). One of the reasons for this distance is due to academic spaces not feeling welcoming or safe for minority students. As Good et al. (2007) state, “An extremely serious consequence of stereotypes for social identity is that they can make an academic community an uncomfortable place to be” (p. 123). For Pacific students in Allen’s (2015) project, discomfort was felt in various educational settings, where students who attended open days at tertiary institutions and career expos were made to feel unwelcome due to the fact that they came from low-income communities, as well as the fact they were Pacific students. While it has been established that individuals react differently to stereotype threats, one of the serious consequences of distancing oneself from educational institutions is that it can greatly alter “stereotyped students’ professional identities by redirecting the career paths that they pursue” (Good et al. 2007, p. 123). For Māori and Pacific peoples in Aotearoa New Zealand – who are already underrepresented in tertiary institutions and high paid employment – distancing themselves from educational sights has severe consequences for diversity in our workforce, though there are steps that educators can take to minimize stereotype threat within their classrooms and educational institutions.

## Combating Stereotype Threat

Though stereotype threat is a concerning phenomenon with far-reaching consequences for ethnically diverse students, there are steps that educators can take to reduce the impact of stereotype threat within their classrooms and educational institutions. Within the classroom setting, Aronson (2004) suggests teachers develop environments that reduce competition, encourage trust, and limit stereotyping. Learning environments can be changed to nurture students and limit competition in multiple ways, through creating a collaborative environment where students work together (Aronson 2004) and also through changing the way tests and assessments are carried out to encourage more positive attitudes toward groups who experience stereotype threat (Ewing 2015). By taking steps toward reducing stereotype threat within the classroom, Aronson believes that minority student's engagement and grades can improve.

Another way of combating stereotype threat is through teaching students that intellectual ability is expandable and not fixed. Teaching expandability of intellectual ability can help students realize that stereotypes that link ethnicity and academic ability are flawed, and therefore the threat can be reduced. Aronson (2004), Good et al. (2007), and Steele (1997) suggest educators can do this by providing students with challenging work and providing the appropriate supports for achieving their academic goals. Providing students with challenging work demonstrates to students that teachers have respect for their academic potential and that they do not believe stereotypical deficit views regarding links to ethnicity and academic ability. Osborne (2001) recommends reminding students of how far they have come and how much they have learnt as a way of diminishing stereotype threat and removing feelings of anxiety.

The development of optimistic teacher and student relationships is highlighted by Steele (1997) and Webber (2015) as a critical strategy that may work for all students who suffer from stereotype threat. In the New Zealand context, extensive research into Māori and Pacific student-teacher relationships all highlight the link between teacher expectations and student achievement (e.g., Iosefo 2014; Fasavalu 2015). Pacific students in Hill and Hawk's (2000) project talked extensively about the need for the teacher to develop relationships and understand the worlds that their Pacific students live in. Webber et al. (2013) also reiterate the importance of students feeling like they belong. Teachers who take the time to develop relationships and get to know their students show their class that they care, that they want to know more about them, and that they are attempting to understand the worlds that they live in (Siope 2011; Wendt Samu et al. 2008). For Māori and Pacific students to be successful, they need to know that they belong and are valued and that teachers believe in their ability to succeed in education. If students feel this way, then stereotype threat may be diluted in situations in the classroom.

Students who experience stereotype threat should be encouraged to develop a strong sense of ethnic identity and ethnic group connectedness. Research by Webber (2012) and Webber et al. (2013) reiterate the importance of students processing and developing ethnic identities and how strong identities can ameliorate negative stereotypes. As Webber (2012) states:

Positive racial-ethnic identity is important for Māori adolescents attending multi-ethnic schools because when they develop healthy, positive and strong racial-ethnic identities they are able to repel negative stereotypes and accommodate other positive attributes, such as academic achievement into their Māori identity. (p. 26)

Developing a strong sense of Māori identity “has been defined in terms of positive self-identification as Māori” (Webber 2012, p. 22). Positive self-identification includes understandings of language, culture, involvement with social activities, and close attachments to family groups. Like Māori, Pacific student opportunities to self-identify and build cultural strength are important, but Siteine (2010) and Warren (2017) found that teachers often unconsciously allocated static forms of identity to students rather than allowing them to develop for themselves. Rather than teacher’s assigning static forms of identity and what it means to be Māori or a Pacific Islander, teachers can “create contexts where students can seek answers to the questions ‘Who am I?’ and ‘How do I belong?’” (Webber 2012, p. 21). Developing this deep sense of ethnic identity could benefit those students who experience stereotype threat within educational settings and potentially work as a defense mechanism against threats of underperformance. Other researchers have proposed that there are two key questions affecting the academic choices that students make – “can I do it” and “do I want to do it?” (Eccles 2006). If Māori and Pacific students believe that doing well in school is important to their future success and will reap the same rewards for them as for other cultural groups in society, they are more likely to work hard to get good grades despite stereotype threat. Similarly, if Māori and Pacific students believe that they can succeed in challenging classes, despite negative ethnic stereotypes, they are more likely to have a strong sense of embedded achievement (Altshul et al. 2006) and put forth the effort needed to qualify for those classes.

Embedded achievement refers to believing that group membership involves valuing and achieving in academics (Oyserman and Lewis 2017). Embedded achievement is related to an ethnically diverse student’s belief that academic achievement is an in-group identifier, that is, a key part of being a member of their ethnic group and a way to enact their ethnic identity. It also includes the related sense that achievement of some in-group members helps other in-group members succeed. Because negative stereotypes about Māori and Pacific students include low academic achievement, disengagement from school, and lack of academic ability (Webber 2011, 2012), some students may be less able to recruit sufficient motivational attention to override these messages and stay focused on school success. By viewing achievement as part of being a member of one’s ethnic group, identification with this goal may be more easily facilitated. If Māori and Pacific students have a sense of embedded achievement and believe that their teachers expect them to do well, they are more likely to persist in challenging learning tasks with increased effort and persistence. When Māori and Pacific students experience success, they simultaneously develop and enhance their self-confidence, self-efficacy, and growth mind-set and increase the perceived value of academic tasks and opportunities. In this way, the social-psychological characteristics supportive of embedded achievement can be cultivated.

However, the extant research has shown that Māori and Pacific students who believe that their ability is flexible rather than fixed are more likely to be focused on

learning, growth, and improvement and embrace challenge because of the opportunity to grow intellectually and gain competence. They more likely persist in the face of stereotype threat and believe persistent effort and study can positively impact their academic performance (Good 2012). Aronson and Juarez (2012) and Tarbetsky et al. (2016) have postulated that vulnerability to stereotype threat would be lessened if students hold a growth mind-set about intelligence. Schools that place more emphasis on a growth mind-set, and stress effort rather than innate intelligence, are more likely to create a sense of persistence in Māori and Pacific students, which is critical to retaining them in education.

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## Future Research and Conclusions

Research about stereotyping of ethnically diverse students and stereotype threat is extensive, but there is still work that needs to be done in the area to further unravel the complexity of this phenomenon. Projects have highlighted how various groups have been affected by stereotype threat including women in mathematics (Spencer et al. 1999; Walsh et al. 1999); White people who have been viewed as being racist (Frantz et al. 2004); students belonging to various socioeconomic groups (Croizet and Clair 1998; Harrison et al. 2006); White men compared with Asian men in mathematics (Aronson et al. 1999); and White and Asian people whose natural athletic abilities are compared with Black and Hispanics. These projects identify a range of factors that contribute to stereotype threat, but there are a few where our understandings of stereotype threat could be extended.

Aronson (2004) has encouraged researchers to think more broadly about what contributes to the underperformance of ethnically diverse students in education. Though stereotype threat provides significant insight into how ethnically diverse students' performance is impacted social-psychologically, it provides only one avenue of insight. Instead, moving forward, research in the area of stereotype threat and education needs to look more broadly at what other factors contribute to the underperformance of minority students in educational domains. Firstly, as stereotype threat is understood to be situational and context specific, it is recommended that further research pay particular attention to the various contexts that stereotype threat is present in. Focusing on contexts may provide extra evidence of the correlation between stereotype threat and specific situations or environments as we know that stereotype threat does not necessarily impact or affect people possessing the same social identity in the same ways (Good et al. 2007). Secondly, while attention to context is essential, focus needs to be paid to the minute details within specific contexts. A critique of stereotype threat theory is that researchers who embrace these projects run the risk of treating ethnic and racial groups as similar and homogeneous. However, extensive research reiterates that this is not the case (Ferguson et al. 2008). Therefore, stereotype research needs to further explore these differences and the diversity within ethnic and racial groups such as Blacks and Hispanics on an international level and Māori and Pacific groups within Aotearoa New Zealand.

There also appears to be a dearth of literature that examines stereotype threat and its impacts over an extended period. Examination of the increase, decrease, or static



nature of stereotype threat on groups and individuals may provide added value to this field and provide greater insight into the nuances of stereotype threat on various groups of people. Stereotype threat literature appears to focus heavily on the causes and impacts, but there needs to be more research which focuses on strategies that reduce stereotype threat and more specifically what makes these strategies successful (or not) within various contexts and with various groups of people. Nguyen and Ryan (2008) believe there is an assumption that strategies that reduce stereotype threat result in positive outcome for those who are affected, but there is a lack of literature that supports this assumption. Finally, within the local context of New Zealand, Aotearoa, stereotype research needs to be extended to not only examine stereotype threat but also to contribute toward purposeful culturally responsive pedagogies and practices for educational sites. Providing guidelines for teachers is not necessarily helping them address stereotypes, limit stereotype threat, or help students develop protective factors like strong racial and ethnic identities. Instead, teachers need to receive professional development in how to incorporate the teaching of strong ethnic and racial identities within their classrooms without losing teaching time from other subjects (Siteine 2017). Therefore, more development for teacher training based on stereotype threat research needs to be done in this area. By extending research in these ways identified above, the complex nature of stereotype threat, its impacts and strategies to challenge it may be further examined and explained.

Discussing stereotype threat its impacts and consequences can be uncomfortable work, especially when questions about individual and group bias are challenged. However, research into the phenomenon of stereotype threat demonstrates the seriousness of these experiences and the far-reaching consequences for their lives. Perhaps one of the most disturbing aspects of stereotype threat is that it most strongly affects academically motivated students. Steele (2010) has argued that:

No special susceptibility is required to experience this pressure. Research has found but one prerequisite: the person must care about the performance in question. That's what makes the prospect of confirming the negative stereotype upsetting enough to interfere with that performance. (p. 98)

This chapter has presented a review of the field of stereotype threat and its impact on ethnically diverse students internationally as well as focusing on Māori and Pacific people in Aotearoa New Zealand. It has suggested that Māori and Pacific students need to develop and maintain particular affective and social-psychological strengths in order to reconcile their academic selves with their ethnic selves.

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## Cross-References

- ▶ [Ethnicity and Class Nexus: A Philosophical Approach](#)
- ▶ [Settler Colonialism and Biculturalism in Aotearoa/New Zealand](#)
- ▶ [Media and Stereotypes](#)



- ▶ Racism and Stereotypes
- ▶ State Hegemony and Ethnicity: Fiji's Problematic Colonial Past

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# Rural Farmer Empowerment Through Organic Food Exports: Lessons from Uganda and Ghana

# 73

Kristen Lyons

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## Abstract

Export of certified organic agricultural products provides a market-based development strategy to deliver socioeconomic and ecological benefits to smallholder farmers in the global South. Yet the outcomes of participation in organic exported initiatives are mixed. The extent to which organic export agriculture can deliver benefits to smallholders is, at least in part, tied to the capacity of organic governance to include smallholder farmers as active participants in shaping the outcomes of inclusion in export markets. This chapter contributes to understandings of local-level impacts of organic exporting by evaluating smallholder empowerment as part of two central components of organic governance: organic standard setting and group certification. Drawing from fieldwork in Uganda and Ghana, results demonstrate that organic governance arrangements that developed alongside the initial emergence of global South-North organic exporting provided limited opportunities for Southern actor empowerment; standard setting processes mostly excluded smallholder and other Southern interests, and created new forms of dependency upon exporters. However, the introduction of group

K. Lyons (✉)

School of Social Science, University of Queensland, Brisbane, QLD, Australia

e-mail: [kristen.lyons@uq.edu.au](mailto:kristen.lyons@uq.edu.au)

certification has provided smallholders' deliberative capacity, bringing with it opportunities for democratic legitimacy as part of global organic governance. As South-North organic exporting has continued to expand, the industry has grappled with the ongoing challenge of greater smallholder inclusion, with outcomes that have continued to establish the basis for legitimate deliberative capacity. The chapter concludes by pointing to the possibilities for smallholder empowerment alongside ongoing organic industry maturation.

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**Keywords**

Empowerment · Export agriculture · Ghana · Organic food and agriculture · Uganda

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## Introduction

Pathways for global South development frequently situate the globalization and modernization of rural land and labor as central to economic growth. This “global development” agenda extends colonial legacies of land expulsion and enclosure, alongside disruption of traditional and Indigenous food ways, with outcomes that often exacerbate domestic food insecurity and food import dependence in many countries and regions (Campbell 2013; McMichael 2014). Despite its failings, especially in terms of its capacity to deliver national- and local-level food security, this global development agenda is institutionalized via neoliberal policy frameworks, and enabled via private sector and philanthro-capital (McMichael 2005; Cotula 2012; Holt-Gimenez and Altieri 2013).

On the ground, there is a diversity of responses to this development model. On the one hand, civil society, smallholder farmers, consumers/citizens, and researchers have coalesced as part of a global food sovereignty movement, and among these includes seed saving, women's cooperatives, the formation of local food and farming networks, as well as opposition to genetic engineering and inappropriate forms of food aid (Holt-Gimenez et al. 2009). Many of these movements aim to localize markets, shorten agri-food supply chains, provide localized responses to the global challenge of climate change, including centring local and Indigenous knowledges, and supporting peasant and subsistence agriculture (Whittman et al. 2010; McMichael 2014). Central to many of these responses is the right to food, land, livelihoods, and cultural expression as the basis for ensuring fair and equitable food systems. In contrast to food sovereignty movements that actively resist the globalization and commodification of land and labor, others have sought to reform global agri-food systems, including embedding socially and environmentally sustainable agricultural and food standards, such as Fair Trade, organic agriculture, and ethical trade initiatives. It is these latter initiatives that form the focus of this chapter.

In recent years, the certified organic food and agriculture sector has experienced significant growth in the global South, with sustained expansion in South/North organic trade occurring at a rate of 20% each year (FAO 1999; Willer and Lernoud 2017). On the basis of this growth, around 80% of the world's organic producers are

now located in developing countries, or in emerging markets (Bouagnimbeck 2008; Willer and Lernoud 2017). Turning to the African continent – the focus of this chapter – organic agriculture has expanded significantly – growing by 33.5%, or 0.4 million hectares – between 2014 and 2015 alone, including significant expansion in Kenya, Madagascar, Zimbabwe, and Côte d’Ivoire. As a result, certified organic farming now covers 1.7 million hectares on the African continent, and comprises 3% of the global organic farming community (Willer and Lernoud 2017). The African organic industries’ coming of age is reflected in the institutionalization of the African Organic Network in 2016 – acting as an umbrella organization for the sector. The majority of Africa’s certified organic produce is destined for export markets, demonstrating the emphasis on certified organic agriculture as a “trade not aid” approach to development, as well as the limited domestic organic market and local alternative food trading networks (see Freidberg and Goldstein 2011; Willer and Lernoud 2017).

The expansion of African organic exporting – including significant growth over the last two decades alongside sustained global consumer demand for organic produce – raises a number of questions and concerns for those interested in empowerment and democracy for smallholder farmers in the global South. For example, food justice and sovereignty activists argue export-led agriculture reduces the land and labor available for local and/or national food security, as well as tying smallholders’ livelihoods to the whims of northern consumer preferences, corporate actors, and organic certification requirements (see Freidberg 2004; Smith and Lyons 2012; Lyons et al. 2012). Some also oppose African organic exporting based upon concerns that airfreight of organic food – the “food miles” or “carbon footprint” – and the associated carbon emissions are antithetical with core environmental principles of the organic movement.

It is in the contested terrain of South/North organic exporting, and the nexus of empowerment and agri-food governance, this chapter is located. Specifically, it aims to examine the expansion of export-led certified organic agriculture, including the possibilities for empowerment of local communities within this context. To do this, the chapter examines the extent to which smallholder farmers, and other Southern actors, are empowered to shape their socioeconomic and ecological realities, including the terms – and outcomes – of their participation in organic export markets. The empirical data presented in this chapter is drawn from Uganda and Ghana, countries that have undergone varying degrees of expansion in organic exporting across commodities and sectors, thereby providing valuable comparative analysis. While Uganda comprises one of the largest sectors on the African continent – with over 190,000 organic producers – Ghana has just 2,600 farmers, but with well-developed in-country organic processing and exporters (Willer and Lernoud 2017).

The results presented here demonstrate mixed outcomes in terms of smallholders’ and other Southern actors’ empowerment in the context of governance of the global organic industry. On the one hand, the analysis presented demonstrates emergence of the certified organic sectors in Uganda and Ghana has occurred alongside the exclusion of Southern actors – including national organic peak bodies, civil society, and farmer groups – from the governance of organic agriculture. This is



demonstrated in the dominance of Northern actors in defining both organic governance arrangements and the content of organic standards. It is also demonstrated via the limited extent to which Ugandan and Ghanaian organic farm and civil society organizations and smallholders have succeeded in shaping organic agri-food export networks to reflect their socioeconomic and ecological interests. However, some organic farmer and civil society organizations, alongside smallholder farmers, have also been effective in negotiating the terms for their participation in export markets, including their relationships with export buyers. The formation of a smallholder group certification scheme has been central to this. On this basis, Southern actors can be seen as shaping aspects of organic agri-food governance. The global organic industry continues to experiment in developing governance pathways that might expand deliberative capacity to center the voices and interests of global South actors. Grappling with this ongoing global organic agri-food governance challenge will be vital to build democratic legitimacy for the organic industry, which is now comprised of over 80% of global south producers.

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## Global Development and Agri-Food Governance

Agriculture and food systems have been significantly transformed and restructured via processes and policies of neoliberalization, alongside structural adjustment, modernization and industrialization (see McMichael 2009; Wiegratz et al. 2018). McMichael (2009) describes the emerging corporate food regime as shaped by corporate markets and global value chains, and mediated via global private standards and regulations (McMichael 2009; Oya 2012). In the global South, this agricultural transformation reflects the extension of patterns that established during political, economic, and cultural colonization, including the enclosure of land, and privatization and commodification of natural resources (Campbell 2013). Export agriculture has continued to expand since the early colonial period, including via the production of tropical commodities destined for the so-called developed world (Austin 2010; Campbell 2013). The expansion of commercial export agriculture during the colonial period provided a conducive environment for wealth accumulation (often to colonial elites and off-shore interests) via often violent exploitation of land and labor, and established the foundations for new forms of industrial commodity production in postcolonial contexts.

The policies and practices underpinning the colonial corporate food regime have integrated smallholder and peasant farmers into cash cropping and export markets (Freidberg 2004; Dolan 2008; Holt-Gimenez et al. 2009). This transformation from traditional and/or domestic production to production for export markets – alongside the imposition of western scientific knowledge and devaluing of Indigenous and local agricultural knowledges – has occurred unevenly across temporal, geographic, and social locations (Borras et al. 2008). Despite this, general trends demonstrate growing import dependence and food deficits for countries in the South, the results of which have greatly reduced Southern farmers' capacity to control their food systems (Holt-Gimenez et al. 2009). Demonstrating this, while the African continent



was self-sufficient in food through the 1960s – and between 1966 and 1970 was a net exporter – by 2008 the continent was importing 25% of its food (Holt-Gimenez et al. 2009). The expansion of the colonial corporate food regime has also reduced the viability of agro-ecological and low carbon farming systems (Patel and McMichael 2009).

In this context, what might be the opportunity for export-led organic agriculture to address some of the challenges associated with this global agricultural development agenda, including specifically related to smallholder farmers' empowerment? While there are a range of ways this question might be approached, this chapter focuses on the role of organic governance arrangements – including scrutiny of deliberative capacity and democratic legitimacy – and their opportunities for empowering local communities.

To do this, the chapter draws from deliberative democratic political theory. Dryzek (2009) and others argue that deliberation and participation are widely recognized norms for democratic decision-making (see also Sarkissian et al. 2009; Pretty 2012). Proponents of deliberative democracy assert those affected by decision-making should be engaged in dialogue related to these decisions, and in so doing, to shape outcomes in ways that reflect their locally specific social, economic, ecological, and other aspirations and needs (see for example Dryzek 2009).

Within this literature, “inclusive” and “empowering” discourses are widely scrutinized, including for their capacity to mask the exclusion of certain groups – including minority groups – with outcomes that reinforce the interests of the most powerful (see Cooke and Kothari 2001). Similarly, inclusion in deliberative dialogue is critiqued when it fails to influence decision-making so as to deliver positive social and environmental changes (Schlosberg and Dryzek 2002).

In the context of these critiques, Dryzek (2009) has articulated some of the terms and conditions that might be required for effective democratic dialogue and decision-making – or what he names “deliberative capacity.” Firstly, he argues deliberation must be authentic, enabling participants to freely reflect on their values and beliefs, including the freedom to change one's mind, as well as to reciprocate with others engaged in deliberative processes. Secondly, deliberative processes should be inclusive of a diverse range of actors, representing a broad range of interests and discourses. Thirdly, deliberative processes should result in outcomes that have consequences for decision-making.

Turning to the question of deliberative democracy in the context of agriculture and food systems, Fuchs et al. (2011) describe the rise of private sector actors across this governance space as demanding increased evaluation of its capacity to deliver legitimate democratic outcomes. They identify participation, transparency, and legitimacy as central factors in securing democratic legitimacy (Fuchs et al. 2011).

To critically evaluate the extent to which organic governance arrangements might engender legitimate democratic dialogue and decision-making – and with outcomes that may empower local actors – this chapter examines decision-making processes related to organic standards, alongside the emergence of group certification. Specifically, it critically evaluates the extent to which the socioeconomic and ecological

realities and priorities of smallholders, and other Southern actors, are brought to bare as part of organic standard setting and organic certification.

This chapter now turns to an overview of organic agriculture governance. This provides the context to examine possibilities for smallholder empowerment in two selected countries, Uganda and Ghana.

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## Governing Organic Agriculture

The colonial corporate food regime has driven the production of high volume and low cost food. Yet recent spikes in food prices (in 2007/08, and again in 2011) – an outcome of a combination of factors, including speculative investment by finance capital, the burgeoning agro-fuels industry, and climate change – signify what some posit as the end of cheap food (see Moore 2012). Increasingly costly – in economic, social, and ecological terms – bulk and largely undifferentiated food is also incompatible with the values of a growing number of producers, consumers, retailers, and others, who value “quality” foods, including those differentiated on the basis of their social, environmental, and animal welfare attributes. Reflecting this, in recent years, there has been significant expansion of market and nonmarket arrangements for the provision of quality produce – including via farmers’ markets, community supported agriculture (CSA), and box schemes (Donati et al. 2010) – as well as the proliferation of private sector-led quality agri-food production standards (including Fair Trade, Rainforest Alliance and organic standards) (Jaffee and Howard 2010; Fuchs et al. 2011; Oya 2012). These standards, and the alternative agri-food governance upon which they rely, provide traceability across complex agri-food chains, including South/North organic export trade relationships (Campbell 2009; Chkanikova and Lehner 2015).

This chapter is focused on governance arrangements for one selected quality agri-food initiative, the expanding global organic agriculture sector. Since the introduction of the first organic standard in 1973, Willer et al. (2008) estimate there are at least 468 government and nongovernment agencies that offer organic certification services. Organic certification is obtained via compliance with a set of standards, and often with verification via third-party certification. Organic standards stipulate allowable inputs (e.g., animal manures and some natural herbicides), allowable practices (e.g., crop rotations, companion planting, and animal husbandry practices), as well as prohibited substances (including synthetically derived agricultural chemicals, genetically modified organisms, and antibiotics). In addition, organic standards stipulate a range of social criteria (including reference to labor relations, gender equity, and child labor), as well as a range of environmental management criteria (biodiversity, soil fertility, and water conservation), and detailed record keeping requirements.

The expansion of certified organic agriculture – including the integration of Southern farmers and smallholders into global organic export markets – is the focus of a growing body of scholarship. Prior research has examined the extent to which organic governance (alongside other factors, including the entry of corporate

firms, upscaling, and retailer home branding) signifies the “conventionalization” and “institutionalization” of organic agriculture (see Burch et al. 2001; Guthman 2004; Lockie et al. 2006; Campbell et al. 2010). Research in this area has also identified the co-option of organic movement interests by powerful northern actors, including corporate interests, and the subsequent weakening of organic standards. The complex bureaucratic requirements and costs associated with compliance processes are also tied to adverse impacts for farmers (see Buck et al. 1997; Guthman 2004; Gomez Tovar et al. 2005; Jaffee and Howard 2010).

Other research has examined the gendered – and including intersection with other categories (including race, ethnicity, and class) – livelihood impacts associated with entry into certified organic agriculture. Among this literature, Qiao et al. (2016) have documented the economic livelihood benefits of conversion to organics (see also Lyons and Burch 2007). Meanwhile, Gomez Tovar et al. (2005) describe expansion of the organic sector as privileging larger farms, structural conditions that are associated with land and water grabbing (Dell’Angelo et al. 2017). More broadly, Reynolds (2004) identified the dominance of northern actors in defining the content of organic standards.

There is also a nascent literature that analyses southern actors’ engagement in organic governance processes (including standard setting, audit processes, etc.), and the extent to which such engagement might empower local actors, in other words, enabling what Dryzek (2009) refers to as “deliberative capacity.” In their analysis of organic cocoa in Ghana, for example, Glin et al. (2014) describe a hybrid organic governance arrangement whereby the state, and alongside national and transnational NGOs and businesses, emerge as key players in organic standards formation. Similarly, describes organic standards as sociotechnical devices that are influenced by a diversity of actors. In this way, organic standards can be understood as part of the enactment of values and performance of agri-food governance. Reynolds et al. (2007) also identifies the role of civil society organizations, in particular, in shaping new organic governance arrangements.

In this context, what role might Ugandan and Ghanaian local actors play in shaping organic governance, and what might this mean for empowerment of southern actors? This chapter aims to answer these questions, and in so doing, contribute to the nascent literature on smallholders, governance, and organic agriculture in the global South.

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## Research Methods

The results presented in this chapter draw from fieldwork undertaken over 4 months in Uganda and 1 month in Ghana between 2005 and 2006, a period when the organic industry began to expand rapidly on the African continent. Given the time lapse between data collection and the writing of this chapter, this data is supplemented by contemporary organic industry data and sector reporting, alongside analysis of contemporary literature. These countries were selected to examine Southern actors’ participation in, and experiences of, organic governance for a number of reasons. In

2005, when this research began, Uganda was experiencing rapid industry growth, and had quickly emerged as home to the largest area under certified organic production in Africa. Uganda remains one of the largest producers of organic crops – in terms of certified organic land – in Africa, with 226,954 hectares of certified organic or around 1.74% of Uganda's total agricultural land (Willer and Kilcher 2017). There has been significant investment in Uganda's organic sector from development agencies, including the Swedish International Development Corporation Agency's (SIDA) support for the Export Promotion of Organic Products from Africa (EPOPA) to facilitate organic exports (Bolwig and Odeke 2007). The EPOPA program ran between 1995 and 2008 (operating in three east African countries; Uganda, Tanzania, and Zambia), and provided financial support to 30 organic export companies (Parrott et al. 2006). According to Agro Eco and Grolink (Agro-Eco-Louis Bolk Institute n.d.), EPOPA supported the conversion of an estimated 30,000 smallholder farmers to organic farming practices in Uganda. In 2005, when fieldwork in Uganda was conducted, EPOPA was providing financial support to at least 11 companies engaged in export of tropical fruits, cotton, vanilla, coffee, Nile perch, tilapia, sesame, and spices, with a number of additional companies in the process of obtaining organic certification (including for shea butter, essential oils, and honey).

In contrast, organic agriculture in Ghana represents just 22,276 hectares, or 0.15%, of total agricultural land (Willer and Kilcher 2017). The Ghanaian organic agriculture sector has received limited international financial support, but with some funding from the UK Department for International Development (DFID) to establish a national peak body, the Ghana Organic Agriculture Network (GOAN). A number of large commodity traders – including the Ghana Oil Palm Development Company and the Ghana Cocoa Board – are also engaged in the production of small quantities of organic produce, alongside their much larger conventional production. An estimated 2600 farmers were certified organic in 2015, producing essential oils, herbs, horticultural crops, palm oil, and cocoa (Willer and Kilcher 2017). Interviews were undertaken with smallholder vegetable producers, cocoa, and oil palm producers.

Fieldwork included in-depth interviews with over 60 women and men organic smallholders, including 40 pineapple and coffee growers in Uganda; and 20 cocoa, oil palm, and mixed vegetable growers (including cabbage and tomatoes) in Ghana. Interviews were also undertaken with representatives from export companies: Amfri Farms, a domestically owned tropical fruit export company; and the international coffee trading company, Kawacom International in Uganda; and the Ghana Oil Palm Development Company. In addition, interviews were conducted with representatives from the national peak organic organizations (National Organic Agricultural Movement of Uganda – NOGAMU, and Ghana Organic Agriculture Network – GOAN), as well as from national and international organic certification organizations and development agencies. It also included participant observation at a number of events, including meetings, training days, and workshops, as well as textual analysis of a range of government and industry documents, including research papers, advertising and promotional print and web-based material. This data have been complemented with contemporary industry data.

The data collected as part of this research have been analyzed with a focus on smallholders' and other Southern actors' lived experiences in the context of South/North organic governance arrangements, with a specific focus on evidence of empowerment, including via deliberative capacity and democratic legitimacy related to organic standards setting processes, and group certification. Data presented reflect a particular historical moment – the rapid expansion of Africa's organic industry – thereby providing insights at a period of unprecedented social and agricultural change.

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## Organic Standard Setting and Deliberative Capacity

As detailed above, entry into organic export markets relies on organic certification, which is granted on the basis of compliance with a set of organic standards. The codification of organic principles, beliefs, and practices into systematic production, auditing and certification standards, and requirements is neither straightforward nor normative. Rather, standards are negotiated by movement and market actors, including farmers, farmer organizations, development agencies, processors, retailers, traders, consumer groups, and others (Guthman 2004; Lockie et al. 2006; DuPuis and Gillon 2009). Friedmann and McNair (2008, 409) have described these messy negotiations related to organic standard setting as “arena(s) for contestation, multiplication, (and) confusion.” On this basis, dialogue and negotiations related to the content of standards and compliance provide opportunities for actors to (re)-shape the technologies of organic governance. The extent to which Southern actors have been effective in shaping organic governance processes, thereby signifying the deliberative capacity of these processes, appears mixed. To assess both the deliberative capacity and democratic legitimacy of South/North organic governance arrangements, and the impacts for empowerment of local actors, this chapter starts by examining the place of African smallholders, farm organizations and civil society in shaping processes related to the content of organic standards.

There is a little doubt that some local actors have succeeded in ensuring the inclusion of their interests in dialogic processes with international actors regarding setting organic standards. Demonstrating this, since at least the early 2000s, a number of representatives from Uganda have attended events organized by the international organic agriculture peak body, the International Federation of Organic Agriculture Movements (IFOAM), including conferences and trade fairs (e.g., BioFach). These events are increasingly attended by Southern stakeholders, given 75–80% of IFOAM's current membership base is located in the Global South (Raynolds 2004; Willer and Lernoud 2017). Yet these forms of inclusion appear at the lower end of the participatory spectrum (see Sarkissian et al. 2009), with Ugandan actors included in this research often describing their “observer” roles, and African organic produce often positioned as part of an exotic “display.” While Ugandan actors (both people and products) were present during the period of rapid growth in global South organic exporting, they were frequently positioned as passive

recipients of information and standards, rather than engaged as part of authentic deliberation that might impact governance outcomes.

Signifying a shift from this passive status, a Ugandan representative was elected to the IFOAM World Board in 2008 (and following this, a Kenyan representative was elected 2017–2020). There are also currently an additional 4 global south representatives (South Korea, India, Argentina, Fiji), out of a total of 10 IFOAM board members (2017–2020). While the inclusion of a Ugandan representative could be understood as widening of scope – in terms of both the actors and interests included as part of dialogic processes – local actors described significant limits in the extent to which this is translated into outcomes representative of their local interests and concerns. Despite inclusion in dialogue related to international standards setting, for example, representatives from national organic organizations in both Uganda and Ghana lamented they had been unsuccessful in delivering outcomes that shaped the content of organic standards. As a result, organic standards fell short in terms of reflecting the interests and realities of African smallholders, and other Southern actors. The failure to recognize equivalence between Ugandan and IFOAM standards related to livestock handling was demonstrative of this.

Organic standards for livestock handling require animals to be reared on land that is certified organic. In north-east Uganda, the Karamojong – an ethnic group of pastoral herders that have resided in the region since at least the 1600s – frequently move cattle across large areas of land, not all of which is certified organic. Representatives from Ugo-Cert and NOGAMU concurred it was highly unlikely activities that could exclude land from compliance with organic standards occurring in this region. As such, Ugo-Cert requested principles of equivalence (see Barrett et al. 2002) to support Karamojong to achieve compliance with organic certification. A representative from Ugo-Cert explained land that cattle were grazed upon, while not certified organic, was equivalent to certified organic land. Despite years of negotiation on this issue, IFOAM rejected this proposal, a decision that, at the time, excluded some herders from obtaining organic certification. A representative from Ugo-Cert reflected on this: “We have no bargaining power; we have absolutely no say.”

The challenges related to organic standards equivalence were demonstrative of a broader concern raised by many Ugandan and Ghanaian organic advocates that inequitable power relations enable Northern interests to “speak for” southern stakeholders. While the deliberative turn in organic governance has encouraged Northern organic inspectors and certifiers to “speak with” Southern farmers, farm organizations and organic organizations, at the time of this research, there was little evidence this dialogue translated into significant shifts in the actual content of organic standards. As an outcome, smallholder farmers and representatives from organic organizations frequently described organic standards as disconnected from their lives.

The disconnect between the content of standards and smallholders’ lived realities was also raised in regard to other quality standards. For example, a number of smallholder producers were certified with Fair Trade and Utz Kapeh. Like organic standards, these quality standards imposed requirements of some smallholders

described as “inappropriate.” For example, at a Fair Trade standards training day for organic smallholder pineapple producers in southwest Uganda, extension officers explained smallholders were required to wear gumboots as protective footwear. This engendered strong opposition from smallholders who were otherwise supportive of Fair Trade principles, and enthusiastic at the prospects of a price premium derived from Fair Trade certification. Yet one smallholder exclaimed: “why would we buy gumboots when we can’t always afford food.” It was not simply the cost of purchasing gumboots that elicited a strong response from smallholders, but also the widely shared view that protective footwear was not an urgent and important health and safety concern, particularly compared to other health challenges in the community.

Overall, the evidence presented points to limited southern actor inclusion in standards setting processes. This included Southern actor representation on international standard setting committees, such as IFOAM, thereby providing a site for inclusion in negotiations related to the content of organic standards. However, this was not matched – at least at the time of research – by substantial changes in the actual content of organic standards. Indeed, the results presented in this chapter demonstrate that while some Southern actors were included in standard setting negotiations, their interests were excluded from decisions arising from such dialogue. In short, organic standards setting processes – during the early stages of south/north exporting – fell short in terms of their deliberative capacity, leaving little room for southern actors’ empowerment as part of organic standards formation.

However, over at least the last decade, the global organic industry has continued to grapple with this issue. The expansion of standards equivalence arrangements – whereby locally specific practices are recognized as “equivalent” to organic standards – alongside the emergence of alternative certification systems – including the Participatory Guarantee System (PGS) – each signify strategies to establish authentic and inclusive governance structures.

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## **Group Certification and Democratic Legitimacy**

While the experiences of smallholders and farm organizations in Uganda and Ghana related to standard setting processes pointed to limited deliberative capacity, other activities pointed to openings for democratic legitimacy of organic governance. Foremost among these activities included the formation of smallholder group organic certification schemes.

To obtain organic certification, farmers are required to verify compliance with organic standards through detailed record keeping of farm activities. The imposition of this individualized audit model has been widely critiqued, especially for global South (mostly smallholder) farmers (see Mutersbaugh 2002; Reynolds 2004; Dolan 2010). One agricultural consultant expressed frustration at what he, and others, described as an inappropriate “European model” for organic certification. Based on this critique, he was advocating for significant changes in organic compliance:



... Early on, they were trying to use audit systems developed for EU large farmers rather than smallholders, so we ended up trying to develop something that was a bit more appropriate (Agricultural consultant, Kampala, Uganda).

In East Africa (and elsewhere), there have been strong calls to restructure organic audit arrangements in ways that can more appropriately reflect the diverse and locally specific circumstances of smallholders. It is in this context the impetus to develop smallholder group certification schemes arose. Group certification is based on the organization of smallholders into groups, and with an organic certificate awarded to the group – and generally held by the export company – rather than individual smallholders. Management of the group occurs via an Internal Control System (ICS). The ICS employs an internal quality control document that stipulates requirements related to growing methods, post-harvest handling, record keeping, and other activities.

This audit model has reduced the cost associated with organic certification. Yet while this new smallholder-specific audit model enables the inclusion of smallholders in certified organic export trade, many farmers described being unable to join organic groups. Some organic pineapple and coffee smallholders in Uganda, and cocoa producers in Ghana, for example, recounted stories of neighbors they knew who were unable to join their organic smallholder group, due to the limited quantity of certified organic produce their export buyer was able to take. They described the export buyer as responsible for deciding which smallholders would be included in the group; circumstances that positioned exporters as arbiters of the so-called democratic governance.

Some smallholders also described familial ties determining purchasing arrangements. Some pineapple producers in Uganda, for example, expressed frustration that certain group members were able to sell greater quantities of pineapples to the export buyer. While a representative from Amfri Farms explained that decision making related to the distribution and quantity of purchases across group members was determined by smallholders' capacity to comply with "quality" indicators, including size and color, some smallholders were not convinced. Organic coffee producers that sold to Kawacom International raised similar concerns, citing favoritism as a frequent factor in shaping organic coffee buying arrangements.

These concerns indicated that while group certification enabled the entry of increasing numbers of smallholders into organic export markets, inequalities persisted; manifest in a disproportionate distribution of benefits across group members. Export companies played a determining role in the distribution of these benefits, given their opportunity for granting preference to some growers. Despite attempts by export companies to make decisions related to buying arrangements transparent, perceptions of these processes as opaque and biased limit the capacity for deliberative legitimacy.

There are other aspects of group certification that, while opening spaces for smallholder entry into organic export trading, have also constrained smallholders', and other Southern actors', capacities to negotiate the terms of their involvement. For example, the export company holds the organic certificate, leaving smallholders'



dependent upon the company they supply. On the one hand, smallholders identified a number of benefits associated with this arrangement, including a reliable market for the sale of their organic crops, the provision of extension services, training, equipment, and other materials for use on the farm (see Lyons and Burch 2007). Some organic coffee smallholders also spoke of the difficulties in finding a market for their coffee beans prior to the arrival of Kawacom. The arrival of Kawacom had, for many growers, simplified market access arrangements.

On the other hand, smallholders also argued that tying recognition of their organic status to an export company created unequal power relations, including enabling export companies to “call all the shots.” Such findings are not unique to organic trade, with similar findings in research of the impacts of contract farming for African smallholder farmers (see Oya 2012). For example, some organic coffee and cocoa smallholders reported that their buyers did not always make payment on time, as well as describing frequent delays in payment for their crops. Similarly, coffee smallholders at Sipi Falls in Uganda expressed frustrations with unfulfilled promises from Kawacom International. Many coffee smallholders, for example, described Kawacom International committing to supply tarpaulins for utilization during coffee drying, and lamented that only a few households in the community had ever received these.

The arrangement upon which group certification is based – with certification held with the export buyer rather than individual growers – was understood as imposing constraints upon smallholders, and with mixed impacts in terms of empowerment. On the one hand, the rights of smallholders to negotiate were sidelined; they occupied the role of price takers, and were passive recipients of export companies’ corporate social responsibility provisions, with little capacity to negotiate the terms of their relationship with their buyer.

Yet this was not the only story. In one instance, for example, the Katuulo organic smallholder group was effective in shaping South/North negotiations, with outcomes of social and economic benefits. Through the Katuulo Organic Pineapple Cooperative, members negotiated with their buyer – Amfri Farms – to transport produce to local markets. Prior to negotiating this arrangement, smallholders travelled by foot, or in a few cases, bicycle, to sell produce on the local markets. According to some smallholders from the Cooperative, the provision of transport by Amfri Farms reduced this time-consuming and physically demanding task. Also in response to Cooperative requests, Amfri Farms provided resources and other supports required for construction of a community health clinic.

The Katuulo Cooperatives’ capacity to negotiate in their interests with Amfri Farms was assisted by their long-standing credibility as a local organization, and their formalized structure of governance with elected representatives, regular meetings, and a cooperative bank account and communal savings plan. A representative from Amfri Farms explained the cooperative structure, as well as other attributes of the group, readied them for compliance with group certification processes. He also emphasized the simplicity of working with an already formed cooperative, especially in terms of ensuring compliance with the Internal Control System. He

described the Katuulo Cooperative as “effective and coordinated,” and one of their “best groups” of organic smallholders. He also stated the company “depended” upon “good farmers,” including members of the Katuulo Organic Pineapple Cooperative, to ensure the regular supply of quality fresh fruit to their international buyers. While Katuulo was one of their most remote suppliers (over 200 km from Kampala, where Amfri Farms dries and packages fruit prior to export), representatives from Amfri Farms explained that the cost associated with extra travel was more than compensated by the benefits of working with this cooperative.

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## **Conclusions: Organic Governance and Southern Actor Empowerment?**

Global rural development and the colonial corporate food regime have driven an export agriculture agenda that delivers food insecurity, alongside social and ecological problems, for the global South. The expansion of export-led organic markets in the global South raises tensions among supporters of alternative agri-food initiatives related to the extent to which this pathway for rural development – often driven by development agencies, corporate actors, and Northern consumers – might perpetuate similar inequity and injustice. Among these includes concerns organic exporting will simply replicate unfair and ecologically destructive South/North relations that have come to underpin conventional trade, while at the same time rendering organic smallholder’s dependent upon organic governance regimes and Northern stakeholder interests.

This chapter has contributed to this debate through an analysis of some of the relationships emerging as part of the politics of organic governance. In particular, this chapter has contributed to debates about the extent to which organic governance – upon which South/North organic export markets rely – might provide opportunities to empower smallholder farmers. To do this, this chapter has focused on Uganda and Ghana, and drawn from data collected during a period of rapid expansion in the African organic sector (2005–2006).

The results presented paint a mixed picture. On the one hand, Ugandan and Ghanaian smallholders, and other local Southern actors, have been limited in the extent to which they have been able to shape organic governance arrangements. This was particularly the case during the period of rapid global South organic industry expansion, the time when data presented included in this chapter were collected. Demonstrating this, while some Ugandan actors participated in standard setting processes, they gained little ground in actually shaping the content of organic standards. Rather, research findings demonstrate processes to define the socioeconomic and ecological conditions of certified organic agriculture were – at least during the period of rapid expansion of organics on the African continent – largely captured by Northern stakeholder interests, with little deliberative capacity for Southern actors to meaningfully shape the outcomes of dialogic processes (see Dryzek 2009). Group certification too created new forms of dependency between smallholders and export buyers, circumstances maintained by the opacity of aspects

of organic governance arrangements. Such findings stand counter to Fuchs' et al. (2011) call for transparency as a precursor for building democratic legitimacy in agri-food governance.

At the same time, Ugandan and Ghanaian smallholders, alongside local farm and civil society organizations, were successful in shaping some aspects of organic governance arrangements, including aspects of the smallholder group certification scheme. There was also evidence of smallholder groups negotiating with their buyers in ways that delivered outcomes reflecting smallholders' needs and interests. Such activities represent openings for democratic legitimacy, and possibilities that South/North organic exporting can rupture inequalities bound to the colonial corporate food regime.

Over at least the last decade – since primary data presented in this chapter were collected – the global organic industry has continued to expand governance approaches that further support deliberative capacity, especially for Southern actors. This includes ongoing developments in processes related to smallholder group certification, alongside significant expansion of standards equivalence arrangements, thereby enabling recognition of farming practices in the global South as commensurate with those stipulated in organic standards. The global organic industry has also made significant investment and support to expand the Participatory Guarantee System (PGS); a low cost and oft described culturally appropriate certification system. These, and other initiatives, reflect the transformation that has occurred within the certified organic industry over at least the last decade; from its origins in the global North, to the current situation whereby the majority of IFOAM members and certified organic farmers now reside in the global South. With this as context, inclusivity, transparency, and meaningful engagement with global South actors has become increasingly normalized as part of organic agri-food governance. Further research is needed in the field of organic agriculture, smallholders, and agri-food governance, to better understand the contributions of these shifts in empowering Southern actors to shape agri-food futures. In the current era of climate constraint and its intersection with food precarity, centring the rights and interests of global South smallholders will be vital to ensure globalized organic agri-food systems can empower local communities, and thereby be part of building a democratic food future.

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# Local Peacebuilding After Communal Violence

# 74

Birgit Bräuchler

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## Abstract

This chapter aims to take an anthropologically informed look into local conflict dynamics and local negotiation processes aimed at the restoration of social relations and the reintegration of society after mass violence. It analyzes local processes of peacebuilding taking place independent of international interventions and how local actors inventively adapt local traditions to the requirements of a post-conflict society, thus challenging predominant notions of liberal peace. The chapter builds on current anthropological notions of culture, ethnicity, and tradition and argues that ethnographic research of contemporary local approaches to peace needs to be contextualized in broader history and power politics. The argument derives from multi-sited and multi-temporal ethnographic fieldwork

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In this chapter I am drawing on my long-term research on conflict and peace in Eastern Indonesia and related publications, in particular (Bräuchler 2009a, d, 2010, 2014a, c, 2015, 2017b, 2018a, b)

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B. Bräuchler (✉)  
Monash University, Melbourne, VIC, Australia  
e-mail: [birgit.braeuchler@monash.edu](mailto:birgit.braeuchler@monash.edu)

conducted in Maluku, an archipelago in Eastern Indonesia, for more than a decade and highlights the importance of culture and tradition for the restoration of sustainable peace in a society that has been torn apart by an alleged religious war. The response to the long-lasting violence was to activate an overarching ethnic identity to rebuild bridges and restore peace. These efforts are analyzed against the backdrop of changing sociopolitical developments in which group boundaries shift and ethnic and religious identity markers change meanings or merge. The chapter thus also argues against the stereotypification of violent religion and harmonious tradition as both religion and ethnicity are aspects of the same social dynamics.

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**Keywords**

Traditional justice · Revival of tradition · Local turn · Religion · Communal violence · Indonesia · Maluku

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**Introduction**

Ethnic conflict remains one of the prevailing challenges to international security in our time. Left unchecked, or managed poorly, it threatens the very fabric of the societies in which it occurs, endangers the territorial integrity of existing states, wreaks havoc on their economic development, destabilises entire regions as conflict spills over from one country into another, creates the conditions in which transnational organised crime can flourish, and offers safe havens to terrorist organisations. (Cordell and Wolff 2011: 1).

Despite such doomsday scenario, there is still little understanding of the dynamics and complexities of ethnic conflicts, let alone how to sustainably solve them. The international peace industry usually tries to fix problems through a top-down interventionist approach. The basic assumption is that the building of a democratic state plus market economy will produce peace, which is a rather hegemonial and evolutionist supposition. These interventions are normative, mechanistic, and solutionist – presuming a hierarchy of knowledge “between capable interveners and incapable intervened” (Finkenbusch 2016: 2). As such “reconciliation toolkits” (Bräuchler 2009b: 3) often fail, peace workers increasingly promoted the inclusion of local elements that are part of the conflict-affected environment, into the toolkit. However, rather than taking local agency seriously, such interventions often simply co-opt the local and are highly selective and essentializing, mostly ignorant of broader historical, political, and sociocultural contexts (see, e.g., Bräuchler 2018a; Bräuchler and Naucke 2017). One of the reasons is that ethnic and cultural identities are simply too complex to deal with, in a world, in which issues of concern are largely framed from the standpoint of economic, political, and strategic interests of the dominant powers. Local initiatives and actors are usually seen as part of larger international intervention and aid programs, with peace and conflict scholars focusing on the interplay of the international and the local (see, e.g., Donais and Knorr 2013; Wanis-St John 2013). Local people affected by mass violence thus continue to be reduced to victims



or troublemakers, rather than active peacemakers with their own resources and cultural competence to draw on.

This chapter aims to take an anthropologically informed look into local dynamics and local negotiation processes aimed at the restoration of social relations and the reintegration of society after mass violence in Eastern Indonesia. It analyzes local processes of peacebuilding taking place independent of international interventions and how local actors inventively adapt local traditions to the requirements of a post-conflict society – with all its challenges. The chapter builds on current anthropological notions of culture, ethnicity, and tradition and argues that ethnographic research of contemporary local approaches to peace needs to be contextualized in broader history and power politics. My argument derives from multi-sited and multi-temporal ethnographic fieldwork conducted in Maluku, an archipelago in Eastern Indonesia, for more than a decade and highlights the importance of culture and tradition for the restoration of sustainable peace in a society that has been torn apart by an alleged religious war. The response to the long-lasting violence was to activate an overarching ethnic identity to rebuild bridges and restore peace. These efforts are analyzed against the backdrop of changing sociopolitical developments in which group boundaries shift and ethnic and religious identity markers change meanings or merge. The chapter thus also argues against the stereotypification of violent religion and harmonious tradition as both religion and ethnicity are aspects of the same social dynamics.

The first part of this chapter provides the conceptual framework with which I will work in the second part of the chapter that is dedicated to the case study. The first part deals with changing conceptualizations of ethnicity, the local, culture, and community that are important to better understand dynamics of local peacebuilding after communal violence. It then provides a brief overview of the local and cultural turn in peace studies and the rise of traditional justice as a means to cope with mass violence. The second part first offers insights into the Moluccan conflict and peace dynamics and then explores the particularities of Moluccan efforts to revive, restrengthen, and reconstruct local traditions as means to restore interreligious relations, with all its challenges. The chapter concludes with some lessons learned.

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## **Culture, Ethnicity, and Community**

Barth's *Ethnic Groups and Boundaries* (1969) was an important milestone to move away from an essentialist notion of ethnicity and focus on the relational aspect of collective identities. Sociopolitical and historical contexts influence and shape the making of boundaries, which suggests continuous change. Contemporary anthropological theory depicts culture no longer as an isolated whole with a fixed set of characteristics, but as something processual and dynamic, something that is continuously contested from within and outside and renegotiated, influenced by local and global factors, and continuously in the making (Bräuchler 2014b: 38). Construction must not be confused with invention though and needs to resort to a repertoire of materials, symbols, rituals, and geographical references that depend strongly on a

specific cultural and historical context if they are to create effective identity projects. For Weber (1976: 234, 239), ethnicity implied a subjective feeling of community and of integrative, shared action versus the exclusion and despising of others who are different, thus implying both similarity and difference (Cohen 1985: 12), which renders both the relational aspect and symbolic content important. The materials used are, however, filtered and constructed by the memory, imagination, narratives, and myths of the respective actors (Hall 1994: 395). Simply outlining the construction of groups and boundaries is therefore inadequate, as this does give no explanation as to why people continue to refer to essentialist identities and why these often trigger profound emotions (Calhoun 1995: 198–199).

Focusing on shifting borders and the relational aspect of ethnicity or community only would imply dismissing the lived reality of community through sociality and the vitality of a culture in the community members' social lives (Amit 2002). This is important in the Moluccan context, where peace activists and local leaders are trying to develop a pan-Moluccan identity. Given the vastness of the archipelago, such an identity needs to be imagined (cf. Anderson 1983). However, it stays futile, if it is not embodied and lived, at least to a certain extent so that Moluccans can relate to it. A one-sided focus on fluidity, construction, and manipulation would also ignore the relevance of “socialisation, the transmission of knowledge and skills from one generation to the next, the power of norms, the unconscious importance of religion and language for identity and a sense of community” and culture “as a shared system of communication” (Eriksen 2010: 68). It would neglect a community's self-identity, which is “likely, in part, to be non-relativistic and non-contingent” (Cohen 2002: 166–167). It is actually in conversation with changing sociopolitical settings and selected “content” that ethnicity and group boundaries are constantly (re)negotiated, through daily interaction, conflict, and the search for peace and that engender frameworks in which collective actions can occur (Melucci 1995: 44).

What is particularly relevant for the study of reconciliation processes is that the focus is no longer on outlining and describing difference, but the analysis of processes of differentiation (Gupta and Ferguson 1992: 16) and contextualization – in power relations, global processes and political histories, and conflict and peace dynamics – and of agency as prominently signaled by the practice turn in anthropology. Such reformulation enables a focus on negotiation processes between formerly warring parties but also between those affected by the conflict and outside interventionists. In such context, the question is not primarily whether certain cultural elements have actually been invented or introduced from the outside in the (colonial) past (e.g., Brigg 2008: 35–39), but whether and for what reason they are important to current negotiation processes. Today, a dynamic and relational concept of culture is acknowledged and promoted by those peace scholars who attribute culture a role in peacebuilding processes (e.g., Avruch 1998; Brigg 2010). However, as Brigg (2008: 48) proposes, it is exactly this moving away from fixed categories and separateness toward culture in a relational sense that poses “challenges to mainstream quantitative social science practice” and makes peace scholars even more hesitant to engage with it.

## Local Turn and Traditional Justice

Whereas the de-essentialization of culture and the local in the wake of globalization almost led to its disappearance as an anthropological category (Bräuchler and Naucke 2017), peace and conflict studies have only recently discovered the local and the everyday. Through comparative studies, peace researchers and workers worldwide became aware that an internationally established toolkit consisting of instruments such as truth commissions and law enforcement often failed and that they increasingly needed to draw on local resources and local cultural capital to provide legitimacy to international peace interventions. This triggered a local turn (Mac Ginty and Richmond 2013) in peace research and work that aims to move “the local” and, much less explicitly, “culture” (Bräuchler 2018b) into the center of attention and action – with mixed outcomes. “Local ownership,” “participation,” and “traditional justice” have become keywords. Ideally, conflict analysis and resolution as well as peace and reconciliation initiatives shall be conducted by locals themselves, nonlocal actors only acting as facilitators, if at all. “No one can make anyone else’s peace” (Anderson and Olson 2003: 32). Lederach and Avruch were early promoters of that paradigm shift. As Lederach (1997: 94) put it, “the greatest resource for sustaining peace in the long term is always rooted in the local people and their culture.” Scholars like Lederach are targeting a positive peace that goes beyond statist diplomacy and the mere absence of violence toward profound reconciliation through relationship rebuilding and addressing the root causes of enmity, which requires a very different timeframe from the one that peace interventions usually allow for.

However, the disciplines dominating peace and conflict studies have difficulties grasping the meaning of culture, the local, or “local ownership” that are often mere strategic proposal rhetoric or seen as nice accessory to top-down interventionist models, with some notable exceptions such as Autesserre’s work (2010) on conflict and the international peace industry in the Democratic Republic of the Congo (Bräuchler and Naucke 2017). Culture and the local in mainstream peace research are often reified and denied its flexibility and heterogeneity in order to being able to deal with them better. Often the local is reduced to eloquent representatives of local communities or decontextualized rituals; it is stereotypically depicted as inherently bad or good, disorderly or harmonious, with values and needs that are not in line with liberal standards or ethnographic complexities simply not fitting the abstract categories or normative dimensions of international peace paradigms (Bräuchler 2018b: 20–21). Western-oriented interveners or aid workers “perform to localize, but the rhetoric is not matched by their everyday practices” (Anderl 2016: 197) and has not been able yet to seriously undermine the predominant liberal peace paradigm.

A few critical peace scholars recently started promoting anthropology as an important partner in peace research (e.g., Mac Ginty 2015; Millar 2018; Richmond 2018a, b). Generally, they do not go far enough yet in their approach, either taking anthropology as an auxiliary science (Finlay 2015), reducing it to the ethnographic method (as yet another tool for the peace industry), or dealing with the local only as part of larger international efforts and thus bracketing out local peace making

initiatives and local social engineering processes as they are discussed in this chapter (Bräuchler 2018a: 23). In a recent article, Richmond thus asked for the involvement of anthropology as the discipline “rescuing peacebuilding from neoliberal epistemological frameworks” and preventing mainstream IR’s projects “from verging into hegemonic illegitimacy” (2018b: 221, 230). As proposed by Galtung (1969) five decades ago, it is important to choose a broader perspective toward peacebuilding, which not only includes the ending of violence and dealing with its immediate aftermaths but also looking into less visible forms of violence that continue those structures and power relations that were, at least partly, responsible for the outbreak of violence. Universalist and interventionist approaches, however, rather reproduce power hierarchies and do little, if nothing, to counter structural violence (Richmond 2018a: 11, b: 227), and they essentially fail in locally anchoring a peace they aim to introduce from the outside.

One concomitant of the turn toward the local and an increasing number of so-called religious and ethnic conflicts in the post-Cold War era was the increasing involvement of non-state traditional justice mechanisms (TJM) into transition processes. In particular, in situations where retributive justice and truth commissions are out of reach, national justice systems are not in place and weak or refuse to take responsibility, local (restorative) justice mechanisms are increasingly used to cope with the aftermath of large-scale conflicts. Main features of TJM are their focus on the restoration of social relations, including the restoration of the victim and the communities affected and the reintegration of the offenders into the communities – in case such categorization does make sense at all, which is difficult in communal violence as in Maluku. TJM thus pursue the transformation toward (or back to) a more inclusive collective identity. Important for their success is that both sides actively participate in the process, in which cultural values and local decision-making mechanisms figure prominently. Traditional leaders or arbitrators, who know the sociocultural context and the conflict parties, play important roles. TJM are thus highly contextual, mostly communal and participatory, which makes them accessible for most, with regard to geographical, cultural, and linguistic closeness (Boege 2006). Just like community or culture, reconciliation fails when limited to the symbolic realm; instead it needs to be “embodied and lived out in new relationships between people at all levels of society” (Rigby 2001: 189). Enacting justice here often implies the restoration of social order according to local worldviews, in which the isolation of perpetrators (e.g., through imprisonment) is rather counter-productive. Such reconciliation processes can take a long time, involve several rounds of negotiation, and are often publicly sealed by rituals (Bräuchler 2015: 15–16).

Symbols and rituals give expression to how an ethnic or cultural community sees the world and “the other.” Often, they are emotionally charged and can thus easily be instrumentalized. They are important elements in conflict and peace, for the creation of conflict lines and for closing the gaps. As Turner (1967) has argued, symbols are usually polysemic or multivocal. They can invoke diverse associations and stand for a variety of ideas and phenomena, depending on context and persons involved. Rituals and symbols can thus become means to (re)integrate and unify people,

without taking away the possibility of difference. Turner (1967) emphasizes the liminality of rituals as creative phases of anti-structure that open up in-between spaces where rules for acting and interpreting can be negotiated anew. In post-conflict societies, there is a clear need for such spaces that acknowledge the past and image a different (shared) future (Ross 2004: 216–217). Cultural performances are an ideal space for the embodiment and lived experience of ethnic or collective identity that cannot be reduced to mechanisms of border management. As the case study will show, it is the flexibility of culture and symbols that allow for identity transformation and the active involvement of people affected by conflict to “take up locally rooted cultural symbols and rituals, and adapt, (re)construct, or (re)invent them according to the needs of a society in search of peace” (Bräuchler 2015: 35).

The turn to tradition and culture presents many new challenges for local and international communities involved in peacebuilding – challenges that arise from the intrinsic nature of TJM, from selection, adaptation, and social engineering processes involved, and the instrumentalization and misinterpretation of “tradition” by insiders and outsiders. As customary law is usually transmitted orally, TJM are more flexible than formal justice and can be adapted to changing circumstances such as political upheavals and efforts to reclaim political and economic rights, instigate conflict, or search for conflict solutions (Bräuchler and Widlok 2007). Moore (1986: xv, 39, 317) describes customary law as a “cultural construct with political implications” and “a set of ideas embedded in relationships that are historically shifting” and undergoing constant negotiations and modifications. However, the instrumentalization of tradition often strips it of such flexibility. Seeking (or pretending to seek) local legitimization, selected traditions have often been decontextualized, instrumentalized, romanticized, or mutilated. A prominent example is the restoration and adaptation of the “traditional” *gacaca* courts in post-genocide Rwanda in order to help the state process the hundreds of thousands of court cases and uncover the truth in a culturally apt way. Through their multiplication, the change of their field from property and marriage issues to crimes such as murder, and the use of newly elected judges, the *gacaca* tribunals were manipulated up to a point where there was not much resemblance left with the traditional communal gatherings they were, meant to negotiate, settle disputes, and bring about reconciliation (Waldorf 2010).

Adaptability and transferability of TJM clearly have their limits, especially when they are transferred to settings outside the sociocultural context in which they are usually rooted, in cases where “outsiders” are involved who don’t share the same cultural values and laws, when applied to large-scale conflicts such as mass killings and genocide or when mistaken to be or instrumentalized by outsiders as one-off events. The latter, for instance, happening in Aceh with the military using a traditional *peusijek* ceremony as an easy way out of accountability (Avonius 2009) or the Acholi ritual *mato oput* in Northern Uganda as a popular means to seemingly localize elitist or outside peace initiatives (Meier 2011) – both of them traditionally being the end of a long process of negotiations and peacebuilding, in order to finalize, legitimize, and socialize it. In Maluku, the revival of local traditions did bring to the fore old power hierarchies and the exclusionary power of culture, but it

also provided means to develop a more inclusive Moluccan identity. Another extreme is peace workers and interveners explicitly excluding customary laws from peacebuilding as they may (re)enforce traditional hierarchies (based on inheritance, ethnicity, age, gender) and may not comply with international human rights standards (Bräuchler 2015: 14–23). These approaches refrain from a deeper engagement with local mechanisms in order to fully understand their implications and underlying local power structures; the impact of colonialism, independence, and modernization; or the politicization through the state or mass violence, genocide, and civil war, during which traditional leaders or arbitrators might also have lost legitimacy and influence.

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## Communal Violence and Its Aftermath in Maluku

My work on peacebuilding in Indonesia is an attempt to start closing those gaps through ethnographic research, anthropological conceptualizations, and, as Richmond (2010: 33) acknowledges, a “detailed understanding (rather than co-option or ‘tolerance’) of local culture, traditions, and ontology.” The Moluccan archipelago in Eastern Indonesia covers several hundred islands and became famous as the “Spice Islands,” the source of nutmeg and clove that attracted early traders and colonial powers, who also brought Islam and Christianity. This chapter looks at one of two Moluccan provinces, called Maluku. Maluku provided the scene for one of the most protracted conflicts that broke out shortly after the step-down of Indonesia’s authoritarian president Suharto (1966–1998). This conflict tore apart villages, families, and other kin groups and resulted in an ideational and geographical divide of Moluccan society. The scale of violence that erupted in January 1999 in Maluku’s capital Ambon and went on for almost 4 years took most observers by surprise, as Maluku and its roughly half Christian, half Muslim population used to be praised for interreligious harmony in a majority Muslim country. Thousands died on both sides and almost a third of the Moluccan population was displaced. Whereas initially it looked as if Christian Ambonese mainly targeted migrant Muslims, religion soon became the principal identity marker in the conflict. Rumors that central mosques and churches had been set alight and the fact that Ambon City is home to people from all over Maluku put the conflict on a higher (transcendental) scale and made it spread rapidly throughout Maluku.

The conflict’s depiction as religious war is in line with predominant discourses on the rise of religious fundamentalisms worldwide and a national scenario, where interreligious violence erupted in many places. It is, however, a rather simplifying interpretation of a much more complex setting that requires a look into historical developments, the corresponding shifts in group and identity formations, and the structural problems and inequalities underlying the violence. Ever since the arrival of the colonial powers in Maluku, religion has become a politicized subject. Although Moluccans had developed means to maintain harmony and keep their society integrated, developments such as the Islamization of politics from Indonesia’s center from the late 1980s and 1990s challenged this. A demographic shift in Maluku

through spontaneous (mainly Muslim) immigration but also governmental transmigration programs from the 1970s onward further increased hidden tensions and competition in a precarious job market. The Indonesian security forces took sides in the violence, as a means to uphold their power that was supposed to be curtailed in the post-Suharto reformation era, but also giving expression to the central government's failure to control its security forces. The involvement of a militant Muslim group from Java called Laskar Jihad that government and military did not prevent from setting off to Maluku in 2000 led to new scales of destruction and violence. Colonial powers and neocolonial unification policies had also substantially manipulated and weakened TJM and imposed hierarchies that grant very unequal access to power and decision-making, resulting in land and resource grabbing through outside forces. The central government, however, mainly blamed Moluccans themselves for the recent violence and refused to set up formal transitional justice mechanisms. They mainly set on military power. The report of an independent national fact finding commission that was sent to Maluku after the Malino peace agreement in 2002 was never published, and masterminds behind the conflict were never named, let alone called to court. Moluccans thus had to themselves find means to reconcile and restore peace, without formal justice and "truth" (Bräuchler 2013, 2015).

A historical perspective and the analysis of evolving conflict dynamics and peace narratives substantiate or better provide the material to develop the theoretical and conceptual assumptions about the dynamics of culture, ethnicity, and community outlined in the chapter's first part. Changing identity and group patterns during conflict and peacemaking are the continuation of shifting relationships between Islam, Christianity, and adat in Maluku (Bräuchler 2014a, c). Whereas Islam came as a peaceful concomitant to trade, Christianity was forcefully imposed on the Moluccan people by colonial powers, starting with the Portuguese in 1512. The Dutch followed in the early seventeenth century and, together with indigenous preachers, promoted a purified Christianity and took action against adat that was not in line with it (e.g., Müller-Krüger 1968). Whereas Islam and adat merged on the village level (at least until an increasing influx of reformatory ideas from the Middle East from the nineteenth century onward), adat and church constituted two different and often competing institutional hierarchies (von Benda-Beckmann and Benda-Beckmann 1988). From the outset, religion had thus become politicized. In their effort to push through the spice monopoly, the colonial powers made massive use of existing local power struggles and traditional rivalries, thus sharpening existing group boundaries. Under Dutch colonial rule, Christians were given preferential treatment in education and the bureaucracy. In the struggle for independence, hundreds of Christians in the colonial army fought side by side with the Dutch against their brothers and sisters who favored an independent country. After independence, many Christian Moluccans were worried about an overpowering Muslim majority, and a group of western-educated and politically active Moluccan figures proclaimed the independence of a South Moluccan Republic (RMS) on 25 April 1950 that was crushed by the military a short while after. This was a major issue in the recent conflict, when Moluccan Christians were reproached for their closeness to the former colonial government, their (previous) claim for superiority and



separatism. Indonesian government policies of the last decades (see above) further amplified the role of Islam and Christianity as identity markers.

A typical quarrel between a Christian bus driver and a Muslim passenger on 19 January 1999 thus fell on fertile ground and quickly turned into a bushfire that was difficult to control. Old grievances and resulting social inequalities came to the fore, and religion provided a welcome means to elevate this onto a higher level and bring together very heterogeneous communities under the seemingly unifying umbrella of religion as, to speak in Cohen's words, a symbolically simple public face that glossed over a symbolically complex private face (Cohen 1985: 74, 107, 116). The idleness and incapacity of the central government of Indonesia to put an end to the violence and the disastrous effects of the instrumentalization of religion drove people in Maluku to restrengthen, revive, and reconstruct culture and tradition that goes beyond religion and is meant to become the common ground for peace. That trend was supported by new autonomy laws in post-Suharto Indonesia that enabled the restoration of traditional sociopolitical structures in the villages. Community peacebuilding in Maluku is a continuation of the shifting and merging of group boundaries, in which religion (Christians vs Muslims), indigeneity (locals vs migrants), and adat (Moluccans vs outside intrusion) play determinant but changing roles.

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## Adapting Local Tradition

Countless peace initiatives took place in Maluku by local, national, and international actors (for an overview see Bräuchler 2015: Chap. 3). Religious and adat figures as well as students appealed to the Moluccan people from the very beginning of the conflict to honor their common roots and shared adat and stop the violence. Whereas those pleas were not very successful first, after several years of violent conflict, people from all levels of society put their hopes in adat as bridge builder. In the center of attention are traditional alliances binding villages together irrespective of their religious affiliation and traditional leaders. Moluccans were out to develop a narrative that would allow for the reintegration of society and the restoration of social relationships with their neighbors. As most of them were involved in the violence, one way or the other, it made no sense to look for culprits in their own ranks. They knew they were all guilty, but they also knew that they had been living in harmony before. The unifying narrative that most Moluccans could identify with was that outside provocateurs triggered the unrests and used religion to turn Moluccans against each other. The many Moluccans I spoke to over the years were convinced that reconciliation and restoration of social relations were not triggered by outside initiatives, but occurred naturally, from the bottom-up, by drawing on local resources and institutions, cultural capital, and social ties.

The rest of this section engages with three examples, where Moluccans have taken great efforts to revive, restrengthen, and at the same time reconstruct local traditions to make them fit post-conflict requirements. They are good examples of how identity patterns change over time due to changing sociopolitical settings.



(I can here only provide brief overviews of cases, for which I have provided more detail in previous publications, in particular Bräuchler 2009a, c, 2011, 2015). I will start with outlining the changing role of traditional village heads in Maluku, the raja, from the colonial past to the current peace process, and then turn to a Moluccan alliance system called *pela* that was influential in bringing about Maluku's image as a place of interreligious harmony. The last example deals with a specific village association that progressed from being a key warmonger to be a symbol for peace.

## Raja

Maluku's traditional leaders look back on a tumultuous history, and the increasing attention they attract in contemporary Maluku is not without its challenges (Bräuchler 2011). In pre-colonial times, the raja were *primus inter pares* and had no authoritative power. In the colonial period, they were turned into intermediaries between the local population and the Dutch East India Company and were crucial for pushing through the spice monopoly. They were in charge of security and order in the villages and had to make sure that the villagers delivered sufficient quantities of spices and labor to the colonial rulers. In return, the raja were equipped with certain status symbols. Their power was backed by their ancestors, as well as the colonial government (Cooley 1969: 145), always torn between diverging loyalties. Through the abolition of the spice monopoly in 1863, "the raja had lost their economic utility" (Chauvel 1990: 97) and thus their special status. Conservative raja became outspoken opponents of the new nationalist movement in the Indonesian archipelago, which further threatened their position, and joined hands with RMS activists and Moluccan nationalism that builds on local tradition and leadership (Chauvel 1990: 224). In independent Indonesia, all village heads officially were to be elected by the village population (as opposed to hereditary succession that survived in many villages until today). Suharto's unification efforts resulted in the standardization of governmental structures down to the village level, which turned the raja into insignificant cogs in the Indonesian bureaucracy. Such changing policies left many villages in a rather chaotic state, resulting in power struggles that continue to the present between lineages that were in charge in pre-colonial times versus those in power during the colonial period or thereafter. Post-Suharto decentralization laws give villagers the opportunity to return to their "traditional" political structures and put the raja back on stage, which is challenging given their tumultuous history. This turned the raja into crucial figures in the translation process of state law, the management of higher government funds, and the revival of traditional justice systems, which triggered extensive debates and negotiations in most of the villages I have been to in Maluku about hereditary raja succession, democracy, and the revival of tradition for peace.

In the recent violence, some raja had fuelled the fighting by leading their people to go to war. During and after the violence, many became central peace actors in the reconciliation process due to their knowledge of traditional structures, their still major influence on local communities, and their interface function between local and regional politics. As they are thus ideally able to facilitate the restoration of peaceful relations toward the inside and the outside, actors from all levels wanted to make the

raja multipliers of their peace initiatives, from local and international NGOs to the government. Raja installation ceremonies became important peace events, bringing hundreds and thousands of Christians and Muslims together. In 2008, some peace activists and raja set up a Moluccan-wide raja forum called *Majelis Latupati Maluku* (MLM) in an effort to bring all Moluccan raja together in a body that helps to reintegrate society, improve and facilitate communication between villages and government, and anticipate and prevent any future conflict. The MLM took years of preparation in a still very volatile setting. It was an important step toward developing a pan-Moluccan identity, as the colonialists of the past had taken great effort to destroy any overarching organization beyond the village level. Given the vastness of the Moluccan archipelago and the multitude of islands and cultures, it is a highly ambitious project and necessarily raises issues of representativeness. So far, the MLM got active as a representative board or to solve border issues between newly established districts; district level MLMs get active to anticipate and resolve conflicts between individual villages. Critics dismiss the MLM as a political instrument for regional power politics or as a means by the central government to co-opt traditional Moluccan leadership.

## Pela

Pela is a traditional alliance system known throughout Maluku, although named differently in the various regions (Bräuchler 2009a). It ties two or more villages together, irrespective of their religious affiliation. Historical events such as war, headhunting, accidents, or financial difficulties, in which the parties involved helped each other or formed an alliance in order to consolidate peace, form the background for pela. Pela partners shall help each other in times of crisis or for the conduct of big projects such as building a church or mosque, and are not supposed to marry each other. As pela has positive connotations for most people and overcomes religious difference, it quickly advanced to be the symbol for Moluccan culture, local ownership, security, and peace. In the end, as an adat elder in Western Seram emphasized, it was their pela *gandong* culture that brought them back to their senses and stop the carnage. Pela pacts were, and still are, used as important mediating forces in the reconciliation process, and pela renewal ceremonies are crucial in reuniting Muslims and Christians, often merging with raja inauguration ceremonies. Such events are much closer to the lived reality of most villagers than the abstract MLM. The raja of Muslim Tulehu, for example, claimed that his installation ceremony attracted more than 4000 visitors in February 2003, among them Christian pela and *gandong* partners who were treated as special guests (*gandong* derives from the Indonesian word *kandungan* = womb to symbolize the strongest form of pela). Although one pela only connects up to a handful of villages, through their combination it has the potential to integrate Moluccan society (for a sketch see Bartels 1977).

One problem is that pela pacts were often concluded against a third party (Moluccan or not), thus questioning its praised integrative character (Hohe and Remijnsen 2003). This became the cruel truth in the conflict, where only pela partners

were spared among the religious “other.” Immigrants can traditionally neither participate in the *pela* system nor become *raja* or other traditional functionaries, although some of them have been living in Maluku for generations. Formerly, Maluku had mechanisms in place to accommodate outsiders in local traditional structures. These mechanisms were gradually undermined or destroyed, most prominently through central government’s transmigration programs that brought substantive amounts of outsiders, which the traditional systems could simply not deal with and that led to rising economic competition and land scarcity (Bräuchler 2010, 2017a; Platenkamp 2001). In the early days of the conflict, violence was primarily directed toward immigrants.

To address such shortcomings, some Ambonese scholars and peace activists want to take *pela*’s integrative potential to new grounds. They want it to accommodate not only a couple of villages, but, ideally, Moluccan society at large, including both locals and permanent migrant settlers (e.g., Ohorella 1999). The idea is not to exclude any group residing in Maluku, but to strengthen Maluku and its culture against destructive outside forces. Given the fact that the past has seen the emergence of new kinds of *pela*, the Moluccan conflict could become an excuse to establish new pacts between former conflict parties. The challenging task is to develop rules and mechanisms for upscaling, beyond the village level, and set up, for example, *pela* between sub-districts or interethnic *pela*. Although the post-conflict phase saw an enormous strengthening of *pela*, none of these ideas have been realized yet. *Pela* ceremonies are also popular among politicians and international organizations. In an effort to support those events, mobilize their constituencies, or locally root their peace initiatives, regional politicians, for example, show up at well-attended *pela* ceremonies, sometimes contributing to the high costs, or international actors use *pela* as a catchy program title (e.g., UNIDO and ILO 2011). In 2016, the Christian University and the State Islamic Institute in Ambon even labelled their relationship as *pela*. Although this is meant to promote the peacebuilding potential of *pela*, it risks its instrumentalization and its reduction to a one-time event that ignores underlying long-term reciprocity and mutual trust.

## Hatuhaha

My third example is Hatuhaha, a traditional village union in the northern half of Haruku Island, Central Maluku, that is known for its strong anti-colonial resistance and political stance after independence, for fighting at the front line of the recent violence, and for being a symbol of peace. Hatuhaha consists of four Muslim villages and one Christian village. This case shows particularly well how social and cultural memories played into the conflict pattern and complicated the simplifying “grand narrative” of a religious war (Bräuchler 2009c). Changing circumstances on an international, national, and local level changed the prioritization of certain identity aspects over time which prevents an easy patterning of the interrelationship of religion and *adat* in the Moluccan conflict and beyond. The village union goes back to five brothers who came to Haruku from Seram and jointly converted to Islam. Despite various challenges, it was one of the few that the

Dutch were not able to crush. To save its brothers from the colonialists' constant pestering, one Hatuhaha member, Hulaliu village, gave in and converted to Christianity. The Hatuhaha union was tested again, when its very localized version of Islam (so-called Islam adat) was confronted with the rise of orthodox Islam in Indonesia. To this day, that divide is an extremely sensitive topic. Involved in all this are struggles between village clans over who has the power to define what adat is, what needs to be continued, and what can be replaced or adapted to the wider cultural and religious context. Increasingly involved also get power struggles related to high-level politics, that is, the competition among (Muslim) Hatuhaha clans whose turn it is to get an influential position in the district or provincial government (Bräuchler 2014a).

The Moluccan conflict, at least momentarily, had reunited Hatuhaha Muslims. It brought back memories of past repression and made them fight on the front lines against Christians. Kariu, the neighboring Christian village of Hatuhaha Pelauw (Muslim), is not part of the Hatuhaha union and was completely destroyed in February 1999; its population forced to flee. Hulaliu, the Christian Hatuhaha village, tried to help its coreligionist Kariu, but in vain. While it was good neighborliness and economic interdependencies that shaped the relationship between Pelauw and Kariu before the conflict, it was their religious backgrounds and the missing adat link that were in focus during the conflict. Both Kariu and Pelauw claim to be the original inhabitants of Kariu's village territory. Kariu people fled to Hualoi (Muslim) in Seram and Aboru (Christian) in South Haruku, both long-standing *gandong* partners. In December 1999, Pelauw and its Muslim allies attacked Hulaliu but broke off after a short while as the ancestors were calling them back. Hatuhaha union stumbled and people were killed on both sides during the attack but ultimately withstood the religious challenge – and this is how the Hatuhaha people themselves see it. They thus consciously fade out Hatuhaha internal problems and its general weakening through Indonesia's unification policies and its immersion in broader regional power politics. They organized a Hatuhaha internal reconciliation ceremony, a peace march to Ambon City in 2002, and a 2-week-long ceremony to celebrate the restoration of the Hatuhaha mosque in Rohomoni in 2006 to promote Hatuhaha as a symbol of internal unity and peace between Christians and Muslims.

Hatuhaha's claim to be the key to peace in Maluku is highly contested by non-Hatuhaha people. It was only in 2005, after long negotiations, that Kariu people could finally return to their ancestral lands, and they did so in a big neo-traditional ceremony, in which people from both sides actively participated. Given the perceived nature of the Moluccan conflict, it was important to emphasize that Kariu people did not explicitly return as Christians, but as *adat* people. A recategorization of the former enemy had to take place, and it took place in a carefully planned repatriation ceremony that included *adat* elements well-known to all parties to create commonality, but in a way that each individual group could also preserve its specific identity and its specific interpretation of history and conflict. The joint *adat* ceremonies did not only build up bonds and create a new and shared repatriation history, but at the same time imposed responsibilities on those involved: the responsibility to maintain their shared reality, good relationships, and peace. A rash identification of

religion as a dividing and adat as a unifying force, however, is misguided. Adat rituals not only unified people after conflict; local traditions also formed the basis for the development of divided memories that were invoked to legitimize the use of violence. A short while after Kariu's return, the head of the Moluccan Refugee Coalition, himself a Kariu descendant, suggested to establish a new *pela* between Kariu and Pelauw. The proposal did not find much favor with the villagers, who were still traumatized by the conflict or thought that the time was not ripe yet. Reconciliation is not just a matter of having the right peacebuilding mechanisms in place, but also a matter of time (Bräuchler 2009c, 2014a).

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## Conclusion

There are a couple of lessons to be learned from our case studies for the broader debate on community peacebuilding after violent conflict. What they clearly showed is that the relationships between adat and world religion, if detachable at all, are constantly renegotiated depending on changing sociopolitical circumstances, thus resulting in the continuous renegotiation of culture and ethnicity. What is "traditional" is relative, fluid, and constantly challenged, but not random. Customary law in post-colonial societies, which people refer to or want to revitalize nowadays, is not an unchanging heritage to be rediscovered from the pre-colonial past, but something that is constantly reconstructed in changing settings, which allows for its survival. Many conversations I had in Maluku show that local peace activists and academics as well as some *raja* and villagers are aware of the evolving character of adat. The Ambonese sociologist Pariela argues for "social engineering" as a comprehensive and integrative tool to manage diversity and create a shared reality for the whole (increasingly heterogeneous) Moluccan population (e.g., Pariela and Soumokil 2003). A juridical research team of Ambon's state university considers social engineering (*rekayasa sosial*) to be a necessary means to empower the local population and even out drawbacks of customary law, such as the domination of the revival process by a certain adat elite (Tim Peneliti Pusat Kajian Konstitusi 2005–2010). Similarly, Kaartinen (2014: 323), looking at neo-traditional conflict resolution practices in Kei in Southeastern Maluku, emphasizes that people are pragmatic about how and in what combinations they make use of their traditional law.

As our three case studies show, Maluku faces most of the challenges involved in using TJM in the aftermath of large-scale violence, including issues of democracy and representation, idealization and manipulation, integration and exclusion, and transferability and adaptation. On the positive side, it allows for easy access, connects to people's culture and lived realities, resonates with what constitutes a human being in an adat community, and implies ownership of the affected people and their empowerment with regard to outside forces that brought disaster to the area. It locally roots peace, with many of the ideas born from within. However, in my broader research on peacebuilding in Maluku, I have identified three kinds of limitations of *adat* that need to be dealt with by villagers, revival activists, academics, and the government: (1) where *adat* fails due to the kind and scale of conflict it is applied to, (2) where we face long-standing problems with *adat* such as land issues or *raja* succession

regulations, and (3) when *adat* is supposed to integrate an increasingly heterogeneous society. It needs to be discussed, for instance, what space migrants are given in these processes and how they can be accommodated within local cultural structures and the other way around. Given the vastness and cultural diversity of the Moluccan archipelago, this implies a reflected revival within a long timeframe, where adaptation and (re)invention are supposed to overcome and transform limitations of current *adat*.

One way to overcome *adat* limitations with regard to scale was to take cultural concepts of mutual complementarity and reciprocity such as *pela* or traditional leadership concepts such as the *raja*, elevate them to a higher level, and make them cultural symbols of reconciliation and peace for all Moluccan people, with not only philosophical but also practical implications – with all the challenges as outlined above. Migrant communities, such as the Butonese, seem to think highly of cultural systems like *pela* that resonate with their own cultural values. Now they need to work together with Moluccans to reconstruct and develop further mechanisms for outsider integration that have been challenged through national political developments in Indonesia. They have also been challenged by current decentralization efforts that some local elites misuse to reclaim access to land that is occupied by migrant communities, some of them having resided in the area for generations (e.g., Adam 2009). As Ratuva (2003: 150) emphasized for Fiji, traditional models must not be imposed, but need to be negotiated between the different ethnic groups in order to work in such contexts. It also needs to be discussed in how far both local and migrants should have the right to exit (Chua 2004), that is, the “right to resist and opt out of the norms and expectations of particular social and cultural groupings” (Rapport 2002: 158), and how this would affect the setup and functioning of TJM.

Some outside peace workers (but also scholars) take such seeming misfits as an excuse to either ignore and exclude those traditions from any peace discourse or to only cursorily accommodate culture in the form of popular rituals, ceremonies, or some spokespersons. I want to argue that acknowledging difficulties and challenges involved in bottom-up peacebuilding (McEvoy and McGregor 2008: 9–10) and critically engaging with them – as part of local negotiation processes – is a first step in acknowledging that local agency is crucial for reconciliation and sustainable peace. As scholars and activists in Maluku stress, the shortcomings of existing *adat* law should not become an excuse to not foster its revitalization and refunctionalization (Tim Peneliti Pusat Kajian Konstitusi 2005–2010; Titahelu 2005). The involvement of outside actors as facilitators is sometimes necessary, e.g., when setting up the MLM or supporting the Hatuhaha repatriation ceremony, but one carefully needs to deal with issues of representation and legitimacy.

*Pela* or the *raja* forum as culturally legitimized and extended structures constitute shared institutions that are meant to reintegrate society to an unprecedented extent and to prevent future violence. They thus pursue the transformation toward (or back to) a more inclusive collective identity within Moluccan society. We can here learn from Popper’s piecemeal approach to social engineering (Bräuchler 2017b), which does not believe in an “absolute and unchanging ideal,” but operates at various smaller “building sites,” learning “by trial and error, by making mistakes and improvements” (Popper 1971: 279). As Popper emphasizes, “piecemeal social experiments can be

carried out under realistic conditions, in the midst of society” and allow for continuous readjustments (280). The Moluccan case certainly requires multilevel agency, involving members of all societal groups concerned in the negotiation process as well as government representatives, thus jointly becoming the owners of the peace process. Traditional justice is no panacea and it is no solution to delegate all responsibility to local communities. National political frameworks and regional politics also need to be adapted to challenges at the local level. The government needs to support physical and moral reconstruction but also the economic empowerment of people. As the coordinator of the repatriation ceremony of the Kariu refugees warned, *adat* is important and necessary to enable collective reconciliation, but it cannot prevent individual feelings of revenge or injustice coming to the surface again (e.g., due to unequal compensation after the conflict, unsolved land issues, or continuing economic and political injustices).

An essentialized notion of culture or ethnicity – as it still prevails in mainstream peace and conflict studies – would rather miss the point. Tradition in Maluku does not imply a step-back into the past, but, as Akin argues for the Solomon Islands, future-oriented (often political) acts that are “rooted . . . in shared historical experiences and ongoing political realities” (Akin 2013: 343); acts that forward custom (or culture or *adat*) as a symbol of unity that helps to restore sociality and make diverse local societies join hands to fight colonial intruders, central governments, or other outside forces that triggered conflict and split local societies. Anthropology’s role is to promote an open and reflected notion and understanding of the local, ethnicity, tradition, and culture; raise awareness of their historicity, ambiguity, contestedness, flexibility, and their embeddedness in relational webs that go far beyond the specific conflict; and try to track the intricacies and dynamics of identity transformations and peacebuilding through ethnographic fieldwork (Bräuchler 2015: 182).

The most important thing is the realization that peace and reconciliation are no fixed-term endeavors, but continuing processes. The ideational divide in Moluccan society only gradually dissolves, and tensions continue to run high until today, which requires continuous investment in relationship-building. Incidents that involve members from both religions quickly trigger fears that large-scale violence might flare up again, which is, unfortunately, often supported through sensational headlines in national mainstream media. This has prompted experienced peace activists in Maluku to set up a network of peace provocateurs in 2011, who make efficient use of traditional networks and social media to anticipate this from happening and to refute rumors immediately. They endeavor to open up spaces for a creative engagement with tradition, the violent past and a shared future.

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# Cultural Identity and Textbooks in Japan: Japanese Ethnic and Cultural Nationalism in Middle-School History Textbooks

# 75

Ryota Nishino

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## Abstract

This chapter analyzes the descriptions of antiquity in middle-school (*Chūgakkō*) Japanese History textbooks to probe the nature of popular perceptions amongst the Japanese: the Japanese are biologically and culturally homogenous. This perception persists despite the empirical and logical flaws of the claim of homogeneity. A total of 20 textbooks, approved and published in two periods, between 1951 and 1993, and 2015–16, presume the Jōmon era (ca. 10,000–2400 BP) to be the foundational period of the Japanese race, culture, and state under the unquestioned premise of Japan as the overarching framework. The textbooks repeat the idea that racial and cultural hybridization during the Jōmon era led to a homogenous Japanese people. What varied was the intensity of the language that lauded the Jōmon era as the source of Japanese uniqueness and superiority. The celebration of Japanese homogeneity and uniqueness is a salient feature of *Nihonjin-ron*: the popular discourse on Japanese cultural identity. This chapter considers the textbook as a medium conveying *Nihonjin-ron* through the bureaucratic processes it has to fulfil before approval and the potential influence

R. Nishino (✉)

University of the South Pacific, Suva, Fiji

International Research Center for Japanese Studies (Nichibunken), Kyoto, Japan

e-mail: [look4ryota@gmail.com](mailto:look4ryota@gmail.com); [Nishino\\_r@usp.ac.fj](mailto:Nishino_r@usp.ac.fj)

that the textbook version of history can have on students. The analysis here places textbooks on the spectrum of hard and soft *Nihonjin-ron*. While hard *Nihonjin-ron* openly celebrates Japanese uniqueness, soft *Nihonjin-ron* is subtle. This chapter demonstrates the most recent textbooks are polarized between soft and hard *Nihonjin-ron*. What remains in common, however, is that the textbooks discuss the Jōmon era without posing questions of what being Japanese means.

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**Keywords**

History textbooks · Japan · *Nihonjin-ron* · The Jōmon period · Cultural nationalism

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## Introduction

Japanese History textbooks have generated a great deal of heated debate over their descriptions of the Asia-Pacific War, or lack thereof, as a manifestation of Japan's nationalism. The controversy overshadows another significant theme that can arouse nationalistic sentiments amongst the Japanese. This chapter focuses on the Jōmon period (ca. 10,000–2400 BP), the period that both primary and middle-school History textbooks feature early in the volumes and presents as the beginning of Japanese history. The Japanese cultural nationalists even claim the period as the cradle of the Japanese people, culture, tradition, and state that accord Japan its unique characteristics in the world. This chapter analyzes the descriptions of the Jōmon period in a total of 20 middle-school History textbooks approved for use after 1951 against the popular discourse of *Nihonjin-ron* (also known as *Nihon shakairon*, *Nihon bunkaron*, and *Nihonron*). The proponents of *Nihonjin-ron* claim that Japan's inherent uniqueness in the world rests on its cultural and racial homogeneity. This essentialist claim overlooks the ethnic minorities, who make up approximately 5% of the population today (ca. 126 million) and Japan's interactions with the outside world (Befu 2009: 25–27; Sugimoto 2003: 4).

This chapter radically revises the author's previously published article as a result of incorporating an analysis of eight textbooks in current use (Nishino 2010). It argues that the textbooks articulate a mixture of hard and soft *Nihonjin-ron* with constant and varying features and messages that inform their implications. Under scrutiny are the subject headings and the descriptions of the Jōmon-era people and their culture. While the textbooks present empirical historical and archaeological information, they show more significant variation in the use of emotive language to stress the exceptional quality of the Jōmon era. This analysis plots the textbooks on a spectrum of hard and soft *Nihonjin-ron*. On the hard side are the explicit claims of Japan's uniqueness and superiority, purporting to persuade students to identify antiquity as the root of Japanese identity. By contrast, soft *Nihonjin-ron* articulates the primordial sentiment that identifies the Jōmon era as the bedrock of Japanese culture without excessive emotive language.

One of many claims that *Nihonjin-ron* makes is that the Jōmon era was the cradle of Japanese culture and the *minzoku* (the people or *volk*). This claim stands on

several weak empirical and logical bases. Archaeologists agree that the biological makeup of the Japanese people derives mostly from the Korean and Chinese migrants of the Yayoi era (BC fifth to AD third centuries) who outnumbered the Jōmon-era inhabitants (Hudson 1999: 60–61). Befu reminds us that even the critics of *Nihonjin-ron* fail to mention the significance of Chinese culture, which came to Japan through China and Korea from fourth century AD. The Chinese culture shaped many aspects of Japanese culture and customs such as political structure, spirituality, and the writing system. Moreover, *Nihonjin-ron* proponents fail to note the impact of the Meiji Restoration (1868), which turned Japan into a nation-state under a Western-modelled centralized government. The unification of “the Japanese territory” accompanied the standardization of various regional variations in architecture, diet, weddings, funerals, clothing, and language (Befu 2009: 26–72). The historian Amino Yoshihiko maintains that the ignorance of diversity, and of the processes toward unification can mislead many into believing in the “in the beginning we the Japanese” primordial claims: the Japanese have always been a singular ethnic group and the Japanese state began from time immemorial (1992: 3).

Determining when the Japanese polity was formed is a matter of conjecture and ideology. The mythological explanation propagates the mythological, not archaeological or biological, origins of the Japanese people, culture, land, and state. It holds that the Japanese territory and the state are the products of divine provenance; the reigning Emperor is the direct descendant of the Sun Goddess Amaterasu. This mythological explanation became the fodder of wartime ultranationalism and nationalist education, particularly in History. Only in the postwar era could school children learn the evolutionist origins. A secular yet ancient persuasion claims that the seventh century CE was when the first centralized state began calling itself *Nihon*, although the territory was far smaller than today’s. The modernists would argue for the Meiji Restoration of 1868. Nonetheless, part of the longevity of *Nihonjin-ron* might lie in the flexibility of the word *Nihon*. As John Lie notes (1998: 115–116), *Nihon* can mean the Japanese people, territory, state, or all at once; it comes with an implicit expectation that the receiver of the information understands and accepts the context and the meaning of the referent. Investigating the descriptions of the Jōmon era in the History textbooks can illuminate the commonality with the logic of *Nihonjin-ron*. It helps us to understand how the textbooks can prepare students to be receptive to ethnocentric claims of Japanese uniqueness, both inside and outside the classroom.

This analysis divides the 20 textbooks into two groups. Group 1 comprises 11 textbooks approved for use between 1951 and 1993. This period roughly coincides with the mostly single-party rule under the Liberal Democratic Party (the LDP) that spanned from 1955 to 1993. Group 2 comprises eight textbooks approved in 2015 and published in 2016 for current use. By 2015, Prime Minister Abe Shinzō of the LDP (2006–2007 and 2012 to date) had introduced educational reforms that emphasized the cultivation of patriotism from the teaching of cultural heritage and tradition. Two Group 2 textbooks by Jiyūsha and Ikuhōsha grew out of an internal schism in Atarashii Rekishi o Tsukurukai (hereafter Tsukurukai). Hence, the analysis uses the Tsukurukai textbook, approved in 2001, to compare how much the Jiyūsha and the

Ikuhōsha textbooks carry the ethos of the 2001 Tsukurukai textbook. The year 2015 saw the publication of a dissenting textbook by the publisher Manabisha. This textbook rejects the teleological narrative of the Japanese nation.

An awareness of the textbook certification and adoption processes should provide an indication of the authority that the textbook has in the classroom, even though the students might not enjoy History classes and could forget the content. In Japan, middle-school History compulsory. The textbook might still occupy a prominent position in the mind-sets of students' understanding of history. In Japan, private publishers commission teams of authors, whose numbers vary from 8 to 50, and submit manuscripts to the Ministry of Education (Monbushō, hereafter MoE, now known as Mombu kagakushō; in English, the Ministry of Education, Culture, Sports, Science and Technology, MEXT). The MoE evaluates the manuscripts against the curriculum and the ministerial regulations concerning the content, interpretation, organization, pedagogy, and formatting of the textbook. These regulations affect, among other things, the number of pages that an average textbook spends on each topic. After approval, regional boards of education across Japan adopt a single textbook per subject for classroom use out of several approved textbooks. These bureaucratic layers make the textbooks a highly contested and political medium. The numbers of pages average around 300 for the Group 1 textbooks and 200 for the larger-sized Group 2 textbooks. The section on the Jōmon era is about two pages long in the Group 1 and Group 2 textbooks. The length is no different from other eras and themes, including the much-debated Second World War in Europe and the Asia-Pacific region. The limited space increases the contestation over every word, sentence, and visual aid on the pages (Dierkes 2010; Nishino 2011).

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## The Hegemony of Monotony: The Power of Curricula and Headings in Textbooks

The headings of the sections on antiquity can give us an indication of the hard and soft *Nihonjin-ron* in the textbooks. Both Group 1 and Group 2 textbooks associate the Jōmon era with the dawn of the Japanese people, state, and culture. The headings in both groups repeat the word Japan in such examples as “Ancient Japan” (Inoue 1965: 14; Aoki 1984: 22. All translation from Japanese to English is by the author), “The Beginning of Japan” (Takeuchi 1975: 16), and “Daybreak for Japan” (Kasahara 1975: 22). Subheadings such as “The Land and the *Volk* of Japan” (Kawata 1990: 13; Kawata 1993: 14) and “When Elephants Lived in Japan” (Inoue 1965: 14; Aoki 1984: 22) validate the “in the beginning we the Japanese” linear and teleological narrative as Amino lamented (1992: 3). The Group 2 textbooks continue the trend. Two textbooks feature an identical heading, namely, “Japan until antiquity” (Sakagami 2016: 20; Fujii 2016: 26). Other Group 2 textbooks situate the content in the regional context. The textbooks use headings such as “The birth of the Japanese archipelago and the exchange with the content” (Sakagami 2016: 32), “The Dawn of the Japanese archipelago” (Fukuya 2016: 24), “Japan until the antiquity,” and “The Roots of the Japanese: Where did the ancestors of us Japanese

come from? How did they live?” (Mitani 2016: 26). These headings in both the Group 1 and Group 2 textbooks do not carry the emotive language of hard *Nihonjin-ron* but, rather, verge on soft *Nihonjin-ron*. This serves the function of packaging the Jōmon era within the singular framework of Japan (Table 1).

Near uniformity in headings are not coincidental; they reveal the extent of bureaucratic control that binds the textbooks to the curriculum (Dierkes 2010: 135–144; Nishino 2008). Successive curricula, to which the textbooks have to comply, name the prehistory section as follows:

Given the tight alignment between the headings in the curricula and the textbooks, the presentation of Japan as the primary category seems to be nonnegotiable. However, the headings in the current textbooks could suggest a level of tension between hard *Nihonjin-ron* and an attempt to disengage from *Nihonjin-ron*. Hard *Nihonjin-ron* manifests when one compares textbooks by two publishers, Jiyūsha and Ikuhōsha (both offshoots of Tsukurukai), against one from another publisher,

**Table 1** Curricula content unit headings and subheadings

Year curriculum	1947	1951	1955	1958	1969
Headings and subheadings in the curriculum. Explanations in italics.	<i>No specific mention of ancient history. History was part of integrated social studies.</i>	<i>Curriculum emphasizes that these are merely suggestions to teach as “units”</i> Unit 1: How did the people who left stone implements and middens sustain their livelihood? Unit 2: Under what societal circumstances were cities such as Nara and Kyoto constructed? 第1単元 石器や貝塚を残した人々は、どのようにして、生活を切り開いていったか 第2単元 奈良や京都のような都は、どのような世の中で作られたか	Human culture and prehistory 人類文化の始原時代	<i>From this year onward, the curriculum documents were no longer “suggested plans.” The curricula became legally binding. The origin of civilization</i> The beginning of the human race The dawn of world civilization The primitive Japanese society 文明のおこり 人類のはじめ 世界の文明のあけぼの 日本の原始社会	The forming of prehistoric Japan and Asia The land and Minzoku of Japan 古代日本の形成とアジア 日本の国土と民族

(continued)

**Table 1** (continued)

Year curriculum	1977	1989	1998	2005	2008
Headings and subheadings in the curriculum	The forming of prehistoric Japan and Asia The land and <i>Minzoku</i> of Japan 古代日本の形成とアジア 日本の国土と民族	The origin of civilization and Japan The beginning of life for the Japanese 文明の起こりと日本 日本人の生活の始まり	The course of history and regional history Japan until ancient times 歴史の流れと地域の歴史 古代までの日本	The course of history and regional history Japan until ancient times 歴史の流れと地域の歴史 古代までの日本	How to approach history Japan until ancient times 歴史のとらえ方 古代までの日本

Sources: MoE, *Gakushū shidō yōryō*. A list of curriculum documents from 1947 to 2008 is available on the website of the National Institute of Educational Research, Tokyo. <http://www.nier.go.jp/guideline/>, translation by the author.

namely, Manabisha. The Jiyūsha textbook uses the subheadings “Where did the Japanese come from?” and “The bounty of nature and the Jōmon culture” (Sugihara 2016: 26, 30). Ikuhōsha follows suit: “The Dawn of Japan and world civilization” and “The Jōmon culture and the abundant nature” (Itō 2016: 18, 20). Manabisha frames antiquity as “The beginning of civilization and the Japanese archipelago” and “Living with animals: chasing elephants at lakes” (Yasui 2016: 10, 24). While Japan is a prominent category in the Jiyūsha and Ikuhōsha textbooks, Manabisha foregrounds the global and regional contexts and avoids conflating prehistory as Japanese history.

It is worth noting that the MoE refused to approve the draft copies of the Jiyūsha and Manabisha textbooks. The MoE judged the Jiyūsha textbook to contain sentences with inaccurate details and declarative tones that could cause misunderstandings to occur for students (MoE 2015, no. 26–68). The MoE failed the Manabisha textbook, among other things, for placing less emphasis on Japan and for giving undue emphasis to world history when presenting Japanese history (MoE 2015). From these judgments, the MoE seems to prefer the textbooks to strike a balance between hard and soft *Nihonjin-ron*. Further analysis of the contents might show the fluctuations of hard and soft *Nihonjin-ron* that occur as a result of the certification process.

## How “Japanese” Were the Jōmon People? Group 1 Textbooks

Within Group 1, the textbooks published between 1951 and 1957 typically identify the proto-Japanese as the original inhabitants who lived on the Japanese archipelago 5000–6000 years ago. A 1951 textbook by Gakkō Toshō explains that the



continental migration formed the basis of the ethnic Japanese people: “They arrived over many months and years, and many times. While they lived on this archipelago, they mixed blood and created the common language and customs. This [mixing] marked the birth of the Japanese *volk*” (Sakamoto and Ienaga 1951: 10). Later, the textbook discusses the origins of the continental migrants: “Although it is uncertain where overseas people came from, it is thought that they were both northern and southern Asian people” (ibid.: 10). The narrative breaks away from the mythological explanation of wartime and endorses the hybridization theory: the contemporaneous academic consensus on the origins of the Japanese. It states that the original inhabitants, “the proto-Japanese,” absorbed the subsequent migrants from the north and the south and gradually evolved into the modern Japanese people (Hudson 1999: 45–46).

Despite introducing the hybridization theory, the text is not immune to the ideological implications of conveying soft *Nihonjin-ron* on three accounts. Firstly, the textbook uses Japan without elucidating what this means. A mere mention of “this archipelago” rests on the common assumption of it being Japanese (Sakamoto and Ienaga 1951: 10). Secondly, the textbook fails to distinguish the mythological origins and history. This flaw might hark back to the mythological history of the prewar and wartime textbooks. Thirdly, insufficient causes of migration make Japan seem to be a natural destination for the migrant, thus making Japan look like a desirable center. These oversights implicitly position Japan in the center of history and the textbook in the soft *Nihonjin-ron* spectrum (ibid.: 10).

Another textbook published in 1951 by Nihon Shoseki provides a blatant example of the biological explanation not found in other textbooks: “Today there is a race in the hinterland of Siberia who has downward-slanting eyes and exudes much body odor. The constitution of those people had many similarities to those of the ancient Japanese” (Kodama 1951: 4). This textbook employs the idioms of geographical positioning and pseudo-biology to attenuate the hard *Nihonjin-ron* of open ethnocentrism and racism. Placing Siberia as the hinterland brings Japan to the center and marginalizes the Siberians. The authors note the shape of the eye and the body odor as the physical features that the Siberians and the ancient Japanese shared, thus distinguishing contemporary Japanese people as being more evolved. This textual representation exemplifies what anthropologist Johannes Fabian calls the denial of coevalness, which consigns the other to another temporal realm (Fabian 1986: 31, 153–154). The last quoted sentence intimates the gradual evolution of the Japanese and distinguishes ancient Japanese people from the contemporary Japanese people. The reference to body odor is a pseudoscientific cloak that not only denigrates the Siberians but also places them behind the Japanese on a queue of perceived evolutionary progress.

Subsequent Group 1 textbooks convey the hybridization theory with a mixture of soft and hard *Nihonjin-ron*. Ōsaka Shoseki’s 1965 textbook represents this ambiguous mix. It repeats the hybridization thesis of migrants from Asia and the southern seas and states:

It is thought that the Japanese masses with the common language and culture came into being. . . . Therefore, it seems that the Japanese have lived on this national territory since about 10,000 years ago, and improved the standards of living gradually. (Inoue 1965: 28)

On the one hand, the author's use of "it seems" and "it is thought" indicates caution against making definitive judgements about the origins of the Japanese people, languages, and customs. This hedging undermines the populist appeal of *Nihonjin-ron*, which presents scientific and empirical evidence in scholarly terms. Nevertheless, the phrase "on this national territory" presents a teleological history and bolsters the primordial "in the beginning us Japanese" mind-set that conflates two notions of Japan: the Japanese archipelago and the Japanese state. This use flattens the biological, political, and cultural diversity across Japan and credits the singularity of people for the attainment of improved standards of living.

The 1969 edition of Nihon Shoseki's textbook narrates: "Just like other peoples around the world, our Japanese ancestors progressed from prehistoric to civilized living. But the way to progress had Japanese characteristics" (Abe 1969: 29). The text combines the elements of hard and soft *Nihonjin-ron*. It celebrates the Japanese progress toward "civilized living," which is in sync with the universal path that "other peoples" have trodden. Nevertheless, the text credits "the Japanese characteristics." This ambiguous message seems to resonate with the *zeitgeist* of the 1960s. As the historical sociologist Oguma Eiji (2002) demonstrates, the postwar intelligentsia asserted a new vision of the Japanese people as they gained confidence through the economic recovery. They maintained that the Japanese were a homogeneous *volk* (*tan'itsu minzoku*) who lived within an island nation (*shimaguni*) with distinct ethnic and cultural characteristics from East Asia and beyond. This vision contrasts with the prewar vision of Japanese imperialism, which states that the Japanese people share blood ties with Asian peoples and that Japan accommodates multiple races (Oguma 2002). The textbooks of the 1960s appear to echo the desire to place Japan in the world while reminding the reader to take pride in Japanese identity.

Textbooks from the mid-1980s show a new trend. The reference to biological hybridization disappeared, while the language and culture remained. Shimizu Shoin's textbook of 1987 states that:

The connection between the people [of the Palaeolithic era, preceding the Jōmon era] and today's Japanese is not certain. It is thought that today's Japanese were created through the common language and customs with immigrants from the continent and the southern regions. (Mori 1987: 21)

Of all the textbooks surveyed, this textbook makes a rare admission: the similarity between the ancient and the contemporary Japanese people might not be as convincing as once believed. This admission undermines the biological connection, but the text still preserves the cultural and linguistic connection. Another textbook published in 1993 follows suit:

There are things amongst the Japanese myths and Japanese words that seem to have come from the Eurasian continent and the Pacific islands such as the Polynesian islands. These help us understand that the Japanese culture was created through interaction with the world at large. (Sasayama 1993: 25)

Unlike its contemporary counterparts, this textbook signals a new variant of *Nihonjin-ron* that places Japan on the world map. The mention of Eurasia and Polynesia might be stretching the historical license too far. Nonetheless, the authors extend the cultural gene pool of the Japanese people to reposition Japan in the international context. In the mid-1980s and the early 1990s, the “bubble economy” enabled many Japanese people to reap the cultural and material benefits of internationalization (Lie 1998: 23 and 30–31). These textbooks seem to laud the ability to indigenize languages and culture into “our own.” This expression is a subtle celebration of Japanese ingenuity and calls to mind a more blatant statement made by Prime Minister Nakasone Yasuhiro. In 1986, he made a speech that drew international criticism. He stated that the Japanese had higher educational attainment than the multiethnic Americans, because the blacks and the Hispanics performed poorly than the others (Lie 1998: 173). Although not as blatant as Nakasone’s hard *Nihonjin-ron*, the textbook shares the kernel of the message: ethnic and cultural homogeneity endows the Japanese people with a unique and superior quality. However, not all the textbooks agreed. A contemporary textbook by Tokyo Shoseki, published in 1990, continues to represent the *Nihonjin-ron* of the previous decades:

The Jōmon culture had a unique characteristic compared to the cultures in various parts of the world. Also, it is believed that the people of this era were the prototype of the Japanese. Later, they mixed with the people who emigrated from the continent. It is thought that the Japanese, possessing the common language and culture, were formed over an extended period. (Kawata 1990: 15)

While using the keyword of hard *Nihonjin-ron*, namely, “unique,” the rest of the text conveys the bare facts of the hybridization without an obviously celebratory tone. Phrases such as “it is believed” and “it is thought” hedge against making a hasty pseudoscientific claim; they balance the claim of uniqueness. This textbook seems to aim to expose the reader to the fundamentals of the *Nihonjin-ron* discourse without forcing them onto the reader. The changing contours in Group 1 textbooks show the Jōmon period as the foundational era of Japanese race and culture. By the 1990s, however, declarative statements on racial origins and hybridization receded, which brought the cultural argument concerning hybridization toward homogeneity to the fore.

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## Group 2 Textbooks

The most striking features about the Group 2 textbooks, albeit superficial, are the changes to the page size (larger), the page numbers (fewer), and the visual aids (more pictures and photosgraphs in color). The Group 2 textbooks feature more colorful

illustrations and photographs than those in Group 1. Another change is the increase in additional readings on Japanese ancient culture and tradition. The Group 1 textbooks featured these additional features, but the Group 2 counterparts deliver a direct and graphic celebration of Japanese culture and tradition. The best-selling textbook by Tokyo Shoseki (Table 2) features a two-page spread on the inside front and back covers, entitled “National Treasure” and “Important Items of Cultural Heritage” from the Jōmon period to the Meiji period. These illustrative materials present Japanese culture as the result of a linear progression from antiquity to the present and cultivate the reductive primordial approach to the Jōmon era which Amino found problematic (1992: 3).

Another significant development in the Group 2 textbooks is the higher concentration of the market share by three publishers and the emergence of the neo-nationalist voice. The combined share of the “big three” increased to 83% in 2016, from 81.5% in 2015, and the textbook by Ikuhōsha, a successor of the Tsukurukai, jumped from 3.9% to 6.3% in the same period: a significant growth considering that the market share of the first Tsukurukai History textbook of 2001 was merely 0.039%. New in 2016 was the textbook by Manabisha, which aims to provide a

**Table 2** The adoption of middle-school History textbooks, 2016

Rank in 2016	Publisher	Copies adopted, 2016	Market share %, 2016	Copies adopted, 2015	Rank in 2015	Market share %, 2015	Fluctuation
1	東京書籍 Tokyo Shoseki	607,856	51.0	630,460	1	52.9	-22,604
2	帝国書院 Teikoku Shoin	213,077	17.9	168,096	3	14.1	+44,981
3	教育出版 Kyōiku Shuppan	168,178	14.1	172,776	2	14.5	-4598
4	日本文教 Nihon Bunkyo Shuppan	111,513	9.4	149,364	4	12.5	-37,851
5	育鵬社 Ikuhōsha	75,238	6.3	46,778	5	3.9	-28,460
6	清水書院 Shimizu Shoin	9267	0.8	23,824	6	2.0	-14,557
7	学び舎 Manabisha	5704	0.5	0	-	0	+5704
8	自由社 Jiyūsha	567	0.0	879	7	0.1	-312
	Totals	1,191,400	100	1,192,177		100	-777

Source: Anon. *Naigai Kyōiku*, no. 6463, 8 Dec. 2015, p. 6. (Data from MoE)

student-centered and critical pedagogy. Its market share reached a modest 0.5% (Table 2).

Along with Tokyo Shoseki, the fourth best-selling textbook by Nihon Bunkyo Shuppan has an additional two-page feature: “Searching the roots of the Japanese cuisine: the beginning of *washoku* [Japanese cuisine]” (Fujii 2016: 30). It heralds the UNESCO registering the Japanese cuisine as a world intangible heritage in 2013, and introduces the reader to the cuisines of the Jōmon and the Yayoi eras. The text lists the four features of Japanese cuisine:

1. A variety of fresh food items;
2. The rice as the staple. Has an excellent balance of nutrition;
3. Express the beauty of nature and the change of season; and
4. A close association between feasts and annual events (ibid.: 30).

The subsequent text then explains the change of diet in antiquity, and magnifies the role that rice cultivation has played on the diet, while marginalizing the contributions of other influences from East Asia and the West, and other ingredients such as soybeans (ibid.: 31). The reading invokes a well-known *Nihonjin-ron* celebration of rice as the essential staple in the Japanese people’s diet and, indeed, in an identity whose origin goes back to antiquity. This view can endorse the supporting of the state-centric historiography as the state finances depended on rice for much of the pre-modern period in Japan. It contradicts the notion that many regions had alternative grains as the staple and the view that the nation-wide acceptance of rice only began in the nineteenth century (Lie 1998: 75).

The recent reforms in textbook regulations can, to some extent, explain the renewed emphasis on culture and tradition. Group 2 is the first cohort of textbooks that the MoE evaluated and approved under the newly revised regulations on textbook certification. In 2006, the government overhauled the Fundamental Law of Education (initially promulgated in 1947) that serves as the guiding principle of education. The revision curtailed academic freedom and introduced the concepts of “respect for tradition and culture” and “love for our nation and homeland” (MoE 2006). The History curriculum of 2008 states that the first aim of a History education is to “deepen the affection for our country’s history and to nurture self-awareness as the nationals (*kokumin*)” (MoE 2008). A further reform on textbook screening by the MoE, introduced in 2014, mandates that textbooks impart a patriotic ethos and respect for tradition, alongside accurate historical information (MoE 2011). The postwar curricula have always regarded Japan as the central paradigm of the History curriculum, and have stated History should cultivate patriotism and respect for tradition. The recent reforms further pushed patriotism to the fore and tightened the alignment between the textbooks and the ministerial reforms.

In the main text, however, the Group 2 textbooks differ in the portrayal of the cultural homogeneity of the ancient era. The best-selling Tokyo Shoseki follows the orthodox narrative of the hybridization theory, starting with the formation of the

Japanese archipelago to the Jōmon-era's hunter-gatherers: "... The people of the Jōmon era and the people who moved from the continent mixed. Over many years, the people with common language and culture began to spread across the Japanese archipelago" (Sakagami 2016: 33). Compared with the publisher's 1990 edition, this edition stripped off its hard *Nihonjin-ron* tone. Its removal of the claims of uniqueness makes the narrative dry. The text refers to the people of the Japanese archipelago and the Jōmon era simply as "human beings" (ibid.: 32–33). However, the new emphasis on culture and tradition in the illustrations and additional readings supplement the dryness of the main text.

The second best seller, Teikoku Shoin follows suit. It tells us that the introduction of rice cultivation spread across Japan as the continental migrants and the Jōmon people "mixed gradually," which "shaped the subsequent Japanese culture" (Kuroda et al. 2016: 23). The third, fourth, and sixth best-selling textbooks by Kyōiku Shuppan, Nihon Bunkyo Shuppan, and Shimizu Shoin, respectively, lean toward soft *Nihonjin-ron*. The main texts of these three textbooks deliver plain descriptions without stressing the ancient people as the original source of present-day Japanese culture or customs. Instead, Kyōiku Shuppan and Shimizu Shoin acknowledge the parallel existence of the agriculturalists and the hunter-gatherers across the archipelago and challenge the assumption of uniformity of livelihood (Fukaya 2016: 24–25; Mitani 2016: 10–11). These Group 2 textbooks represent soft *Nihonjin-ron*, presenting the bare facts in a linear national narrative, without the emotive language of hard *Nihonjin-ron*.

What gives greater variation to the intensity of *Nihonjin-ron* in Group 2, both in the main text and in the additional features, is the emergence of hard *Nihonjin-ron*. Two publishers, Jiyūsha and Ikuhōsha, who originate from Tsukurukai, represent hard *Nihonjin-ron* in both the formal text and the additional features. The headings celebrate the inherent uniqueness and singularity of Japan. Both textbooks open a chapter with the identical heading "The bounty of nature and the Jōmon period" (Itō 2016: 20; Sugihara 2016: 30). The Ikuhōsha textbook heralds the earthenware of the Jōmon era as "one of the oldest in the world" (Itō 2016: 20). We also learn that the people, although not described as "the Japanese people," have lived in nature. In this abundance, the people did not start mass-scale agricultural processes or herding:

During the Jōmon era that spanned over 10,000 years, the people lived in harmony with abundant nature. This period made the foundation for the subsequent Japanese culture. Also, the Jōmon-era people and the people from the continent mixed, who shaped the Japanese sharing a common language and culture. (ibid.: 21)

The presentation of a "bountiful Japan" disregards the regional varieties and presents the whole of Japan as equally enjoying the riches of the land. The praise for Japan's natural abundance can distort the student vision, as there were other parts of the world around the same era that sustained people due to their abundant nature. The other "neo-nationalist" textbook from Jiyūsha concludes that in the Jōmon period:

People thanked the bounty of nature and prayed for the upbringing of children and grandchildren by dedicating clay dolls in the shape of women and lacquer-painted accessories. It is said that peace and stability prevailed in society, and the bases for the modest character of the Japanese and Japanese culture were nurtured in this period. (ibid.: 31)

Immediately following this conclusion is a two-page additional reading entitled “The Culture of Harmony: Jōmon” (ibid.: 32–33), which details the Sannaimaru ruin in Aomori as a case study of the “prosperous Jōmon lifestyle” (ibid.: 33). Archaeological findings attest to a plentiful food supply and regular spiritual worship. The absence of weapons leads the authors to assert that the people maintained “a harmonious society in which people helped each other. . . . The Jōmon people, our ancestors, built a society of moderation which we can call ‘a civilization of harmony’” (ibid.: 33). Ikuhōsha and Jiyūsha turn the Jōmon era and its *zeitgeist* into a morality lesson. What remains equally problematic is the implicit prejudice toward subsequent continental migrants from China and Korea that lies behind this hard articulation of *Nihonjin-ron*. Readers might interpret this text as foregrounding the subsequent continental migrants as unwelcome intruders. Such a presentation accentuates ethnocentrism and downplays the regional context (Kawase 2006: 26).

Similar to other textbooks, the Tsukurukai textbook of 2001 describes the geographical setting as “Japan” and “the Japanese archipelago” without a clear definition. To its credit, it refers to the ancient population not as “the Japanese” but in more neutral terms such as “people” (*hitobito*) and “the inhabitants of the Japanese archipelago” (*Nihon rettō no jūmin*) (Nishio 2002: 23–24). Nonetheless, its hard *Nihonjin-ron* emerges from opinions on the natural environment of Japan:

Especially East Japan was blessed with plentiful nuts, berries and yams, and, in addition, river fish such as salmon and trout; the bounty of the sea included tuna, red sea bream, sea bass, and various shellfish; and the bounty of the mountain had the game like boars, deer, and pheasants. The inhabitants of the Japanese archipelago were comparatively blessed with food. Therefore, there was no need to begin mass-scale agriculture urgently. (ibid.: 23)

It continues to say:

Four great [world] civilizations were sustained by agriculture and stock-farming. Each developed in areas surrounded by desert and large rivers. On the other hand, on the Japanese archipelago, a way of living surrounded by forests and clean water continued for over 10,000 years. (ibid.: 24)

Where the above extract becomes problematic is the latent ethnocentrism and geographical isolationism in support of hard *Nihonjin-ron*. In his critique of the textbook, Kawase Kenichi accepts its empirical validity, but finds that the textbook presents the Japanese archipelago as the only place in the region with exceptional bounty. Kawase continues to explain that, during the late Ice Age, much of Europe and North America was still under ice and tundra; other parts of the world such as Africa also had a bounty of nature like Japan (Kawase 2006: 25). While this caveat applies to other textbooks, the Tsukurukai textbook amplifies the underhand claims

of Japan's exceptionalism. The unqualified assessment of the Jōmon era, as the final sentence tells, resembles the pseudoscientific character of *Nihonjin-ron* for an impassioned presentation without adequate consideration of competing hypotheses.

Manabisha's textbook takes an original approach. The title of the first section, in which a chapter on the Jōmon era appears, is "The Beginning of Civilization and the Japanese Archipelago." Although the textbook uses the word "Japanese" possibly to obtain the MoE approval, it still pays greater attention to world civilizations, and places Japan as but one area (Yasui 2016: 10–31). In the chapter on the Jōmon era, the text relates the not-so-glorious facts of the rise and fall of the era:

A scholar has calculated the total population across the Japanese archipelago exceeded 300,000. Later on, however, many villages perished due to excessive hunting and change in the climate. Population decreased drastically. Many died in their infancy. Very few bones of people over the age of 40 years can be excavated. Also found were bones hinting death by starvation and bones showing marks of prodigious fractures. (Yasui 2016: 27)

This textbook attests to the axiom of the "short, nasty, and brutish" lives of the ancient people. Japan was no exception. High infant mortality and short lifespans remind us that the standards of living were far from paradisiacal. Instead, this textbook relates the facts of people who perished from overhunting and from a change in climate. The absence of "Japan" in the text can potentially obscure the link between the ancient people and the contemporary Japanese; this undermines the hard *Nihonjin-ron* claim that the contemporary Japanese identity originates from the Jōmon era. The Group 1 and Group 2 textbooks generally replicate the linear narrative of Japan and the Japanese people, whose identity rests on the formula of "land = people = culture = polity" rooted in antiquity (Befu 2009: 21). The Manabisha textbook distances itself from the "us Japanese" *Nihonjin-ron* paradigm.

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## Conclusion

This chapter has analyzed the descriptions of the foundational era in 20 middle-school Japanese History textbooks approved for use in postwar Japan and has demonstrated the changing and stable features of *Nihonjin-ron*. A constant feature in both Groups is the durability of the teleological paradigms of the homogenous Japan and the Japanese people. The stability underlines the power of the curriculum and the certification processes. The variations in hard and soft *Nihonjin-ron* depend on both the confidence and anxiety surrounding the time of publication, as well as the scholarly consensus and the opinions of the intelligentsia.

The Group 1 textbooks show more uniformity than variations; they present the Jōmon era as the foundational period of the teleological narrative of the Japanese people. The textbooks agree that the hybridization of people during antiquity led to the subsequent homogeneity. The earlier textbooks state that the Jōmon people were the prototypes of the Japanese people, in the biological and cultural sense. The



textbooks approved after the mid-1980s stress the cultural over the biological hybridization and homogeneity.

The Group 2 textbooks show more variations in hard and soft *Nihonjin-ron* even though they were published in the same year. These textbooks underscore the influence of the education reforms that worked their way into not only the descriptions but also the additional features outside the main text. Two neo-nationalist textbooks that grew out of the original Tsukurukai textbook of 2001 have continued to promote hard *Nihonjin-ron*. While the others amplify soft *Nihonjin-ron* in the main text, the additional features supplement the hard elements that the formal text lacks. The significant exception is the textbook by Manabisha, which distances itself from both hard and soft *Nihonjin-ron*.

The comparison between the textbooks published over the decades tells us that questions of Japanese identity, be they racial, cultural, political, or otherwise, are far from settled. It would seem that, depending on the textbook, the teacher and the students can come away with a firm and at times impassioned understanding of the Jōmon era as the foundation of present-day Japan. The less explicit or the more nuanced is the soft *Nihonjin-ron* that presents Japan as the overarching paradigm of history without distinguishing its meanings as a territory, a state, or a people. Such a presentation is problematic as it forestalls any meaningful and critical understanding of when and how the present-day Japanese state and territory were formed and to what extent we can claim the contemporary Japanese people have their biological and cultural roots in the Jōmon people. How far the ideology of *Nihonjin-ron* in those textbooks permeates to the individual mind-set of the students and teachers remains to be seen. Nonetheless, the linear history that the textbooks have presented over the decades is likely to make the students receptive to *Nihonjin-ron*.

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Sakamoto T, Ienaga S (1951) *Chūgaku Nihon-shi* [Middle-school Japanese History]. Gakkō Toshō

### Period 2: 1958–1971

Abe Y (1969) *Chūgaku shakai 2: rekishiteki bunya* [Middle-school social studies 2: History]. Nihon Shoseki  
Inoue C (1965) *Chūgaku shakai: rekishiteki bunya* [Middle-school social studies: History]. Osaka Shoseki, Osaka

### Period 3: 1972–1980

Kasahara K (1975) *Chūgakusei shakaika rekishiteki bunya* [Middle-school social studies: History]. Gakkō Toshō  
Takeuchi R (1975) *Chūgaku shakai rekishi* [Middle-school social studies: History]. Teikoku Shoin

### Period 4: 1981–1989

Aoki K (1984) *Nihon no ayumi to sekai (rekishi)* [The footsteps of Japan and the world (History)]. Chūkyō Shuppan  
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### Period 5: 1990–1993

Kawata T (1990) *Atarashii shakai: Rekishiteki bunya* [New social studies: History]. Tokyo Shoseki  
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# Asian Americans and the Affirmative Action Debate in the United States 76

Mitchell James Chang

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## Abstract

The controversy over the discrimination of Asian American applicants in college admissions in the United States has returned with even higher stakes. Unlike the complaints filed in the 1980s, the current set also targets the elimination of race-conscious admissions practices that were implemented to increase enrollment of underrepresented students at elite institutions, including those from African American and Latino populations. The purpose of this chapter is to make sense of this recurring admissions controversy by applying a critical race analysis toward interpreting the sociohistorical roots that animate this controversy. The results of this analysis undermine the characterization of those institutions as color-blind engines of upward mobility and instead portray them as guardians of dispensing and protecting the privileges accompanying whiteness. Broader implications of those findings for achieving greater racial equity and justice are discussed.

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M. J. Chang (✉)  
University of California, Los Angeles, Los Angeles, CA, USA  
e-mail: [mjchang@gseis.ucla.edu](mailto:mjchang@gseis.ucla.edu)

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Asian American · Race conscious admissions · Affirmative action · White privilege · Critical race · Selective admissions · White supremacy · Elitism · U.S. Office of Civil Rights

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**Introduction**

In the United States, Asian Americans have “become the immigrant group that most embodies the American promise of success driven by will and resolve,” declared cultural critic Lee Siegel (2012) writing for *The Wall Street Journal*. (I intentionally use the label *Asian Americans* as opposed to other racial or ethnic labels because I believe that this one is still meaningful. It emerged in the late 1960s to signal a pan-Asian solidarity that rejected old labels and made assertive claims to American belonging. The goal to achieve a new humanity and new humanism through empowered identities in the 1960s is still incomplete, however, and this struggle remains relevant today.) He noted that Asian Americans are now the country’s best-educated, highest-earning, and fastest-growing racial group. With such “breathtaking success,” he considered it peculiar that “Americans” don’t share the fears once expressed by Tom Buchanan, the racist bully character in F. Scott Fitzgerald’s *The Great Gatsby*, who worried that “the white race will be utterly submerged” if “we don’t look out.” Siegel speculated that perhaps “physiognomies” and “a deeply ingrained modesty” have “kept most Asian-American groups away from the public glare and thus out of the cross hairs of American bias and hatred.” He questioned, however, how long “they will be able to resist attracting the furies of fear and envy.”

If Siegel were a more astute observer of what he termed the “Rise of the Tiger Nation,” he would have noticed that Asian Americans have indeed been recurrent targets of racial panic and their pursuit of the “American Dream” has not been a magic carpet ride. Curiously, Siegel pointed to one example of this racial panic, noting that “threatened elites at Ivy League schools like Harvard and Yale . . . stand accused of discrimination against Asian-American students who, according to recent studies, must score higher than whites on standardized tests to win a golden ticket of admission.” However, Siegel brushed this issue aside as merely a minor impediment that has not stood in the way of what he described as Asian Americans’ “astounding success.”

If this admissions problem for Asian Americans were merely a trivial issue that is nothing more than an insignificant footnote in an otherwise compelling model minority success narrative, this admissions problem would have been settled in the 1980s. During the early part of that decade, Asian American activists initiated and advanced claims of discrimination in undergraduate admissions against U.C., Berkeley, Brown, Harvard, Princeton, Stanford, and UCLA (Takagi 1992). Thirty years later, a similar set of complaints has been filed in a lawsuit but, this time, by a different set of even better organized coalitions who have added the elimination of race-conscious admissions to their agenda.

The purpose of this manuscript is to make sense of this persistent admissions controversy in the United States, which has pressed Asian Americans into the service of particular political agendas. To do this, I examine the link between race and political, economic, and social issues in contemporary United States to uncover deeper meaning underlying this admissions controversy. I first provide a brief backdrop of this controversy then draw from sociohistorical patterns of admissions and critical race theory to reinterpret the complex set of issues surrounding it, which serves to redefine the fundamental issues that contextualize this recurrent social problem.

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## Admissions Discrimination Charges

Asian American enrollment into those few select institutions of higher education that consistently rank on the very top of popular national rankings, or what I will generally refer to in this chapter as elite institutions (i.e., Harvard, Stanford, UCLA, Michigan, etc.), grew at an extraordinary pace, nearly tripling their proportion of the undergraduate enrollment between 1976 and 1985 (Karabel 2005). By the early 1980s, however, another peculiar trend was spotted. Although the number of Asian Americans applying to elite institutions had been rising every year, their admission rate at those campuses was actually dropping. Accordingly, complaints were filed, which resulted in formal investigations conducted by the Office of Civil Rights of the Department of Education (OCR) beginning in 1988. Dana Takagi (1992), whose book *The Retreat from Race* examined this controversy, pointed to three basic complaints filed during the 1980s. One was that Asian American applicants had lower admission rates than their white counterparts. Another was that enrollments of Asian Americans at those elite institutions had not risen in proportion to increases in the number of Asian American applicants. Third, university officials used illegal quotas and ceilings to limit Asian American enrollment.

In the Fall of 1990, OCR cleared Harvard of discrimination. Although OCR noted that Asian American applicants had been admitted at a significantly lower rate between the years of 1979 and 1988 than similarly qualified white applicants, Takagi (1992) noted they did not attribute this disparity to discriminatory policies or procedures. Instead, OCR concluded that the lower admission rate for Asian applicants was due to plus factors (legacy and athletics) that tipped in favor of whites. According to Karabel (2005), OCR considered the preferences for children of alumni and recruited athletes to be “legitimate institutional goals” and, subsequently, protected university officials’ wide discretion with respect to the manner of selecting students. While OCR concluded that Harvard could justify those disparities, UCLA could not. According to Takagi, OCR ordered UCLA to make belated admissions offers to five Asian applicants who were rejected although their academic records were comparable to white students who had been admitted. The outcome of those investigations hardly settled the controversy, which has returned more recently with even higher stakes.

On May 23, 2016, the Asian American Coalition for Education (AACE) filed a complaint (AACE 2016) charging that Yale University, Brown University, and Dartmouth College engaged in unlawful discrimination against Asian American applicants in their undergraduate admissions process. The AACE, a coalition that was formed in 2015 to “achieve equal education rights for Asian Americans” (<http://asianamericanforeducation.org/en/about/mission/>), noted that their complaint was joined by 130 other concerned Asian American organizations and “Asian American students who, because of their race, were unfairly rejected by these Institutions because of such unlawful use of race in the admissions process and/or who seek the opportunity to apply for admission to these Institutions without being discriminated against because of their race” (p. 2). They charged that:

The evidence is overwhelming that the Ivy League Colleges discriminate severely against Asian-American applicants, placing them at a disadvantage vis-a-vis individuals of all other races. The holistic approach to evaluating applicants utilized by these Institutions is implicated in the discrimination. There therefore must be an objective investigation into how the Ivy League Colleges use their holistic admissions procedures to discriminate, and into what safeguards should be put into place to ensure that this unlawful discrimination ends. (p. 19)

Those unfamiliar with this controversy might find it odd that two of the most selective Ivy League colleges, Harvard and Princeton, were not listed in the AACE complaint. Those two institutions, however, were among the first to receive formal complaints against them. Regarding complaints that Princeton discriminates against Asian American applicants, the US Department of Education Office of Civil Rights (OCR) in a letter (September 9, 2015) addressed to the institution’s President, Christopher Eisgruber, noted that after conducting a compliance review of the university’s consideration of race and national origin, which began in January 2008, “OCR determined that there was insufficient evidence to substantiate that the University violated Title VI or its implementing regulation with regard to the issue investigated” (p. 1). Earlier that year in July 2015, OCR dismissed parallel complaints that were filed in May 2015 against Harvard because a similar case is pending in federal courts (Lorin 2015).

That lawsuit, filed by Students for Fair Admissions (SFFA), seeks to more broadly prohibit Harvard from engaging in intentional discrimination on the basis of race and ethnicity (SFFA 2015). According to their website (<https://studentsforfairadmissions.org/about/>), SFFA is a “membership group of more than 20,000 students, parents, and others who believe that racial classifications and preferences in college admissions are unfair, unnecessary, and unconstitutional.” Among their members is an Asian American student with a demonstrated extraordinary academic record and high school extracurricular activities but was denied admissions to Harvard in 2014. Apparently representing such members, SFFA charged in its brief that:

Harvard intentionally discriminates against Asian-American applicants. This discrimination is shown through both direct and circumstantial evidence, including statistical studies of Harvard’s admissions decisions. These studies confirm what Asian-American applicants and

their parents already know: Harvard intentionally and artificially limits the number of Asian Americans to whom it will offer admission. (at 200)

While the recent complaints are basically the same as those filed decades earlier, one major difference stands out. Unlike previous complaints, the current set points more directly to race-conscious admissions practices and the interest in “racial balancing” as the main source of the problem and, subsequently, seeks to eliminate such practices. For example, SFFA (2014) claimed that Harvard’s violation of Title VI of the Civil Rights Act of 1964 entitles the plaintiff to a permanent injunction prohibiting Harvard from using race as a factor in future undergraduate admissions decisions. Likewise, AACE (2016) maintained in its complaint that Asian Americans have:

been adversely and unlawfully affected by race-based affirmative action in college admissions, we do not support its continuation or application beyond the strict limits set by the United States Supreme Court. We believe economic-condition-based affirmative action in college admissions is a better alternative to the current race-based approach because it would be fair and would target individuals who are actually disadvantaged (rather than just members of a particular race). (p. 26)

The targeting of race-conscious admissions as the primary source of discrimination against Asian Americans is a continuation of an established political agenda. Takagi (1992) maintained that:

Between 1989 and 1990, various conservatives and neoconservatives argued that discrimination against Asians was the direct and inevitable result of racial preferences for blacks. In essence, neoconservatives forced Asian Americans and university officials into a reconstructed debate over affirmative action. (p. 139)

Takagi chronicled this deliberative apportionment of Asian American students as the new victims of affirmative action, which re-casted the admissions complaints as a continuation of reverse discrimination toward whites. Accordingly, Takagi maintained, “Asian Americans were pressed into the service of a broader critique of diversity” (p. 117). She added:

The emergence of a “good”—Asian—suffering discrimination as a result of preferences for “underrepresented minorities”—that is, blacks and Hispanics—offered liberals a difficult choice; scrap affirmative action or change it. (p. 176)

As Takagi warned, the controversy over Asian American admissions confronts liberalism with the difficult task of “reconciling equality of individual opportunity with equality of group opportunity in the zero-sum game of admissions” (p. 169). The inability to reconcile those principles has worked in favor of those calling to eliminate affirmative action. Yet, as this controversy evolved over time, it has also concealed more deeply rooted interests that serve to undermine racial progress for Asian Americans in the long run.



In the next sections, I examine past admissions practices at elite colleges and universities to uncover the sociohistorical roots that animate this controversy concerning Asian American admissions. I then apply a critical race framework to make sense of those sociohistorical patterns. Lastly, I discuss the implications from this analysis to illuminate the efforts that seek to press Asian Americans into the service of eliminating race-conscious admissions practices.

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## Guarding White Privilege

Elite institutions of higher education are widely regarded as occupying an extraordinarily special place in US society. In his study of privilege, Khan (2011) noted, “One of the best predictors of your earnings is your level of education; attending an elite educational institution increases your wages even further. . . elite schooling is central to becoming an elite . . .” (p. 7). To understand better the meaning of their elite status and contribution to elitism in US society, it is instructive to point to Jerome Karabel’s findings in his book *The Chosen* (2005). His study is perhaps the most rigorous sociohistorical examination of admissions ever undertaken of Harvard, Yale, and Princeton. While the study is limited to the “Big Three” because they graduate a disproportionately high number of the “American elite” (p. 3), the findings are especially relevant given the recent lawsuit and complaints filed against Ivy League institutions.

While it is well known that the Big Three have a repugnant history of discrimination, Karabel’s account of their exclusionary practices is especially discerning because it connects those practices directly to each institution’s interest in guarding admissions for whites only. For example, he pointed to modifications in the admissions criteria made in the 1920s among the Big Three, which shifted away from admitting students entirely on the basis of scholastic performance. This shift was implemented to address stark increases in the enrollment of Jews or what was referred to as the “Jewish problem” and intended to restore the Big Three’s protection of privilege for White Anglo-Saxon Protestants (WASPs), which defined whiteness. As expressed by W. F. Williams, a Harvard alumnus, in a letter he sent on December 17, 1925, to then President of Harvard, Lawrence Lowell, which Karabel quoted at length and is worth doing so as well here:

There were Jews to the right of me, Jews to the left of me, in fact they were so obviously everywhere that . . . left (me) with a feeling of utter disgust of the present and grave doubts about the future of my Alma Mater. . . I cannot but feel that your New England blood must run cold when you contemplate their ever-increasing numbers at Harvard but what I cannot fathom is why you and the other Overseers don’t have the backbone to put you (sic) foot down on this menace to the University. It is self-evident, therefore, that by raising the standard of marks he (Jews) can’t be eliminated from Harvard, whereas by the same process of raising the standard “White” boys ARE eliminated. . . Are the Overseers so lacking in genius that they can’t devise a way to bring Harvard back to the position it always held as a “white man’s” college? (p. 105)

Rather than be appalled by such a letter that unapologetically guards admissions for whites, Karabel wrote that Lowell told Williams that he was “glad to see from your letter, as I have from many other signs, that the alumni are beginning to appreciate that I was not wholly wrong three years ago in trying to limit the proportion of Jews” (p. 109).

By the Fall of 1926, a new admissions regime was set in place at Harvard, one that, according to Karabel, would emphasize “character” – “a quality thought to be in short supply among Jews but present in abundance among high-status Protestants” (p. 2) and was thought to be “in accordance with the probable value of a college education . . . to the university, and the community” (p. 108). Similar admissions practices that considered nonacademic factors were also adopted at Princeton and Yale. Remarkably, such “plus factors” are still being applied to admit students at all three institutions.

Karabel’s sociohistorical account shows that the three most elite institutions of higher education in the United States and arguably in the world have, at least in the past, excluded certain groups by approaching admissions in two distinct ways that bitterly guarded the privileges bestowed by those institutions to their graduates. First, those institutions intentionally altered their admissions practices to favor white applicants. In other words, they altered the rules to determine who was or was not “white enough” to enjoy those privileges accompanying whiteness. Second, they grudgingly guarded those privileges by applying nonacademic factors in judging applicants, which on the surface appeared to be race blind but was coded in whiteness. In other words, they employed plus factors that appeared on the surface to be race blind but actually tipped in favor of white applicants, concealing their interests in reproducing white privilege.

The practice of un-leveling the playing field in deceptive ways that further advantage and privilege whites is a well-documented and long-standing pattern in the United States. In Cheryl Harris’ groundbreaking article titled *Whiteness as Property* (1993), she argued that American law protects settled expectations based on white privilege, which forms the background against which legal disputes are framed, argued, and adjudicated. Through a rigorous historical and legal analysis, she traced, for example, how “slavery as a system of property facilitated the merger of white identity and property” (p. 1721). Those and similar laws set in place a legal recognition of property interest coded in whiteness, which subsequently reinforced white privilege and reproduced black subordination. According to Harris, the:

. . . relative economic, political, and social advantages dispensed to whites under systematic white supremacy in the United States were reinforced through patterns of oppression of Blacks and Native Americans. Materially, these advantages became institutionalized privileges, and ideologically, they became part of the settled expectations of whites . . . (p. 1777)

Even today, Harris maintained, the courts regularly fail to “. . . expose the problem of substantive inequality in material terms produced by white domination and race segregation” (p. 1753).

Although Harris did not directly implicate elite colleges and universities, Karabel's sociohistorical account clearly shows that those institutions have advanced what Harris called "the institutional protection of benefits for whites that have been based on white supremacy" (p. 1767). Institutions with the capacity to do this, Harris argued, are "bound up by those essential features that afford them great power (p. 1761)," which include the exclusive rights to exclude and determine rules in ways that reproduce white privilege. Harris explained that:

The possessors of whiteness were granted the legal right to exclude others from the privileges inhering in whiteness; whiteness became an exclusive club whose membership was closely and grudgingly guarded—determining who was or was not white enough to enjoy the privileges accompanying whiteness. (p. 1736)

Because elite colleges and universities operate within a system that is historically rooted in reproducing white privilege and are also highly selective and, by definition, exclusive, Harris' critique ostensibly applies to those institutions as well. Thus, Harris' framework challenges us to make new meaning of those elite institutions. They are more than simply engines for promoting upward social mobility, which is how they are often characterized, but also play a determining role in dispensing and protecting material advantages for whites. Since the latter characterization of elite institutions is quite provocative and those institutions have been transformed over the past century, the next section considers the extent to which they have abandoned their role in dispensing and protecting the privileges accompanying whiteness.

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## **The Persistent Bond Between Whiteness and Privilege**

Indeed, the Big Three have been transformed over the last century from what Karabel called "the enclaves of the Protestant upper class into institutions with a striking degree of racial, ethnic, and religious diversity" (p. 536). For example, Asian Americans are now overrepresented in the student body at those elite institutions relative to their proportion in the US population. Even Karabel acknowledged that in "virtually all the major institutions of American life, WASP men were now a small and beleaguered minority . . ." (p. 536).

Karabel claimed that the Big Three are "well aware that it is possible to overinvest in traditional elites, especially when they show signs of decline" (p. 545). Unless the Big Three can appear to make real the American Dream of upward mobility through education, Karabel maintained it would bring into question the legitimacy of those institutions:

. . . the legitimacy of the American social order depended in good part on the public's confidence that the pathways to success provided by the nation's leading universities were open to individuals from all walks of life. (p. 543)

Thus, diversifying their student body enabled elite universities not only to remain legitimate but also to benefit from enrolling “rising social groups” such as Asian Americans who can add to the prominence of those institutions especially in emerging fields of science and technology (p. 545).

Although the Big Three provided the “appearance” of equal opportunity by making available scholarships and widely publicizing efforts to recruit a racial and ethnically diverse student body, Karabel argued that in truth, enrollment is “a realistic possibility only for those young men and women whose families endow them with the type of cultural capital implicitly required for admission,” which “is heavily concentrated among the scions of the privileged” (p. 549). Thus, he claimed that beneath this dramatic and highly visible change in the physiognomy of the student body was a surprising degree of stability in one crucial regard – the privileged class origins of students at the Big Three.

As Karabel argued, diversifying the student body does not necessarily mean that elite universities have forsaken their deeply rooted interest in protecting white privilege. To be sure, Karabel showed that even though the Big Three slowly transformed their admissions practices from emphasizing hereditary privilege into merit, “the qualities that came to define ‘merit’ tend to be attributes most abundantly possessed by dominant social groups” (p. 549). Not only was the standard for merit broadened to consider individual talent and accomplishments beyond scholastic achievements, including athletic talent in such sports as rowing, field hockey, sailing, golf, squash, fencing, and others that systematically favor the privileged, but also considered meritorious were connections to powerful external constituencies, including alumni. Karabel reported that “While the percentage of legacies in the entering class has gone down over the past decade, the relative admissions advantage for legacy applicants has actually increased” (p. 550). Given the history of systematic exclusion in the Big Three that shaped the composition of the alumni, this is a clear added advantage for a group that is predominantly wealthy and white. Thus, although those institutions may no longer be racially exclusive, they still excluded in ways that favor whiteness and thereby continued to guard the privileges accompanying whiteness.

This unchecked preference for white students is not simply a matter of past history. As part of the recent lawsuit discussed earlier filed against Harvard, Students for Fair Admissions (SFFA 2015) pointed to “decisive statistical evidence that Harvard discriminates against Asian American applicants”:

... Asian Americans needed SAT scores that were about 140 points higher than white students, all other quantifiable variables being equal, to get into elite schools. Thus, if a white student needed a 1320 SAT score to be admitted to one of these schools, an Asian American needed a 1460 SAT score to be admitted. That is a massive penalty ... (at 208)

Moreover, SFFA allege that Asians would be 43% of the admitted class if Harvard considered academics alone, but instead, Harvard’s holistic approach using plus factors for nonacademic characteristic drops Asians all the way down to 19% (Richwine 2018). Similarly, the complaint filed by the Asian American Coalition for

Education (AACE) in 2016 also pointed out that “Asian applicants have 67% lower odds of admission than white applicants with comparable test scores” (p. 13). Such charges about tipping admissions in favor of white applicants over Asian ones were also at the core of the OCR investigations conducted in the 1980s.

Those complaints pointing to white advantage are remarkably consistent with the admissions pattern documented by Karabel. According to him, the Big Three have always tilted in favor of the privileged. While they might slightly alter their admissions practices to remain socially relevant, they have a vested interest in maintaining the social order and their position in it, so there is little reason to believe that this preference will change anytime soon. Similarly, Harris also argued that US laws historically have cemented advantages for whites and those privileges were reproduced through institutional power to exercise exclusionary practices that limited access to those key institutions. Therefore, as long as the exclusionary practices of elite colleges and universities continue to be coded in favor of whiteness and those institutions retain exclusive rights to determine who is or is not white enough to enjoy the privileges accompanying whiteness, they will invariably reproduce the position of whites at the very top of the social order.

Indeed, a common practice that has largely defined the identity of institutions that are well positioned to dispense the privileges accompanying whiteness, according to Harris, is that they all grudgingly guard their exclusive rights both to exclude and establish rules to determine who was or was not white enough to enjoy those privileges (p. 1761). Fittingly, the Big Three have actively guarded those rights, especially when it comes to protecting the autonomy to set their own admissions standards. As an example of how they fiercely guard their rights so that they can continue to set the standards for exclusion, Karabel pointed to their defense of race-conscious admissions. According to him, their defense of race-conscious admissions “went well beyond the issues of blacks and other minorities; it raised the specter of an encroachment on the institutional discretion that Harvard believed indispensable to the protection of vital institutional interests” (p. 489). Harvard was involved in every single challenge to race-conscious admissions to reach the US Supreme Court, and at the heart of their defense of such practices, according to Karabel, was that to flourish, colleges and universities should be accorded freedom from external influence and intrusion (p. 492). The US Supreme Court agreed and allowed universities to retain their historic discretion and independence, upholding Harvard’s admission policy as a “model of how to consider race within the bounds of the law and the Constitution” (p 498).

That the racial representation of the student body and to a much lesser extent the faculty on elite institutions have changed, according to Harris, only indicates that not “all whites will win, but simply that they will not lose . . .” (p.1759). “Of course, there’s still diversity,” one Ivy alumnus was quoted as saying in a *New York Times* article (Yazigi 1999) concerning eating clubs at Princeton, “About 20 percent. They are there to make the other 80% show they are democratic and feel more superior.” Unless the rights of those elite institutions to practice exclusion with impunity is challenged, Harris maintained, they will continue to dispense privileges in ways that are coded in favor of whiteness, reproducing the social order.

## Pursuing Whiteness

Harris and Karabel's insights shed a new light on the discrimination complaints concerning Asian American admissions. By making clear the role of elite higher education in cementing the durable bond between whiteness and privilege, their insights raise serious questions about the meaning Asian Americans have generally attributed to those elite colleges and universities. Clearly, Asian Americans recognize the distinctive role of those institutions as a training ground for achieving the American Dream of upward mobility, as evidenced by their increasing application to and enrollment in elite colleges and universities. Their faith in and love affair with a very select group of institutions is illustrated well by Jeff Yang (2014), who confessed that:

... to my parents, it wasn't enough for me to just go to college. There was only one school they saw as a fitting goal, and it was the reason they came to America, my mother said, hoping that one day they would have kids who would grow up to attend it. That was Harvard University, the only school whose brand name shone brightly enough to reach across the waters to Taiwan. Other schools might offer a more dynamic curriculum, better access to senior faculty, a greater amount of financial aid. None of that mattered. To them, it was *Hafu Daxue* or bust.

Likewise, Amy Chua (2011) quipped that the US-born children of Chinese immigrants followed a remarkably common pattern as they:

... will typically be high-achieving. They will usually play the piano and/or violin. They will attend an Ivy League or Top Ten university. They will tend to be professionals—lawyers, doctors, bankers, television anchors—and surpass their parents in income ... If they are female, they will often marry a white person. (p. 29)

While both Yang and Chua's remarks suggest that the pursuit of elite college admissions among Asian Americans as a pathway to success is racially coded, Harris' framework adds even more meaning to this racial coding. She reminds us that success is primarily coded in whiteness because material privileges such as owning property and gaining membership into elite institutions have historically been reserved for only whites, and subsequently, "Becoming white meant gaining access to a whole set of public and private privileges that materially and permanently guaranteed basic subsistence needs and, therefore, survival" (p. 1713). Because elite institutions play a key role in dispensing the privileges accompanying whiteness and lean in favor of admitting those who are "white enough" as discussed earlier, this dogged pursuit of admissions among Asian Americans into elite institutions can be understood generally as a keen interest in obtaining the set of assumptions, privileges, and benefits that accompany the status of being white. In other words, obtaining credentials from those institutions can eventually provide one with a "pass" to enjoy the privileges accompanying whiteness. If so, Harris' framework suggests that the zeal for attending elite educational institutions as a pathway for

success among a disproportionately high number of Asian Americans is in many respects a pursuit of a pathway toward becoming white.

On the surface, pursuing this pathway to obtain the privileges accompanying whiteness seems completely sensible. After all, gaining membership into those elite institutions still pays high material dividends and enhances one's social and economic status, which enables one to exercise more control over critical aspects of one's life rather than remain the object of white domination. According to Khan (2011), modern-day elite education provides students with "carefully cultivated lives" that "solidify their position as masters of our economy and government" and "credentials, relationships, and culture, all of which ensured their future success" (p. 13). Those elite institutions accomplish this not so much by deeply engaging students with ideas and text, Khan argued, but by "... develop(ing) privilege: a sense of self and a mode of interaction that advantage them" (p. 14), which ensures the future protection of their position. In short, those who obtain membership into those elite institutions come to enjoy essential privileges accompanying whiteness. Although Harris also acknowledged that there is a certain economic logic to becoming white and accumulating the material privileges inhering in whiteness, she also warned that a blind pursuit of those advantages may strengthen rather than weaken the bond between whiteness and privilege, reinforcing racial inequality. I will point to two major issues associated with the blind pursuit of whiteness particularly for Asian Americans.

Firstly, educational success has not always translated into expected career success for Asian Americans. Wesley Yang (2011) discussed this paradox in his featured article in *The New York Times Magazine*. He pointed to the bamboo ceiling "an invisible barrier that maintains a pyramidal racial structure throughout corporate America, with lots of Asians at junior levels, quite a few in middle management, and virtually none in the higher reaches of leadership." Yang argued that "... it is a part of the bitter undercurrent of Asian-American life that so many Asian graduates of elite universities find that meritocracy as they have understood it comes to an abrupt end after graduation."

That even those who have gained membership into elite institutions still face racial discrimination suggests that the context of contemporary discrimination is in constant flux. According to Carbado et al. (2008), "Although access is important, the story of discrimination does not end at the moment of access. *Inclusion in* does not mean the absence of *discrimination from*" (p. 85). They maintained that exclusion does not exhaust how discrimination operates but in fact access often facilitates certain conditions of discrimination. These forms of discrimination by inclusion contain a range of evolving subtle institutional practices and interpersonal dynamics, which in turn transforms "the role of race in society and the nature and sources of racial inequality" (p. 98).

Thus, one's vulnerability to discrimination cannot be eradicated merely by earning credentials from elite institutions. Just because one obtains a "pass" to access one setting does not necessarily mean that the pass will provide unrestricted access free of discrimination. A Chinese American scientist with multiple degrees from Harvard, for example, is still less likely than her white male colleague with a

comparable set of degrees from elite institutions to be promoted into higher reaches of leadership. Similarly, the same Asian scientist is much more vulnerable of being persecuted for international espionage than her white colleague who works in the same high-tech company but attended an “insufficiently elite” college.

Secondly, Carbado and Gulati (2013) considered in another study whether African American employees at the bottom of the corporation would yield “trickle down” benefits from African Americans at the top. After closely examining this proposition, they remained “cynical that having more minorities at the top of the hierarchy will necessarily improve the conditions for those on the bottom” (p. 166). They reasoned that those who possess the skill set to race to the top of the hierarchy are also incentivized to “pull the ladder up behind them when they get there” (p. 165). Likewise, there is little reason to believe that those Asian Americans who over-attribute hard work and “individual merit” in gaining admissions to an elite college or university will necessarily “lift as they climb,” unless, perhaps, they have seriously considered the underlying sources that both shape and derail the pursuit of the American Dream.

Although arguably limited, the discussion above at least raises doubts that gaining membership into elite institutions that provide access to white privilege necessarily translates into transformative racial progress for a majority of Asian Americans. While those individuals who gain membership to elite institutions certainly benefit by improving their capacity to accumulate privileges accompanying whiteness, there is reason to suspect that the unbridled pursuit of this pathway to success would necessarily curb other forms of discrimination against Asian Americans or significantly lift a majority of them, especially those with limited access to opportunities. Thus, it is not altogether clear how efforts to increase only slightly the chances of admissions for a very select group of Asian Americans into a few elite colleges and universities that have only a very limited number of available spots would meaningfully weaken the durable bond between whiteness and privilege. (Let’s just look at Harvard admissions from a numerical standpoint, putting aside a more complex educational or social analysis for now. According to Jon Marcus, Asian Americans represent 17.8% or 383 of the students admitted to begin studies at Harvard in Fall 2011. Now imagine that activists wage an expensive legal battle and successfully double the representation of Asian Americans to a remarkable 40% for next year’s class. Let’s also assume in this scenario that Harvard receives 34,000 applications and that Asian Americans make up 20% of that pool ( $34,000 \times 0.2 = 6800$ ). If the overall admit rate remains at 6%, there would still only be 2040 total admitted ( $34,000 \times 0.06$ ). If 40% of the admitted students are Asian Americans under this scenario, 816 ( $2040 \times 0.4$ ) would be admitted. This still leaves 5984 Asian American applicants ( $6800 - 816$ ) without a spot at Harvard. Try telling the rejected Asian American families that the Harvard admissions process is now fairer than before. By hypothetically doubling the proportion of Asian Americans in the admitted class from 20% ( $2040 \times 0.2 = 408$ ) to a ridiculous 40% (816), we have effectively only lowered the proportion of rejected Asian American applicants from 94% ( $[(6800 - 408)/6800]$ ) to 88% ( $5984/6800$ ), or a 6 percentage point change in the likelihood of being rejected. Unless Harvard doubles or triples the



number of students admitted, the actual number of Asian American applicants who would gain admissions even under farfetched proportional increases is relatively small.)

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## Discussion

The complaints filed by Students for Fair Admissions that Asian Americans are discriminated against in admissions by Harvard will eventually be decided in US courts. Those and other related complaints ostensibly extend a familiar historical pattern that has been well documented by Karabel's exhaustive research into the history of admission at Harvard, Yale, and Princeton. Those complaints, however, fail to point to the fundamental source of racial discrimination and the role of affirmative action in addressing that source. As such, I applied Harris' critical race framework to make meaning of this shameful pattern in college admissions. Her framework, based on a deep analysis of the historical and continuing pattern of white racial domination and economic exploitation in the United States, illuminated the underlying racial implications of this pattern of exclusion and the role of elite colleges and universities in reinforcing racial inequality. Although elite institutions regularly alter their admissions to remain socially relevant, they also continue to exclude in ways that favor attributes that are coded in whiteness. This critique undermines the characterization of those institutions as color-blind engines of upward mobility and instead portrays them as guardians of dispensing and protecting the privileges accompanying whiteness.

Overall, this provocative interpretation of elite colleges and universities raises serious questions about the current set of complaints regarding competitive college admission, which casts Asian Americans as victims of affirmative action unlike the original ones filed in the early 1980s. As expressed by Swann Lee who helped to organize the filing of the 2015 complaint against Harvard, "Asian-American applicants shouldn't be racially profiled in college admissions . . ." and ". . . should have the playing field leveled" (Carapezza 2015). While those complaints condemn racism, they fail to meaningfully critique the underlying conditions that contribute to discrimination and reproduce racial inequality.

By contrast, applying Harris' framework to account for white supremacy and privilege makes more explicit the underlying interests and assumptions that animate admissions discrimination, which compels us to reconsider the conditions that contextualize that controversy. For Harris, the fundamental problem regarding the admissions controversy is not simply what is observed on the surface – racial profiling – but what animates that problem in the first place, the tyranny of whiteness. Thus, the overarching goal for Harris is to "dismantle the institutional protection of benefits for whites that have been based on white supremacy and maintained at the expense of Blacks" (p. 1767). Race-conscious policies such as affirmative action, according to Harris, advance that goal by exposing ". . . the illusion that the original or current distribution of power, property, and resources is the result of 'right' and 'merit' . . . It unmask[s] the limited character of rights granted by those who

dominate. In a word, it is destabilizing” (p. 1778). By contrast, color-blind approaches tend to conceal the privileges accompanying whiteness, as documented, for example, by Karabel regarding certain “plus factors” that tipped admissions in favor of wealthy white applicants.

Applying an analysis that offers a serious critique of whiteness, either its role in discrimination or how it structures opportunity, redefines the problem and the target of the discrimination complaints in question. By placing the spotlight more squarely on the advantages that white applicants have over Asian ones, it serves to divorce race-conscious admissions practices from those complaints. These practices after all are applied to dismantle the institutional protection of benefits for whites by specifically increasing enrollment of those who have been historically excluded for not being white enough. At the very least, applying a critique of whiteness to those complaints raises serious doubts that removing an admissions practice that seeks to eradicate the settled advantages afforded to whites would actually curb the persistent advantages whites have over Asian Americans.

Moreover, focusing on eradicating white privilege problematizes efforts to place even more Asian Americans into elite institutions, raising issues about how such outcomes would actually serve the long-term collective interests of Asian Americans. Harris’ framework suggests that while those Asian Americans who “pass” into such institutions obtain advantages associated with institutionalized privileges, their race to the top of the economic and social food chain will not necessarily lift all Asian Americans nor enable them to escape other forms of discrimination. In short, there is little reason to believe that placing even more Asian Americans into elite institutions that have become part of the “settled expectations of whites” will necessarily lead to achieving the broader goal of dismantling a deeply rooted system that continues to structure opportunities in favor of whiteness. While there may well be individual gains accrued for those who get a “pass,” in the long run, protecting those policies that unmask white domination and dismantle a system that privileges whiteness would yield greater collective benefits for Asian Americans.

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## Conclusion

If the concerns raised about the discrimination of Asian Americans in college admissions are supposed to advance the collective interests of this population, then Asian Americans should rethink the meaning they attribute to those elite colleges and universities and better appreciate the role of those institutions in reinforcing white domination. As it stands, the current set of complaints tend to conceal the context of racial discrimination, failing to make clear the fundamental source of that problem. Without a better understanding about the fundamental problems that animate racial inequality, Asian Americans can be pressed into service of an agenda that stands to hurt more than help them in the long run. According to Park and Liu (2014), Asian Americans are regularly boxed into political discourses that constrain their actions such as in the case regarding race-conscious admissions whereby opponents of those practices frame the context for them as “having to relinquish

their own self-interest in favor of ‘less qualified’ URMs [underrepresented racial minorities]” (p. 57). Park and Liu argue that the deployment of such misleading discourses conceals how Asian American interests diverge from the anti-affirmative action movement and distorts this population’s commitment to access and equity in higher education. Even if there were genuine discrimination claims against elite colleges and universities, my analysis suggests that those complaints should be decoupled from affirmative action and should not target race-conscious admissions practices.

Additionally, Asian Americans need to consider the bigger picture when it comes to eliminating racial discrimination and achieving full participation. To achieve those goals, Wesley Yang (2011) argued that it will probably have less to do with any form of behavior assimilation that reproduces white domination than with the emergence of risk-takers whose success obviates the need for Asians to meet someone else’s behavioral standard. According to him, Asian Americans will need more people to exercise proud defiance and “. . . to stop doggedly pursuing official paper emblems attesting to their worthiness, to stop thinking those scraps of paper will secure anyone’s happiness, and to dare to be interesting.” Likewise, Stephen Colbert host of *The Late Show* paid tribute to Muhammad Ali (aired on June 6 on CBS) who passed away on June 4, 2016, and quoted him as having said in 1970, “I am America. I am the part you won’t recognize. But get used to me. Black, confident, cocky; my name, not yours; my religion, not yours; my goals, my own; get used to me.” Colbert praised Ali for having helped “. . . create the America we live in today.”

Perhaps it takes the kind of audacious defiance as demonstrated by Ali’s statement and suggested by Yang to make a transformative and lasting imprint on American society. After all, blind faith and over-investment in pursuing those well-worn paths of achieving success, including what Yang called the dogged pursuit of “official paper emblems,” are more likely to steer Asian Americans toward accepting rather than challenging white privilege and domination as being the natural order of things that cannot be disturbed. Moreover, there is little reason to believe that the few who get a “pass” to enjoy privileges accompanying whiteness by gaining membership into elite institutions would necessarily “lift as they climb” to the top of the social and economic hierarchy. As it stands, Asian American enrollments at those institutions already far exceed their representation in the national population. (For example, according to Harvard’s *Admissions and Financial Aid* website (<https://college.harvard.edu/admissions/admissions-statistics>), Asians who presumably entered college in Fall 2017 make up 22.2% of their class of 2021. This compares to 5.6% Asians of the total US population in 2010, according to the US Census Bureau.)

By contrast, an audacious defiance that emphasizes active engagement in delegitimizing racial assumptions while simultaneously challenging over-investment in pursuing the privileges accompanying whiteness would ostensibly press Asian Americans toward the service of an alternative agenda. Pivoting more intentionally toward such an agenda that addresses the fundamental issues that animate those recurring admissions complaints can empower Asian Americans in ways that will actually resolve that problem for good. According to Takagi (1992),

such pivots, even if only discursive, can facilitate “. . . a subtle but decisive shift in public and intellectual discourse about and at some universities, in practices of, affirmative action” (p. 10). Takagi argues that in the end, “. . . facts and statistics were less important than what people made of them . . . the core of the debate over admissions pivoted not on the facts per se but on interpretation of the facts . . .” (p. 11).

Whatever approach taken to interpret and address the facts, Asian Americans are at a crucial juncture when it comes to US racial politics. The admissions controversy returned with even higher stakes to include the elimination of practices that were designed to delegitimize structural advantages afforded to whites and address the illusion that there is a level playing field. Given the increasingly higher stakes, Asian Americans should ask tougher questions of those who are trying to press them into service of a particular racial or political agenda. The position that they stake out is indeed pivotal and can well determine whether Asian Americans remain the poster child for the mythical American Dream or participate more boldly in dismantling institutional structures that reproduce privileges accompanying whiteness.

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# Affirmative Action: Its Nature and Dynamics **77**

Ralph Premdas

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## Abstract

The incidence of affirmative action policies has occurred most frequently in internally heterogeneous states marked by deep ethno-cultural divisions and in which one of the ethno-cultural communities tended to dominate the rest. The response has led to the adoption of affirmative action programs to rectify old wrongs and eradicate injustices and extend benefits and provide special preferences toward establishing a new, just, and equal society. Alternative views of equality and justice undergird much of the controversy over affirmative action. Justice and equality are commonly shared calls evoked by both proponents and opponents of affirmative action. However, there are no universal and generally accepted set of values which define justice and equality. Lacking commensurability, rival meanings are almost always caught up in contentious struggles over power and resources in affirmative action programs.

## Keywords

Affirmative action · Injustice · Inequality · Merit · Preference · Ethno-cultural division · Domination · Redistribution

R. Premdas (✉)

University of the West Indies, St. Augustine, Trinidad and Tobago

e-mail: [ralphpremdas@hotmail.com](mailto:ralphpremdas@hotmail.com)

## Introduction

Alternative views of equality and justice undergird much of the controversy over affirmative action (Rosenfeld 1991; Premdas 2016). Justice and equality are commonly shared calls evoked by both proponents and opponents of affirmative action. However, there are no universal and generally accepted set of values which define justice and equality (Ryan 1993; Campbell 2000; Rawls 1971). In practical terms, equality and justice are concepts that are culturally and contextually defined, may opportunistically shift their meanings, but almost always they are a creature of struggles over power and resources. The lack of commensurability of cultures and values renders all preferences for a system of justice and equality, especially in multicultural states, contentious.

Affirmative action addresses issues of official state policy pertaining to justice and equality on behalf of certain groups that have been historically disadvantaged and discriminated against (Goldman 1976; Kellough 2006; Anderson 2004; Sterba 2003). Basically, affirmative action may be regarded as a variant of rectificatory or compensatory justice that seeks to establish equality through special policy preferences and programs for a short time. In effect affirmative action seeks to reorganize the distribution of the benefits and burdens of society for the inclusion of the previously disadvantaged who have been the victims of past injustices and discrimination. In part because the historically disadvantaged have tended to be ill prepared immediately for equal competition with others in the open marketplace for benefits in jobs, education, and business opportunities, affirmative action policies have rescinded the merit-based principles of equality by offering special preferences to temporarily compensate for and empower the disadvantaged toward eventual equal participation in society (Young 1990). Generally then, affirmative action policies create arbitrary preferences in abridging principles of equality based on individual merit suggesting reverse discrimination (Fullinwider 1980; Goldman 1979; Pojman 1998; Sher 1979; Nagel 1973). Depending on who the beneficiaries targeted, it can serve toward promoting the well-being of any community, both blacks and whites (Katznelson 2005). Further, as against the embedded societal value of rewarding work and effort based on individual merit, affirmative action policies may assign benefits on a group basis, and even when the better off in these groups have tended to be the main beneficiaries, these programs have been defended and maintained (Young 1990; Fullinwider 1975). Wherever it is practiced, it seeks to promote unity by a policy of wider inclusion by compensating for discrimination against entire classes, castes, and groups of persons in the past (Gomez and Premdas 2012).

Alternative views of equality and justice undergird much of the controversy over affirmative action (Rosenfeld 1991; Premdas 2016). Justice and equality are commonly shared calls evoked by both proponents and opponents of affirmative action. However, there are no universal and generally accepted set of values which define justice and equality (Ryan 1993; Campbell 2000; Rawls 1971). In practical terms, equality and justice are concepts that are culturally and contextually defined, may opportunistically shift their meanings, but almost always they are a creature of struggles over power and resources. The lack of commensurability of cultures and

values renders all preferences for a system of justice and equality, especially in multicultural states, contentious (Sen 1992; Loury 1987; Glazer 1975; Phillips 1996; Nagel 1973; Westen 1985). In particular, equality, which is nearly always invoked to justify the claims for justice in affirmative action policies, is not a neutral principle that is crystal clear. Waltzer referred to it as a “procrustean bed” (Waltzer 1983). It invariably raises controversies on the appropriate formula to be applied over what goods and resources to be distributed and about who are the rightful and eligible recipients (Guinier and Sturm 2001; Sheth 1997; Nozick 1972). The arguments come from philosophers, publicists, artists, religious leaders, and opinion makers resulting in a massive outpouring of literature and pamphlets. They often combine philosophical positions on justice and equality with practical political and sectional interests particular to a community (Premdas 2010).

The incidence of affirmative action policies has occurred most frequently in internally heterogeneous states marked by deep ethno-cultural divisions and in which one of the ethno-cultural communities tended to dominate the rest. In the evolution of these plural societies most of which were created by colonialism, a coercively institutionalized order was established so that the distribution of economic, social, and political advantages was concentrated unevenly in favor of and against certain communities. Regardless of how this skewed distribution of power, benefits, and burdens eventuated, in the contemporary international order of universal human rights, they have triggered anger, frustrations, and violent protests to secure equality and justice. The response has led to the adoption of affirmative action programs to rectify old wrongs and eradicate injustices and extend benefits and provide special preferences toward establishing a new, just, and equal society. Thus, affirmative action policies can be conceived at once to be a form of conflict management as well as a longer-term project to remedy inequality and restore justice (Ratuvu 2013).

Affirmative action policies are often proposed as a temporary preparatory measure necessary to establish a level playing field for the enactment of fair competition in the long term. In practice, these temporal limits are often breached as programs expand and beneficiaries increase. As one scholar remarked in relation to the Indian case:

Reservations were supposed to be temporary measures devised primarily to ensure equality of opportunity. However, over the years, they have assumed the form of permanent and non-retractable concessions. Indeed, policies of positive discrimination have been used and abused by parties to augment their political support. (Gupta 1998:509)

Aimed in part at eliminating divisive communal politics and sectional alienation, affirmative action policies seek in part to promote societal unity by rectifying historical discriminatory wrongs and lessening inequality. Despite many valid criticisms against these preferential programs, they have in most cases substantially succeeded in creating a new middle class among the erstwhile oppressed and disadvantaged and in bestowing on them symbolic gratification, recognition, and dignity. Orlanado Patterson, in evaluating the impact of affirmative action in the USA, concluded:



For all its Imperfections, affirmative action has made a major difference helping to realize, as no other policy has done, the nation's constitutional commitment to the ideals of equality, fairness and integration. . . it is hard to find a program that has brought so much gain to so many at so little cost. It has been the single most important factor accounting for the rise of a significant Afro-American middle class. (Patterson 1998:147)

Overall, as an experiment in institutional reform, affirmative action policies and programs have left in their wake among the states that have adopted them a mixed record pointing to setbacks and achievements, successful changes in institutions and practices toward promoting equality, winners and losers, contested economic gains and losses, as well as unanticipated problems and solutions (Sowell 2004; Gomez and Premdas 2012).

In many ways, affirmative action signaled a new dawn for the disadvantaged and entailed institutional changes that went to the root of the society's traditional ways of life. However, affirmative action was not new with various forms having long existed with preferences extended to veterans of wars, to the elderly, to the disabled, to students, and to the handicapped. That apart, proto-affirmative action policies have existed in many legal programs for minorities and the disadvantaged in nearly all states. These however were small scale, generally incremental if not sporadic reformist programs, nothing like what would subsequently be launched from anti-colonial and revolutionary movements in the post-WWII era, engaging broad swaths of racial and gender disadvantaged groups and persons.

What would transform these small programs into full-blown comprehensive affirmative action structures stemmed in many cases from the failure of voluntary compliance of basic reform by power holders and the privileged in frequently drawn out and delayed actions if not outright sabotage so that the urgency of the need for compensatory justice was effectively denied. It was in the soil of this lack of meaningful progress and hypocritical delays leading to explosive violent crises that affirmative action policies germinated and emerged as full-blown affirmative action regimes as occurred in the American and South African cases (Skrentny 1996), In Malaysia, riots occurred in 1969; in the USA, sustained riots and demonstrations in the mid-1960s onwards; in South Africa a radical change of government and constitution; in Fiji a military coup; in Northern Ireland; violent activities by the Provisional IRA; etc. Even, in the case of India where affirmative action policies on behalf of the untouchables were not prompted by any immediate violence, the potential threat of such a crisis lingered in the background (Parikh 2012). In its demand for remedy and for decisive change, affirmative action pushed by years of frustrations and ignited by great expectations demanded specific timetables, quotas, and monitoring with penalties to sustain momentum and prevent delays and foot dragging (Skrentny 1996).

As a distributive policy over limited and scarce resources in society then, affirmative action policies tend to engage zero-sum contests and struggles between the privileged and underprivileged creating winners and losers for both individuals and groups. Typically, the competition is manifested in such material areas as employment (public and private) and access to educational and business opportunities including government procurement, contracts, and licenses. Also in

symbolic areas like political representation, recognition of cultural symbols of identity, e.g., religion and language, titles, and statuses (Taylor 1994). Additionally, in relation to access to important services such as medical; water; transportation. Where the contest and competition become group-based and communalized, as it often does, it tends to evoke strong irrational passions that are difficult to reconcile and easy to manipulate by political entrepreneurs for political gain. While affirmative action policies may empower and promote full participant citizenship, with numerous tangible instances of meritorious achievements, they may simultaneously so shield and overly protect groups that, instead of their getting stronger, they become habitually dependent, inviting unfair collective stigmatization as genetically inferior, and thus in the long term, these groups may become disabled and unprepared for market competition (Sowell 2004). These policies may thus ghettoize the entire disadvantaged communities into self-perpetuating inferiorized groups maimed and consigned to the periphery of the society.

Affirmative action may be formally embodied and legalized in a variety of documents and practices including constitutions, laws/legislation, executive and administrative directives, court decisions, and popular referendums. The term “affirmative action” itself was first embodied as part of an executive order (number 10925) issued by an American President (Anderson 2004:60; Katznelson 2005:216). Affirmative action policies tend to involve a variety of programs and strategies of implementation in different targeted areas of remedy such as employment and education with different consequences in each sector of activity. Implementation is not a quick fix that is undertaken and completed overnight. In practice, in many cases including affirmative action policies, it is a long-drawn-out experimental process that is marked by successes and failures, with constant revisions and redesigns, unending challenges and conflicts, changing friends and enemies, new unanticipated problems, and threats of abandonment and exhaustion. Just as problematic is the loss of focus and changing aims in a meandering stream in the life of a policy during the implementation phase. Having started off as one thing, in a checkered career, it may metamorphose into a different creature with new accumulated interests, beneficiaries, and programs and become, instead of a short term temporary measure, almost rooted permanently into an ineradicable governmental patronage structure with strong political constituencies (Gomez and Premdas 2012).

Despite its noble aims and justifiable remedies, the introduction of affirmative action policies confronted resistance from the outset. This came typically from advocates who vehemently opposed the assignment of benefits and rewards collectively to groups as is espoused by all affirmative action policies and the corresponding abridgement of the principles of individualism and merit (Cohen 1998:14–22; Cohen and Sterba 2003). In particular, they argue that affirmative action is detrimental to equal citizenship for it destroys the relationship between equal work for equal reward, between work and desert (Pojman 1992). This is wrong from this point of view for it destroys incentives for individual effort and similarly discourages responsibility for the individual’s own choices and self-determination. (Cohen 1998). Merit and individual identity are regarded as sacred values in the architecture in the Western democratic system of justice and governance. Hence,

affirmative action bears the mark of an alien strain, a deviant and subversive intervention that threatens a just equal democratic order at its very core. To invoke merit in an argument therefore, even in all of its contradictions, is to assert an article of faith that seems to be beyond reasonable counter claims. It reverses discrimination which cannot remedy a wrong by committing another wrong, it is argued (Cohen and Sterba 2003).

The iconic status of the merit principle however has been challenged by many including Professor Iris Marion Young who has argued that “impartial, value neutral, scientific measures of merit do not exist” (Young 1990:193). She goes on to say:

For the merit principle to apply, it must be possible to identify, measure, compare, and rank individual performance of job-related tasks using criteria that are normatively and culturally neutral. For most jobs, however, this is not possible, and most criteria of evaluation used in our society, including educational credentials and standardized testing, have normative and cultural content. (Ibid.)

What is also ironic, it has been pointed out, is that the resistance against affirmative action eventuated in those very merit-based societies had already extended group benefits to the handicapped, senior citizens, veterans of wars, special title holders, etc. Hence, affirmative action programs were generally not new in modifying the merit principle or in granting group benefits. What would however define their uniqueness in the era of widespread affirmative action regimes around the world were two salient facts: (1) the scope of entitlement which was exponentially extended more widely to entire ethnic and racial communities as well as women, signaling an upheaval of revolutionary proportions, and (2) the promulgation of mandatory performances in timetables, quotas, and reviews in the implementation of affirmative action policies. This latter feature became necessary when voluntary compliance by privileged incumbents in both the public and private sectors in offering positive discriminatory opportunities to the historically disadvantaged and discriminated against was deliberately ignored or cynically manipulated so as to fail. These changes evoked passionate resistance from communities which felt that they faced reverse discrimination and a radical reversal of fortunes, status, and privileges. Many openly engaged in acts of noncooperation and even sabotage. In a number of cases, the new order of affirmative action justice was carried out by and on behalf of groups that were a majority in the population and which had either seized power or wrested it by majoritarian democratic means. In these cases, the swift and massive application of the compensatory features in the special preferences that were allocated to the historically disadvantaged caused trauma, withdrawal, and emigration among the previously privileged. Cases include South Africa after the dissolution of apartheid, Malaysia after the riots and widespread violence in 1969, after the military coup of 1989 in Fiji, and after general elections in Sri Lanka in 1956. Affirmative action programs also were initiated by majorities on behalf of disadvantaged minorities as occurred in India, Brazil, and the USA even though in the latter, it truly got under way following sustained street demonstrations and demonstrations in the 1960s (Skrentny 2001).

## **Distributive Sites of Contest: Material and Symbolic Goods**

Society can be conceived as a distributive community, argues Waltzer: “We come together to share, divide and exchange” (Waltzer 1983:3). Distribution includes both material and nonmaterial symbolic values and goods. Societies differ in how much they emphasize the relative worth of these scarce goods and constructs and confers on them their cultural meanings. Distribution is thus culturally constructed. Distribution sits on shifting sands and can best be understood as a political contest and power struggles.

Affirmative action is a particular variant of a just distributive principle. It is about scarce goods and values; it is about one principle of equity against another with zero sum consequences; and it is a moral claim seeking to displace another. It stirs passions and compels conviction evoking insecurities and fears for possible losers and winners alike. In affirmative action resides an accusation. It lays charges of oppression, exploitation, and marginalization onto another group. It argues that the misfortune of one group in acquiring well-being and power has not been legitimate or right. It seeks in a new distributive order to right old wrongs, to obtain compensation, and to gain unequal advantages for a more just equal order. Those who have will not readily give up their shares until faced with greater loss by their resistance. Affirmative action challenges the holders of power and influence and can result in a radically reconfigured rearrangement of wealth, status, and power.

Affirmative action seeks both procedural and substantive rectification in the distribution of scarce goods and values. Procedural rectification refers to equal access via removal of artificial and legal barriers against a group seeking to compete for opportunities so as to obtain substantive benefits. However, these procedures themselves are only fair when applied to equally endowed and positioned participants in competition for benefits and opportunities. Hence, to offset the handicap in the lack of preparedness among the historically disadvantaged, it is necessary to offer special substantive compensating programs in the short run with the view of preparing them for full equal competition later. This in part what affirmative action is about focused programmatically on preferences which in a limited temporal frame seeks to restore an equal playing field in the competition for the values and opportunities in the state.

In affirmative action and other similar movements for remedy and rectification for past wrongs, certain values and goods have emerged as the sites of contest, competition, and struggle. Jobs and employment, both in the public and private sectors, are at the very foundation of solving poverty and inequality, and in practically all cases of affirmative action, it has been the critical arena of contest and accommodation. Education is another site of contested distribution. Access to it at all levels may determine other values such as employment opportunity and standard of living. Much struggle over educational opportunity has focused on tertiary training and university admissions. The symbolic category of goods and values includes both political and cultural items. The political aspect refers to participation in the polity by way of equal enfranchisement and more particularly in representation in the councils of decision-making. In a program of affirmative action, the demand for

representation may be incorporated in a grand constitutional and political design such as in consociational democracy. In South Africa and Northern Ireland, this took the form in power sharing and institutional guarantees for legislative representation. In other cases, such as India, a dominant group without threat to its hold on power may accede to a fixed proportion of parliamentary seats for minority and disadvantaged groups. In regard to other symbolic goods, recognition of all cultural groups, their language or religion as well as certain holidays, is critical. An associated symbolic category refers to citizenship which stands for equal membership in a society and an end to inequality and discrimination. Granting of citizenship clearly has dire power implications in a democratic system by creating a new block of voters, and it becomes very potent where affirmative action encompasses a majority community that has been historically excluded. The claims for equality in the grant of citizenship are usually part and parcel of a claim to a historical identity in the national narratives of the state. Obtaining jobs and educational training in special programs of affirmative action is linked to the larger project of meaningful citizenship.

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## **Entitlement and the Eligibility of Groups**

Eligibility criteria for affirmative action beneficiaries have become mired in controversy mainly around issues of defining who is entitled, over the tendency for the size of affirmative action groups to expand, over undeserving individuals within these groups, and over the growth of entrenched dependency of affirmative action groups without an end in sight to the affirmative action program. Issues also arise regarding the stigmatization and ghettoization of these groups who remain permanently dependent and uncured of external support and forever require affirmative action for remedy. Despite all of these critical evaluations of affirmative action gathered from all societies where the policy has been adopted, affirmative action seems to be perfectly justified for those who have suffered historical discrimination and have emerged as marginalized and poverty stricken citizens. Affirmative action has been designed as an act of justice to rectify systemic inequality and not simply as optional humanitarian program.

This has not always been the case. At least in two major cases, affirmative action was designed to benefit a white group with deliberate intent to further marginalize a black community. In his major work on how affirmative action benefitted whites at the expense of blacks, Ira Katznelson referring to bias against blacks from the 1930s to 1940s under Social Security and the GI Bill that excluded African-Americans summarized the impact of such policies thus:

But most blacks were left out. The damage to racial equality caused by each program was immense. Taken together, the effects of these public laws were devastating. Social Security, from which the majority of blacks were excluded until well into the 1950s, quickly became the country's most important social legislation. The labor laws of the New Deal and Fair Deal created a framework of protection for tens of millions of workers who secured

minimum wages, maximum hours, and the right to join industrial as well as craft unions. African Americans who worked on the land or as domestics, the great majority lacked these protections. Perhaps most surprising and most important, the treatment of veterans after the war, despite the universal eligibility for the benefits offered by the GI Bill, perpetuated the blatant racism that had marked military affairs during the war itself. (Katznelson 2005:141–142)

Something similar occurred under South Africa's apartheid laws and practices involving black exclusion. In the contemporary era after the fall of the apartheid South African regime and the emergence of more equitable racial practices in the USA, the issue of eligibility has turned in favor of nonwhite communities. In most cases, it seems rather obvious which groups are eligible as beneficiaries of affirmative action programs. In case after case, these groups are conspicuous publicly marked off by some diacritica such as color, phenotype, abject condition, lowly occupations, resident in marginal neighborhoods, etc. such as found among African-Americans in the USA, Africans in South Africa, indigenous Fijians in Fiji, untouchables in India, etc. Because affirmative action entails the potential availability of new job opportunities and/or access to scarce and prized goods and values, it tends to draw new claimants. Over time, the eligible groups become enlarged, and often their composition bears little resemblance from the original set of so conspicuous beneficiaries. Hence, as an example, added to the list of eligible groups in the USA are nonwhite recent immigrants of all hues and complexions bearing no history of discrimination and disadvantage in American history. Quickly, competition among the old and new claimants turn bitter as the struggle degenerates into complex and finer distinctions of who are truly eligible for affirmative action benefits. Who is indigenous? How long does it require to become indigenous if ever? What about mixed marriages and their progenies? Who is really Black? Does brown mixed race count? It has been estimated that some 90% of African-Americans are mixed. Who is a low caste? Can caste be acquired for the purpose of getting access to affirmative action benefits? Should recent arrivals be eligible or should they be descended from old native born citizens? In this regard, the debate and disputes turn their focus on the deserving candidates for remedial benefits. Should groups regardless of the internal differences in terms of economic need and endowment all be equally eligible? This issue evokes the old arguments mounted by opponents of affirmative action who hold that affirmative action and compensatory justice should not be allocated to groups but to individuals (Glazer 1983). Similarly, it evokes arguments about the merit of class- and needs- based eligibility rules as against broad group-assigned benefits. When women are thrown into the mix and they have been among the conspicuous disadvantaged, the same issues arise regarding eligibility based on need versus group membership. Women add an entirely new dimension to eligibility questions mainly because they are at least half of the population, and they display a wider array of internal differences in the distribution of wealth and well-being. Should only Black or indigenous or lower caste women be made beneficiaries regardless whether they are relatively well of or not? Should affirmative action be genderized so that there is a separate category for men and women?

Among the more prominent markers of eligibility, especially in the USA, is diversity. In the *Bakke v. Regents of University of California* case, Justice Powell writing for the majority rejected race as a legitimate criterion for affirmative action. However, he felt that “diversity” was a legitimate claim and constituted an important state interest for preferential treatment in university admissions. This was reaffirmed by Justice Sandra day Conner in 2003 in *Grutter v. Bollinger*. However, diversity was not taken as an automatic group criterion for preferential treatment but had to be evaluated on an individual basis along with other criteria. Diversity however has emerged as a surrogate for African-Americans, Hispanics, and indigenous peoples in the American context. Outside the USA, the diversity argument has failed to gain traction as an eligibility criterion.

Thus, finding objective and generally acceptable criteria of eligibility for affirmative action is practically impossible. As a result, eligibility has become a creature of political calculation and opportunism. Affirmative action groups are voters in a democracy, and political support for them may be fashioned with a view to cultivate and capture a community for the political gain of a party. Eligibility rules become a patronage football, and all sorts of new and invented groups are made candidates for inclusion regardless of a background in historical discrimination. Some of the main issues regarding eligibility focus on the fact that in many cases, the beneficiaries are not those who are the truly deserving. Rather, it has been argued that a small group within a broadly defined disadvantaged community has seized affirmative action benefits for its own aggrandizement.

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## Legal Mandates and Legitimizing Sources

In most affirmative action regimes, some sort of formal instrument legalizes and legitimates preferential allocation of opportunities and goods usually also defining the identities of beneficiaries. These instruments include constitutions, legislation, court decisions, executive directives, and administrative rules. In the USA, it is found in the Civil Rights Act of 1964 as well as in the 5th and 14th Amendment of the US constitution; in South Africa in the Employment Equity Act No.55, of 1998a; in India in Section 335 of the Constitution; in Malaysia in Article 153 of the constitution; and in Northern Ireland in the Good Friday Agreement of 1998 and the Fair Employment and Treatment Order of 1998. Along with these instruments are court decisions which seek to adjudicate conflicts and challenges to the constitutional and legal instruments becoming themselves hallmark events in the life of affirmative action programs. Another source of legitimizing affirmative action preferences is found in executive directives and administrative rules and discretion. President Kennedy’s Executive Order 10925 and President Johnson’s Executive Order 11246 in the US experience have obtained legendary status in the life of affirmative action.

Laws and executive directives can be transformative in incremental as well revolutionary ways. Their impact may depend on how the recipients react to or manipulate the laws governing affirmative action. In Malaysia, “Ali baba” practices

have become common in which indigenous Malays illegally transfer their contracts and licenses to non-indigenous individuals who are not eligible for affirmative action benefits (Gomez 2012). This assumes the form of “fronting” in South Africa. Another very significant way in which recipients may influence the implementation of affirmative action programs refers to what can be called their absorptive capacity. This points to the fact that in many instances, affirmative action opportunities and awards could simply not find qualified recipients for a variety of reasons. In South Africa and India, because of late availability of educational facilities against a history of illiteracy, many opportunities went either unfilled or were claimed by the same small group of qualified eligible persons. This inevitably in turn facilitated the emergence of a self-perpetuating well-off group, many very wealthy within the disadvantaged community. In some cases as in India, deliberate implementation hurdles such as special examinations to determine qualified beneficiaries have been created by privileged bureaucrats opposed to affirmative action.

Bridging the gap between formal legal instruments and their implementation for justice and equality therefore has been buffeted by an assortment of anticipated and unanticipated obstacles making doubly difficult to achieve the aims of affirmative action, some stemming from ongoing strife and litigation regarding defining who are eligible for benefits, some from the expansion of the eligible list of beneficiaries, some from resistance by employers engaged in superfluous schemes of avoidance from recipients undermining the intent of the law by engaging in “Ali Baba” practices, some from limited absorptive capability of the recipient communities, some from rear guard opposition from entrenched bureaucrats and administrators opposed to affirmative action, and some from violence against recipients as in India where untouchables have been habitually assaulted (Seth 1998:503).

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## Conclusion

The number of states which have now embarked on affirmative action policies has been growing, and the results have been diverse and require tracking. The experiences have differed even as these affirmative action states have tended to utilize a common vocabulary to describe their policies and programs. These policies and programs have left in the experiences of the societies that have adopted them setbacks and unanticipated problems as well as achievements and opportunities. They have often witnessed major societal changes in institutions and practices and to significant departures from the original aims and intentions. Overall, a critical and comparative examination of affirmative action policies has bequeathed in their wake a number of outstanding issues and questions. Does prolonged affirmative action tend to sustain and encourage ethno-cultural divisions in the society, that is, establish identity politics as a norm of political life so that divisions and mutual antipathy and systemic interethnic malaise and even hate and bigotry become routinized and normalized in daily citizen life? Is it culture war in which incommensurable cultural values of justice of one community confronts another in ongoing warfare? Is it covert class warfare in which cross-communal elites cultivate, mobilize, and manipulate



ethnic group divisions and communal segmentation for their own benefit? Is there a problem of incommensurability that argues that each affirmative action policy is culture specific? If so, then no comparisons can be validly made and policy lessons across borders futile? Or on the contrary, these experiments in social engineering do share much in common and from them much can be learnt and shared? Overall, it raises the fundamental issue of whether justice has been served on behalf of the original victims. What lessons have been learnt for the benefit of reframing public policy on affirmative action? Are there universal principles of affirmative action as a mode of distributive justice that can create a new society based on shared beliefs?

A new order in affirmative action clearly requires a new frame of mind for both beneficiaries and the old guard. Clearly, affirmative action is an experiment in social engineering with no guarantees and clearly would require a new set of habits for compliant transformation in instituting more just and equal order. Its programs tend to be very sensitive and easily liable to sabotage and acts of noncooperation and therefore depend in wide societal support for successful implementation.

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## Cross-References

► [Diaspora and Ethnic Contestation in Guyana](#)

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# Negotiating Ethnic Conflict in Deeply Divided Societies: Political Bargaining and Power Sharing as Institutional Strategies

# 78

Madhushree Sekher, Mansi Awasthi, Allen Thomas, Rajesh Kumar, and Subhankar Nayak

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## Abstract

With interest in social institutions expanding, and the centering of attention on state as an institution that is essentially cultural, a major interest in recent literature on ethnicity studies is on people, communities, and societies – (i) as collective actors in relation with the state as the sovereign authority and (ii) the process of interface between the state and the ethnic groups that constitute the ethno-demographic profile of the state. This, on one hand, has brought a shift in the focus on state and the modern state-system in studies on ethnic conflict, from the conventional perspective that viewed ethnic conflicts as a condition under

M. Sekher (✉)

Centre for Study of Social Exclusion and Inclusive Policies (CSSEIP), Tata Institute of Social Sciences (TISS), Mumbai, India

e-mail: [madhusekher@gmail.com](mailto:madhusekher@gmail.com); [madhusekher@tiss.edu](mailto:madhusekher@tiss.edu)

M. Awasthi · A. Thomas · R. Kumar · S. Nayak

Tata Institute of Social Sciences (TISS), Mumbai, India

state failure. On the other hand, the emphasis on the cultural base of the state has brought the state-system into the core of the state-society causal argument, driving interactive processes. An important condition that underlies the state-ethnic group(s) causal interface is the perceived inequalities of communities. It is this that can become a condition for likelihood of ethnic conflict. Political representation, beyond the domain of electoral politics, is an important non-military institutional strategy for expressing perceived inequalities and for negotiating conflict in ethnically divided societies. With movements and protests becoming central to state-society interactive processes, this chapter looks at power sharing and political bargaining as an institutional strategy that ethnic groups employ for addressing their grievances, particularly in diverse societies. The chapter is based on a study carried out in India. It redraws the focus away from formal structures to various methods of power sharing that run through all levels of society and the role played by civil society organizations, interest groups, and ethno-political organizations.

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**Keywords**

Ethnic conflict · Perceived inequalities · Political representation · Power sharing · India's democracy

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## **Introduction: Contextualizing India's Democracy**

For the volumes written on the state of India's democracy, it is intriguing to find that most scholars approach the subject with a tone of surprise, starting typically by questioning how a society with such complex matrix of heterogeneous identities has managed to maintain order in the face of frequent violent social conflict (Weiner 1989). Pedagogically, this line of enquiry resembles the structural-functionalist approach to some extent, since it occupies itself with determining factors behind the sustenance of the whole along with the internal dysfunctions. Scholars have chosen to engage with different elements of the Indian democratic structure ranging from the structure and functioning of a parliamentary democracy (Kholi 1998; Singh and Verney 2003; Kashyap 2004; Beteille 2011; Mehta 2012); role and relationship of the legislature, judiciary, and executive (Rao 2005; Mehta 2007); nature of the Indian federalism (Bagchi 2000; Srikrishna 2011; Tillin 2018); and working of electoral politics and voting patterns. The process of electoral representation can be conceived of as a zero-sum game wherein one gets elected and becomes a representative or not. This conceptualization has an institutionally locked-in perspective where elections are seen as the mechanism that confers representative while being both structurally deterministic and politically conservative. It is imperative to go beyond this classical understanding of representation in democracy, as politics is an open arena of contestable opinions where elections are not the only mechanism through which representatives are made.

Essentially the classical understanding of representation in democracy implies that a group be organized collectively around an issue of shared interest and

participate in the election process. This provides the group a better platform to negotiate their claims. Even though this procedure seems fairly self-evident, the structure of the Indian democracy is rather complex to lend itself to such a straightforward reasoning. Intense competition among groups/collective actors vying for state power results in the groups to mobilize considerable support for their mandate, notwithstanding the “rule of numbers” and the complications that arise by the virtue of coalition formation/power sharing.

When most of the data and literature on ethnic conflict is concentrated around the objective of social inequalities, this chapter offers an insight to the processes by which perceived inequalities and grievances of ethnic groups structure their institutional strategy and define the process that shapes their political representation. This process in the causal interaction defining state-society relations often goes unaddressed and can be a significant indicator of conflict likelihood. The chapter argues that one of the most underrated issues in understanding ethnicity and ethnic conflicts has been how communities connect with the state and the state-system characterized by its various agencies. The chapter, thus, makes an attempt to add to the growing body of knowledge that seeks to understand political representation, beyond the domain of electoral politics and elections. It finds resonance in the claim that people rely least on the state for the redressal of their grievances. In that regard, the chapter makes an empirical contribution to substantiate these claims and provide insight on the nature of institutions citizens associate with for redressing their grievances.

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## Methodological Issues

An obverse line of enquiry has been made here to assess what elements of democracy have been largely associated with social conflicts. A vast amount of conflict literature (Collier and Hoefler 2004; Fearon and Laitin 2003; Cederman et al. 2010; Christin and Hug 2012) has adopted the method of identifying “independent” variables such as scale of public funding, measures of poverty, federal structure, etc., which contribute to the “dependent” variable, being the likelihood of conflict occurrence. These studies are largely statistical in their orientation and can be restricted to a certain time and space, given their preoccupation with highlighting correlations between variables and a dependence on datasets/databases, such as the *GROW<sup>up</sup>* and the Ethnic Power Relations-EPR data (ETH-International Conflict Research Data. URL- <https://icr.ethz.ch/data/>). In contrast, this chapter looks at how marginalized and excluded voices find avenues to express their grievances beyond the formal electoral process of gaining representation. Drawing on a combination of desk reviews and qualitative data collected from fieldwork carried out across sites in India (for details, see section “Appendix”), this chapter first familiarizes on how grievances regarding political representation emerge at the first place. Secondly, it assesses the formal structures such as the electoral machinery to assess how grievances may or may not be institutionally accommodated. The chapter, then, makes an attempt to analytically explore avenues other than the formal political space provided by electoral system, through which such grievances find expression. Consequently, the chapter highlights

the various institutional strategies and mechanisms surrounding ethnic mobilization toward collective action and interest representation.

While empirical studies have convincingly shown that political and economic inequalities along ethnic lines increase the risk of violence (Cederman et al. 2011; Kuhn and Weidmann 2015; Vogt 2011), we know much less about the mechanism by which ethnic grievances are translated into political action. In this sense, the chapter aims to redraw the focus away from formal structures to methods of power sharing that run through all levels of society and the role played by civil society organizations, interest groups such as student union bodies, and other ethno-political organizations that translate perceived inequalities and grievances to political action. Through this trajectory, the chapter discusses issues regarding why voices feel excluded or disenfranchised with formal structures of power sharing and representation.

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## Democracy and Representation: A Brief Review

Representation has been an integral part of democracy. While there has been significant debate over the meanings and applications of representation and democracy, the concern here is not with determining the complementary or antagonistic epistemologies and etymologies of these concepts. Rather, the attempt in this chapter is to explain the functioning of “political representation” in a postcolonial democratic India, through a discussion around its forms, manifestations, structures, and actors. Most of the scholarship on representation and democracy has been concerned with the formal aspect of democracy, engaging mainly with structures of representation and the institutional design of a democracy. However, contemporary scholarship has questioned and critiqued this over reliance on the formalistic element and proposed new ways of understanding representation beyond the electoral domain. This section provides a review of the approaches to understanding political representation in a democracy.

The institutionalization of representation in a democracy is most clearly manifested through elections wherein citizens elect representatives, giving them legitimacy as legal constitutional functionaries in the democratic process. It is not surprising thus that most of the literature on democracy – its assessment and forms, as well as academic debates around the concept of representation – have coalesced around the phenomenon of elections. In fact “election studies” as a discipline is concerned with precisely this aspect of a democracy, i.e., studying the various aspects of the elector and the elected, alongside the nature of the democratic process, such as nature of campaigning and political participation (Lama-Rewal 2009). This approach typically employs surveys in order to gauge general voting patterns, behavior, and attitude of the polity in order to arrive at some generalizations regarding people’s choice of representatives. In essence, such studies provide insight on, and are thus limited by, their engagement with how people vote or who they vote for.

In India, this nature of enquiry was spearheaded by the *Lokniti* Network at the Centre for Study of Developing Societies (CSDS – <http://www.lokniti.org>), conducting large-scale survey research on *pre* and *post* polls, both at national

(general elections) and the state level (assembly elections). The database hosted by CSDS revolutionized the study of the Indian polity, such that almost every publication has made a reference to the data derived thereof. However, given the inherent nature of the discipline alongside the limitations presented by the survey method, the analysis remains limited on several accounts. Thus, while this approach helps us in understanding how people vote and draw subsequent analysis from it, it does not provide adequate answers to “why people vote” (Banerjee 2017). Secondly, it remains limited to national- and state-level electoral politics, without providing any information about local-level political activity and participation, candidates/representatives, or governance structures. While anthropological excursions such as Banerjee (2017) attempt to remedy the first by engaging in depth with why people vote, there seems to be systemic lack of data available, for use by scholars and researchers, on local-level electoral politics such that even the official election commission website of the country does not host this information (barring a few state government websites that are updated regularly).

The academic engagement on the question of political representation has now far surpassed its traditional understanding, which was largely restricted to studying representation through the paradigm of *the general will of the sovereign body*. Contemporary political theory has questioned the limitations of perspectives focused solely around the nature of the elector and the elected, proposing new ways to understand representation beyond the domain of elections and elected representatives. Historically speaking, the theoretical literature around the concept of political representation was largely focused on whether representatives should act as delegates or as trustees (Dovi 2006). Each of these posits own interpretation of how a representative ought to act, placing opposing emphasis on representative as a delegate enacting the will of those being represented or as trustee who must follow his own course of action based on his/her own judgment. Pitkin (1967) suggests maintaining this paradox as inherent to the concept of “representation,” outlining four different approaches to understand representation, namely, formal, descriptive, symbolic, and substantive representation. This typology aims to provide a direction to discussions around what representatives ought to do by underlining the different expectations associated with each. In essence, disagreement over the role of the representative is judged based on which element of the schema is being applied, and tensions are levied onto the misapplication of standards laid out (Dovi 2006).

Formal representation is concerned with institutional design of a democratic regime, laying out the methods by which representatives come to power and acquire legitimacy, alongside sanctioning mechanisms to “punish” them, if they fail to perform. Pitkin (1967) refers to these two dimensions as authorization and accountability. Most scholarship on the nature of a democracy has been dominated by an engagement with the formal aspect of representation, i.e., the structures of representation, the institutional arrangements, the mechanism through which representatives are chosen, and the functions associated with the status of an elected representative. As a result, most discussions around the state of a democracy ultimately collapse into an engagement with electoral politics. This idea of representation as a principal agent relationship alongside the emphasis on institutional design and electoral politics

implied that studies on state of democracies were devoted to determining the disjuncture between what elected representatives ought to do and the activities they undertook while in office (Yadav 2010). In fact, this tension between representation and responsiveness is the foundational paradox of the Indian democracy (Mehta 2012).

Recent works in contemporary democratic theory, however, have paved the way to take the discussion around representation beyond the domain of formal structures and processes (Dovi 2006). There is a recognition of the need to approach the process of political representation in the plural and to consider representational practices as they unfolded within, but also outside of the electoral process and in different modes (Lama-Rewal 2009). It is obvious that as political realities acquire greater complexity, the focus of representation must expand beyond its institutional embodiment.

One such formulation is Michael Saward's idea of *representative claim* wherein representation is seen as what it does rather than what it is (Saward 2010). Describing representation as a dynamic practice, he argues that it can be seen all around us and is across societies rather than simply a fixed feature of government (Saward 2010). The emergence of this literature has led scholars to argue that the study of representation has experienced a constructivist turn in the wake of a crisis of representation (Lama-Rewal 2009; Mehta 2012). This thesis of a crisis of representation follows from a set of changes that democracies worldwide are currently experiencing, such as a decline in electoral voting rates and electoral participation, an increasing distrust of politicians, and a decline in the popularity of political parties. The primary feature of this thesis is the rising importance of non-state or para-statal actors such as NGOs, interest groups, and social movements in the civil society domain, implying a shift from older and traditional forms of representation such as political parties and trade unions to newer models such as social movements, informal citizen groups, and NGOs (Chandhoke 2005).

However, there is a genuine lack of scholarly attention paid to “non-electoral forms of representation” in the Indian scenario. The accusation leveled against non-electoral forms of representation is that they are non-democratic since there is no generally agreed-upon mechanism, such as elections that accrue to them legitimacy of people. Building on the scholarship on representation, as cited above, this chapter makes an attempt to delineate how people view representation and representatives, as citizens of a democracy. Thus, questions asked in the field centered around whether or not people of community felt represented at the national, state, and local level, if they knew their elected representatives and if they voted regularly, who they approached for their grievances ranging from state actors to non-state ones, and whether they participated in any form of political activity such as protests, rallies, etc. The idea is to highlight how citizens relate to the state and elected representatives.

## Representation and Conflict Literature

A new wave of conflict studies, especially international conflict literature, has been geared to exploring how lack of sufficient representation of ethnic groups relates with the likelihood of civil conflict. There is a general understanding that conflicts are the



result of inequality, but not all inequalities acquire salience. Conflicts do not arise out of the mere existence of different ethnic groups, but when there is differential access and distribution of things commonly valued by groups comprising a polity. These include not only materialistic resources but also political power and opportunities which result in perceived inequalities. Studies on ethnic conflict have shown that the likelihood of conflict is higher in situations/areas wherein ethnic groups do not have/or have limited access to political power or state power (Cederman et al. 2013). Particularly, when political and economic power is unevenly distributed across ethnic lines, it gives rise to inequalities which manifests itself through grievances that have the potential to turn into issues of violent collective action (Cederman et al. 2010). Taking the case of India's linguistic reorganization of provinces as a case in point, it is also argued that asymmetrical access to state power or disproportionate representation of ethnic groups can increase the likelihood of violent conflict (Lacina 2014).

However, it is imperative that representation be seen beyond the national level given the nature of Indian politics in the post-Congress dominance era, which is marked by a shift in the arena of contestation from national level to the state level, as regional parties have gained importance with the rise of coalition politics. Moreover, by judging relevance as representation in the parliament, it is limited to institutional validation of relevance, as being measured by electoral legitimacy. It is our contention that in areas of conflict, non-electoral forms of representation may acquire greater salience, especially in cases where there is an abject distrust for the state-system, as seen in the case of Kashmir.

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## Reflections on Indian Electoral Democracy and Representation

As a result, while on the voter side the universal adult franchise in India recognizes that one vote accords one and equal value, there are also constituencies and seats reserved for the minority community. Moreover, with the demise of the Congress as the only national party in the 1970s, India saw the great rise of regional parties and was catapulted into an era of coalition politics. These factors mark particular turning point in India's democratic history since it also made actors at local level significant in the entire electoral mechanism. This is precisely why any analysis limited to the national level proves not only incomprehensible but also incorrect due to circumstantial and contextual diversities. While linguistic ethnic groups and the indigenous (Scheduled Tribe) population are relatively concentrated, the persistence of caste and gender hierarchy is a feature of nearly every state/district/region. Being mindful of these differentials and their variations over time, alongside the predominantly rural character of the Indian polity, measure for decentralized local governance was instituted in India through a Constitutional Amendment in 1992, with a vision to diffuse power down to the last mile, with the last tier of democratically elected governance structure being the Village – the *Village Panchayat/Gram Panchayat*. Thus, the rural local government system in India, through the Panchayati Raj Institutions (PRIs), makes provision for this involving devolution of functions, finances, and functionaries to the local government institutions. It was introduced, recognizing the ability of the local people to

better manage their issues and to act as a buffer to prevent local tensions from escalating.

The PRIs and its conception must be assessed against the backdrop of conflict literature which has focused on the nature of relationship between the center/national government and the provinces, as a source of tension. A vast amount of literature is organized around the distribution of resources and power between the center and the provinces and how these might propel likelihood of conflict. Lacinia (2014) in her essay has critiqued this line of enquiry preoccupied with distributional resource patterns as a source of conflict by making an appeal to bring the government back into the study of civil conflict.

Taking cues from these two approaches, this chapter redirects attention to the distribution of not just resources but also political power, by looking at how groups engage with the state/democratic structures at the local level. This is imperative since one of most ardent arguments behind advocating the decentralized governance was that it would act as a pacifier to situations of conflict, since it would give smaller groups the ability to gain power and representation at the local level, hence having a significant say in decision-making matters of governance that directly affect them. This is precisely where attention needs to be redirected from the national level and be redrawn to assess the nature of local-level politics – that is, the institutional strategies and processes underlying political bargaining and power sharing – how groups acquire positions of power; how they articulate their grievances; how they mobilize to achieve their demands; or how they strike alliances with other ethnic groups and also the state.

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## Representation: A Situational Analysis

It is the contention in this chapter that when voices feel marginalized and/or underrepresented by being excluded from the larger democratic process, they may react in or more of the following ways:

- (I) The first occurs within the institutionally organized electoral process, as people exercise their dissent by choosing not to enact their vote and abstain from participating in elections. Hence a boycott of the elections becomes a manifestation of their grievances against the state, as an expression for their discontent against the political system. This situation is exemplified by the case of Kashmir, in its ideal-typical manifestation. In Kashmir, often there is a call for boycott by groups demanding secession from India, or sometimes the call for boycott may be made by mainstream political parties to show opposition toward certain government policies, as is being witnessed in recent months Kashmir where regional political parties like National Conference and People's Democratic Party have threatened to boycott the upcoming *Panchayat* (rural) and urban local body elections scheduled later this year, as a protest against certain decisions of the national government (for details, see <https://www.indiatoday.in/india/story/jammu-and-kashmir-why-centre-backs-panchayat-polls-despite-boycott-by-national-conference-pdp-1338065-2018-09-11>).

(II) Grievances relating to representation may range from demands for greater territorial autonomy to reservation quotas. Hence, unlike the scenario in Kashmir, ethnic groups to showcase their discontent, also, express grievances through collective mobilization and protests. Collective action could be violent or non-violent. Since the aim here is not necessarily secession from the mainland, mobilization may not be against the electoral process but for a greater accommodation within that system as exemplified by demands for greater autonomy or reservation, etc. Mobilization of groups finds expression in several interest groups and beyond the domain of the state and the state-system, such as through student union groups and other organizations. However, there has been no clear way of establishing a relationship between a single factor and protest mobilization.

This section aims to provide a picture of the process of political bargaining and claims for power sharing (representational politics), in India, based on data from secondary sources and primary findings from two field sites where the study was carried out – in the provinces of Jammu and Kashmir and in Assam. First, the section provides an insight into how large-scale databases such as the Ethnic Power Relations (EPR) dataset, referred to in the foregoing section on methodological issues, have analyzed and assessed political representation in ethnic terms at the group level in the subcontinent and their political relevance. The intention here is to provide an all India picture of politically dominant/powerless ethnic groups. Second, since the dataset is based purely on figures accruing from the number of formal elected representatives per community grouping, the section also outlines people's perceptions around the question of representation extrapolating from the primary findings of the field study.

### **EPR: The Ethnic Power Relations Dataset**

The Ethnic Power Relations dataset, as outlined before, is one of the few large-scale datasets that hosts information on political representation across countries at the group level. It codes the political relevance of various ethnic groups as senior partner, junior partner, or powerless based on a group's representatives in the national parliament, relative to their demographic size. The EPR India dataset shows the association between the demographic size of "politically" relevant ethnic groups in the country and their representation in the ethno-political system of India. EPR dataset is an attempt to unravel the pathway of inequality in political representation between different ethnic groups both at national and state level over time. As a result, one can assess over time periods, how an ethnic group's political relevance and representation changes over time. When data for the Indian subcontinent alone is extracted from the dataset, across all time periods, the following scenario emerges, as shown in Table 1.

Table 1 unveils that the Hindu forward category from Hindi heartland and from the provinces of Maharashtra, Gujarat, Karnataka, Kerala, Tamil Nadu, and West

**Table 1** Status of political representation of ethnic groups (PREGs) in the national executive

Time periods	Status	Representation of PREGs in executive power		
1947–2015	Senior partner	Hinduism	Others	Hindi heartland (Uttar Pradesh, Madhya Pradesh, Bihar, Rajasthan, Haryana), Maharashtra, Tamil Nadu, Punjab, West Bengal, Karnataka, Gujarat, Orissa, Andhra Pradesh, Assam
		Sikhism	Others	Punjab <sup>#</sup>
	Junior partner	Hinduism	SC, ST, OBC	All states and Assam except northeastern states
		Islam, Christian, Sikhism	All*	States where these religions are present
	<b>Powerless</b>	Islam, Christian, Sikhism, Others	SC, ST, OBC, Others	<b>Northeastern states</b> , except Assam

Note: (1) \*All and SC, ST, OBC, and Others have been merged in Islam, Christian, and Sikhism because this doesn't make a difference on their status unlike Others in Hinduism (in almost every state) which has absolute influence and labeled as senior partner. The consolidation of social categories in Islam, Christian, and Sikhism doesn't affect the absolute influence in the executive and hence their status, which is measured by the number and importance of the positions controlled by them. They have been categorized as junior partners because adding social categories up doesn't make them senior partners by numbers and they have their presence in the executive in almost all periods. (2) #Occasional representation. (3) *Senior Partner*: Representatives of the group participate as senior partners in a formal or informal power-sharing arrangement. Power sharing is defined as any arrangement that divides executive power among leaders who claim to represent particular ethnic groups and who have real influence on political decision-making. *Junior Partner*: Representatives participate as junior partners in government. The choice between senior and junior partner depends on the group's absolute influence in the executive – that is, irrespective of group size – measured by the number and importance of the positions controlled by group members. *Powerless*: Elite representatives hold no political power (or do not have influence on decision-making) at the national level of executive power – although without being explicitly discriminated against. (4) Coders were asked to focus on groups' absolute access to power, rather than on the groups' under or overrepresentation relative to their demographic size

Bengal enjoys the status of senior partner implying, thus, that this category holds much greater political relevance compared to the rest of the groups and enjoys significant representation. In fact, even India's Presidents, Prime Ministers, and Union Cabinet Ministers over the 1947–2014 predominantly belong to this category, which shows that this ethnic group has sustained its power and relevance throughout all elected terms of *Lok Sabha* – the Lower House/House of People's Representatives in India's Parliament. The EPR's time variant coding of politically relevant ethnic groups coded this group as "Senior Partner" in the formation of government. It is quite shocking that there is zero representation from the states of Tripura, Manipur, Mizoram, Arunachal Pradesh, and Nagaland at the central level of executive power, despite their *full provincial state* status within the Indian federal system.

This reflects the failure of proportional representation system in India – representation from minorities and smaller linguistic regions has been either disproportionate or completely absent in the legislative bodies.

Since independence, the Scheduled Castes and Scheduled Tribes were given reservation status, guaranteeing political representation. Owing to the recommendation of the Mandal Commission, affirmative action was extended to the Other Backward Class (OBC) group, resulting in a total of 49.5% reservation quota. Consequently, there was a rise of OBCs representation in the Lok Sabha. This phenomenon coincided with the rise of regional parties, which are largely dominated by non-upper caste groups. While the EPR dataset allows us to draw conclusions on nature of representation at the national level, by highlighting groups that hold power in state's executive body, it is not able to capture the representation matrix at the provincial government assembly level:

- (i) Given the nature of Indian politics, as argued, with the rise of coalition politics and regional parties, the competition at the provincial level has acquired greater relevance. The decentralized system along with the federal structure has also meant that local-level governance and politics have become a site unto itself. The data on this third tier of democracy – the local government system – is conspicuously absent for analysis by researchers in such large-scale datasets. In fact, even the official Election Commission website of the country does not have systematic account of elected representatives at the local level for each region/administrative unit.
- (ii) Moreover, it is noted that citizens are often more concerned about and in sync with local- and provincial-level politics, compared to the national level. In fact, one of the narratives which emerged in the media at the time of last General/Lok Sabha elections in 2014 was that people did not really scrutinize their choice when it came to voting for the Prime Minister in terms of party affiliation, social background, etc., since they felt too distanced from the consequences of that choice. This was in contrast to the scenario at the local government level, where people felt they knew the candidate and that they had more power to directly persecute the local government representative for unsatisfactory performance. Such nuanced perceptions underlying electorate choices are also not captured in the larger datasets.

## **Understanding and Analyzing “Ethnicity” in India**

EPR dataset has offered a global picture of ethnic groups both which are in majority and at risk. Though this data is important, it fails to capture ethnicity and its influence on ethnic politics within the country. India is an unparalleled heterogeneous and complex society. Wide array of identities are attached to the people, and these include caste identities, religious identities, and identifications with clans and lineages as well as linguistic, regional, subregional, and local identities and often varying types of “tribal” identities. Most of these often cut across one another. The

formation of an ethnic identity or transformation of that identity into ethnic nationalism is either the result of the actions taken by elites within the group to promote the change(s) or favorable conditions which arise from the broader political and economic environments rather than from the cultural values of the ethnic groups in question (Manor 1996). Individuals have multiple dimensions of identity – “identity complex” – at the same time. If power sharing and political bargaining, as institutional strategies, are to be understood, it is important to comprehend the identity complexities that ethnic groups employ for negotiating their grievances. Equally crucial is to understand how a group of people with similar identity get mobilized and at what point of time. With regard to identity politics, in India group identities are linked to religion, linguistic, tribe, and caste affiliations – all are prominent in national politics. Language and tribe tend to be geographically concentrated, whereas religion and caste are more evenly spread throughout the country. The foremost thing is to understand India’s multicultural identities and how they play a role in defining group identities and their political bargaining and power sharing strategies to negotiate the ethnic politics. It is this that the following section attempts to make, drawing from the case studies carried out in Jammu and Kashmir and Assam.

## Findings from the Field

This section provides a state-wise analysis of the findings based on the data collected from the two field sites of Jammu and Kashmir and Assam, respectively. Instead of looking at inequality in representation purely objectively, an attempt is made here to assess perceived inequalities by asking people if and how adequately they feel represented at the national, state, and local level and if not, why.

- Firstly, the questionnaire asked people whether or not they had exercised their voting rights in the past 10 years (and, at which level of electoral competition – national, provincial, local). These findings provide an insight on how people view formal structures and processes of representation, specifically elections and electoral politics.
- Another set of questions enquired people about their representatives at local, provincial, and national level. The answers to this, second set of questions, did not always match actual representatives in power-holding elected office, thus showing how perceived notions of representation may vary.
- Further, respondents were also asked about whom they approached to redress their grievances pertaining to common/local matters such as access to public services and who among them was most easily approachable and most responsive, looking at both state and non-state actors.
- Subsequently, respondents were asked as to who they most relied on in times of unrest and, more specifically, with respect to getting access to essential services such as food, healthcare, education, etc.

In order to have a clear picture of people's perceptions regarding the above outlined factors, the analysis is discussed in the following section, thematically, covering the issues separately for each study site.

### **Elections and Voting**

One of the primary questions of the study sought to determine people's participation in electoral politics by asking them if they had exercised their voting right in the past 10 years (2005–2015) and at what level of electoral enterprise (local, provincial, national) and if not, why. The universal adult franchise is often cited as the basic criteria common to all existing democracies. Thus, the intention was to gauge whether people of the state participated in the enterprise or how they perceived it, by asking the question in a qualitative formulation.

### **Jammu and Kashmir**

In the last 10 years, an overwhelming majority of the households in the region under study did not exercise their voting rights. Those who abstained from voting said they did not identify with the political establishment, arguing that the electoral system was an imposed order to which the people did not subscribe. Many of respondents supported their abstention of the electoral process by stating their ideological belief, which views Kashmir as being illegally and unjustly occupied by India. They neither believe in the Indian democracy, nor do they identify with the Indian rule. Even the households that voted in the last 10 years regretted having exercised their franchise. The promises and the assurance from the politicians and the political parties about initiating development and growth along with other basic facilities did manage to pull people out to vote, but could not garner their confidence for long as they failed to keep their promises, even the basic ones. The respondents felt that most elected representatives were corrupt and inefficient, which further amplified their alienation from and for the structural establishment. People voted not to live the spirit of democracy but just to fix their basic grievances. But when they realized that none of their grievances are addressed, they lost faith in the democracy and rather developed a negative perception toward the state and its administrative machinery.

However, does the erosion of faith in the electoral enterprise of a democracy imply that there is no case to be made for capturing political representation in the region? If research were to rely on data limited to elected representatives at various levels of governance based on their political party and ethnic group affiliations, drawn from the EPR dataset, it would show that "Kashmiri Muslims" hold at least some relevance. However, such datasets often decontextualize representation, as a result of which they fail to capture the perceived notions around representation as outlined above. Thus, in the case of a region where there is a strong movement for self-rule and secession, an analysis of representation limited to elected representatives and election process, serves no analytical purpose. Firstly, even if such an analysis is attempted, it must make some reference to the actual voter turnout rates and polling percentage, given area-wise, to be able to provide some sense of how many people's choices it represents. Secondly, by focusing on representation on

national level alone, the EPR dataset fails to capture nature of representation at the provincial government level which, as shown in the case of Kashmir, resonates more with people's perceptions about and their own political life, compared to national-level politics (as discussed in the following section). Moreover, the decontextualization glosses over the fact that Jammu and Kashmir enjoys a constitutionally special autonomous position within the federal structure of India, given to it under Article 370 of the Indian Constitution.

### **Assam**

Contrarily in Assam, with an average voter turnout around 60 percent of the total electorate, households permanently residing in the region exercised their voting rights at least once in the last 10 years – that is, voted in the national general election, in the provincial legislative assembly elections, and in the elections to the Bodoland Territorial Council (BTC), a special category local government institution constituted in 2003 to fulfill economic, educational, and linguistic aspiration and ethnic identity of the Bodos (for details on BTC, see <https://wptbc.assam.gov.in/portlets/bodoland-territorial-council>).

But, at the same time, it is difficult to make conclusive statements regarding the voters' awareness about the different elections conducted in the province, even if they exercised their franchise. For instance, few responded, stating that they had voted in *Rajya Sabha*/Council of States elections, not aware the *Rajya Sabha* is upper house of the Parliament of India which comprises of members indirectly elected by the provincial legislative assembly. This response of the people puts their general comprehension about the whole exercise of elections into question. However, the general attitude about elections was largely positive, with people recognizing and emphasizing the importance of the adult franchise. On the whole thus, the responses are suggestive of absence of any barriers in exercising voting rights in this region at any level.

### **Community's Representation at Local-, State-, and National-Level Legislatures**

As part of the field study, a series of questions were asked to the respondents to understand whether they felt sufficiently represented in the three levels of governance within the country's federal structure in the national, provincial, and local government. Table 2 shows the number of households who answered in the positive to the question on whether their community had representatives at each of the three levels. However, these figures must be read alongside the qualitative responses of the people as highlighted below, as well as ethnic composition of the respondents' profile (see "Appendix").

#### **Jammu and Kashmir**

When we compare the representation of the community or the ethnic group at the local, the state, and the national level, we find that majority of the households in the region are feel represented (Table 2). It also shows that people may perceive representation in different terms and not necessarily in the electoral sense. An



**Table 2** Community's political representation at different levels

Field site	Local government institutions	State legislative assembly (provincial government)	National parliament
Jammu and Kashmir	18 (36)	20 (37.1)	15 (29.4)
Assam	23 (39.0)	17 (28.3)	0
N	107	114	111

Note: Valid N for Assam: local (59), state, and national (60). Valid N for JandK: local (50), state (54), and national (51). Figures in parenthesis indicate percentages

overwhelming majority of households though (32 out of the 50 who attempted to answer) said they did not feel represented at the local level. At the state level, 20 of the 54 households believed they knew their representative at state level, out of which most responses corroborated with the actual representatives. However, a comparison with the figure for the national level is revealing, with only 15 of the 51 households knowing their representative and feeling represented in the national parliament. It must be kept in mind, however, that the reason for feeling inadequately represented is to be seen relative to the number of people who abstained from voting. These two factors seem to run a vicious cycle; people don't vote because they feel that none of the mainstream parties represent their ideological beliefs, and since they don't vote, they do not feel represented.

In terms of feeling sufficiently represented at all three levels, the satisfaction level with regard to their representation in the governing bodies is abysmally low with only few households being satisfied in this regard. Majority of the households in this region show lukewarm response to any political processes and generally do not participate in it. Their opinion of being non-represented is because of the two major reasons – first, their perception of the political system as imposed on them and second, the perceived disconnect of the elected representatives from the populace. There was a general perception that their or their community's interests were not sufficiently represented at each of the levels.

### Assam

In the BTC region of Assam where the field study was carried out, response to the question regarding representation varied. While *Bodo* community dominated in maintaining the highest number of representations of their community members in local government in comparison to other communities, others like *Bengalis*, Scheduled Caste, and Other Backward Classes like *Santhalis* and *Koch Rajbongshi* felt they had no representation in the local government institutions. *Garos*, *Nepalis*, and *Rabhas* had at least one representatives of their community in the local government institution (the *Bodo* Territorial Council- BTC). But, despite the variation in ethnic profile, most households felt better represented at the local-level government, compared to the state and national level (Table 2).

At the state level, only households belonging to *Bodo* community responded that they felt represented in state legislature. Even this does not mean that all of the households belonging to the community are aware of their representatives. But their

responses also reflect their ambiguity regarding their understanding about the legislative and political institutions. Mr. Chandan Brahma and Mrs. Pramila Rani Brahma are the representatives of the *Bodo* community from Kokrajhar region in the State Legislature. Though majority of households in the Kokrajhar region belonged to Bodo community, and the representatives from the region in the State Legislature were from the Bodo community, the people from the region did not know who were their elected representatives, and also named other local prominent leaders as members of the State Legislative Assembly, who were actually not the elected representatives. Few households even had the misconception that members of Bodo Territorial Council (BTC) are members in State Legislature. This also indicates the link between the representatives and the citizens.

Most of the households belonging to *Bodo* community in the Assam are positive about their representation in the political institutions of different levels. This is also because of the fulfillment of their demand for a territorial council – the BTC which was constituted on 2003. The people believe that it has led to increased development activities including infrastructure like road and electricity, which in turn steered more opportunities for people. People acknowledge that there have been better educational facilities with the setting up of territorial council, which they believe is due the better representation of the community by their political leaders at institutions and organizations. But interestingly, this representation is limited to local level, mostly leaders from their own locality.

The *Garo* community, an ethnic group of the Kokarajhar region feels they are not sufficiently represented even at local institutions. Except for the village headman, they are not convinced about the responsibilities carried out by their representatives. They held that their needs and demands are not met by the government due to the lack of adequate representation of their community. The communities under the Other Backward Class (OBC) category (mainly *Nepali*, *Santhal*, and *Koch Rajbongshi*) do not have ample political representation at any level. This deprives them of proper facilities and infrastructure, which affects the overall development in their village. Households belonging to *Rabha* and *Bengali* community also have similar concerns. Only few households agree that politicians have worked toward expanding their livelihood opportunities for the community.

### **Choice of Institution for Grievance Redressal**

To evaluate whom respondents approached to redress their grievances, the questionnaire asked which institution or actor/agency the people approached and who among them was most responsive (Table 3).

#### **Jammu and Kashmir**

As seen in Tables 3 and 4, an overwhelming majority of the households in this region have faith in their community leader compared to any other institutions or personnel of the state, when it comes to settling their basic lawful grievances. Only 8 of the 60 households felt they could approach the local administration for addressing grievances over common matters, compared to mere 3 who said they had some level of faith in the judiciary, while virtually none of the elected political leaders were even considered an option.

**Table 3** Grievance redressal over common matters

State	Judiciary	Local administration	Elected political leaders	Local community leader
Jammu and Kashmir	3 (5)	8 (13.3)	0	53 (88.3)
Assam	1(1.8)	5 (8.8)	5 (8.8)	46 (80.7)
N	117	117	117	117

Note: Valid N for Assam, 57; valid N for Jammu and Kashmir, 60. Figures in parenthesis indicate percentages

Easy availability, quick response, honesty, and sincerity of the community leaders make them the people's first choice for majority of the households. These features are completely missing either in the political leaders or in the administrative officials. The community leaders are more approachable, and there is a greater bond between them than the administration or the political leaders, and people relied on their community as the choice of first approach.

Besides, majority of the households relied on the *Awqaf*, a charitable endowment under Islamic personal law, rather than the statutory PRIs to redress their grievances. Such community organizations are trusted because of their easy availability and immediate as well as effective responses. These institutions are like their own family with whom they share a very strong bonding. In fact, some households even make voluntary financial deposits to these organizations in recognition of the services render and the role they play in the community. The district administration, which exists primarily to provide public services to the locals and with whom citizens have to interact, is perceived to be corrupt and inefficient – primarily seen in terms of weaknesses of the bureaucracy, growing complexities of administration, and absence of commitment and responsiveness of this frontline administrative wing of India's public administration (Sekher et al. 2018). In a region that is witnessing ethnic tensions like Jammu and Kashmir, it was not surprising that distrust of the district administration was more evident. Nevertheless, as reported by some respondents, people interacted with this institution to access public services.

### Assam

Even in the case of Assam, it is the village headman who is the most preferred authority to settle grievances and is their point of contact to connect the local with the government institutions like local administration and police (Tables 3 and 4). Mostly households, who belong to Bodo community, approach community leaders. This distinction that respondents make between village headman and community leaders further complicates matters. While non-Bodo communities like Garos, Santhals, Bengalis, and other social categories, SC, and OBCs did not prefer to approach authorities other than village headman and community leaders for settling common disputes, the Bodo community seems to prefer the administrative authorities including local administration, and local elected leaders, for resolving their grievances in varying degrees. However, this point requires further interrogation in order to establish it as a trend.

**Table 4** Reliance in times of social unrest/tensions

	Neighbors		Administration		Police/security forces		Political leaders		Civil society/community	
	Jammu and Kashmir	Assam	Jammu and Kashmir	Assam	Jammu and Kashmir	Assam	Jammu and Kashmir	Assam	Jammu and Kashmir	Assam
Most	51 (87.9)	54 (96.4)	0	10 (17.9)	1 (1.7)	13 (23.2)	0	12 (21.4)	15 (25.9)	18 (32.1)
Sometimes	5 (8.6)	1 (1.8)	19 (32.8)	17 (30.4)	0	6 (10.7)	2 (3.3)	13 (23.2)	11 (19.0)	13 (23.2)
Least	2 (3.4)	1 (1.8)	37 (63.8)	26 (46.4)	50 (86.2)	34 (60.7)	49 (84.5)	24 (42.9)	29 (50.0)	24 (42.9)
Never	0	0	2 (3.4)	3 (5.4)	7 (12.1)	3 (5.4)	7 (12.1)	7 (12.5)	3 (5.2)	1 (1.8)
Pearson correlation	-0.133		-0.220 <sup>a</sup>		-0.3944 <sup>b</sup>		-0.393 <sup>b</sup>		-0.111	
N	114		114		114		114		114	

Note: Valid N for Assam: 56; valid N for JandK: 58. Figures in parenthesis indicate percentages

<sup>a</sup>Correlation is significant at 0.05 level (two tailed)

<sup>b</sup>Correlation is significant at 0.01 level (two tailed)

On the whole, the local administration, village headman, and community leaders were identified as the most responsive local agency. Highest number of households stated that the local government, including Village Council Development Committees (VCDC), and the district administration were responsive to people's requirements. Nongovernmental agencies, including different students' union, also featured among those entities that are sensitive about concerns of people. The nature of grievances raised is also relevant in determining which entity is more responsive to people. For instance, issues like incidents of missing persons or kidnapping are directly referred to and addressed by the government administration. If the complaints are related to village development or are pertaining to local community concerns, political and community leaders are most likely to be involved. People consult with different entities based on the assessment of their needs and requirements in terms of sensitivity, urgency, and significance. This is an important insight and holds much relevance for the grievance approach to understand representation and conflict. It implies that the nature of grievance is important to understand its link with collective action and choice of institution for redressal.

While the village headman is often the initial point of contact of locals to connect with political leaders or students' unions in the region, among Bengalis in the region, it is seen that community leaders and nongovernmental organizations are mostly contacted. Most households belonging to *Santhali* and *Rabha* community preferred going to government institutions, while the Nepali community did not show any specific preference in their choice of institutions to redress grievances, as all the institutions featured in their response except political leaders.

Though households belonging to *Bodo* community tend to prefer political leaders, and community and civil society organizations representatives, than other communities in the region, none of this observation can be generalized as there are households even among *Bodo* community who least preferred administration and political leaders due to their feeble receptiveness to crisis situations. For instance, when the Bodo-Garo community conflict happened in one of their regions, the Garos had to move out of their village to relief camps for security purposes. A Bodo leader visited the camp and ensured that they were provided with basic necessities. These kinds of community dynamics emerge at the time of crisis between communities, which can actually reverse the effects caused by conflict situations. To sum up, it implies that while neighbors are overwhelmingly the first option for households as most relied upon support systems during unrest, the variation in choice of other actors and agencies is not clearly attributable to any single factor.

While personal networks inevitably scored the highest trust of people, these arrangements with neighborhood need not be feasible if strikes or curfews continued for longer periods. In such situations there is a need for much institutionalized form of support system, which can be better provided by administration, political leaders, and civil society. There have been instances in recent past when conflict situations forced many households to leave their village and take shelter in relief camps, which are mostly set up as a part of such institutional mechanisms. Moreover, as outlined before, it must be underscored that responses be seen alongside the social profile of the respondents.

## Emerging Debates

The nature of political representation, beyond the domain of electoral politics, an important nonmilitary institutional strategy for expressing perceived inequalities, and for negotiating conflict in ethnically divided societies, is gaining more credence with movements and protests becoming central to interactive processes between ethnic groups and the state-system (Carciumaru 2015). An emerging trend in this regard is the sudden upsurge among many economically upper class and upper castes, constituting important collective actors within India's ethnic landscape, who are now demanding affirmative quota benefits in education and employment, under Other Backward Class (OBC) category. This rise of dissent among dominant groups can be seen, for instance, in the agitations of *Jats* and the *Gujjars* spread across several provinces in North India and the *Patidars* in Gujarat, who are protesting to interact changes in public politics to address perceived inequalities.

On the other hand, the Dalit resistance movements seen in the country are the result of their decades of suppression and oppression by several agencies. With the rise of low castes and emerging new (often caste-based) political organization, there has been huge transformation, which has benefitted the Dalit community politically and symbolically, in terms of not only securing to them the advantages through affirmative policies guaranteed under the Indian Constitution in education and government employment but also at the same time creating a better social positioning for Dalits in the class hierarchy through the accrued opportunities. The Dalit resistance movements are for asserting their rights for land, minimum wages, control in the local government institutions, and for a dignified life. The flogging of Dalit youths, for instance, in Una administrative block of Gir Somnath district in the province of Gujarat by the village cow vigilantes (*gaur raksha*) in July 2016, and the subsequent denial by the Dalits to remove carcasses of animals from public places as a token resentment to the brutal incident, is a testimonial to the discrimination and atrocities that continue unabated. But, what is relevant in the discussion here is the Dalit mobilization that took place as a protest, wherein group representation became the strategy used to advance the interests of the ethnic group through political positioning and non-electoral processes against the exploitation. The massive 10 days rally (*Azadi Kooch* or March for Freedom) from Ahmedabad to Una in protest against the Una incident, with demands like alternative livelihood options, reservation for Dalits, land for Dalit families and a strong legal framework to fight the atrocities against Dalits, and above all the total end to manual scavenging marked a new era in the Dalit struggle for their rights and dignity. The organized social base, motivating leaders and the clear cut agenda a massive protest movement, not only forced the government to weigh their might carefully but also aroused the homogeneous consciousness among the community to fight for their cause more vociferously.

In contrary to Dalit mobilization, an upper class can also be seen for claiming affirmative benefits. The *Jats* and the *Patidars* who belong to agricultural landholding class are generally regarded as economically sound communities. However, both the communities have recently resorted to mass protest rallies and demonstrations seeking their inclusion into the OBC category for reservations in higher educational

institute and government jobs. The *Jats* in Haryana, followed the footsteps of the Gujjars, who through violent movements, successfully secured reservations for their community by getting included in the scheduled tribe (ST) category much ahead of these recent caste consciousness-based movements led by *Jats* or *Patidars*.

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## Concluding Remarks

This chapter looks at political representation, beyond the domain of electoral politics and elections that people rely on for the redressal of their grievances. Looking at the case of India, the chapter argues that if diversities are not recognized within the political imagination of the modern state, it can lead to ethnic tensions where political bargaining and power sharing become instrumentalities for negotiating ethnic grievances. In the Indian case, linguistic groups, social category, and religion need to be grouped, as a triad to capture the nature of ethnicity and contestations seen in the micropolitics characterizing representation.

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## Appendix

Ethnic profile of the respondents ethnic community/state respondents Jammu and Kashmir

State	Ethnic community	Respondents
1. Jammu and Kashmir	Kashmiri Muslim Others	58
	Kashmiri Muslims OBC	2
2. Assam	Christian OBC (Santhali)	5
	Christian SC (Sadri)	1
	Christian ST (Garo)	8
	Hindu OBC (Nepali)	3
	Hindu OBC(Rajbongshi)	3
	Hindu Others	2
	Hindu Others(Assamese)	1
	Hindu ST (Bodo-Kachari <sup>a</sup> )	31
	Hindu ST (Nepali)	1
	Muslim others (Assamese)	2
Muslim Other (Bengali)	3	

Note: Sample size for both field sites is 60 each

<sup>a</sup>Hindu ST (Bodo-Kachari) includes both Bodo and Rabha tribes

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## Part VIII

# Ethnic Cleansing and Genocide

## Part Introduction

The presence of diverse ethnic groups in a specific country or region is a secular characteristic in many parts of the world. In some cases, ethnicity can be linked to social divisions and tensions and become the center of armed conflicts. Although large-scale violence against ethnic minorities has been part of the history, the terms genocide and ethnic cleansing themselves are relatively new.

The term genocide was devised by Ralph Lemkin, a Polish Jew and academic lawyer, in his book *Axis rule in occupied Europe*, first published in 1944. Later, the United Nations Convention on the Prevention and Punishment of the Crime of Genocide defined the term encompassing acts committed with intent to destroy (in whole or in part) a national, ethnical, racial, or religious group through killings; serious bodily or mental harm; physical destruction by inflicting on the group conditions of life; prevention of births within the group; and forcibly transferring children of the group to another group. When the Convention entered into force, the term genocide acquired a legal status.

The crime of genocide was legally framed almost 60 years ago and states have the obligation to adopt measures to prevent and punish both individuals and states if certain acts are deemed to fall within the legal definition of genocide. Treaties do not specify number of deaths that must occur to constitute genocide. Occurrence of deaths is only one of the few characteristics of the definition of genocide in the Genocide Convention. A major aspect is that there has to be a “specific intent,” i.e., it has to be proved that the perpetrator clearly seeks to destroy, in whole or in part, a national, ethnical, racial, or religious group. This necessity limits the possibility of charging individuals or states due to the difficulty in providing proof of intention.

Ethnic cleansing is an even newer term, which arose from atrocities in the former Yugoslavia in the 1990s as a literal translation of the Serbo-Croatian term *etničko čišćenje*. The United Nations Commission of Experts defined ethnic cleansing in relation to forced removal of an ethnic or religious group from a particular area through the use of force, violence, terror, or intimidation.

The ultimate consequence of both genocide and ethnic cleansing is to “clean” certain areas of certain groups deemed “unwanted.” Nevertheless, unlike genocide, there is no legal definition of ethnic cleansing.

Eyal Mayroz outlines key underlying causes for the outbreak of genocide and presents insights about its distinctiveness from other mass atrocity crimes. Nyaz Noori explores the Kurdistan Region in Iraq, outlining the interdependencies between the institutional stagnation, partnership failure, and conflict between the federal government of Iraq and the Kurdistan Regional government. Nasir Uddin addresses the ethnic cleansing of the Rohingya people in Myanmar, from the ethnic, regional, and political history of Arakan/Rakhine and of Burman/Myanmar across time to the current challenges faced by the Rohingyas. Christian Cwik examines the situation of the displaced Wayuu Indigenous minorities of the northern part of South America and the Miskito of Eastern Central America. The chapter examines the displacement triggered by the Conquista and the Trans-Atlantic-Slave-Trade and how these two ethnic groups were able to maintain autonomous structures despite the mass murder and displacement they suffered from the 1960s to the present. Wendy Lambourne explores the Rwandan case in the context of the precolonial relations between three identity groups, the construction of ethnic identity by the colonial powers, and how this was reinforced by the postindependence governments and became a factor in the violent conflict and the genocide in the 1990s.

Although there are many other cases of genocide and ethnic cleansing, the ones presented in this part offer some critical lessons for the future. Despite being morally and legally opposed by the international community, genocide and ethnic cleansing continues to be practiced in different forms and guises in some parts of the world.

Sergio Luiz Cruz Aguilar



# The Threat of Genocide: Understanding and Preventing the “Crime of Crimes”

# 79

Eyal Mayroz

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## Abstract

This chapter provides a brief introduction to the concept of genocide. From its genesis in the 1940s amid the horrors of World War II, to recent “genocide debates” over the applicability of the word to the plight of the Rohingya people in Myanmar, few legal terms have received as much exposure and notoriety as the “G word” has. A central motivation behind the term’s creation was to sow fear in the hearts of would-be perpetrators of mass atrocities and thus help to prevent future attempts at annihilation of human groups. Seven decades later it may be said that while the power and intensity acquired by the term have exceeded most expectations, the goal of preventing the “crime of crime” from reoccurring remains a vision yet to be fulfilled. The chapter outlines key underlying causes for the perpetration of genocide, presents new insights about its distinctiveness from

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E. Mayroz (✉)  
University of Sydney, Sydney, NSW, Australia  
e-mail: [Eyal.mayroz@sydney.edu.au](mailto:Eyal.mayroz@sydney.edu.au)

other mass atrocity crimes, and offers points for continued discussion, as part of the ongoing struggle for transforming the “never again” promise from a cliché to a reality.

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**Keywords**

Genocide · Ethnicity · Prevention · Genocide Convention · Intervention · Crime of crimes

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## Introduction

In the few decades since it was coined, the word genocide has acquired a capacity to provoke powerful emotional reactions in millions of people around the world. It is said that no other term attained greater normative notoriety in so short a time as “genocide.” What then are the characteristics which have made the “G” word so unique: a menace to perpetrators and at the same time a sought-after descriptor for their victims? And how have these characteristics varied from or paralleled those of other internationally recognized atrocity crimes? These questions carry special significance for scholars and activists working on advancing agendas of atrocity prevention. To many of them, detailed understanding of the past and its lessons is seen to be crucial for constructing better strategies and policies for the future.

The brutal acts of violence that accompanied our evolution have not been inimitable to what we call genocide. Indeed, incidents of cruelty inflicted by, between, and within human groups can be traced thousands of years back to a range of instances involving different forms of violence and divergent motivations. Consequently, a broad vocabulary was developed to capture these divergences. But when Raphael Lemkin, a Polish Jewish Jurist soon to be fleeing the horrors of the Holocaust in Europe, sought a terminology with which to describe “the destruction of a nation or of an ethnic group” (Lemkin 1944), no existing word or phrase met his purpose.

How and why has genocide evolved to epitomize definitive evil in the minds of so many? Based on what factors and, more importantly, to what effects? This chapter addresses these questions, tracing the development of the term in the lead up to, during, and after World War II. Integrating political, social, ethical, legal, economic, cultural, historical, and linguistic perspectives, it reviews key milestones in the story of genocide: its birth; makeup; acceptance as a crime under international law; the efforts to codify its prevention and punishment; and the failures ever since to fulfill the vision of its creator of establishing a powerful term, which by sheer association would help to prevent or halt the annihilation of human groups.

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## Efforts and Failures to Prevent or Halt Genocide

On 9 December 1948, a special meeting of the United Nations (UN) General Assembly adopted unanimously the Convention on the Prevention and Punishment of the Crime of Genocide, known as the Genocide Convention (United Nations

1948). Highlighting prevention and punishment, the treaty intended to challenge the protection offered to perpetrators of genocide by the nonintervention principle in the UN Charter (UN 1945). After a 2-year drafting process, all 55 member states of the newly founded United Nations voted in favor of the final text. Yet, in the following decades, the international community failed time and again to uphold the hope and promise embedded in the words of the Convention.

During the Cold War, international responses to the threats and realities of genocide were characterized by neglect (Whitaker 1985). No serious attempts were made to prevent or halt genocide, to rescue the millions who were dying in genocidal outbreaks, or to address the legal ambiguities that crippled the implementation of the Genocide Convention. An emerging bipolar divide was affecting the ability and willingness of states to act in the “common good” (Alvarez 2007). Additionally, the sanctity of state sovereignty, which for a long time had been offering cover to perpetrators, was merely dented at the Nuremberg trials, and so short a time after the end of World War II, the focus was on the risks posed by interstate conflicts. The link between domestic violations of human rights and the maintenance of international peace and security was much less clear than it is today, and systematic early prevention was an underdeveloped concept at the time.

The end of the Cold War saw certain increase in the deference exhibited by states to the moral and legal injunctions against the commission of genocide. During the 1990s, a small number of coercive multilateral interventions were carried out; often belatedly, based mostly on the self-interest of interveners, with some humanitarian imperatives and to varying degrees of success. These operations were generally referred to as humanitarian interventions, a modern term for a centuries-old concept. From the beginning of the twenty-first century, amid growing criticisms of this contested norm, discussions of responses to mass atrocities took up a new language and arguably a new substance in the form of the Responsibility to Protect (R2P) doctrine. Still, notwithstanding the modest increase in atrocity prevention efforts, responses to genocidal situations – threatened, impending, or ongoing – have remained ineffective to this day. The great powers continue to default on their self-proclaimed stewardship of international peace and security, and in some cases exacerbate or contribute to violent conflicts. Remarkably, these behaviors have not led to meaningful domestic political repercussions for the offending governments, even in the most democratic states.

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## The Characteristics of Genocide

### Legal Foundations

Genocide was created as, and is still predominately, a legal concept. Raphael Lemkin had coined the term in 1943 by merging together the Greek word *genos* (race, tribe) and the Latin word *cide* (killing). In his seminal work, *Axis Rule in Occupied Europe*, he described it as “an old practice in its modern development” and argued that new conceptions required new terms (Lemkin 1944). As an amateur historian, Lemkin had studied the story and history of mass murder, and his conception of his

“linguistic brainchild” extended beyond the events unfolding at that time in Europe (Moses 2010). His broader definition of the term described:

a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of individuals belonging to such groups. (Lemkin 1944)

A few years later, in 1948, the UN General Assembly adopted a legal definition of genocide, as part of the new Genocide Convention. Article II of the Convention defined “genocide” to mean:

[A]ny of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

Article III enumerated a list of five punishable acts:

- (a) Genocide
- (b) Conspiracy to commit genocide
- (c) Direct and public incitement to commit genocide
- (d) Attempt to commit genocide
- (e) Complicity in genocide

The definition of genocide in Article II fell short of Lemkin’s original conception in at least two ways (Mayroz 2018a). First, political calculations and interests of key states led to a narrower definition of the targeted groups and to the omission of some other, most importantly, social, economic, and political, groups (Schabas 2009a; Jones 2010). Second, the emphasis in the definition had come to rest mainly on physical manifestations of the crime, reducing the cultural aspects which were central to Lemkin’s conception (Moses 2010). As a lawyer Lemkin understood the importance of a compromise for the benefit of a consensus. Whether or not he understood the implications of some of the compromises made is a different matter.

## Genocide Debates

Over the years, a number of controversies have arisen in relation to words or phrases in the 1948 definition of genocide. The most perceptible among them debated

questions around the meaning and the scope of the “intent to destroy,” protected groups, and “in whole or in part.”

*The intent to destroy* – charging individuals with acts of genocide or a state with a failure to prevent or punish genocide requires proof that “genocide” has actually taken place, is taking place, or (arguably) was intended to take place. Such a legal genocide determination requires first and foremost a proof of intent (Schabas 2009a). The difficulty to prove intent at an early enough stage to prevent the perpetration of genocide was perhaps the greatest letdown of the Genocide Convention. Given the critical significance of intent to the international community’s response to genocide, much of the debate revolved around the level of proof required to satisfy its existence or absence. Whereas the benchmark used commonly in relation to the Genocide Convention has been the restrictive test of “specific intent” or *dolus specialis*, many over the years have been calling for a less restraining and knowledge-based approach. A common claim was that the focus of the Convention’s drafters had been on protecting human groups, not on the exact nature of the perpetrators’ motives (Goldsmith 2010). Hence, failures to provide the level of proof required for *specific intent* would go against the purposes of the Convention – so it was argued.

*Protected groups* – the decision by the Convention’s drafters to restrict the list of protected groups in Article II to four categories (national, ethnical, racial, or religious) ended up excluding from the definition cases of otherwise clear attempts at genocidal annihilation of human groups. One example was that of Cambodia between 1975 and 1979, where an estimated two million people, most of them from the Khmer majority ethnic group, were murdered or starved to death by Pol Pot’s brutal regime (Fawthrop and Jarvis 2004). As most of those targeted were members of particular social classes and political groups, the legal determination of “genocide” was confined in Cambodia to the Vietnamese and to other ethnic minority groups (Lemarchand 2003). Genocidal campaigns against political, social, or economic groups are categorized nowadays by some as “politicides,” a term coined by Barbara Harff. In politicides the victim groups are not defined by their communal characteristics as in genocide (e.g., ethnicity, religion, nationality) but primarily in terms of their hierarchical position or political opposition to the regime and dominant groups (Harff and Gurr 1988).

*In whole or in part* – considerable debate has focused on the meaning of “in part” in Article II. Since the Genocide Convention did not elaborate further, it has been left for the courts to interpret the term. Schabas distinguished two basic approaches among jurists: “substantial part” and a “significant part” (Schabas 2009a). The word “substantial” was interpreted by the Appeals Chamber of the International Criminal Tribunal for the former Yugoslavia (ICTY) as primarily numeric, i.e., the size of the targeted part in relation to the overall size of the group. However, the Chamber specified also a second consideration of prominence or significance, i.e., how emblematic was the targeted part of the group and how essential it was to the survival of the entire group (Schabas 2008b). Despite concerted efforts, mainly by the ICTY (Scheffer 2006), no court ruling has conclusively resolved the definition, and disagreements remain.

In summary, a genocide finding by a court is conditioned upon the court being satisfied that special intent existed; that the group targeted was one of the four specified in the definition; and that the intent to destroy extended to a substantial and/or significant part of the group. In addition, one or more of the acts carried out, attempted, or incited by the perpetrators have to match one of those enumerated in Article II of the Convention, i.e., killing, causing serious physical or mental harm, inflicting on the group conditions calculated to bring its destruction, preventing births, or transferring of children (Genocide Convention 1948).

Together, the four elements comprise the essence of what many call “the genocide debate,” i.e., legal or political discussions over the applicability of the genocide label to a specific crisis. If a state were to ever again consider invoking the Genocide Convention in relation to a crisis, the difficulty of satisfying all four criteria, and especially that of “intent,” would be a discouraging factor. Yet, in spite of these definitional controversies, which impeded the implementation of the vision at the heart of the Genocide Convention, half a century later, the drafters of the Statute of the International Criminal Court (ICC) ended up incorporating the exact same definition into Article VI of the treaty (Schabas 2008b).

## The Crime of Crimes

Discussing the effects of the genocide label in relation to the crisis in Darfur, French historian Gerard Prunier wrote in 2005:

At the immediate existential level this [determining whether or not genocide has occurred in Darfur] makes no difference; the horror experienced by the targeted group remains the same, no matter which word we use. But this does not absolve us from trying to understand the nature of what is happening. Unfortunately, whether the “big G-word” is used or not *seems to make such a difference*. It is in fact a measure of the jaded cynicism of our times that we seem to think that the killing of 250,000 people in a genocide is more serious, a greater tragedy and more deserving of our attention than that of 250,000 people in non-genocidal massacres. (Prunier 2005)

To be sure, the “genocide debate” on Darfur was said to have shifted public attention away from the urgency to act and to have provided politicians with alternative focus and a pretext for justifying inaction (Power 2004; Evans 2005; Prunier 2005; Straus 2006; Mendez 2006; Mennecke 2007).

While genocide debates had been triggered mostly by ambiguities in the Genocide Convention or insufficient information on a crisis, they were exploited also by states reluctant to act, to justify bystander behaviors (Mayroz 2018b). The calculated rationale would have been twofold: first, that a diminished consensus over the genocidal nature of a violent conflict could tamper with public understandings of the moral and legal obligation to act and, second, that preoccupation with a “genocide debate” would distract publics and politicians away from the need to take real action. A genocide debate could persist many decades after the events and end up transforming into “genocide denial.” The most well-known example is that of the



long-standing efforts by successive Turkish governments to prevent the use of the genocide label in relation to the extermination campaign conducted during World War I by the Young Turks against the Empire’s Armenian minority. Other cases to mention include Serbs’ retrospective portrayals of the 1995 Srebrenica massacres, Pakistani representations of the 1971 atrocities in Bangladesh, and the rejection of the 1966 Igbo genocide by Nigeria (Mayroz 2018b).

In parallel to the legal controversies, and despite efforts to develop an agreed upon typology of genocide (Dadrian 1975; Kuper 1985; Fein 1990; Chalk and Jonassohn 1990; Smith 2000), the conceptualisation of the term remains contentious. What attributes single out genocide as the “crime of crimes”? It has been noted that in situations of genocide, victims were targeted simply because they existed. However, this characteristic has proven typical also in some cases to other instances of crimes against humanity (Destexhe 1998). In these instances, the perpetrators were said to offend against humanity as a whole.

One unique attribute of genocide is the perpetrator’s intent to destroy not only individuals as human beings, or as members of a particular group, but the *group* itself in whole or in part (Destexhe 1998). Early on, Lemkin had placed particular emphasis on the diversity of the human race and the cultural loss to the world if human groups were to be annihilated (Lemkin 1945). As described also by genocide scholar Roger Smith, genocide had the inherent potential to:

distort and alter the very meaning for ‘humankind’, erasing for all time particular biological and cultural possibilities. . . For a particular group to claim for itself a right to determine what groups are, in effect, human, possessing the right to life, is a threat to the existence of all other humans. (Smith 2002)

Another reprehensible characteristic of genocide is the indelibility of victims’ membership in the targeted group. In many cases these individuals were not allowed to discontinue their membership to escape persecution or extermination (Roth 2002). Furthermore, in Nazi Germany, as in 1994 Rwanda, the right to classify a person as a Jew, a Roma, or a Tutsi was one-sidedly appropriated by the perpetrators (Mayroz 2008a).

While the destruction of a human group may be regarded as more serious than the murdering of as many group members without destroying the group as such, this position was challenged by views which prioritized the value of the group members’ lives over the survival of the group. Arguably, genocide does not necessarily affect more individuals in terms of magnitude, death toll, or level of suffering than other mass atrocity crimes (Lee 2009). The US bombings of Hiroshima and Nagasaki in 1945 – allegedly war crimes as well as crimes against humanity – could be said to have resulted in more casualties and no less grief than many genocidal campaigns. The same applied to the non-genocidal killings of millions of Russians and Chinese citizens by their own governments during the twentieth century (Rummel 1994). It is therefore not statistics nor levels of suffering which have made genocide stand out but perhaps the cruelty of the perpetrators (Mayroz 2018a).

The ethical debates are ongoing, but in international politics the tendency has been to pay more attention to the legal implications of genocide than to its moral distinctiveness. Central to this question is the nature and significance of the duty to prevent genocide in the Genocide Convention.

## The Duty to Prevent

As implied in its formal title: “The Convention on the Prevention and Punishment of the Crime of Genocide,” the 1948 Convention was envisaged by its architects as an instrument of “prevention.” Instructions to that effect were conveyed by the General Assembly to the Committees that were to draft the treaty (UNGA 1946). Despite these intentions, the final text of the treaty ended up focusing mainly on the punishment of the crime. It has been noted though that this focus had reflected also the prevailing view of prosecution as a strong deterring factor, and as such, as an influential preventative element. The motivation had not been to allow genocide to occur and then punish the perpetrators but rather, to use the threat of prosecution to prevent the crime from ever taking place. In any event, the final version included only two references to prevention: in Articles I and VIII. Article I read:

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they *undertake to prevent* and to punish. (Genocide Convention 1948)

The text established the legal basis for states parties’ obligations to prevent genocide. Unfortunately, the Convention’s drafters did very little to clarify what events would trigger the duty and what preventative measures had to be taken by states once it was activated. The second and only other occurrence of the word “prevention” was included in Article VIII, which stated:

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III. (Genocide Convention 1948)

Most legal scholars have supported the view that the directive in the Article did not extend in significant ways beyond *allowing* states parties to refer a situation – deemed by them genocidal (or, arguably, likely to become genocidal) – to the “competent organs” of the UN (Luban 2006; Flint and De Waal 2006; Straus 2006). Once again however, the drafters did not specify what actions would have to be taken, if at all, by these organs (Toufayan 2002).

As noted earlier, the Cold War had come and gone without meaningful attempts being made to put the Genocide Convention into effect. The first significant development took place in March 1993. Eleven months into the civil war in Bosnia, the government of Bosnia-Herzegovina took the Federal Republic of Yugoslavia (Serbia and Montenegro, hereafter FRY) to the ICJ on charges of violations of the Genocide

Convention and requested the court to issue provisional measures that would help protect Bosnia's citizens (ICJ 1993). In addition to charges of genocide, Bosnia-Herzegovina accused also the FRY of failing to prevent genocide under Article I of the Convention (Mayroz 2012). Fourteen years later, in February 2007, the ICJ issued its final judgment on the Application of the Genocide Convention Case. In it, the court described the Convention's provision of "undertaking to prevent genocide" as normative and compelling, unqualified, and bearing direct obligations on states parties (ICJ 2007). A referral to the Security Council did not relieve states parties of the general obligation of prevention, the court noted. It further concluded that the obligation to prevent was one of conduct rather than of result, in the sense that compliance was to be measured by action and not by outcome. States had to manifestly take all measures within their power which would contribute to the prevention of genocide, with the obligation not to succeed but to exercise "due diligence" by employing all means reasonably available to them to prevent genocide, so far as possible (ICJ 2007). These obligations varied according to their capacity "to influence effectively the action of persons likely to commit, or already committing, genocide."

The judgment addressed also the politically thorny question of when a state's obligation to prevent genocide begins. Discounting the widespread notion that activation of the Convention required a legal determination of genocide, the ICJ argued: "[To suggest] that the obligation to prevent genocide only comes into being when perpetration of genocide commences. . . would be absurd *since the whole point of the obligation is to prevent, or attempt to prevent, the occurrence of the act*" (ICJ 2007). It therefore determined that "[a] State's obligation to prevent, and the corresponding duty to act, arise at the instant that the State learns of, or should normally have learned of, the existence of a *serious risk* that genocide will be committed." From that moment, a state with means at its disposal that are likely to have a deterrent effect on would-be perpetrators would be duty bound to make use of them "as the circumstances permit" (ICJ 2007). Crucially, the definition of what a "serious risk" is was left open to case-by-case interpretations by states or courts (Mayroz 2012).

## The Underlying Causes of Genocide

The correlations between the segmentation of societies and the occurrence of genocide are well established. As James Hughes proposes, communally fragmented societies, multiethnic societies, composite societies, and internally colonized societies are all at a considerably higher risk of facing a domestic genocide. Analogous conditions are fostered by "diversity of racial, ethnic and/or religious groups that are politically, economically, socially and/or culturally distinct, organized and competing" (Hughes 2010). However, as Hughes noted, the majority of today's states are structured pluralistically, and so, these insights offered but a starting point for a more nuanced analysis of the causes for genocide.

In their pioneering studies of the threats posed by genocidal violence, Barbara Harff and Ted Gurr identified key indicators for early warning against the risks of genocide and politicide. Testing multitudes of causal factors over the years, by 2015

Harff and Gur had narrowed down their list to five predictive indicators, said to offer up to 90 percent accuracy in their model when temporal inconsistencies in the data were taken into account (Harff and Gurr 1988, 2015; Harff 2003). The five indicators are the existence of state-led discrimination against ethnic or religious minorities; exclusionary ideology held by ruling elites; the existence of minority elite or contention over elite ethnicity; the type of polity, i.e., autocracy versus democracy; and past employments of genocidal policies (Harff and Gurr 2015).

In a complementary effort to Harff and Gurr's, Gregory Stanton developed a predictive model consisting at present of ten conceptual stages in the evolution of genocide. The model helps to identify the existence or emergence of political and societal conditions for the onset of the crime – findings that could support subsequent efforts at prevention. The ten stages include processes of classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination, and denial. As Stanton notes, these stages are not necessarily linear, as they could evolve simultaneously and not inevitably in a set order (Stanton 2013). Linking his model to Harff and Gur's early warning indicators, he writes:

Targeted groups of state-led discrimination are victims of Discrimination. An exclusionary ideology is central to Dehumanization. Autocratic regimes foster the Organization of hate groups. An ethnically polarized elite is characteristic of Polarization. . . Massive violations of human rights is evidence of Persecution. Impunity after previous genocides or politicides is evidence of Denial. (Stanton 2013)

The two models and other concerted emphases on country risks and on the modern state as the core unit of analysis of genocide (see also Fein 2001; Mann 2005) have been expanded to account for later developments, such as the emergence of Islamist extremism. Historic, ideological, ethnic, and religious enmities were thus found to manifest at national but also transnational settings (Hughes 2010).

The instigation of a genocidal campaign involves by definition a premeditated decision, usually by the leadership of the state or of a dominant (majority or minority) group. These decisions are anchored in, or at least invoke and manipulate, perceptions of existential threats from victim groups, perceptions which are strong enough to warrant their physical extermination. Hughes is right to warn though against clustering the analytical focus of research around threat perceptions and security dilemmas. Political ambitions of ruling elites, material interests such as the seizing of land or other resources (during colonization and even today), racist ideologies, deteriorating economic situations, rising social inequalities, and subsequent intensification of group competition - all these have accounted for or contributed to some of the most horrific genocides of the past hundred years and more (Jones 2004; Moses and Stone 2006; Moses 2008; Kiernan 2009). From among these factors, fear and greed have played particularly significant roles in legitimating and mobilizing the apparatuses that ended up perpetrating the genocide on the ground. Manufacturing an "enemy," dehumanizing the "other," and framing scapegoats were as essential to the process as the foot soldiers without which the genocidal campaign could not have been carried out. Studies of the Armenian genocide, the

Holocaust, the 1994 genocide in Rwanda, the genocide of the Australian aboriginals by the European colonizers, and the genocide of Muslims by ethnic Serbs in Bosnia have demonstrated how likening the victims to animals by the perpetrators could alter psychological mind-sets and prepare societies to partake or acquiesce in extermination projects. As discussed by Savage, depicting the victims as menacing animals had transformed them into a threat to society, enough to place them outside a common universe of mutual human moral obligation. The victim group would then become a problem requiring an immediate action, to which extermination would come to be seen a legitimate solution (Savage 2006; Stanton 2013).

## The Distinctiveness of Genocide

Studies have attributed the failures to prevent or stop genocide to a wide variety of factors in the policymaking of key states, most notably to interplays of opposing interests and concerns – material and ideational, recurring, and case specific (Mayroz 2019). Moral and legal imperatives which may have existed for strong action had failed time and again to override cost-benefit calculations dominated by concerns over risks of military action, lack of national interests, or the continuing influence of state sovereignty. Structural weaknesses in the procedures of the UN Security Council erected additional obstacles to international action, since any one of the five permanent members of the Council (the P-5) could block such action based on self-interest and with little or no legal checks to prevent it from doing this. These conditions had left millions of vulnerable people around the world at the mercy of cold foreign policy calculations and power struggles between, and sometimes within, dominant states.

In a forum on genocide prevention held in Stockholm in 2004, UN Secretary-General at the time Kofi Annan spoke of the need for “clear ground rules to distinguish between genuine threats of genocide, which require a military solution, and other situations where force would not be legitimate” (Inter Press 2004). In contrast to this (later disavowed) distinction, the evidence points to more similarities than divergences between responses to genocide and to non-genocidal atrocity crimes, including other instances of crimes against humanity, war crimes, and ethnic cleansing. First, conferring the label on conflict situations had not resulted necessarily in the past in stronger action. In fact, given the inverse ratio between interventions in non-genocides and noninterventions in genocide, it may have been the opposite. The significance and normative preeminence of the label are thus put in question, since, if the “seriousness” of events would have correlated positively with the strength of responses, we might have seen more interventions to stop genocide (Mayroz 2019).

Second, similarities between genocide and other atrocity crimes have extended also to the constraints to action. Out of 18 recurring obstacles examined by this author to the international community’s ability to prevent or stop mass atrocities, only two were linked specifically to situations of genocide. All other constraints applied to non-genocidal events as well. The first of the two constraints were the effects of the “genocide debate.” As noted earlier, various commentators pointed to these debates as distractions from, or excuses by, states to avoid taking meaningful

steps. The second constraint applied to alleged reluctance by policymakers to commit to action on genocide, of fear of having to bear the legal and moral obligations purportedly generated by the label (Reeves 2004a; Scheffer 2006; Mayroz 2019). Notably, during the 1990s the Bush and Clinton administrations opted both overwhelmingly for the deceptively sterile “baggage-free” and legally harmless phrase “ethnic cleansing” in references to the violence in Bosnia and later in Kosovo, arguably, to avoid using the “G word” (Blum et al. 2007; Mayroz 2008).

As a final point, rhetorical justifications of action, employed in the past during anti-genocide advocacy campaigns, did not seem to differ significantly to those raised in relation to non-genocidal situations.

In contrast to the abovementioned similarities, adoptions or circumventions by US officials of genocide rhetoric in relation to various crises were found to have led to different results, particularly in the case of media coverage, public attention, and the robustness of civil society’s efforts in promoting action (Mayroz 2019). A key example was the relative visibility of Darfur during 2004, compared to the deadlier yet non-genocidal violence in the Democratic Republic of Congo (DRC) (Haeri 2008; Hamilton 2011; Mills 2015; Mennecke 2007). However, years later both conflicts continue to fester, and Darfur has long been absent from attention of the world’s media, or of a no longer concerned international community.

William Schabas has made the argument that the prosecutorial utility of genocide had declined in favor of crimes against humanity. Taking perpetrators to court on charges of genocide is more difficult than on charges of crimes against humanity, he says, as the latter does not require proof of special intent (Schabas 2006). Furthermore, once the scope of crimes against humanity had been extended to cover times of peace by the Rome Statute of the ICC – earlier a unique characteristic of genocide – prosecuting under the former has become much easier. It was the nexus to armed conflict, imposed on “crimes against humanity” by the great powers in Nuremberg, which led to the internationalization of the term genocide in 1946. While the powers feared being targeted for repressive acts by a peacetime crime, emerging states, specifically India, Cuba, Panama, and Saudi Arabia, were pushing for an instrument that could protect them, and settled on genocide (Schabas 2008a).

On the other side of the scales was the normative force embedded in the popular, political and legal conceptions of the term genocide. Defendants coming before international criminal tribunals have been said to favor being indicted and convicted for war crimes, or crimes against humanity, over the prospect of being labelled *génocidaires*. Schabas wrote: “Plea agreements systematically involve[d] withdrawing charges of genocide in favour of convictions for crimes against humanity” (Schabas 2009). It is far from certain, however, that these concerns would deter perpetrators in the preparatory stages of genocide from launching their campaign.

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## Conclusion

Adam Jones has pointed to two key concerns for genocide scholars: the wish to define and conceptualize genocide, and the desire to learn how to prevent it (Jones 2010). Had the legal definition of the crime in the Genocide Convention, or the jurisprudence

around it thereafter, been true to Lemkin’s dream, the modern history of genocide would not have been as tragic as it has. The vision of a world joining hands to prevent the destruction of human groups had gone astray. What genocide *is* may be construed as too narrow or too broad. The stringent criteria in the 1948 definition have made it a very specific and difficult to substantiate crime. At the same time, the attempts to pigeonhole reality into a distinct criminal activity called “genocide” may have undermined the value of the term for saving lives. To raise the stakes higher, wide perceptions of genocide as “the crime of crimes” continue to lead survivors of legally recognized, contested, or even mistaken instances of genocide to believe that nothing short of the “G” label would capture and bestow public recognition on their personal tragedies. These attempts to effectively broaden the scope of what genocide is have been criticized for diminishing or diluting the potency of the term (Mayroz 2019).

Two decades into a new millennium, the world has not become perceptively safer for vulnerable human groups. The massacres of the twentieth century were followed by fresh cycles of mass violence in Darfur, Syria, Yemen, South Sudan, and other places. The targeting of ethnic and religious minorities in Iraq and Syria (Kerry 2016; US House of Representatives 2016) and more recently of the Rohingyas in Myanmar continues to shape the reality of the threat of genocide. Although we did witness in recent years quicker and at times more vocal responses from the UN, civil society, or even some states, these did not always lead to more effective outcomes. The proxy wars waged on the backs (and graves) of innocent Syrians have invoked echoes from Vietnam and other killing fields of the Cold War. Furthermore, the failures to stop the violence in Syria underscore the potentially disastrous consequences of power struggles among global and regional actors and interests. They reiterate also the question raised earlier by Prunier about the difference between genocidal and non-genocidal mass atrocities and the rationale for prioritizing one over the other.

How to enlist the support of the major powers for stronger international responses to genocide and other mass atrocities? How to challenge the cost-benefit calculations of key states against meaningful action? One strategy is to try to increase the political costs of failures to act, both domestically and internationally. In this scenario, a higher price for bystander practices could help transform routines of moralizing rhetoric and moral outrage – real or fake – into more effective meaningful measures. Beginning in the 1990s, the “genocide” label has served to encourage the former but created also significant hindrances for the latter. Overcoming governments’ reluctance to commit to strong responses to “genocide” without surrendering the normative capital encapsulated in the label is a challenge waiting for creative solutions. In an increasingly populist global environment, where peoples’ power is alleged to matter more than it did so far, the potential for change may well be greater. Arguably though, so could the difficulties.

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## Cross-References

- ▶ [Ethnic Cleansing of the Rohingya People](#)
- ▶ [Ethnic Conflict and Genocide in Rwanda](#)



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# Separation Versus Reunification: Institutional Stagnation and Conflict Between Iraq and Kurdistan Region

# 80

Nyaz N. Noori

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## Abstract

This chapter outlines the interdependencies between the institutional stagnation, partnership failure, and conflict between Iraq and the Kurdistan region. It identifies the pathways through which the institutions have emerged and stagnated since the mid-1960s. It explores why these two partners, the federal government of Iraq and the Kurdistan regional government, are unable to live together or separate peacefully.

## Keywords

Kurdistan · Iraq · Institutional stagnation · Conflict resolution

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N. N. Noori (✉)

Department of Economic History, Uppsala University, Uppsala, Sweden

Lecturer, Department of Economics, University of Sulaymaniyah, Sulaimaniyah,  
Kurdistan Region, Iraq

e-mail: [niaz\\_najm@yahoo.com](mailto:niaz_najm@yahoo.com)

## Introduction

Baxtyar Ali, a well-known Kurdish novelist, in one of his poems describes the structure of partnership, or social contract, in the Kurdistan Region of Iraq (KRI) as follows: “Oh darling. . . come and loot me, because I am here to loot you.” This is the rule between spouses and individuals as well as the center and the KRI.

The history of the last 50 years or so has shown that Iraq and the KRI, established in 1992 with recognition in 2005 Constitution of Federal government of Iraq, have continuously confronted internal volatility, political conflict, and macroeconomic fluctuation – whether they are rich or bankrupt and whether they are independent or a colony.

Hence, two questions can touch the core objectives of this chapter

- Why are these two parts of the same country neither able to live or separate peacefully? How has institutional stagnation left consequences on the partnership failure and conflict within and between Iraq and the KRI?

The author attempts to find the answers of these questions by illustrating and contributing to two related yet very different literatures: institutions and economic crisis and institutions and conflict.

The major argument of this chapter can be summarized as follows. First, uncivic, or bad, institutions have altered the behavior of the individuals, social groups, and political elites in Iraq, including the KRI, encouraging and enforcing them to engage in cheating and shirking and thrusting them into prolonged bloody conflict. Second, both “internal” enforcement party, the governments, and informal rules are the major obstacles for the institutional development and promoting peace between the center in Baghdad and the KRI, which confirms that designing institutions may not help in breaking vicious circles of institutional stagnation at once, it is a process. Still, the way institutions destine and the “external” enforcement party, the international community, interfere to reduce levels of conflict between these two parts of the same country actively contributes to determine the path of development. Third, an “angel versus evil” analysis does not help understanding what has been happening between these two parties, or partners, and why they do not interact or separate peacefully. A challenger, the Kurds in this case, and a target, the Arabs of Iraq in this case, have built trustless economic and political relations.

In showing aspects of conflict and supporting these arguments and hoping to fill the literature gap on the partnership failure and conflict between the Iraqi state and the KRI, the chapter follows a historical approach to explain the impact of path dependency on the performance of current institutions. It turns to look at economic policies used against each other before and after removing Saddam Hussein in 2003. A particular attention to spouses’ and the political parties’ relations will be part of the story in order to further investigate the roots and levels of disintegration. Finally, the study brings evidence from the formal rules, especially new constitution of Federal Republic of Iraq, too.

The rest of the chapter is organized as follows: section “[Institutional Stagnation and Partnership Failure](#)” explores the roles and causes of institutional stagnation. Section “[Aspects of Partnership Failure and Conflict](#)” provides a historical review on the aspects of political and economic conflict since the mid-1950s. Section “[Factors of Institutional Stagnation and Conflict](#)” explores sources of disintegration and conflict. Section “[Separation or Reunification: What to Do?](#)” explains the return of Kurdish nationalism euphoria, the internal weaknesses and characteristics of institutions in the KRI, and recommendations for conflict resolution. The final section devotes to conclusions.

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## **Institutional Stagnation and Partnership Failure**

Interactions between individuals in a society are not a simple process. Individuals need to be guided in order to develop their social capacity, live the life they value, and begin to be positive creatures toward themselves. They may not cooperate due to free riding and coordination costs, or other factors.

Generally speaking, better law and order situation promotes businesses through enhancing the confidence of investors by minimizing uncertainties and risks. With weak democratic institutions, politicians and public officials have fewer checks on their power, making it easier for them to engage in rent seeking, thereby causing a lower economic growth (Nawaz 2014). Francesca Gagliardi (2008) argues that “(T)he evolution of institutions can produce a favorable environment for the adoption of cooperative solutions that will foster economic change, hence growth.” Otherwise, opportunism harms cooperation, exchange, and growth, and brings crisis.

Institutions, as North states, consist of three elements. The first element is a set of formal rules. These are codified laws that can be written in a democratic process or imposed by political elites otherwise. Constitutions, common laws, and contracts are examples of formal rules. The second element, norms of behavior or informal rules, is informal constraints on behavior that structure repeated human interaction. These rules tend to be inherited from the past and traditional culture of that society and/or through interactions with the world, especially the society’s regional neighbors. Meanwhile, they are determined by individuals’ expectations toward “others” behavior and policies. Accordingly, they influence the individuals’ choices, motives, decisions, options, and shape their present and future.

Although formal rules are important, they require a third element, the government, to enforce them, or will not be followed. However, government’s plans and strategies may be influenced by informal rules that can affect policies of enforcement. As North states, a Mafia-like character of the government can always standstill the process of development as the standard problems of agency may arise; thus, “embodying modern legal institutions and instruments is a major part of the history of freedom”(North 1989). As we shall see, the rise of a predatory state/government was part of the history of Iraq since its birth.

This three-pronged framework, elements of institutions, draws a clear line between the institutional approach and rational choice theory. Rational choice

underlies theories of economic development through linearization and free trade. The specialization and division of labor results in increasing productivity of the factors of production, particularly the labor force, leading to arise of production, income, etc. Finally, the nation can accumulate wealth and will rise above poverty. Accordingly, nations shall move from personal to impersonal exchange models at a wide space.

North argues the latter change often accompanies with another path: poisoning the social relations, which limit further expansion of the economy. Once engaged in trade, a nation's economies experience short-lived prosperity. Meanwhile, these changes may change the behavior of individuals and social groups to incentivize shirking and cheating, thus resulting in recession, financial mismanagement, and other types of crisis. In personal model of exchange, the cost of gathering information on each party was low due to small numbers, and contract dealings were repeated among them. With impersonal exchange model and in the absence of good institutions, cheating, stealing, and thrive will be tolerated (North 1989).

At one point of time, when a relationship stagnates, or goes in favor of one party more than the other party, one of the parties may plan to exit. Although Mark Crescenzi's study focuses on trade agreement, it can still help in understanding decisions of exit in similar situations. This decision depends on its opportunity cost, of switching from this option to the next alternative. Assume that the game is between two states, a *challenger* and a *target*. The challenger attaches a threat of economic exit to its demand in an attempt to compel the target to concede. The "exit costs" define the likelihood of success of each party. Three factors cause current relationships between two partners more costly to break:

- *Trade routes*: Geographical and political boundaries that limit transport of goods and services increases costs of exit.
- *Asset specificity*: Rigid, immobile resources make states vulnerable to trading partners.
- *Market structure*: A partner may stay in an agreement if s/he has no other potential partners with which to establish new ties.

In this case, a type of "*constraint equilibrium*" emerges, which reduces conflict. However, this study does not explain why the challenger may choose "a crisis equilibrium, in which the use of economic tools of persuasion fails and militarized conflict ensues," as the partnership between Iraq and the KRI shows, though the latter may be called a quasi-state; or why "a *bargaining power equilibrium*, in which the costs of exit for the target allow the challenger to induce the target to agree to its demands" may not occur (Crescenzi 2003). In any case, with institutional stagnation, both enter and exit costs of a relationship increase.

There are combined factors that make institutions stagnate, or preferences for institutional change to prefer an efficient set of property rights not to occur, and partners fail to stay together or leave an agreement with minimizing its costs on both. The factors focused in this study, with a partial attention to the fifth point, can be listed as follows:

- **Path dependence:** accumulative events, organizations, and beliefs inherited from the past. A centralized distributional system supported by a political culture and rent seeking were the children of path dependency.
- **Collective action and high opportunity costs** of challenging the ruling class.
- **The neighbor effect:** Institutional weaknesses of the states/families surround the country/family (the KR's neighbors and Kurdish families in this example).
- **Exit–enter costs:** partially represented itself in Sectarian-Nationalism project in Iraq (among Sunnis and Shi'a Muslims in Iraq and between the Arab and the Kurds of Iraq).
- **International competition:** powerful states and counterproductive forms of international intervention (military intervention, developmental aid, sanctions, etc.).

Let's keep in mind that the institutional development can be achieved by accumulation, not designing. By bringing evidence from the Bill of Rights in 1689 and the Act of Settlement in 1701 in the United Kingdom, Peter Murrell's argument supports Fredrik Hayek's view (1960) on the evolution side of informal rules as well as legal structure. As Hayek, he stresses that institutions accumulate "as a result of trial and error and survival of the successful, with design secondary. . . . The institutions of government and the rights of the English arose in a very long process, which reached culmination in the mid-seventeenth century and thereafter bore fruit." Accordingly, a common set of ideas on rights and on the nature of government, plus many lesser instruments and habits of governance, hand in hand with law, supported social change in the United Kingdom (Murrell 2017).

However, designing the right institutions does help in getting rid of the problem of institutional stagnation. To challenge the problem of free riding and conflict, and perhaps to reduce exit or unification costs, Chatagnier and Kavakl point out that economic interdependency may not impose a low-level of conflict, particularly when they export similar goods (e.g., oil). Enforcement party plays a significant role. In this respect, the enforcement school states that "a punishment strategy is sufficient to enforce an agreement" and avoid cheatings, because "the net benefit will not be positive." In contrast, the managerial school argues that improving dispute resolution procedure, supplying technical and financial assistance, and increasing transparency address noncompliance problem (Chatagnier and Kavakl 2017). Still, it is not clear what type of facilities shall be provided and who shall be punished and how.

In one of their experiments for three different treatments, Stine Aakre et al. find that average participation rises sharply when "insiders" can punish other insiders. Interestingly, "when would-be free riders do not have an escape option, enforcement enhances the average total contribution substantially" (Aakre et al. 2016). Moreover, insiders may not be able to punish outsiders; therefore, an insider with another insider might be in conflict due to the hegemony of the outsiders. Hence, both compliance and participation are necessary condition to share power among insiders and resist the hegemony of outsiders (Iran and Turkey in this case).

Briefly, history has shown that the transformation from a less institutionally advanced society to a more institutionally advanced society was not possible unless the three major elements of institutions (norms of behavior, the formal rules, and

enforcement) did not develop in a way that promotes the growth of social capital. However, due to several reasons, these elements may change very slowly, imposing “crisis equilibrium.”

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## **Economic and Political Aspects of Partnership Failure and Conflict**

The problem of partnership failure and conflict between the governments and political leaders mentioned above has become a norm over time. It was more deteriorated by enforcing people to move from rural to urban areas within Anfal campaigns in late 1980s.

Understanding conflict at microlevel helps in tackling puzzles of partnership failure at macrolevel, too. Briefly, partners are suffering from finding a way to live together or leave their relationship peacefully. In the last few years, the divorce rate has sharply increased. Social media, economic hardship, and infidelity are the major motivations for these broken up relationships. The divorce rate could have even been higher if breaking up were socially and economically possible for many families while exhausted in daily fighting.

Similarly, from the birth of Iraq to the birth of the KRI, the center and the region were at war for almost 41 years. Prior to 1991, the center tried to marginalize the Kurds except for those groups who supported the regime. The economic reforms have not become a real alternative; they also had a catastrophic end. For example, 3 months after the 11 March 1970 agreement, which was supposed to grant autonomy to the Kurds, the Sulaimaniyah Sugar Factory contract was put into force with a 6,651,811 IQD investment, though it was not fully functional until 1976, when the factory employed 869 people. When a centralized system strengthened, another choice appeared for the Ba’ath party: in the 1975 Algiers Agreement, Iran and Iraq tackled the issue of the Persian Gulf; thus, Iran withdrew its support for the Kurds. From then on, the Ba’ath party did not need the Kurds any more. The Kurdish revolt ended, following a bloody conflict, with a total collapse of the autonomy project. During this period, the center’s remedies were a cure to relieve the pain, rather than to develop the region.

As they created a headache for the regime, the countryside was severely attacked by subsequent governments, in the 1930s, 1950s, 1960s, 1970s, and most notably within the *Anfal* campaign’s operational phases in 1988–1989 when nearly 4000 villages were razed by the central government. All these caused the decline of production, particularly wheat and barley, the two most important yields in the KRI to this day (Noori 2018).

Since then, except for a period of cooperation between removing the Saddam’s regime up to 2012, lack of cooperation has been becoming a norm and conflict extended to the present time. As between couples within a family or political parties, the KRI and the central government often have learnt to use economic policies against the other. Controlling the monetary policy by the center is of vital to focus on. After removing the Ba’ath regime, private banks have opened their branches in the KRI, but mostly under the control of the central bank in Baghdad. Recently, when the Kurdistan Regional government (KRG) has taken people deposits in both public and private banks in the name of paying public wages, the central bank in



Baghdad could not interfere, and did not care if bankruptcy occurs in the KRI. In general, as the governments of Iraq and the KRI are less trusted, almost IQD 40 trillion, over USD 35 billion, is hoarded by Iraqi people (Fadiya Al-Jauary). The KRI has had less impact on the economic policies and punished decision makers of Iraq, though they have over 50 seats in Iraqi Parliament.

Irresponsibility toward the KRG employees after cutting its budget (17% minus sovereignty budget) since 2014; sanctioning the KRI on many occasions, even under the Federal system following the independence referendum in 2017; and neglecting the huge budget deficit of the KRG are only some examples that show disintegration of national economy as well as lack of national vision. On the other side, the KRI is not transparent in providing a clear budget statement to the center, one of the reasons for the delay of spending the latter's budget by the central government from 2014 onwards. In building the Ceyhan oil pipeline, exporting oil unilaterally, and moving Kurdish security forces into disputed areas between the Iraqi and KR governments, the Kurdish political leaders did not have sufficient justifications, though lack of clarity in the language of the 2005 constitution was contributed to create this problem.

In designing Federal Constitution in 2005, Dawoody states that the Kurdish as well as the Shiites leaders, more or less, used their experience for their own empowerment. In reality, the 2005 Constitution was boycotted by most Sunni organization. Whether the Federal government, the KRI, or both have the authority to extract and market Iraq's oil is unclear in the constitution. In 2005 Constitution, Article 111 states that "oil and gas are owned by all the people of Iraq," but Article 112 states "the federal government, with the producing governorates and regional governments, shall undertake the management of oil and gas extracted from *present* fields" (Dawoody 2006). The Constitution also identifies the unity of Iraq as a "free" act of its people. This indirectly acknowledges that the Iraqi union is a form of "union at will." Accordingly, the Kurds can use it as an entitlement for separation, though the Iraqi courts have decided that it is not a separation clause. Article 140, which finds a way to determine the fate of disputed area, including Kerkuk, has not yet been implemented. Ironically, Article 9 (sec B) bans militias from being formed outside of the framework of armed forces. However, many Shiite, Sunnis, and Kurdish units take their orders from the Shiites, Sunnis, and the Kurdish political parties (Arsalan Haji Issa Al-Mizory, October 2014). Paradoxically, Dawoody mentions, "Article 129 identifies additional powers for the regions by stating that: The region's government is responsible for all that is required to manage the region, in particular establishing and organizing internal security forces for the region such as police, security and regional guards." It also confirms that these two partners are not responsible for the possible mistakes that happen by one side. Violating the federal constitution is demonstrating that the problem lies with the enforcement party and norms of behavior more than the rules of law. Designing institutions has not encouraged cooperation between them too.

Putting the analysis above altogether, in Iraq and the KRI, partners are stuck in their relations, neither able to separate nor capable of living peacefully together. To analyze the influence of economic, social, and political factors producing institutional stagnation, I would turn.

## Factors of Institutional Stagnation and Conflict

Establishing the Iraqi state in early 1920s was the beginning of a new round of social relations among different social groups within Iraq and between the two major ethnic groups, Arabs and Kurds. However, the Iraqi national project was flawed from the start for several reasons that shall be discussed below.

Elsewhere, I have argued that the major factors that blockaded the process of long-term economic growth in the KRI are uncivic traditions, resource curse, and centralization. These factors are complementary in a sense that each produces the other (Noori 2018). Hence, a deep explanation for the causes of uncivic traditions alongside other factors leading to lack of cooperation and raise of conflict shall be paid attention to.

### Path Dependence

The present time has been largely shaped by its past. Path dependence has represented itself in both a centralized planning system that made individuals a “means,” not “ends” and a political culture supported by rent seeking produced disintegration in the society.

Briefly, as elsewhere, economic recession and political chaos provided the state with a pretext to institute centralized planning policy. Matin properly analyzes that from the fall of Ottoman Empire, to British Mandate, up to the fall of Ba’athist regime and establishing the Federal government, in each period, a new regime substitutes its precedent but never national project successes. The combined factors in each round let the domestic landlords, tribe leaders, and the political leaders a chance to survive, recover their position, and rise to power. People were largely concentrated on what was removed, not its substitute (Matin 2018).

Due to lack of space, the focus here is on the second half of the twentieth century. In fact, institutions in their primary forms were an extension of primordial power relations. During the period of Iraq’s monarchy (1921–1958), parliament candidates were treated as representatives of sects, ethnics, and tribal associations. Their power was largely relied on these associations’ power. Up to date, parliament as a political institution is seen the same way both in Iraq and the KRI as it is clear from closing it by the KDP in recent year after the Gorran parliament members insisted on not extending the terms of president of the region for another 2 years.

After the fall of monarchy in Iraq in 1958, the legislative, executive, and judicial powers were powerless in reality, replaced by an unaccountable single-ruler and his party that had entitled to sensor every space. Especially after 1968, the Ba’ath leaders used every single means to strengthening their power. Distributing society into two camps, the counterrevolutionaries and revolutionaries, with the latter being regarded as traitors, was an effective one. The priority, as they claimed, aimed at building a more egalitarian society; thus, the individuals should support the party’s strategy during transition period if they would reach the coasts of prosperity (al-Khafaji 2000). The Ba’ath regime, which was ruled by Saddam Hussein since 1979, deployed resources for military expansion under the party’s control. In the first year

of Iran–Iraq war, military expenditure constituted some 70% of Iraq’s GDP. Preparing and making war, for example, with Iran’s Shi’a regime, were followed to complete their hegemony over society.

Expelling the Jews from the country during 1940s, who were dominating the private sector and trade, eroding monarchy regime, and a breakdown of semifederal system in agriculture marked an economic transformation into a fully rentier state, which pushed the rural people to move into the urban areas and changed terms of trade as oil dominated over the economy (al-Khafaji 2000). The social groups had now to follow the *Ba’ath leaders*, instead of becoming *free traders*. Restricting integration between domestic and the international markets, including the capital market, limited developing new ideas and left the domestic markets under the control of the government and/or recruited in the free officers’ organizations: political party, military organizations, etc. Step by step, the Ba’ath party, through the state, specialized in everything and enforced an inefficient set of property rights while the rest (the ordinary people) were encouraged or enforced to specialize in protecting the state’s/ elite’s property rights and their robust political regime. By borrowing from Trotsky, with some modifications, Matin describes the political model of the Ba’athist party as follows: “the army was substituted for the nation, the party for the army, the security apparatus for the party, and eventually the person of Saddam Hussein for the security apparatus” (Matin 2018).

Throughout the process of war preparation, war making, centralization, and bureaucratization, the “actual conflict reinforced and legitimated the efforts of successive ruling elites to centralize political authority and control the accumulation and distribution of national income”(al-Khafaji 2000). Due to these all, the political culture has been changed in favor of the different political elites in Arab and Kurdish regions in a sense that reproduced the same circles of institutional stagnation when Saddam removed.

As in 1970s, the oil sector is still the main source of economic growth in Iraq. The Kurdish political elites in the KRI have followed the same paths, particularly following the creation of the KRI-*Cihan* oil pipeline, which brings almost 75% of the monthly revenue needed to pay the KRG’s soldiers and civil servants’ salaries alone, which is about \$850 million. There were 47 international oil companies from 17 countries operating in KRI. After all, the international relations with the governments as well as foreign companies have altered incentives of the political Kurdish and Arab elites to cooperate with each other. Instead, each group has tried to consolidate its power within it.

Elements of the political model of the Ba’ath party have been inherited by the Kurdish political parties. Again with some modifications of Matin’s description, the Kurdish political parties model can be put into this context: The individuals’ dreams and needs were shortening in serving his or her homeland, the latter was substituted for “the Kurdish nation,” the Kurdish nation for “my own party,” the latter for “my own tribe,” reaching to the leader of the that tribe/party (Noori and Chomani 2018). Therefore, once the head of the institutions leaves his or her position, the whole organization confronts the risk of a total collapse. Tensions intensify and, after a period, another group may control it for another purpose. Thus, one may correctly claim that establishing an organization is part of the leaders’ wants and wills.

The political elite's power extends to every single space in the labor market. At least four of the universities, the American University of Iraq-Sulaimaniyah, the University of Kurdistan Hawler, the University of Human Development, and the American University of Kurdistan in Duhok, were established by four famous politicians, mostly the politburo members of the parties, though their programs of study are generally much better in comparison to the rest of the universities available in the KRI. The same goes for the Kurdish news press and broadcasts. Without an exception, each belongs to a party or a group within that party and supports its political agenda.

Then education shall contribute to enrich human capital through producing talents and skills that match the contemporary business as well as make employees free from domestic political organizations. In essence, during the Saddam's ascend to power, the education sector gained a short-lived attention, then damaged, but became places for controlling subjects. The major two universities of Salahaddin in Erbil and Sulaimani in Sulaimaniyah city were the only available public universities in the KRI. In the last few years, their numbers, along with the private universities, have been increased. The public universities, and some of the private universities, however, are not qualified for dedicating a high-quality labor force, even totally damaged after cutting the KRG's budget in 2014. The focus here is the quality of public education. For instance, graduation research project (GRP) is a main course at any University that must be taken in year 4. The GRP is often conducted by a group of two to five students. In most of the cases, the students write their GRP in Arabic, but their level of Arabic is not proficient, even though they have studied it for years before reaching university. A large fraction of the students in these departments did not even understand the content of their GRP, and plagiarize by submitting a paper that had been submitted in another department (Noori 2015). Students expect that their fortune in the labor market does rely on patronage, tribal chiefs, and the like, rather than on their skills and talents. Above all, within these institutions, decisions are made centrally (Noori 2018).

Here lies the biggest problem: human beings can be converted from a cooperative one to a looting one who steals not just public resources but life itself from others; thus, the path of social development can be devastated. Ideologically, that conversion has been supported by a kind of "authoritarian education" in which subjects of a society are taught based on two principles. On the one hand, the individual sanctifies ideas as well as leaders (of a tribe, a party, mosques, etc.). On the other hand, authoritarian rulers (from family to state) teach individuals to reduce their opposition to an enemy who shall be eliminated. This has become part of sectarianism–nationalism identity in Iraq, including the KRI, and has been embodied by the organizations, which made a type of human beings that could not build a peaceful relation or separation.

## **The Neighbors' Effects**

No doubt, the analysis above is not sufficient to convince that the path of social change had no chance to switch onto the railway of development but trapped in conflict.

Mostly due to the rise of the USA as the world leader, who put pressure on colonies to open up to free trade by announcing the Wilsonian maxim of “self-determination,” and by seeing oil as a strategic commodity for new political era, the KRI was arbitrarily annexed to Iraq by Britain and France after the collapse of Ottoman Empire (Matin 2018).

Iraq is surrounded by authoritarian regimes. The “Neighbors doing the same” justification for authoritarianism motivated the rise of such regimes, particularly in Iraq, Syria, Iran, and Turkey. In Syria, there were some 13 members of the armed forces for every 1000 Syrians in 1970, growing to more than 35 in every 1000 persons by the second half of the 1980s (Perthes 2000). The rise of Ayatollah Khomeini to power in Iran by late 1979 and his success in consolidating an Islamic Shi’a regime was partially an outcome of his neighbors’ political economic strategies and their expenditure on so-called national security, including Israel, which gave a pretext to replace the tyranny of Pahlavi dynasty with the Islamic Republican one. Thus, each country has copied its neighbors’ political and economic model, which all was based on militarization, authoritarian, and centralization, no matter whether they were secular or religious. Therefore, it was difficult for the political elite in Iraq and the Kurdistan of Iraq to follow a different way that may have ended with a more egalitarian and democratic society. It even gave a justification to orient people through the tunnels of authoritarian regimes.

As between the Kurdish and perhaps Arab spouses in a traditional communities in which their tribe members advise them not to rely on court for separation even if one of the partners, often the husband, is unfaithful, Iraq and the KRI are surrounded by tribal-like regimes that do not support any sort of separation. When the partners fight, laws are rarely in between; their tensions are mostly tackled by tribesmen. Each neighbor interferes from its own interest or point of view. The outcome is that the major political parties inside Iraq, in addition to building or controlling several private and public organizations, protect themselves by coalition with one of the external powers, particularly due to incapability to punish outsiders, their neighbors. Matin’s evidence in this regard is evidence. Since establishing federal system in Iraq, Iran has interfered for impeding Sunni insurgency. In response, the Sunni sect has been backed by Saudi Arabia and some other countries (Matin 2018).

Just as being single or being widow is not socially accepted for the individuals in the present KRI and Iraq, separation may encourage others to do the same – therefore, shall not be tolerated. One of the fears is still that it will raise the demands of the Kurds in Turkey, Syria, and Iran. Despite of these, the KRI leaders have unilaterally announced referendum for independence, a relative point to be returned to in the coming section.

Although it is out of the scope of this chapter to get into details, during Cold War, the superpowers, particularly, the USA and Russia, have supported Iraq against the Islamic regime in Iran. They have weakened these two countries’ power through wars. The economic sanctions imposed on Iraq further activated sectarian and tribal relations as means of access to the state’s scarce resources (Matin 2018).

## Collective Action and Opportunity Costs

Did the hegemony of the political elite over public and private institutions have simply gone without resistance? The answer is NO. The recent strikes in August 2018 in Baghdad and other cities are demonstrating this resistance. The focus here is on the KRI's experience.

Despite many attempts and campaigns against corruption and authoritarian agents, individuals have accepted elite domination over the KRG economy because collective action against the system and its agents was likely fruitless. The benefit of participation in a strike, experiences have shown, is not clear as they do not trust each other and the outcome might be going to someone else's pocket or another political elite's. And it is not clear who runs the demonstrations in behind.

External threats contributed to the remaining existing set of institutions. During the 1990s, the threat was Saddam Hussein and his regime: you either choose the ruling parties or Saddam would be back. Recently, external threat has come majorly from two sources: ISIS's capture of Mosul and parts of Syria which deteriorating political tensions in Syria and motivated people to keep the status quo as the likelihood of having 'another Syria in Iraq and the KRI' was expected.

Both in Iraq and the KRI, one way that the political parties and elite were able to limit the growth of political opposition or civil society was by, as previously mentioned, sharing rents with the subjects. A form of this has been by controlling the public labor market. By 2012, about 50% of the labor force was recruited in the public sector in the KRI. The government budget consists of 66% of GDP. By and large, these numbers are scary as the KRG have not had its own stable sources of income. Moreover, in the KRI, "Fraud and abuse have become commonplace. In many cases people get paid without ever showing up for work or receive multiple fraudulent payments from different departments." According to the results of "biometric system" recently implemented for refining payments of the KRG employees, out of 1.4 million employed, including pension payments, about 150,514 were ghost employees. Some of them could earn up to five salaries from the KRG at the same time (Fadiya Al-Jauary 2017). Having over 150 thousand ghost employees emphasize that the major problem is with the norms of behavior and the enforcement party. Enforcement of the rules is usually reserved for non-elites. Recently, a man was sentenced 11 years in prison for stealing milk from a corner minisupermarket. Not surprisingly, to protect themselves or gain an economic opportunity, individuals may believe that reliance on "guns" and connections to the politicians and military officers are the only options.

Challenging the political regime is costly, because the political parties are controlling security forces and willing to resist any change even if it costs lives of their subjects, along with having hegemony over the labor market. As already examples given in the previous section, the political parties' sector is more powerful than the public and private sectors. Each party has tens of organizations (private, public, or political) in which their employees are not allowed to speak freely. Worth to note that the ruling parties have successfully used sectarian-nationalistic strategy against each other, claiming that any movement against, for example, the Sunni or the Kurds will be in favor of Shi'a sects or Arabs. The opposite is just true.

Alternatively, as the society was deeply divided over different political groups, the individuals have tried to protect themselves by finding a position among one of the lines of the ruling class' network (tribes, landlords, businesspeople, the political party companies and organizations, etc.) or migrate to a more safer part of the world to have a lesser gloomy stories of war and conflict.

Coalition with sheikhs, tribesmen, and landlords is not indispensable from the history of the ruling class since the Ottoman dynasty. By the time of abolition of the Ottoman in 1916 and due to war, economic decline, and the victory of the Russian revolution, the tribal sheikhs', who controlled the rural area where 80% of the Iraqi population settled, status valorized by incorporating the Tribal Civil and Criminal Disputes Regulation (TCCDR) into the 1925 Constitution, which "gave certain selected sheikhs the authority to settle all disputes within their tribes and to collect taxes for the government." During Faisal's kingship, the government possessed 1500 rifles, while the tribes had 100,000. Since late 1940, the oil revenues were spent largely to promote the interests of the tribal oligarchy and to reproduce noncapitalist agriculture. The combined sociological effect of these circumstances was that most Iraqis' membership of the purportedly emerging Iraqi nation was mediated through their more basic and determinative membership of a particular sect, tribe, or village community, instead of joining a national umbrella or a movement to impose democratic rules (Matin 2018). Thus cooperation or collective action among individuals is the most difficult task.

## Exit-Enter Costs

At the time being, a 'velvet divorce' between Iraq and the KRI can be a myth, though exhausted in their relationship. When partners live together for ages, each invests on his or her relation. At a point of time, one of them may bear a larger cost than the other if his partner chooses to split up; therefore, secession would not be accepted. The disputed area rich in oil, from Khanaqin to Kirkuk and up to Mosel border, is another issue. None of the players would give it up, just like children become an obstacle between husband and wife when they would like to separate.

Up to date, a peaceful reunification is also not possible. One possible strategy is that each partner is saying that "I have sacrificed more; thus, I am entitled to have the lion's share of the opportunities, recourses, etc." By borrowing words from Fanar Haddad, the Sunni-Shiite relation and the relation between them and the Kurds are established on victimhood politics(Haddad 2014). It reaches to the coasts of de facto politics. Each tries to impose her/his preferences upon the other by threatening her/his partner through military intervention, war, sanctions, economic exit, and the like.

Fearing from expanding each other's power through economic growth encourages them to try to restrict other's progress. At micro and macro levels (e.g., family and governments), these strategies are followed as they live in uncertainty toward the other, though they might be exhausted. More importantly, one of the "insiders," the Iraqi state, is able to punish the other insider, the KRI. Consequently, the latter tend to violate the rules, either cheat or rely on rebellion in many ways.



Separation has its costs on third party too. From the perspective of the international community, the major question is that what will be the impact of moving a new star, a state, to our (political) solar system? There are many justifications for impeding this move. Previously, the fear of jeopardizing the security of neighboring states was discussed. A domino effect, as stated by Nye, is another reason: an internationally sanctioned secession anywhere could encourage secessionists everywhere. Richard Haass argues that the new stars will have their own lights, or voices, and may lead to produce difficulty in decision-making, as in EU. He also points out that the world already has enough failed states. An example is South Sudan where 3 years after its creation in 2011 “embroiled in military confrontation with its northern neighbor over disputed border territories and oil fields,” in addition to “violent confrontation between some of its tribes.” Ferguson argues that international interactions, due to new comers, can lead to conflict, causing an increase in the cost of defense per capita at international level. Thus, it is hard for today’s capitalist relations to support establishing a state for the Kurds in Iraq.

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## Separation or Reunification: What to Do?

The state in Iraq failed to impose a shared identity from the above, or set an efficient property rights that could support economic national integration. However, the Kurds political elites have been contributing to this failure.

The quest for Kurdish autonomy and statehood is a long story (Dawoody 2006). Its historical perspective is out of the scope of this study. The recent referendum for independence on September 25th 2017, with over 93% of “Yes for Independence,” though over a million people boycotted voting, demonstrates that the Kurds of Iraq are pessimistic in their partnership with Iraq and believe that the only solution to tackle conflict and develop good institutions is to enjoy their own state. It was an attempt that also increased uncertainty between them.

Whether the aim was really to outright independence or not, the major political parties in the KRI announced a unilateral referendum for the second time in 12 years. Some believe that separation supports democratization process, at least in some geographic areas and for some ethnic groups. A French philosopher Bernard-Henri argues that a “Kurdish nation-state will be a ‘shining city on a hill,’ and can tackle the complicated predicaments of part of the Middle East” (Levy 2017). Others argue that arriving “new stars” at this planet will provide the global system more choices of integration through cartels and free trade zones (e.g., the European Union and the North American Free Trade Area), meaning that more small countries are economically viable than was the case in the era of protectionist national trade policies. One can add that new comers will foster competition across the world and limit the power of large, hegemonic states too.

In addition to the analysis presented in the previous section, history has shown that there is a weak correlation between “my own state,” or “self-state,” democracy and well-being. After all, how many states are democratic? Not so many. Experiences of other nations and institutional weaknesses of their own give an outlook to



make a proper political decision and pave the way to avoid building unviable state when the opportunity arrives.

The first wave of separation started in Africa where about 25 new states were formed between 1957 and 1964, with an over-optimistic view that future would be brighter. Nevertheless, “the honeymoon of Africa independence,” writes Martin Meredith, “was brief but memorable.” Just as in the KRI today, the priority was first to get rid of colonialists and only then to build institutions. “Seek first the political kingdom,” KwameNkrumah, Ghana’s first president had told his followers, “and all else shall be added onto you.” Euphoria of nationalism captured the mind of poor, illiterate, and isolated Africans. While the people celebrated the end of colonial rule, the first generation of nationalists worked hard to consolidate power through a command economy and overspending policies, mostly on patronage. Combined with an ugly competition mainly between the United States and the former Soviet Union over Africa, the outcome was often the establishment of volatile institutions that succumbed to civil war, brutal coup, mountains of debt, dreams of development shattered, and national hangover.

Almost 30 new states, mostly in Eastern Europe, were established between 1981 and 1997 (Campanella 2017). Some of them were due to the collapse of Soviet Union and have not yet been recognized. An unrecognized state, such as Transnistria (TMR), by the international community is similar to a state under a prolonged sanction: they suffer from lack of a formal document to travel; immigration rate is high; they are controlled by a powerful state, Russia in this case; and they are facing huge debt, corruption, inflation, etc. (Isachenko 2010). South Ossetia and Abkhazia were two of the four so-called frozen conflicts after the breakup of the Soviet Union (Chamberlain-Creanga and Allin 2010). The political lesson here is that stateless nations/ethnics shall not take the risk of independence if they are not sure of its recognition by the international community.

Turning to the third wave of independence, it shall be observed that only five states have emerged since 2000. It seems that some nations have learnt from the previous waves so far, perhaps Ache in Indonesia, Flanders in Belgium, Biafra in Nigeria, and even Scotland are among the list. However, English-speaking ethnicity in Cameroon has already announced their independence.

The outcomes of “referendum for independence” in the KRI were catastrophic. Three weeks after the referendum, the KRG has lost almost half of oil field capacities in Kirkuk, and nearly 30% of its revenue. The Kurdish forces lost over 100 Peshmerga in the few days clash with the central government forces as well as Iraqi militias, especially the Popular Mobilization Units (PMUs), known as al-Hashad al-Sha’bi. Had people and decision makers have observed the impacts of path dependence, institutional weaknesses of the KRI, and the factors affecting “exit costs” discussed in the “literature review” section (*trade routes, asset specificity, and Market structure*), the planners could not design the plan or the Kurdish forces’ escape after referendum could have been expected as it happened on many occasions: 1975’s total Kurdish rebellion collapse, 1988 and 1989’s Anfal Campaigns, 1991’s uprising, and not to mention Sinjar’s recent flee in front the ISIS forces.

Likewise, it is shown that the institutional structure in the KRI has still several weaknesses that restrict social change and democratization even if this Region outrights her own state. Due to all these, the simplest solution is to claim that separation tackles the chronic predicaments of Iraq. Instead, the institutional change, and unification at this stage, is the key (Maruf and Noori 2016). But how agents of change motivate to do this?

According to Crescenzi's study, "a challenger whose actual exit costs exceed its exit cost threshold, the level of exit costs beyond which a player cannot endure exit, will not move to initiate economic exit in the game." Similarly, a target state with exit costs that exceed its threshold will accept a demand before the challenger exits. The idea suggests that the calculations of costs alongside increasing/decreasing these costs are vital for conflict resolution between partners.

Although reality goes according to the interest of several social/political groups, therefore hard to change through planning and policies; one cannot still stand by and watch conflict between Iraq and the KRI. Putting into the right nerve, some cure can encourage them to interact.

Financial support to the KRI can be one of the policies. More importantly, although the Kurds have been given some seats in parliament, government, and the Republic presidency, compliance and participation do mean that people and leaders in the KRI should have more space in designing the economic policies of Iraqi state with the ability to rely on Federal Court of Iraq when tensions occurs. The Kurds then do not need to rely on any type of rebellion against the center. Unlike Article 129 in the constitution mentioned above, each party should be responsible toward the other. Otherwise, one of the parties pays for the mistakes of the other.

Moreover, building trust between them will have profound impact on getting rid of crisis and investing in their relationship. This is the most difficult task. In order to achieve it, one shall not forget that the internal third party, the central government and the KRG, has no capacity or willingness to do so. Also, the last referendum has further deteriorated their relationship. Therefore, the third "international" party shall intervene into this relationship.

One possible effective remedy is that the international community alters the international law for independence or separation, announcing that no more states will be welcomed in the next two decades and during these two decades those nations who would separate must change their institutional structure. In other words, as no more direct invaders are around, states will not be given unless two parties are agreed and some levels of institutional development are observed (e.g., regular and fair election, autonomous courts, civil society's participation in decision-making, achieving an accountable government, and a continuous economic growth).

On the one hand, this credit screening blocks a tendency for separation, either by the Kurds, Sunnis, Shi'a, or even other ethnic groups around the world. It also encourages them to get rid of institutional stagnation; thus, the outcome can be an institutional change. On the other hand, this policy motivates the "mother-state," or the target, Iraq in this example, to spend more on her partner, the challenger, the KRI in this case, as certainty between them increases.

One can argue that the mother-state could also have less incentive to invest as it is clear that her partner will have no choice but to stay. However, as her partner has the right to separate under some conditions, the target state will be willing to invest in a right way. Eventually, progress may reach a point that both partners prefer to stay rather than to separate, or simply a velvet divorce takes place. The same policy can be applied on similar relationships around the world.

These two parts of the same country shall do their best to integrate their economy as well as society, which is much better than fall under the control of Iran or Turkey (Noori and Chomani 2018). However, a right intervention by the international community may push them to do good, instead of punishing them, hence, is supportive.

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## Conclusions

History has shown that the abolishment of institutional stagnation is precondition for a more stable society, avoids severe crisis, decreases rate of divorce or provides a peaceful unification, and achieves development. Institutions in Iraq and the KRI are stagnant for several reasons.

Path dependence has shaped the present and future. Challenging the path was failed due to the high opportunity cost of change, neighborhood interference, and sharing rents with the subjects. Institutional structure is not strong to restrict opportunistic behavior. The formal and informal rules are mostly supporting rent-seeking behavior and favor elitism. However, norms of behavior reflect on the enforcement party more than the rules of the game. Both formal and informal rules contribute to impede juncture points, the time a society breaking with its past, not to occur, and resulting in a short-economic growth and a severe predicament that exceeds economic crisis, reaches bloody conflict and catastrophe. The Kurds tried to break from the past through building their own autonomy. They also had an official attempt to separate and build their own. However, history, or path dependence, has no good news for arriving new stars, something that both the stateless ethnicities and the international community shall carefully prepare for in order to prevent further disorder in the system.

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## Abstract

The world has recently witnessed a massive influx of the Rohingyas, known as the most persecuted ethnic minority in the world, to Bangladesh as they fled unprecedented atrocities perpetrated by the Myanmar security forces in 2017. The denial of citizenship through adaptation of the Myanmar Citizenship Law in 1982 rendered the Rohingya people stateless which became instrumental behind merciless killing, ruthless violence against Rohingya women including random raping, reckless burning house and properties, and an unexplainable persecution in Rakhine state. Though it has recently taken an extreme form and drew a wider global attention, the Rohingya people had been undergoing various forms of discrimination, forced displacement, arbitrary detention, and an acute vulnerability in their everyday lives since 1962 when for the first time the military took over the power of then Burma. Since then state-sponsored violence, systemic persecution under state policy, massive human rights violations, and forcibly pushing them to cross the border became everyday experiences of Rohingya people. The latest one that started from August 25, 2017, superseded all previous records, and the intensity of brutality was so extreme that the United Nations Human Rights

N. Uddin (✉)

Department of Anthropology, University of Chittagong, Chittagong, Bangladesh

e-mail: [nasir.anthro@cu.ac.bd](mailto:nasir.anthro@cu.ac.bd)

Council termed it as “the text book example of ethnic cleansing.” This chapter presents the scenario and evidence of ethnic cleansing of Rohingya people with a vivid picture of their present conditions along with their struggling past in the borderland of Bangladesh and Myanmar.

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**Keywords**

Rohingyas · Ethnic-cleansing · Genocide · Refugees · Bangladesh · Myanmar

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## Introduction

The Rohingyas, an ethnolinguistic and religious minority, have been living in Arakan (Rakhine since 1989) state of Burma, now Myanmar, for centuries (see Buchanan 1799; Charney 1999; Karim 2016; Ibrahim 2016; Uddin 2017). In August 2017, worldwide attention was drawn to this region when the Myanmar Military began unprecedented campaign that forced more than 750,000 Rohingya people to cross the border in Bangladesh. Combined with the previous 550,000, now Bangladesh is hosting about 1.3 million Rohingyas in its Southeastern part (WHO Report 2018). The Rohingya people became stateless when Myanmar enacted the *Citizenship Law* in 1982 conferring citizenships to 135 nationals excluding the Rohingya people. In Myanmar, the Rohingya people are often identified as “illegal Bengali migrants,” and in Bangladesh they are called “illegal Burmese migrants.” The Government of Bangladesh has recently prepared their biometric database terming them as “Forcibly Displaced Myanmar Nationals.” Apparently the Rohingya people exist nowhere as Myanmar does not recognize them as citizens, and Bangladesh denies recognizing them even as refugees. Factually, the denial of citizenship and subsequent statelessness turned into an instrument what Myanmar has been exploiting to drive them out of the country creating an “unlivable and atrocious conditions” (see Uddin 2019, forthcoming) in Rakhine state. However, it started from 1962 when the military first took over the state power, but the large-scale influx of Rohingyas to Bangladesh began from 1978 following the “Operation Nagamin” executed by then Burmese armies (Uddin 2012). The recent phenomenon is the prolongation of previously continued atrocious and exclusionary policy of the state of Myanmar. The chapter addresses the current situation of Rohingyas what has reached here through different political upheavals in Burma/Myanmar that has gradually pushed them to the struggle for existence. The chapter presents the ethnic, regional, and political history of Arakan/Rakhine and of Burman/Myanmar across time and space in an attempt to find the position of Rohingyas and the reasoning behind ethnic cleansing of Rohingya people.

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## What Are the Rohingyas?

The Rohingya people are widely known as the inhabitants of Rohang (or Rowsang or Rossan) which was the earlier name of Arakan, but now known as Rakhine state (Alam 1999). In the medieval works of the poets of Arakan and Chittagong, like

Quazi Daulat, Mir Mardan, Shamsar Ali, Quraishi Magan Thakur, Alaol, Abdul Ghani, and others, they frequently referred to Arakan as “*Roshang*,” “*Roshanga*,” “*Roshango Shar*,” and “*Roshango Des*” (see Karim 2016 [1997]). It is admitted here that literary works should not be used as a source of history, but the names of places could be found in the contemporary literature which could be academically authenticated. Besides, characters of fiction/literature are made of imagination, but the names of places are often used in the real forms. Therefore, it is widely accepted that Arakan’s earlier name was Rohang (or Rowsang or Rossan). Besides, many historians (Phayre 1883; Harvey 2000 [1925]; Chowdhury 2004; Siddiquee 2012; Karim 2016; Iqbal 2017) supplemented to this paradigm of naming. Mrohong was the original Arakanese word of Rohang, and the Rohingya people were believed to be the inhabitants of Mrohong [Rohang] (Chowdhury 2004). Arakan is an old coastal country in Southeast Asian region. Historian Siddiquee wrote, “The word Arakan is the corruption of the word *Al-Rukun*... In Ptolemy’s *Geografia* (150 AD) it was named ‘*Argyre*’. Early Buddhist missionaries called Arakan as ‘*Rekkha Pura*’. In the Ananda Chandra stone pillar of Chandra dynasty (8th Century) at Shitthaung Pagoda in Mrauk-U the name of Arakan was engraved as ‘*Arakades*’. In a Latin Geography (1597 AD) by Peta Vino, the country was referred to as ‘*Aracan*’. Friar Manrique (1628–43 AD) mentions the country as *Aracan*” (Siddiquee, 2012: 15).

Historian Alam wrote, “Arab geographer Rashiduddin (1310 AD) termed it ‘*Rahan* or *Raham*’, the British traveler Relph Fitch (1586 AD) called it *Rocon*, Rennell’s map (1771 AD) indicated it ‘*Rassawn*’, legendry Tripura Chronicle *Rajmala* named it *Roshang* and Francis Hamilton Buchanan mentioned it *Roung*, or *Rossawn*” (Alam 1999). We also find in Siddiquee’s writing, “By the Bengal Hindus, at least by such of them as have been settled in Arakan, the country is called ‘*Rossawn*’. The Mahammedans who have long settled at Arakan call the country ‘*Rohingaw*’ and called themselves *Rohinga* or the native of Arakan. The Persians called it *Rkon*” (Siddiquee 2012: 16). “Today the Muslims of Arakan call the country ‘*Rohang*’ or ‘*Arakan*’ and call themselves ‘*Rohingya*’ or native of Rohang” (Amanullah 1997). Arguably, the inhabitants of Rohang were easily identified what is now known as the Rohingyas people.

Many renowned historians (Charney 1999; Karim 2016; Iqbal 2017) and scholars (Ahmed 2014; Ibrahim 2016; Fahmida 2017; Akhanda 2018; Uddin 2019, forthcoming) are of opinions that the Rohingya people are not a unique ethnic group but a group developed from different stocks of people during different turns of the history of this region. However, the Rohingya people are predominantly Muslim by religion with distinct culture, social-cultural organizations, and ethnic markers of their own (see Uddin 2019, forthcoming). Siddiquee wrote, “they trace their ancestry to Arabs, Moors, Pathans, Moghuls, Central Asians, Bengalis and some Indo-Mongoloid people. Since Rohingyas are mixture of many kinds of people, their cheekbone is not so prominent and eyes are not so narrow like Rakhine Maghs and Burmans. Their noses are not flat and they are a bit taller in stature than the Rakhine Maghs, but darker in complexion. They are of some bronzing colored and not yellowish. The Rohingyas of Arakan still carried the Arab names, faith, dress, music and customs” (Siddiquee 2012: 16. Also see, Ahmed 2014). So, “the Rohingyas are nationals as well as an indigenous ethnic group of Burma. They are not new born racial group of



Arakan; rather they are as old an indigenous race of the country as any others” (Alam 1999: 26). The historical records and the earlier history of their settlement in Arakan region, then known as Rohang, Rowshang or Rohaing, altogether confirm that the Rohingya people are one of the oldest residents of Arakan which discards the state discourse of Myanmar that “Rohingyas are illegal Bangladeshi migrants in Myanmar.”

In order to justify the ongoing ethnic cleansing in Rakhine state, Myanmar has produced a state narrative about the demographic appearance of the Rohingya people in Arakan. According to Myanmar’s narratives that I have summarized based on the available information (Radio Free Asia 2017) circulated by the Myanmar state authority and the remarks of military and political establishment: “the Rohingyas are not the inhabitants of the Myanmar and they have never been the permanent residents of Burma. The Rohingyas people are illegal Bengali migrants who migrated to the Rakhine, formerly Arakan, state during the British colonial period. The British brought a large number of Bengalis from then Bengal to the British Burma for various reasons including agriculture, fishing, and day labour. The Rohingyas are not Burmese people at any level in the history of Burma. Their religion, their culture, their language, and their physical appearance are unlike Burmese people. Rather, they are very similar to the South Asian people.” This is sort of state narratives that have been supported by some pro-Myanmar (e.g., Chan 2005; Tonkin 2014; Ware and Laoutides 2018) and the military-backed historian (e.g., Leider 2013, 2015; Leiden 2018) and some extremist Burmese writers (e.g., Saw 2001). However, the emergence of Islam in the Arakan state, the history of colonization and decolonization, and earlier records of people’s settlement in this region do not support the state narratives of Myanmar.

As per historically authenticated fact, the first group of Muslims people arrived in Arakan in the eighth century when Arab traders got shelter after their ship wrecked on the bank of Rumbhee River (see Phayre 1883; Harvey 2000 [1925]; Chowdhury 2004; Akhanda 2013). It was the tenure of Mohathaing Sandia (788–810) when this incident took place in Arakan. According to the history of the Muslims in Arakan, some traders and soldiers were said to have died, while the remaining ones took shelter with the kind and generous consideration of the King Sandia. Those traders and soldiers are known as Kular or foreigners in the history of Arakan (Chowdhury 2004). They started living in Arakan and gave birth to new generations and continued lineages, which are considered, by some scholars and historians (see, for details, Chowdhury 2004; Siddiquee 2012; Akhanda 2013; Karim 2016), the earlier ancestors of today’s Rohingya population. Then in 1430, the second phase of Muslims in Arakan came when ousted Arakanese King Mun Shaw Moon alias Normikhla regained his thorn defeating Burmese king with the help of 30,000 Mughal soldiers who were predominantly Muslims. A noted historian of Arakan, A P Phayre, “. . . apprehending trouble [from Burmese King], the king of Arakan made communication with the king of Bengal, established friendly relations with him and both King exchanged parents” (cited in Chowdhury 2004: 26). I wrote in elsewhere that “Normikhla stayed in Gorh for about 26 years and re-captured his lost thorn and kingdom in 1430 with the help of 30,000 soldiers provided by then Bengal King

Sultan Jalal Uddin Mohammad Shah. After regaining his throne, Normikhla wanted the Muslim soldiers to stay in Arakan state to protect the region and frontier areas from any further attack by then Burmese king” (see Uddin 2019, forthcoming). During this time, Rohang was made the capital of Arakan state. Normikhla provided land and space to the 30,000 soldiers from Bengal who then settled in Arakan. Most of them got married in Arakan and settled down there. According to many historians (e.g., Chowdhury 2004; Siddiquee 2012; Akhanda 2013; Karim 2016; Akhanda 2018 etc.), Normikhla took a Muslim name known as Sulaiman Shah and introduced an official coin in Arabic fonts as an acknowledgment of the supports by the Sultan of Gorh. In the history of Arakan, this branch of settlement is recorded as the second phase of Muslim settlement in this region (for details, see Phayre 1883: 78; Chowdhury 2004: 53–55; Forster 2011: 64; Siddiquee 2012: 21; Akhanda 2013: 38–39; Hossain 2014:14; Karim 2016:24–25; Iqbal 2017: 04; Uddin 2019, forthcoming). The next phase of Muslim settled in Arakan when Shah Suja arrived in 1660. Shah Suja was defeated by Mir Jumla, the Commander in Chief of Mughal Battalion, during the dynasty of Emperor Awrongajeb. According to many historians, in response to the assurance of the then Arakanese King for ensuring their safety, Shah Suja with his family, relatives, bodyguards, security soldiers, caretakers, cooks, followers, advisors, carriers, domestic servants, and trusted soldiers took shelter in Arakan (Uddin 2017: 31–32). But, later on, Shah Suja was killed with his family and trusted bodyguards in conspiracy executed by the then Arakanese King. After the killing of Shah Suja, the remaining soldiers were allowed to stay in Arakan who got married with the locals and settled down there. These group of people were Muslims, and their offsprings formed a large group of Muslim community in Arakan state who were later known as Kamanchi (see, for details, Phayre 1883: 78; Harvey 2000 [1925]: 95; Chowdhury 2004: 128–132; Siddiquee 2012: 26–27; Akhanda 2013: 43; Hossain 2014:14; Karim 2016:41–44; Uddin 2019, forthcoming). The last phase of Muslims’ arrival in Arakan was recorded in 1824 when the British occupied Arakan. From 1430 to 1784, Arakan was an independent state until the Burmese King Budapaya captured it once again and controlled until 1824. Soon after Budapaya occupied the Arakan state, hundreds of thousands of Rakhine Buddhists and Arakanese Muslims took shelter in then Bengal as a frontier territory. After 40 years of Burmese occupation (1784–1824), when the British captured the Arakan state, a large number of Muslims and Hindus returned to Arakan. This migration is historically considered as the fourth phase of Muslim, along with some Hindus, settlements in Arakan (for details, see Phayre 1883; Harvey 2000 [1925]; Chowdhury 2004; Siddiquee 2012; Akhanda 2013; Hossain 2014; Karim 2016; Uddin 2017; Uddin 2019, forthcoming).

Given the aforementioned historical contexts of Muslim arrival and settlement in Arakan state, it is clear that Islam and Muslim have been the part of Arakan history for more than thousand years. But, the emergence of Islam and demographic appearance of Muslim do not essentially confirm that the history of Muslim and Islam is the history of Rohingya people in Arakan state. Because the arrival of Arab traders in the eighth century, Gorh’s soldiers in 1430, Kamanchi in 1660, and the return of Muslims during the British period were not the Rohingya people by

ethnicity. There is no space for controversy that the emergence of Islam and the appearance of Muslim in the demographic composition of Arakan took place more than thousands of years ago as many authentic historical records justify it (see Eaton 1993; Ezzati 2002; Akhanda 2013; Leitich 2014; Karim 2016). Besides, many renowned historians on Arakan also endorsed the thousand years of history of Islam and Muslim in Arakan (see Phayre 1883; Buchanan 1799; Harvey 2000 [1925]; Charney 1999), but no record has endorsed that the history of Muslim is the history of Rohingya people in Arakan (see Uddin 2017: 32). Many researchers and historians (Siddiqui 2000; Chowdhury 2004; Siddiquee 2012; Akhanda 2013; Karim 2016; Iqbal 2017), many Rohingya activist-historians (Siddiquee 2012; Bahar 2012; Yunus 1994), and many scholars compassionate to Rohingyas (Elahi 1987; Ezzati 2002; Zarni and Cowley 2014; Ibrahim 2016; Farzana 2015, 2016) have been struggling and trying to establish the theory that the arrival of Muslims in Arakan is “the origin of Rohingyas” in Burma, but it does not stand because Arab traders, if we take as the first arrivals of Muslims, were not Rohingyas under any circumstances. But it is easily understandable and more sensible to assume that with the combination of many trends of people, their lifestyles, languages, and their culture like Arabs, Moors, Pathan, Mughal, and Bengals, the Rohingyas have been emerged as distinctive ethnic community in Arakan state over the long period of time. So, in that consideration, the Rohingyas are a “mixed race” (Uddin 2017: 37), since there is no “pure race” in this world as “pure race in an unscientific idea” (Sussman 2014) particularly in today’s world when the entire idea of “indigeneity is on the move” (see Gerhrz et al. 2018) and the notion of “identity is deterritorialised” (Uddin 2018). It altogether confirms two theses: Firstly, Myanmar’s state narrative about the Rohingya people that they are not the inhabitants of the Burma and they had never been in Burma but are illegal Bengali migrations who migrated during the British colonial period is a “manufactured history” and “distorted truth” invented to support the execution of Myanmar’s state policy to drive the Rohingya people out of the country. Secondly, the Rohingyas, particularly their ancestors, have been the inhabitants of Arakan for more than 1000 years since the emergence of Islam and arrivals of Muslim in this region. However, the Rohingyas are a mixed “race” formed over centuries based on the combination of many trends of people, and now the Rohingyas constitute a particular ethnic category with their distinctive language, culture, and social organizations with large adaptation of Islamic culture.

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### **“Seek and Hide” of History: The Politics of Rohingya Existence**

Myanmar is deliberately utilizing this academic and historical vacuum to justify various forms of discrimination and atrocities against the Rohingya people what the UN Human Rights Council terms as “ethnic cleansing.” Myanmar claims that Rohingyas were never the residents of Burma and they were migrated to Arakan from Bengal during the British colonial period started from 1824. Before that, there were no Rohingyas in the land of Burma. Myanmar has constructed this state narrative and used it in the formulation of its citizenship law enacted in 1982

where eligibility criteria were set that those who are entitled to the citizenship of Myanmar are those who were living in Burma before the British colonized this territory. Under the pretext of this clause, the citizenships of the Rohingya people were taken away as, according to state narratives, Rohingyas came in Burma during the British colonial period and there were no Rohingyas before 1824. This is a fair politics of exclusion and deliberately “manufactured historical narrative” (Uddin 2017) because there are some very authentic evidences and records which confirmed the presence of Rohingya people in Burma even long before the British colonized Burma. In order to dismantle the myth of this Myanmar’s state narrative, I will cite some authentic historical records which are good enough to locate the Rohingya people in the historical-demographic canvas of Arakan long before the British colonized Burma.

Francis Hamilton Buchanan’s travel notes have been recognized as a globally accepted authentic historical document. He published an article in 1799 titled “A Comparative Vocabulary of Some of the Languages Spoken in the Burma Empire” in the journal *Asiatic Researcher*. Buchanan categorically mentioned that he talked to a group of people living in the Arakan region who speak in a particular language and identified themselves as Rooinga (Buchanan 1799: 55). It is considered the first record of Rooinga in the history of Burma which later transformed and took shape into the Rohingya. Before this record, there were many indications, authentic notations, and historical evidences of the presence of Muslims in Arakan, but were recorded in different names. Buchanan for the first time recorded the presence of Rohingyas by using their self-identification as “Rooinga.” It clearly manifests the Rohingya people as a distinctive group of people living in the Arakan even before 1799, 25 years before the British occupied Arakan. It is to be mentioned here that Rohingya people still identify themselves as “Rooinga” (see Uddin 2017).

The *Classic Journal* has often been considered as the historical baseline of the people of the Southeast Asian region. In the *Classic Journal* published in 1811, there was a clear indication that a group of people were living in the Arakan region and speaking “Rooinga language,” and they used to call themselves as Rooingas (the *Classical Journal* 1811). It is also mentionable here that the *Classic Journal* of 1811 has been used as one of the authentic historical records for the early history of Burma (Uddin 2017:33). Many internationally acclaimed scholars (e.g., Tarling 2001; Gutman 2001; Singer 2008; Cotterell 2015) have used the *Classical Journal* as a historical source to write the history of Arakan. So, according to the information recorded in the *Classical Journal* of 1811, it is clearly evident that a group of people who identified themselves as Rooingas were living in the Arakan region in and before 1811.

Another record was found in an edited book titled *Examples of German vernaculars: Dr. Seetzen’s linguistic legacy and other linguistic research and collections, in particular on East India* edited by Dr. Johann Severin Vater published in 1816 before the British colonized Burma. A German ethnologist Johann Severin Vater mentioned a name of ethnic group, with the reference to Francis Buchanan, who identified themselves as “Ruinga” what is now known as Rohingyas (Vater 1816). According to Vater these Ruinga people were speaking in a particular language what they called

“Ruinga language” (cited in Ibrahim 2016: 25). Vater’s notation about a “Ruinga language”-speaking ethnic group then living in Arakan also clearly demonstrates that the Rohingya people were the residents and inhabitants of Arakan state in and before 1816.

Walter Hamilton (1820) wrote a book titled *A Geographical, Statistical, and Historical Description of Hindostan and the Adjacent Countries* published in 1820 where he clearly stated that “the Moguls know this country by the name of Rakhang, and the Mahomeddans, who have been long settled in this country call themselves Rooinga or the natives of Arracan” (1820: 802). Hamilton statement historically authenticates three important facts:

1. A group of people identified themselves in the name of Rooinga. It means that Rohingya people were living in Arracan (Arakan) before 1824 when the British colonized Burma.
2. “Rooinga people have been long settled there” indicates the Rohingya people had been living in Arakan long centuries before 1824.
3. The Rooinga were the natives of Arracan even in 1820 when the book was published and 4 years before the British colonized Burman. It clearly indicates the Rohingya people have been the natives of Arakan (now Rakhine) for centuries.

There are more historical records of Rohingya presence before 1824 in Arakan that I have presented and explained in elsewhere (Uddin 2019, forthcoming), but I am not going to further detail it here because this chapter is not about the identity and ethnicity of the Rohingya people. However, it is an important point to be noted here that the four historical records that I have used here were documented during the period (1784–1824) when Burmese king ruled the Arakan region and definitely before the British colonized the Arakan territory. “Thus, there is a plentiful evidence of the existence of the Rohingyas in Arakan by the early nineteenth century in a sequence of works published at the time. None of these sources had any partial political interest in the ethnic make of this regions; none of them has any reason to invent such a new group like Rohingyas any more than they had an interest in suppressing such groups, and all clearly point to the fact that there was a major ethnic group in the region with a distinct language at the time clearly identifiable as Rohingyas” (Ibrahim 2016: 25). So, it fairly delegitimizes the fabricated claims and manufactured narrative by the Myanmar state that Rohingya people were not the residents of Burma before the British colonized the region. The real fact is that the Rohingya people were the residents and inhabitants of the Arakan region long even before the British colonized it. It is also to be mentioned here that factually Burma occupied and ruled the Arakan state only for 66 years (26 years from 1406 to 1430 and 40 years from 1784 to 1824) during more than 2000 years of history of independent Arakan. Therefore, what Myanmar claims today regarding the ownership of Arakan state could be outright discarded by the historical facts. Rather it could be a valid question to raise whether Rohingyas or Burmese are the earlier migrants and residents of Arakan now known as the Rakhine state. Noted historian

Michael Charney wrote, “both Rohingyas Muslims and Rakhine Buddhists migrated and got settled down in Rakhine state 1000 year ago and factually the Rohingya people, perhaps not its present form, came to Arakan state before the Bamar came” (see, for detail, Charney 1999). If it is the fact, the Rohingya people could claim themselves as the natives of Arakan.

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## Citizenship, Statelessness, and Refugeehood

Arakan was an independent kingdom until 1784, when it encompassed the Chittagong region in the southern part of today’s Bangladesh. I have already discussed that “The Rohingyas are [claimed to be] the descendants of [this first group of Muslims] Moorish, Arab and Persian Traders, including Mughal, Turk, Pathan and Bengali soldiers cum migrants, who arrived between the 9th and 15th centuries, married local women, and settled in the region” (Ahmed 2002–2003: 03). The Burmese king Bodawpaya conquered and annexed Arakan in 1784, triggering a long guerrilla war in which the Burmese allegedly killed more than 200,000 Arakanese. A failed attempt was made in 1796 to overthrow Burmese rule, resulting in the exodus of two-thirds of the Muslim Arakanese into the neighboring Chittagong area (see, for details, Harvey 2000 [1925]; Karim 2016; Médecins Sans Frontiers Report 2002; 2017; Uddin 2012). This marked the start of an influx of Arakanese Muslim refugees into Bengal. When the British incorporated Arakan into its empire in 1885, many refugees returned. For centuries, the Buddhist Rakhine (see Uddin 2019, forthcoming) and Arakanese Muslims lived together in the territory until the World War II. However, the advance of the Japanese army in 1942 sparked both the exodus of thousands of Muslims and the evacuation of the British from Arakan. Karim wrote, “Communal riots between the Rakhine Buddhists and Rohingyas erupted, and some 22,000 Muslims fled to adjoining British Indian territories [Chittagong]” (Karim 2016).

Shortly after Burma became independent in 1948, some Muslims carried out an armed rebellion, demanding an independent Muslim state within the Union of Burma. Though the rebellion was quashed in 1954, Muslim distrust of the Burmese administration remained, and a backlash ensued that even echoes today (see, for details, Ware and Laoutides 2018: 14). For example, “Muslims were removed and barred from civil posts, restrictions on movement were imposed, and property and land were confiscated” (see MSF Report 2002). Even so, the Rohingyas, as Muslims, were close to having their ethnicity and autonomy formally recognized in the 1950s under the democratic government of U Nu, but these plans were thwarted by the military coup of General Ne Win in 1962 (Uddin 2012).

After the military took over the state power, the plight of the Rohingya people started to deteriorate and was gradually pushed to the margin of the state. In 1978, a massive campaign took place against the Rohingya people by the Burmese military which triggered an influx of 250,000 Rohingyas to Bangladesh. Still the Rohingya people were enjoying a particular form of citizenship in the Arakan state of Burma until 1982. However, the Rohingya people became stateless soon after Myanmar in



1982 enacted its *Citizenship Law*, which conferred citizenship to 135 nationals excluding the Rohingyas. Since then many Rohingyas started migrating to Bangladesh, Thailand, Malaysia, and Middle Eastern countries to flee persecution (Hossain 2014[2010]) on the regular basis. In 2007, the Rohingyas drew global media attention, yet at minimal level, and attracted the concerns of rights organization as a “new boat people” (see Lewa 2008) because hundreds of Rohingyas died in the sea in their journey toward Thailand and Malaysia. But, in 2017, the Rohingya people heavily captured the attention of international community, leading global media outlets, and rights organizations due to the massive influx (more than 700,000) in Bangladesh. In fact, in the framework of modern nation state, the Rohingyas are nonexistent human beings as they are nowhere in the legal and structural framework of either Bangladesh or Myanmar (Uddin 2012, 2015). Therefore, the Rohingya people experience persecution, atrocities, and everyday forms of discrimination committed by the state despite their stateless people. In fact, the Rohingya people were denied all sorts of rights in Myanmar because “citizenship is considered as the rights of have rights” (see Arendt 1994; Kesby 2012).

The Rohingya people started migrating to the southeastern part of Bangladesh in the late 1970s, but big in number came in the early 1990s. The first influx took place in 1978 when about 200,000 fled to Bangladesh. “It is said that oppression, discrimination, violence and forced labour practices by the Myanmar authorities triggered an exodus of more than 250 thousand Rohingya Muslims to cross the border between 1991 and 1992. Since then the flow of this migration to the Bangladesh territory continued which contributed to shape a big figure living as refugees in this country” (Uddin 2010). Over the years, approximately 230,000 refugees have been reportedly repatriated to Myanmar under the supervision of the UNHCR. However, most of them along with new group of Rohingyas again returned to Bangladesh in many illegal ways and started living as unregistered Rohingyas in various localities of Teknaf and Ukhia. The number of such Rohingya returnees is estimated about 250,000. Besides, 125,000 Rohingyas came in 2012, and 85,000 crossed the border to Bangladesh in 2016. In a recent remark, the Minister of the Ministry of Expatriate Welfare informed that there are 250,000 Rohingyas who live in the Middle Eastern countries with Bangladeshi passport (Muntaha 2018). With the recent influx following August 25, 2017, it is estimated that more than 700,000 Rohingyas crossed the border. Bangladesh government has recently prepared a biometric database of around 1.3 million Rohingyas as part of the repatriation process, while still many have remained undocumented. Excluding expatriates, now approximately 1.3 million Rohingya people live in Bangladesh. They live in almost 30 temporarily built refugee camps in Ukhia and Teknaf of Cox’s Bazar which is now considered as the biggest refugee camps in the world (World’s Refugee Camp 2018).

In Myanmar, the Rohingya people are deprived of their social, economic, civil, political, and basic human rights because the state treats them as if they are lesser than human being what I call “subhuman” (Uddin 2019, forthcoming) due to their ethnic, religious, and racial difference. In Bangladesh, they are not well-received because Bangladesh is already an overpopulated country and southeastern part of

Bangladesh is resource-poor area which I have discussed earlier. Besides, Bangladesh is not one of the signatory states of *the UN Refugee Convention 1951* and hence does not feel obliged to host the Rohingya people as refugees. Besides, “the critical experience of dealing with Rohingyas who crossed the border in 1978, 1991/92, 2012, 2016 and 2017 have also discouraged Bangladesh to be cordial and sympathetic to them” (Uddin 2019, forthcoming). Given the scenario, the Rohingyas are in an acute vulnerable stage in both Bangladesh and Myanmar which has been created by Myanmar.

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## Evidence of Ethnic Cleansing

What Myanmar state force, Burmese ethnic extremists, and Buddhist fundamentalists are currently doing with the Rohingya people is called by the UN Human Rights Council as “a text book example of Ethnic Cleansing” (Safi 2017). In fact, the statistical figures are good enough to provide an adequate rationale that it is a clear ethnic cleansing. From August 25, 2017, more than 700,000 Rohingyas fled the Rakhine state (Safi 2018), more than 25,000 people were killed, and 19,000 women and girls were raped (The Daily Star 2018). Sixty-two percent of villages of Maungdaw were completely destroyed as the satellite images showed, and a total of 470 villages turned into ashes (The Independent 2017). Hundreds of thousands of Rohingya became wounded, and many more became paralyzed. Now, no more than 250,000 Rohingyas live in 3 townships (Maungdaw, Buthidaung, and Rathedaung) since the rest of the majority were “cleaned” from their settlement (see, for more details, HRW 2017). So, the fugues stated above clearly demonstrate that what the Myanmar security forces did in the Rakhine state is a clear ethnic cleansing.

In fact, the degree of atrocity was so intense that many internationally acclaimed scholars (e.g., Zarni and Cowley 2014; Ibrahim 2016; Green et al. 2015) and globally credible media outlets (e.g., *The New York Times* (Kristof 2018), *The Guardian* (Tisdall 2018), the BBC (2018), Al-Jazeera (2013), etc.) have termed it “genocide” (Uddin 2017). I would also like to use the term “genocide” instead of “ethnic cleansing” because what the Myanmar security forces did in 2017 is not just “cleaning” the Rohingya people from the Rakhine state but something far more than what could easily qualify as genocide in the framework of the United Nations Convention on the Prevention and Punishment of Genocide adopted in 1948 and the Rome Statutes of the International Criminal Court (ICC) adopted in 1998 (see Uddin 2017). I have some firsthand evidences and eyewitnesses of such atrocities perpetrated by the Myanmar security forces, Burmese ethnic extremists, and Buddhist fundamentalists. I have recorded 500 narratives in descriptive form of newly arrived Rohingyas who have gone through an extreme level of atrocities, an acute form of brutalities, and an unexplainable torture following the massive campaign that started from August 25, 2018. I am giving three cases here which are strong enough to provide a feel about the ethnic cleansing in the Rakhine state of Myanmar.



**Case 1: Fatema Begum (27)**

*I have lost my everything and have nothing to say. I got married when I was 17 years old. My husband was a businessman and used to sell household goods in Maungdaw Bazar. His earning was good enough to run our family of six members. I had three sons and one daughter. Of three, one was still at breast-feeding age. We had our own wood-made two-storied house in Koillarbah area of Northern Maungdaw. We were living with tension and constant insecurity because time and again some Rakhine youths and Burmese military used to visit our house under the pretext of searching illegal arms and Rohingya militants. Every time, we had to pay big amount of money to convince them. This was the way how we were living in Maungdaw. But this time Burmese military came in August 30, 2017, listened to none and nothing, and started ransacking the household goods and available essentials at home. They vandalised the entire house. They picked me up and taken to a bed room. My all children were crying. My husband was trying to snatched me away from them and he attempted couple of times. Suddenly one of the soldiers shot him on his head and he fell down on the ground and died on the spot. I was so shocked to see dying my husband in front of me. Then, four of them did gang-rape me in front of my children. I was severely bleeding and soon after I lost my sense. When my sense came back, I was lying down on the yard and saw my kids crying around me. I also saw that my house turned into ashes as they burnt the house and my husband was burnt inside the house. At night with many other Rohingyas, I with my four children also joined the march towards the border of Bangladesh. On the way, Borma military suddenly started random firing and many of our co-walkers were killed on the spot. I saw that my two sons also laying down on the street as bullets hit their body. The living ones started running and I also did so leave my two sons' dead bodies on the street. Finally, we could enable to cross the border and now in Bangladesh. I don't have any idea what I will do with my two children; where I will go; how I will survive; and where the destination of our lives is. I see dark in everywhere of my life. [Interviewed on September 24, 2017, at a Roadside temporary tent, Teknaf, Cox's Bazar, Bangladesh. I have used this case in elsewhere (see Uddin 2018), but I am using it here considering its intensity and high relevance.]*

**Case 2: Hasheuzzaman (41)**

*I used to work in the field all day long as a farmer. I was living in Tulatoli where mass killing took place in Maungdaw township with my wife, two children and parents. I had my own land for agriculture and used to rear domestic animal. I had my own house build on a sizable land. However, I was compelled to leave everything to flee a definite death. I had two options: either to living in Tulatoli for the sake of my huge property being ready to accept death any moment or to flee the definite death giving up all properties. I chose the second option. I saw military killing poor Rohingya people mercilessly in front of my eyes which compelled others to cross the border. Nobody could escape the military oppression. They came to my house, tortured me, and my parents. My wife was hiding, but they found her under a curt. Then they undressed her in front of us. I was kept on gun-point. My two children were holding me tightly and crying loudly. My parents couldn't endure it anymore and then went to refrain them, but one of the military soldiers shot my parents. Both my*

*father and mother died in a minute. I became senseless watching this horrible scenario in front of my eye. My two children were crying. The military personnel gang-raped my wife in front of my children while I was senseless. I couldn't do anything. They looted my wife's ijat (honour) and killed my parents. As husband, it was horrible to see my wife being gang-raped but I couldn't do anything. We – my raped wife, my two children and I – spent the night and joined others towards Bangladesh border at dawn. It took 2 days to cross the border. On the way to cross the border, I saw hundreds of thousands of Rohingya people running. I saw many of them seriously wounded, raped; burnt on legs and hands; and terribly traumatized to see their near and dear ones being died in front of their eyes. Now I am in Kutupalong struggling to take care of my wife as she has become literally abnormal and hence my two children remain unattended. I don't know what to do, where to go and what my destination is.*

[The interview was conducted on October 10, 2017, in Teknaf.]

### **Case 3: Mohammad Mainuddin (46)**

*I was born in Keo Tan Kauk and raised there. Keo Tan Kauk was the place where Arakan Rohingya Salvation Army (ARSA) attacked the Borma military camp on the 25th of August. Soon after the attack took place, Borma military surrounded the village and started firing guns and burning the houses. I was there at that time. Almost all houses in the village were burnt down, and almost all villagers were killed. Only few manage to escape and I was one of them. On the way to escape, the Borma military fired guns and the bullet hit me. I took shelter in a nearby village. One of my relations gave a bandage to my wounded leg. See my leg [showing his wounded place of leg and bandaged foot] and try to understand the brutality of Borma military. I was there for 2 days and left because military and Rakhine Buddhist young started ransacking the village to drive the villagers out of their homes. I saw hundreds of people ranging from children to aged ones running towards Bangladesh border. I also joined one of the groups. We were the first group of Rohingya who fled Borma and crossed the border to Bangladesh. I can't bear the pain anymore when I feel that all members of my family except myself are death now. My father and mother, my wife, my three daughters and two sons were died on the very 1st day of military attack. Many of them were wounded, but burnt alive as firing and burning were going together. Not only my family members, many villagers first received bullets, became wounded, and later burnt alive since nobody dared to flee as random firing was going on during the whole night. I with my wounded leg walked miles after miles to reach the Bangladesh border. I saw many babies were born on the roads as pregnant mothers were fleeing and many new born babies died thereafter. I saw many were maimed by land mines placed at the border by Borma military. I saw hundreds of death-bodies lying both sides of the road. I still stick to the horrible experience I have gone through. I can't remove the scene of brutality and atrocity from my eyes. I even can't sleep properly since I often go through some horrible nightmares as countless death-bodies, red flaming of fire, and the scared sounds of burning people always hunt me even while sleeping.*

[Interview was taken on October 16, 2017, in Teknaf, Cox's Bazar.]

## Conclusion

I could give an analysis separately based on the three cases, but I think these cases do not need any academic interpretation as they themselves are strong enough to provide a vivid scenario of why the UN called it the “textbook example of ethnic cleansing” (Uddin 2017). The three cases clearly demonstrate that what is happening in Rakhine state of Myanmar following August 25, 2017, is definitely an ethnic cleansing. What does ethnic cleansing mean? United Nations Office on Genocide Prevention and the Responsibility to Protect says, “A United Nations Commission of Experts mandated to look into violations of international humanitarian law committed in the territory of the former Yugoslavia defined ethnic cleansing in its interim report S/25274 as “. . . rendering an area ethnically homogeneous by using force or intimidation to remove persons of given groups from the area.” In its final report S/1994/674, the same Commission described ethnic cleansing as “. . . a purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas.” The commission also suggests some features which qualify some form of atrocities as ethnic cleansing such as “murder, torture, arbitrary arrest and detention, extrajudicial executions, rape and sexual assaults, severe physical injury to civilians, confinement of civilian population in ghetto areas, forcible removal, displacement and deportation of civilian population, deliberate military attacks or threats of attacks on civilians and civilian areas, use of civilians as human shields, destruction of property, robbery of personal property, attacks on hospitals, medical personnel, and locations with the Red Cross/Red Crescent emblem, among others.” If we deeply consider and analyze the case of Fatema Begum, Hasheuzzaman, and Mohammad Mainuddin which reflects a glimpse of hundreds of thousands of cases, we could easily say that what has happened in 2017 in Rakhine state of Myanmar with the Rohingyas people clearly justifies what the UN Human Rights Council said as “the text book of example of ethnic cleansing.”

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# Displaced Minorities: The Wayuu and Miskito People

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Christian Cwik

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## Abstract

Among the many displaced indigenous minorities in Latin America and the Caribbean, the Wayuu of northern South America and the Miskito of eastern Central America took on a specific role. On the one hand, both ethnic groups are the result of displacement triggered by the Conquista and the transatlantic slave trade, and on the other hand both kept strong ties to non-Spanish European powers such as the English, the Dutch, and the French which gave them access to alternative markets. During the so-called independence period of the early nineteenth century, the territories of the Miskito and the Wayuu remained largely autonomous because of British protection. It was not until the mid of the nineteenth century that the young Latin American nation states succeeded in invading the area in their struggle for territorial integrity but failed because the British protected them against all these attempts. The situation changed when the USA came into dispute with the UK over steamship routes, coal storages, and the establishment of interoceanic connections, although both Nicaragua and Honduras and Colombia and Venezuela finally succeeded in incorporating the still unconquered areas into their state territory at the beginning of the twentieth

C. Cwik (✉)

Department of History, The University of the West Indies, St Augustine, Trinidad and Tobago  
e-mail: [christian.cwik@sta.uwi.edu](mailto:christian.cwik@sta.uwi.edu); [christian.cwik@uni-graz.at](mailto:christian.cwik@uni-graz.at)

century and even though the two now transnational ethnic groups were able to maintain autonomous structures. Since the 1960s civil and drug wars as well as guerrilla activity in Central America and in Colombia and Venezuela increased, which again led to mass murder and displacement of Wayuu and Miskito which persist in the case of Wayuu to this day.

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**Keywords**

Genocide · Maroonage · Zambo · Proto-states · Imperialism · Autonomy · Displacement · Sandinism · Drug war

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## Introduction

In 1981 the so-called Contra War against the *Sandinistas* government in Nicaragua has reached the Miskito Coast on the Atlantic. Around the same time, the Civil War in Colombia hits the territory of the Wayuu on the Guajira Peninsula. One of the consequences of these brutal territorial penetrations by the several armed forces (military, paramilitary, police, mafia, and guerrilla) was displacement. Most of the Miskito people escaped to Honduras by crossing the Río Coco border to Honduras but remained in their traditional Miskito territory which extends to Cape Cameron. A small number of Miskito in the southern districts around the city of Bluefields escaped also to Costa Rica by crossing the Río San Juan, and some flew by boats via the Corn Islands to San Andres Island (Colombia). But also for the Wayuu, border crossing to Venezuela has been often the easiest option to escape because their ancestral territory extends far into neighboring Zulia. Another option has been the route to the Colombian interior through the Valle du Par and by boat to the Dutch island of Aruba.

But it was not only the wars that forced the groups to flee abroad but also the attempt of the central state to put an end to the uncontrollable activities of their indigenous people. Both the Miskito and the Wayuu were deeply involved in the smuggling trade and historically linked to the non-Spanish-speaking Caribbean. They used the Caribbean Sea as their trading area for short- and long-distance trade. Due to their trading activities, the two ethnic groups have been in contact with English (later British), Dutch French, and even Danish and Swedish colonies in the Caribbean for centuries. At the end of the nineteenth century, trade contacts with the USA became vital. All these economic relationships undermined the state monopoly on trade and the control of the state territory and borders. Particularly in the twentieth century, intense relations with the USA developed, often using conflicts between the central state and indigenous autonomous territories for their geopolitical interests. This is one of the reasons why the Miskito and the Wayuu remained active protagonists and many of them did not end up as defenseless victims despite persecution and displacement. Some of the Miskito refugees in Honduras joined, e.g., the so-called Contras, a CIA-backed army of Somoza loyal Ex-National Army officers and soldiers as well as mercenaries from all over and entered in their uniforms into the Nicaraguan territory to liberate it from the Sandinista government.



Their fight was mainly inspired as resistance against the establishment of a centralistic state run by the Sandinistas and not so much against the leftist ideology by itself. But also among the Wayuu refugees, we can find refugees especially those who became internally displaced persons (IDPs) in Colombia who joined one of the militarized groups (not the National Army) and became part of the Civil War.

If we trace the history of the two groups back to their beginnings, we find that displacement led to the formation of the two groups during the seventeenth and eighteenth centuries. Most of them were displaced persons of different indigenous cultures and African slaves from European haciendas, farms, estancias, ranchos, plantations, mines, ships, boats, and other places of work or war refugees from the many wars of the Conquista. The above means that neither the Miskito nor the Wayuu has existed before as independent ethnic groups. For the displaced remained only the last areas of retreat, the swampy areas of the rainforest of Central America's Atlantic Coast between *Cabo Cameron* and the Bay of Bluefields and the barren and desert of the Guajira Peninsula between the *Río Ranchería* and the Gulf of Venezuela. In addition to the common aspect of the extreme settlement areas, the Miskito and Wayuu shared the willingness to ally with British, Dutch, and French seafarers and colonists against the Spaniards, who began conquering unoccupied areas at the beginning of the seventeenth century.

The works of María Cristina Navarrete, Manuel Vicente Magallanes, Weidler Guerra Curvelo, Henri Candelier, Michel Perrin, José Polo Acuña, and Christian Cwik dealt with the history of the Guajiro Natives during the seventeenth and eighteenth centuries (Navarrete 2003; Magallanes 1975; Guerra Curvelo 1997, 2001; Candelier 1994; Perrin 1987; Polo Acuña 2000a, b, 2005; CWIK Christian 2014). Also I would like to mention the edition of documents of the Cabildo de Santa Marta between 1529 and 1640 by Antonino Vidal Ortega and Fernando Alvaro Baquero Montoya and for the history of the Wayuu during the nineteenth century again the work of José Polo Acuña (Polo Acuña 2011a, b) as well as Antonino Vidal Ortega and Baquero Montoya (2007). About the early history of the Miskitos, you find works written by Eugenia Ibarra Rojas, Karl Offen, Baron Pineda, Claudia García, Mary Helms, Michael Olien, Barbara Potthast Yuri Zapata Webb, and Christian Cwik (Ibarra Rojas 1999, 2002, 2008, 2011; Offen 2002; Pineda 2006; García 1996; Helms 1983; Olien 1983; Potthast-Jutkeit 1993; Zapata Webb 2006; CWIK Christian 2011–2012).

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## The Making of the Miskito and Wayuu People

Zambos are the result of the ethnic mixture between Africans and first natives. This is comparable with the genesis of the Mestizo. Where Zambo cultures emerged, large numbers of runaway slaves can be found. Runaway slaves or maroons escaped from their masters or rescued themselves from slave ships after rebellions or shipwrecks. To survive in the new and impassable surroundings, the maroons had to join Amerindian settlements (Thompson 2006). Within the settlements, their role differed from cases to case: they were enslaved, had to work as servants, intermingled with

the indigenous groups, or even have been sold as slaves or into slavery. The first evidence about the existence of Zambos in maroon societies in the Americas can be found among the resistance communities of Chief Enriquillo in Santo Domingo (1519–1533), King Bayamo and President Filipino in Panama (1532–1554), or King Miguel in Venezuela (1551–1554) (Lara 2006). But there were also white and even Asian people who have been displaced from colonial towns, fortresses, mines, plantations, farms, and ships.

Let us now take a closer look at the Wayuu on the Caribbean coast of Colombia and Venezuela and the Zambo-Miskito on the Caribbean coast of Honduras and Nicaragua – two examples of Africanized Amerindian societies in the Greater Caribbean. Both regions were never conquered by Spanish troops and therefore could develop independently. Around 1750, two centuries after the Spanish conquest of the Aztecs and Incas, independent native people still controlled over a half of Iberoamerica (Weber 2002). The development of the communities as refuge for outlawed people, mainly of African origin, influenced the native societies of the two said regions heavily. The Africanization of the natives throughout the centuries transformed the allochthon societies. The new allochthon societies were based mostly on African and Amerindian and just a little bit on European heritage.

## The Wayuu of the Guajira Peninsula

In 1536 the first Europeans began to settle on the Guajira Peninsula. The hidalgo Antonio de Chávez founded the first European settlement of Nuestra Señora de las Nieves in the delta of the Ranchería River by order of the German-speaking conqueror Nicolas Federmann (Muñoz Luengo 1949; Polo Acuña 2000a). First pearl exploitation started across Cabo de la Vela by the Welser, a German company from the present-day Bavarian town of Augsburg in 1537. Pearl traders from the Venezuelan island of Cubagua founded de town of Cabo de la Vela in 1538. Two of the founders, Rodrigo de Gabraleón and Juan de la Barrera, started to organize the economy and policy of the town through the decree of 27th of March 1539 (Otte Enrique 1977). The pearl (and salt) exploitation of the southern Caribbean began around 1508 in the area between the present-day Venezuelan islands of Margarita, Cubagua, and Coche and the Araya Peninsula (Bernáldez 1869). In Enrique Otte's book *Las perlas del Caribe: Nueva Cádiz de Cubagua*, we can find some descriptions of the early enslavement of indigenous people and Africans as pearl divers on the island of Cubagua. After permanent attacks of Caribs from the Guianas and a heavy earthquake in 1539 which destroyed the center of Nueva Cádiz, the pearl traders and their slaves moved to Cabo de la Vela on the Guajira Peninsula.

Throughout the centuries, the different Amerindian groups of the South American coast resisted the Spanish conquerors. This was one of the reasons why the conquerors, after a period of thorough explorations of the sea- and landscapes, were only able to establish a few settlements (Turbaco 1509, Cumaná 1515, Santa Marta 1525, Coro 1526, Cartagena de Indias 1533 and Tolú 1534) before the foundation of Cabo de la Vela.

Among this generation of explorers, traders, and settlers were many of Portuguese origin with experiences in West Africa and the Afro-Atlantic islands. Some of them have been transculturated (The term “Transculturation” was introduced by the Cuban Anthropologist Fernando Ortiz (ORTIZ Fernando 1987, <sup>1</sup>1963).) and changed their appearance. They adopted African customs like skin scarification marks and tattoos, wore African dresses, and talked at least two African languages (Sweet 2003; Mark 2002; Brooks 2003). These Luso-Africans of European and African origin were called Lançados, Tangomaos, Pombeiros, Baquianos, or Imbangalas (Schorsch 2008; Queirós Mattoso 1982; Elbl 1986; Zeuske 2006). Many of them had a Jewish or a Muslim background. They negotiated with the most powerful African Kingdoms and intermarried with local African merchant families. Lançados developed important trading ports and villages on the Senegambian and Guinee river systems like Rufisque, Porto de Ale, Joala, Ziguinchor, Cacheu, Bolama, Porto da Cruz, Bissau, or even the famous port of Mina (Newitt 2005; Kagan and Morgan 2009). When they came to the Caribbean, they adapted quickly and negotiated with the American Native traders. In the case of the Guajira, they purchased “Amerindian slaves” from the different Carib-speaking traders for the pearl industries and silver and gold mining. The Colombian historian María Cristina Navarrete describes these slave raids in her article about rebellion and resistance of slaves between 1570 and 1615 (Navarrete 2003).

The history of the Guajira Peninsula remained throughout the sixteenth century a history of outlaw economies. The independence of the “Guajira societies” was based on different factors. The support by several native groups guaranteed the pearl elites (*Señores de Canoas*) of Cabo de la Vela their independence, and in reverse the allied indigenous groups preserved their own independence as well. Intermarriage strengthened the alliances between the two groups.

Besides the slave trade with natives, the demand for African slaves increased during the 1550s. The import of thousands of African slaves began. Smugglers and interlopers from Africa and Europe guaranteed this supply. One of these smugglers was the English captain Sir John Hawkins from Plymouth. His father William Hawkins already founded around 1530 a family trading enterprise mainly based on slave trade between Europe, Africa, and Brazil. John Hawkins and his cousin Francis Drake continued this business. Piloted by Luso-African Atlantic Creoles (About the Portuguese Atlantic Creoles, who worked for John Hawkins Lançados as pilots see (Kelsey 2003).), Hawkins sold African slaves to the *Señores de Canoas* (a small group of about 15–30 men) in Cabo de la Vela and Río de la Hacha (present-day Riohacha) during the 1560s and 1570s. In 1568 Miguel de Castellanos had bought 144 African slaves from John Hawkins (Miranda Vázquez 1976). Among the chiefs of Cabo de la Vela, we find even an Africanized Baquiano (slave hunter) named Francisco de Castellanos as treasurer. Together with first natives of the region and several maroon groups, they controlled the illicit trade in indigenous and African slaves. The indigenous slaves were mostly captured in the Sierra Nevada mountains west of the Peninsula. The Guajira alliances sold the imported African slaves to the Neogrenadian Highlands via Valledupar or used them as slaves for their own pearl, lumber, divi-divi, and salt exploitation.

The end of the pearl exploitation in the 1580s led to a strong emigration from Cabo de la Vela to Río de la Hacha. However, most of the first natives and maroons stayed north and east of the Rancheria River where they controlled almost the entire Peninsula. After 1580, craftspeople and jewelers from different regions in the Caribbean reached the town of Río de la Hacha. María Eugenio Ángeles Martínez found out that a group of approximately 20 Señores de Canoas and 600 slaves of African ancestry were living in that town (Ángeles Martínez 1992). The Spanish colonial government in Maracaibo established a military post in Río de la Hacha and founded a council (*cabildo*) there. The colonial influence of Maracaibo and later Santa Marta on Río de la Hacha remained weak. On the contrary, the Señores de las Canoas used their intercultural relations with the first natives and maroons to dominate the town of Río de la Hacha, and they extended their influence on Maracaibo, Santa Marta, and even Cartagena de Indias (Navarrete 2003).

During the personal union between Spain and Portugal (1580–1640), the influence of Portuguese traders in the Americas grew fast. The establishment of an Inquisition Tribunal in Cartagena de Indias after 1610 was a reaction of the “old elites” against the economic activities of the Portuguese traders. From then on, all Portuguese were suspected as “Crypto Jews.” Inquisition documents of 1627 tell us the story of two Portuguese traders who dominated the pearl trade between Cartagena and Río de la Hacha: Gramaxo was suspected to be a Secret Jew (Ventura 2001). At the end of the sixteenth century, the Gramaxo family established an Atlantic network of slave trade between Angola, the Cape Verdean islands, the rivers of Guinea, Brazil, and Lisbon (Vila Vilar 1977). Antonio Núñez Gramajo was one of the pioneers in the contraband in pearls, slaves, salt, and Brazil wood between Río de la Hacha and the nearby island of Curacao, where the Dutch founded a colony in 1634. After the conquest of the islands of Curacao, Aruba, and Bonaire between 1634 and 1636, the independent Guajira became an important point of commercial interest for the Dutch West Indian Company which established on the island of Curacao a center of slave trade in the mid-seventeenth century.

At the same time, the Guajira Peninsula was still an area which had never been controlled by the Spaniards. Different maroon groups of Africanized indigenous people dominated the area of the Central Guajira around Maicao and blocked the main connections between Santa Marta, Río de la Hacha, and Valledupar with Maracaibo (Vidal Ortega and Baquero Montoya 2007). The less Africanized Amerindian clans controlled the entire Upper Guajira. Dutch traders from Curacao and English traders from Jamaica intensified their business with the independent groups and supported their war against the Spaniards. In the national archive in Willemstad on the island of Curacao, several documents about Jewish and New Christians merchants are demonstrating the trade networks between Curacao and the Guajira Peninsula as well as the Mosquito Coast and the isthmus of Darién (Langebaeck 2006). All of them were independent territories under the control of indigenous and Zambos.

The WIC government sent its cultural brokers to the Guajira Peninsula to trade with the indigenous chiefs and maroon captains as well as with outlawed European merchants. The close relations to the Dutch increased the economic situation for the

“outlaw societies” and the possibilities to expand the so-called contraband economy. The illegal trade in firearms was the most successful business, not only from an economic point of view but also considering the possibilities of self-defense against attacks of Spanish troops.

Since the beginning of the eighteenth century, Great Britain intensified its colonial interest in the Americas. One part of British policy was the support of independent first natives and maroons in their war against Spanish colonialism, like the Dutch did too. This selective armament of Indigenous and maroons of the Guajira Peninsula promoted the process of alliances between the different indigenous groups and maroons. This development culminated in the birth of a new ethnic group: the Wayuu. We do find the notion Wayuu for the first time around 1750 (CWIK Christian, Muth Verena, Polo Acuña José, and Zeuske Michael, 2009). Before that time, only the name “Guajiros” existed in colonial maps and documents. In 1727, more than 2000 Guajiros attacked the troops of the Viceroyalty of New Granada. Other attacks followed in 1741, 1757, 1761, and 1768 (Barrera, Internet source). On the 2nd of May 1769, the Wayuu set the Spanish town of El Rincon afire, burning down the church and two Spaniards who had taken refuge in it. Supported by the English and Dutch, the Wayuu defended their independence and regained their territory.

Wayuu are organized in clans following matrilineal structures. Some of the clans are more “indigenous” than other clans which are more “African” or even “Europeans.” There are still distinct local and regional differences. Before slavery was abolished in the Dutch colonies in 1863, slaves escaped from Curacao, Bonaire, and Aruba to the South American coasts where these displaced individuals and groups joined the Wayuu. Despite the high percentage of intermingling with Afro-Caribbean and white European people, the Wayuu describe themselves as genuine first natives and as descendants of the Caribs. To this day most of Wayuu people deny any racial mixture with people of African descent.

## **The Miskito on the Mosquito Coast**

Spanish colonialism failed completely on the Caribbean coast of Central America. At least until the end of the nineteenth century, not a single Spanish settlement could be established between Trujillo in present-day Honduras and the Chagres River in Panama. As part of the western Caribbean, the Caribbean coast of Central America is a region of intense Jamaican-British influence and a high degree of African-Amerindian mixture. Since the second half of the seventeenth century, these groups of Afro-Amerindian descent appear in different documents as “Zambos,” “mosquitos,” “moscos,” “zambo-mosquitos,” and “Zambos del Mosquito” (Rogers 2002). From an ethnohistorical point of view, Mary Wallace Helms had already discussed the question “Negro or Indian” in 1977 (Helms 1977; Ibarra Rojas 2007).

The name “Miskito” as notion for a tribe or a special indigenous group didn’t exist until the beginning of the seventeenth century. Some scholars like Barbara Potthast, Germán Romero, and Karl H. Offen doubted that the name Miskito refers

to a river named “Moschitos,” “Moscomitos,” or “Mesquitos” located in the south of the Cape Gracias a Dios. We can find this name in Spanish maps of the years 1536, 1562, 1587, and 1600 as well as in Dutch maps of 1595 and 1613 (Potthast 1988; Romero Vargas 1995; Offen 2007). According to English sources from the Colonial Office, the term Miskito derived from the weapon musket. Therefore they called the indigenous people around the Cape Gracias a Dios “muskeetos” or “Indiens de Moustique (PRO CO 124/1f. 2 (Kew/London).). Missionaries like Fray Pedro de la Concepción called the first natives, who traded in firearms and other weapons with the English, “Guaianes.” In his dictionary “Español-Sumo, Sumo-Español,” the linguist Götz von Houwald determined the same group as “Wayah” (Von Houwald 1980).

Miskito chiefs were able to communicate in English and traveled with English buccaners as sailors to places all over the world. In 1633 or 1634, the Puritans of the island of Old Providence invited the successor of the Miskito chief to London, where he spent 3 years (Ibarra Rojas 2011). Almost the entire well known “piracy literature” concerning the Mosquito Coast contains similar information like the writings of Pedro de la Concepción. The “pirate” M.W. who traded with the Miskito around 1695–1705 Olien (1983) mentioned in his report “The Mosquito Indian and his Gold River” that the Miskito chief Oldman who governed probably the region of Cape Gracias a Dios between 1655 and 1686 was fluent in English language and traveled even until Jamaica (M.W. 1732). The indigenous groups of the “mosquitos,” “Guaianes,” and “wayah” (we are talking about one or probably more tribes as ancestors of the later Miskitos) as well as other first native cultures (Carey 2002; Ibarra Rojas 2011) like the Hicacas, Panamcas, Towacas, Cackeras, Ulvas, Jicaques, Payas, Sumos, Cucras, Caribes, and Ramas together populated the region between Cape Cameron, San Juan River, and the Segovia mountains. We can conclude that the population of this region was not homogenous.

Some Dutch merchants who traded with the indigenous people of the Mosquito Coast were of Sephardic Jewish origin. One example is the famous “buccaneer” (Knight 2000) Abraham Blauvelt (alias Bluefield) who visited the Mosquito Coast several times between 1625 and 1640. With the conquest of Curacao in 1634, the Dutch West Indian Company (DWIC) developed the island as home base for all their activities in the western and southern Caribbean. To smuggle African slaves to Trujillo, Campeche, Veracruz, or even Cuba, Dutch ships had to pass the Central American shores where they often shipwrecked because of the shallow waters.

Long before slaves from Dutch and English slave ships survived the shipwrecks of the seventeenth century, the Spanish Crown had already imported some thousands African slaves to the silver mining areas of Honduras as well as to the plains of the Pacific Nicaraguan coast between 1530 and 1600. African slave labor was important in the Honduran mountains since the beginning of colonial economy. Any form of slavery produced maroonage. Also in the mining areas of Honduras thus find references to maroon groups close to Trujillo around 1540. (Conversation with Dra. Rina Caceres, History Professor at the University of Cost Rica during her visit to Cartagena in May 2010.) To survive in the inhospitable areas of the Mosquito Coast, the black runaways needed the support of local native groups. One of the



results was of course ethnic mixture. This new Zambo-Miskito population produced changes in the demographic, social, and political structure of the first native cultures and affected the economic relations between the different Amerindian groups. Some first natives did not allow the runaways to settle among them; they even killed or enslaved some of them. Enslaved Africans intermingled with indigenous people, but this happened not before the next generation because slavery was not inheritable.

The rise of the slave trade during the seventeenth century influenced the African population everywhere in the Americas. Small trading companies and new groups of colonizers of Spanish and non-Spanish origin increased the importation of African slaves to the western Caribbean like to the mostly uninhabited Bay and Corn islands as well the island of Old Providence. In 1633 the Puritan settlers of Old Providence (Providence) established commercial relations with the indigenous people in the surroundings of the Cape Gracias a Dios (Ordahl Kupperman 1993). With the beginning of the seventeenth century, the Spanish colonial government of Guatemala, which dominated the Pacific coast of Nicaragua, supported the development of a well-developed plantation system. For a better management of the slave importation to Nicaragua, the Spanish extended the port of Trujillo. Maroon groups, mostly from Dutch ships, populated the mountains of the Río Dulce and the neighboring islands of Guanaja, Roatan, Hog, and Utila (AGCA A1. 4060.31537 (1645)). Despite a permanent process of intermingling during the first two centuries of European invasion, the Miskito still believe in myths of shipwrecking slave ships.

The already mentioned English slave trader M.W. wrote in 1699 about a group of runaway slaves rescued from a slave ship from Guinea which shipwrecked in 1639 on the coast close to the Río Coco (M.W. 1732). M.W. dated a second shipwreck in 1649. Lic. Ambrosio Tomás Santaella Melgarejo, an officer of the Audiencia of Guatemala, described the shipwreck of a slave ship in 1652. It is possible that the owner of this ship was the Portuguese Jewish slave trader Lorenzo Gramajo from Curacao, a son of the mentioned Antonio Núñez Gramaxo (or Gramajo). Pedro de Rivera reported in 1742 that the ship shipwrecked on the Mosquito Coast in 1652 (CWIK Christian 2011–2012). According to the text of Robert Hodgson senior, at least two Dutch slave ships shipwrecked on the southern section of the Mosquito Coast before he became Superintendent between 1749 and 1759 (Hodgson 1779). Also Barbara Potthast mentioned a Dutch slave ship, wrecked in 1710 (Potthast 1988). Probably the most famous slave shipwrecking was the one of 1641. In this year English buccaneers took over a Portuguese slave ship and left the booty on the Mosquito Coast close to the banks of the Río San Juan (Potthast-Jutkeit 1993). The Nicaraguan bishop Garret y Arlovi described in 1711 the “famous ship wreck” of 1641 as the birth of the Zambo-Miskito culture. He refers to a black man named Juan Ramón who told him the story. Ramón reported that about one third of the slaves who survived the shipwreck escaped and founded their own “state” of palenques (runaway slave communities). Further he told him about the several armed conflicts between the Amerindian groups and the African maroons belonging to the “state.” Bishop Garret y Arlovi described these Amerindian groups as “Caribs” (Peralta 1898). Finally the Africans defeated the indigenous tribes, and they escaped to the

mountains of Segovia and Chontales. The Africans kidnapped Amerindian women, reproduced by intermarriage, and thus built the fundament for the Zambo-Miskito culture (Ibarra Rojas 2011).

Currently most of the Miskito of Nicaragua are regarding the shipwreck of 1641 as the birth of their nation. But not all Miskito are feeling like Zambo-Miskito due to their different decrees of intermingling with Africans as well as with white people. The Miskito who almost did not mix with the African maroons of the Coast were often called Tawira. Despite the physical differences, both groups shared a lot of similarities like famous Olaudah Equiano recorded already in 1773. Although the Miskito are practicing several African traditions (often without any knowledge that those traditions originally came from Africa), the Amerindian traditions predominate. The strongest feature of their shared identity until the present day is their language Miskito.

The degree of intermingling depended mainly on two factors: (1) the areas where, because of the shallow waters, most slave ships shipwrecked and (2) the intensity of Amerindian resistance against Africanization. We can establish the main areas of Zambo-Miskito population around Cape Gracias a Dios and Sandy Bay in the northern section and around the Pearl Lagoon in the southern section of the Mosquito Coast. According to the French buccaneer Raveneau de Lussan who visited the Mosquito Coast in 1688 the Zambo-Miskito settled largely in the valley of the Wanks River (modern Río Coco) (CWIK Christian 2011–2012). Also M.W. located their settlements on the banks of the mentioned river.

Due to the lack of census in the Mosquito Coast, we know neither how many Miskito lived there nor how big was the group of Zambo-Miskito. It is difficult to study the number of inhabitants of the regions outside of Spanish control like the Mosquito Coast, the Darién and the Talamanca mountains, the Petén, or the Guajira Peninsula. Even though it is difficult to study the number of inhabitants due to a lack of reliable data, it is not impossible (Muth 2012). Robert Hodgson who lived as Superintendent in Bluefields estimated in 1757 about 10–11,000 Miskito (Ibarra Rojas 2011). Exact data is only available for the British colony of Black River and its vicinity where around the year 1766, approximately 450 white men (mostly English settlers and soldiers), 4,400 African, and c. hundred native slaves as well as 10,000 Zambos and Miskito lived (Dawson 1983).

By the end of the seventeenth century, the leader of the Zambo-Miskito held titles like “General” and “Captain.” A known Zambo-Captain was Captain Kit who lived in the delta of the Coco River, where he controlled the river navigation (M.W. 1732). Author Eugenia Ibarra Rojas created a map of the Miskito settlements at the Coco River based on the information of M.W. (Ibarra Rojas 2011). Under the rule of the mulatto King Jeremy I. between 1687 and c. 1720, the term “mulatto” was used by M.W.; the Miskito developed Sandy Bay as their capital and held the title of “King” (M.W. 1732; Olien 1983). Within the political union of all Miskito, the Tawira held the titles of “Governor” and “Admiral.” During the eighteenth century, the Zambo-Miskito became more and more dominant. From the first decade until the official end of the Miskito kingdom in 1894, the function of the king was held by the Zambo-Miskito.



## Displacement During the Long Twentieth Century

The quasi-independence of the Wayuu and Miskito opposed the still young republics in their efforts at territorial integrity. The governments of Nicaragua and Honduras as well as of Colombia and Venezuela failed in their individual attempts to bring these indigenous territories under state control, similar to the situation of the Spaniards before. During the transition from the nineteenth to the twentieth century, the USA and its companies (in the first place the United Fruit and the Standard Fruit Company) initially invaded the areas previously dominated by the British. In doing so, they helped the Latin American states in conquering territories. In the case of the Miskito Coast, these companies forced the immigration of English-speaking West Indians most of whom have been Afro-Jamaicans. The areas of Bluefields and Pearl Lagoon especially became populated by West Indians. This led to the displacement of the native population during the first two decades. Also in Honduras the two already mentioned big US corporations have imported English speaking West Indians but their plantations were not established on Miskito territory. In the case of Honduras, the Black Caribs better known as Garifuna who settled northwest of the port city of Trujillo were displaced. Between 1880 and 1920, hundreds of Garifunas from Honduras immigrated mostly to the area of Pearl Lagoon, south of Sandy Bay Sirpi.

Richard M. Juang and Noelle Morrisette are claiming that the first Garifunas under the leadership of Joseph Sambola had already come to Nicaragua's Caribbean coast in 1882 and probably founded the community of St. Vincent (Square Point). However, they mentioned no evidence for this thesis (Davidson 1980; Juang and Morrisette 2008). It is unclear whether this was a colonization project of a certain Joseph Sambola (the name refers to the denotation Zambo) or this group of Garifunas had escaped from Honduras because of internal wars. The main region for the immigrants was the Honduran coast east of Trujillo. The most important and largest Garifuna community of today is the town of Orinoco founded on the shores of the Pearl Lagoon in 1907. In an interview with Kency Sambola in 2003 made by the author, Mrs. Sambola said that all Garifunas came to work for the Americans and were employed in cutting mahogany and working on sugar and banana plantations as well as saw mills. In contrast to the imported black West Indians, who became the majority population of the South of the Miskito Coast and became the "Black Creoles" of this coast, Garifunas and Miskitos had already lived in the immediate vicinity for centuries. A direct displacement by the Garifuna thus did not take place, because among other things immigration remained numerically low. Houses were typically of lumber and thatch, in the style of modern Miskito dwellings (Davidson 1980).

Immigration and the brutal method of territorial incorporation by the Nicaraguan military under the presidency of José Santos Zelaya finally led to the end of the autonomous kingdom in 1894. The last Miskito King Robert Henry Clarence abdicated in 1908 after the kingdom had been conquered bit by bit by 1894. The former Mosquito Coast was established as the Nicaraguan department of Zelaya and led to the displacement of many Miskito. In the first two decades after the abdication

of King Robert Henry Clarence, Miskitos left the coastal areas and settled in the hinterland. The Jinotega Department in the north, where Miskitos had already settled before the mentioned displacement, became a refuge for many Miskitos from the coast. During the conflict in 1927–1933 between Augusto Sandino and the USA over the US occupation of Nicaragua, some Miskitos in the Jinotega region joined Sandino's liberation army. After Sandino's assassination in 1934, Miskitos became victims of Somoza's National Guard purges. The regime established a harsh type of administration on the Miskito Coast that concerned itself mainly with law and order. In order to exploit the gold, silver, and platinum mines of the region, the regime promoted the migration of the Mestizo population of the Pacific coast to the east. Between 1945 and 1975, over hundred thousand moved into the mining areas of the "Atlantic Coast" (Sollis 1989).

All these developments produced new displacement among the Miskitos and Sumos of the region. A new problem for the Miskito population arose in 1960 when the International Court of Justice ruled in favor of Honduras in a border dispute between Honduras and Nicaragua by awarding it a portion of Nicaraguan territory north of the River. The loss of traditional lands along the River Coco became a major issue for the Miskitos. Subsistence food production was negatively affected, and malnutrition and hunger became a major problem during the 1960s. The crises of this period led to the displacement of about 5000 Miskitos who were forced to relocate in Nicaragua and to take Nicaraguan citizenship (Sollis 1989). During the 1970s, the conflict between the Spanish-speaking migrants from the Pacific and the Miskito escalated and resulted in some deaths prior to 1979. This conflict continued after the triumph of the Sandinista revolution in 1979 but hardly had to do with the ideological orientation of the socialist revolution led by the FSLN.

Around the same time, as in Nicaragua, namely, in 1893, the government of Colombia conquered the Wayuu territory but has been less successful (Paz Reverol 2000), because of the decentralized political structure of the 14 clans (Aapushana, Epieyu, Iguana, Jayaliyuu, Jusayuu, Pausayuu, Sapuana, Tijuana, Uliana, Uliyuu, Uraliyuu, Ulewana, Walepushana, and Walapuana) and their semi-nomadism (in particular, during periods of drought, the Wayuu have to move their animals to areas where they can get water stored in wells.) Officially the Guajira became an intendancy in 1898 and a commissary in 1911. A survey made by Coronel Rafael E. Benítez in 1874 calculated 38.000 inhabitants (included only 10 clans) on the Guajira Peninsula (Benítez 1957). In addition to territorial control over the peninsula, the governments of Colombia and Venezuela promoted the takeover of the successful trading network of the Wayuu which they criminalized by calling it contraband trade. Simultaneously with the efforts of national governments, the Catholic Church sought to be at influence, in the "civilization process" of the Wayuu. In 1887 Capuchin friars under Reverend Brother José María de Valdeviejas returned, and in 1905, Pope Pius X created the Vicariate of La Guajira to "civilize" the Wayuu.

In 1935 the government founded a square circular around the population of Uribia, in the center of the indigenous territory, which allowed them to control the interior of the peninsula and nearby ports. The declared aim was an advance for the

colonization of the north of the Guajira Peninsula, but finally they failed. Nevertheless, the settlement area of Wayuu was severely restricted due to these measures.

During the 1960s, the cultivation of marijuana in the neighboring Sierra Nevada increased, and the Guajira Peninsula became the most important transportation corridor for the illegal trade. Especially knowledge of the landscape terrestrial and maritime had been in demand by the drug mafia; hence some Wayuu became popular collaborators. This did not change after the drug mafia switched to cocaine production and trade in the 1970s. As a result, the Guajira Peninsula developed into a battlefield of the anti-drug war, and displacement was the consequence.

Despite displacement, and according to a 1997 census in Colombia, the Wayuu population numbered approximately 144,003 and represented 20% of Colombia's total Amerindian population and 48% of the population of the Department of La Guajira. This demonstrates their power of endurance. One of the reasons for this is the enormous maritime mobility of the Wayuu. Wayuu are using maritime routes to Jamaica, the Cayman Islands, San Andres, Providencia, Aruba, Curacao, and Bonaire, and we can trace their tracks even to the Dominican Republic. The migration is often temporarily limited and depends not only on currents and winds but also on their economic ties and sometimes even their family relation. When the civil wars in Colombia broke out in the 1960s, these destinations became a temporarily refuge for the Wayuu.

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## Conclusion

Miskito and Wayuu per se are the result of displacement due to the Spanish Conquista from the sixteenth to the nineteenth centuries and the subsequent war of the nation states for territorial control and unrestricted exploitation of natural resources. As enemies of the colonial Spanish Government and later the National Government, they became partners of the enemies of the Spanish Colonial powers, namely, the English, French, and Dutch. Another feature of both groups is the high degree of mingling with other people persecuted by wars, conflicts, and trafficking in human beings, many of whom were escaping African slaves. Through cooperation with the abovementioned European players, they were able to defend their territory until the twentieth century. However, the maritime orientation of both groups also made them useful partners, even for the hostile colonial power of Spain and its successor states. Their territories remained largely independent and remained autonomous regions even after the formal conquest in the twentieth century.

After very slow military progress, the national and regional governments tried to force aggressive settlement policies in the twentieth century which produced a high grade of displacement. With the help of missionaries, both Catholic (Wayuu) and Moravian (Miskito), they tried to break the defense of groups which were not willing to integrate into the system as citizens. But ultimately even this strategy did not lead to success. Both groups remained ultimately resistant and open to cooperation with the enemy regardless of whether they were rebels like Augusto Sandino or counter-revolutionaries such as the Contras or are guerrillas like the ELN or the Colombian drug mafia.

In the case of the Miskito, the Sandinista Government of Nicaragua has seen no other way out than to legalize the already existing autonomy and therefore founded in 1985/1986 two autonomous regions: the North Atlantic Autonomous Region (RAAN) today's North Caribbean Coast Autonomous Region (RACN) and Autonomous Region of the South Atlantic (RAAS) today's South Caribbean Coast Autonomous Region (RACS). Political autonomy such as the Miskitos have guaranteed whether by Venezuela nor Colombia, although autonomy is lived politically, legally and culturally due to their internal political organization.

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Wendy Lambourne

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## Abstract

Identity and ethnicity have played a significant and contested role in the history of Rwanda, the genocide of 1994 and its aftermath. This chapter traces the origins of ethnicity as the most salient identity marker for Rwandans since colonization and independence. Starting with an overview of precolonial relations between the three identity groups provides a backdrop for understanding how ethnic identity was constructed by the colonial powers, reinforced by the postindependence governments and became a driver for violent conflict and ultimately genocide. Continuing this tradition of mythmaking and manipulation of identity for social and political purposes, the government of Rwanda post-genocide has sought to replace ethnic identity with a superordinate Rwandan national identity in order to maintain stability and promote unity and reconciliation. The chapter concludes by examining the contemporary challenges and implications of this approach to identity transformation for peace in Rwanda. Central to the analysis is the

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W. Lambourne (✉)

Department of Peace and Conflict Studies, University of Sydney, Sydney, NSW, Australia

e-mail: [wendy.lambourne@sydney.edu.au](mailto:wendy.lambourne@sydney.edu.au)



recognition of how ethnicity has been constructed, reconstructed, and deconstructed for strategic and pragmatic purposes before, during, and after the genocide, rather than being seen as a primordial and definitive marker and determinant of social and political relations and violence in Rwanda. Nevertheless, ethnic identity, although recognized as a political and historical construct, is also seen as a potential powder keg because of its powerful mythological characteristics and capacity to engender deep affective responses based on collective memories of oppression and violence.

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**Keywords**

Rwanda · Genocide · Ethnicity · Identity · Gacaca

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## Introduction

At the center of Rwandan history lies the controversial debate about the origins of the three ethnic groups that inhabit Rwanda: the Batwa, the Bahutu, and the Batutsi. All three speak the same Bantu language, Kinyarwanda, and have lived together on the same land for at least five centuries. Inter-marriage between the two main groups, the Bahutu and Batutsi, has been common and the physical characteristics said to distinguish between them are not consistent nor always easily apparent, even to fellow Rwandans. It has also been claimed that Hutu and Tutsi share the same religious and cultural traditions, leading to arguments that they should not be regarded as separate ethnic groups at all. And yet, despite the lack of clarity and contested nature of the relationship historically, the distinction between Hutu and Tutsi became the source of one of the most significant genocides of the twentieth century.

An analysis of the ethnic nature of the conflict and the 1994 genocide against the Tutsi requires an understanding of Rwandan history, with all its apparent contradictions and complexities. Rwandan precolonial cultural tradition is oral, with history being created through stories passed on from one generation to the next. These stories are open to interpretation and alteration over time and to deliberate manipulation for political or other purposes. Furthermore, the strongly hierarchical nature of Rwandan society suggests that stories told by the more powerful would receive more credence. In addition to folktales and legends, Rwandan history was “supplemented by the memory of court historians whose task was to hand down to posterity the glorious traditions of the realm – not as history might have it but, rather, as royal ordinance prescribed” (Lemarchand 1970, p. 32).

In the absence of a reliable record of precolonial Rwandan history, the theories and observations of the European colonizers became the primary written source of historical analysis available to both Rwandans and the outside world. As will be discussed in this chapter, the historians and anthropologists who first studied Rwanda were influenced by the theoretical outlook of their time and the colonists were driven by motivations beyond the purely scientific. Subsequent studies have sought to produce more balanced and thoroughly researched accounts of precolonial

and colonial Rwanda, which have contributed to a more nuanced understanding of the changing nature of the relationship between Hutu and Tutsi. Yet even so biases remain, and the reader is constantly reminded to be alert to how writers of Rwandan history can be influenced by sociocultural, psychological, and political factors and motivations often associated with seeking to defend and justify, as well as to explain, past actions or current policies and practice. Assuming that all writers will carry such biases can be misleading, but it does suggest the importance of considering the possibility of bias in reading any account of the Rwandan genocide and its aftermath. This chapter therefore draws on a range of authors, including Rwandan and European, representing Francophone and Anglophone, Hutu and Tutsi, and a range of disciplines including history, political science, psychology, sociology, and anthropology, in order to analyze the role of ethnicity in the genesis and conduct of the Rwandan genocide along with the implications and challenges for peacebuilding.

The first part comprises four sections exploring the issue of ethnicity in the context of precolonial, colonial, and postcolonial history and changing constructions of the identities of Hutu and Tutsi in Rwanda. This is followed by a discussion of the role of ethnicity in the conflict and genocide of 1994. The final section examines the consequences and contemporary implications in terms of ethnicity and identity deconstruction and reconstruction as part of building a new Rwanda based on national unity and reconciliation. Throughout the chapter, themes of complexity and contradictions are highlighted in order to build an understanding of Rwandan social and political dynamics that avoids perpetuating assumptions and stereotypes about ethnic primordialism, but at the same time underscores the ongoing potential for the use of such mythmaking and polarizing discourse to promulgate interethnic hatred and violence.

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## The Ethnic Groups of Rwanda: Tutsi, Hutu, and Twa

What is a Tutsi? What is a Hutu? What is a Twa? A Tutsi is a person whose father is Tutsi. A Hutu is a person whose father is a Hutu. A Twa is a person whose father is a Twa. That is about the only point on which everyone agrees. If you go beyond this fact, you enter the debate which ended in genocide. (Sibomana 1999, p. 83)

Sibomana's attempt to depoliticize the distinction between Rwanda's three ethnic groups oversimplifies the "facts" and masks the realities of identity construction. It fails to take into account the precolonial fluidity of the identities of Hutu and Tutsi, the impact of intermarriages, and the consequent variability of physical attributes associated with each. As argued by the anthropologist historian, David Newbury (2009, p. 299), "social categorization judged by unilineal descent through the male line does not adequately account for biological reality."

The significance of physical differences between Hutu and Tutsi has been challenged by Rwandans themselves as well as by foreign commentators who refer to the many exceptions to the stereotypical picture of a Hutu as short and stocky and Tutsi as tall and thin (Sibomana 1999, p. 84). For example, a Rwandan was quoted by

Gourevitch (1998, p. 50) as saying: “We can’t tell us apart. I was on a bus in the north once and because I was in the north, where they [Hutus] were, and because I ate corn, which they eat, they said, ‘He’s one of us’. But I’m a Tutsi from Butare in the south.” On the basis of shared language and cultural practices, it has therefore been argued by some (such as the French social geographer Dominique Franche quoted in Sibomana 1999, p. 83) that the Batutsi, Bahutu, and Batwa should not be described as different ethnic groups, but rather as different social groups or classes within the same Rwandan ethnic identity.

However, the claim that historically all Rwandans practiced the same animist religion and cultural traditions is not universally accepted. Destexhe (1995, p. 36), for example, claims that: “It would be extremely difficult to find any kind of cultural or folkloric custom that was specifically Hutu or Tutsi.” Yet others point out that the animist “kubandwa” possession cult is thought to have been of Hutu origin (Prunier 1995, p. 15), and that particular ceremonial dances are associated exclusively with the Tutsi group. Sibomana (1999, pp. 83–4) claims that Hutu and Tutsi children are told different stories in the evenings, and that a particular type of war poetry exists in Tutsi but not Hutu culture. Sibomana (1999, p. 84) also refers to differences in attitudes toward sexual modesty between the three Rwandan ethnic groups, and references to differences in eating habits have also been made.

The Twa (or Batwa in the plural) are a pygmoid people thought to come from the forests and to be the original inhabitants of what is today called Rwanda. They represent only about 1% of the Rwandan population and are generally regarded as inferior by Hutu and Tutsi alike (Destexhe 1995, p. 39). The European colonizers who arrived at the turn of the century observed that the Batwa lived either as hunter-gatherers in the forested areas or “served the high-ranking personalities or the King in a variety of menial tasks” (Prunier 1995, p. 5). According to Destexhe (1995, p. 39), the first European on Rwandan soil, Count von Goetzen, declared them to be “a caste of dwarfs.” Like other marginalized minority groups throughout the world, the Batwa have continued to engage in a struggle for their rights and recognition in Rwandan society.

The Bahutu comprise some 85% of the population and at the time of European colonization were agriculturalists or peasants who cultivated the soil. European historians identified them as the first “tribe” to settle Rwanda, most probably coming from the south and west (Lemarchand 1970; Gourevitch 1998). The Bahutu were described by the colonizers as a Bantu people with typical negroid features and were regarded as superior to the Batwa but inferior to the Batutsi. Adolphus Frederick, Duke of Mecklenburg, wrote in 1910 that the Bahutu “are a medium-sized type of people whose ungainly figures betoken hard toil, and who patiently bow themselves in abject bondage to the later arrived yet ruling race, the Tutsi” (Lemarchand 1970, p. 19). In 1948, a Belgian doctor described the Hutu as “possessing all the characteristics of the negro: flat noses, thick lips, low foreheads, brachycephalic skulls. They are like children, shy and lazy and usually dirty” (quoted in Destexhe 1995, p. 39).

The remaining 14% of the population were the cattle-herding Batutsi. The Batutsi were described as much taller and thinner, with sharp, angular facial features and a somewhat regal appearance that led the European invaders to conclude that they were of a different and superior racial stock to the local Hutu peasants (Prunier 1995, p. 5).

Mecklenburg said of the Batutsi that “they possess that same graceful indolence in gait which is peculiar to Oriental peoples, and their bronze-brown skin reminds me of the inhabitants of the more hilly parts of northern Africa. Unmistakable evidence of a foreign strain are betrayed in their high foreheads, the curve of their nostrils, and the fine, oval shape of their faces” (Lemarchand 1970, p. 18). The same Belgian doctor referred to above wrote of the Batutsi in 1948 that they “are 1.09 metres tall. They are slim. They have straight noses, high foreheads, thin lips. The Hamites [or Tutsi] seem distant, reserved, polite and refined” (quoted in Destexhe 1995, p. 39).

These differences in physical appearance and occupational ties observed by the European colonizers led to theories about the distinct ethnic origins of the three groups, and the subsequent consolidation of differences to the extent that the Hutu, Tutsi, and Twa came eventually to consider themselves to be separate ethnic groups. There is evidence, however, that myths of Tutsi supremacy in the form of folktales and dynastic poems that set out the “fundamental and ‘natural’ differences among Tutsi, Hutu, and Twa” long predated the coming of the Europeans (Lemarchand 2009, pp. 52–3). One of these relates to *Ibimanuka* (“those who descended from heaven”) and the mythical celestial origins of the Tutsi, while the other tells of how God determined who should rule over whom in the ancient kingdom of the Gatutsi, Gahutu, and Gatwa. Entrusted with a pot of milk each to watch over during the night, the greedy Gatwa drank the milk, the lazy Gahutu fell asleep and spilt the milk, and only the dependable Gatutsi stayed awake and kept guard over his milk until dawn (Lemarchand 2009, p. 53).

Whether or not these three groups can be substantiated biologically or anthropologically as separate ethnic categories, they are undoubtedly of political and sociological significance. Mamdani (2001) provides an account of how interpretations of the relationship between Hutu and Tutsi have since colonial times been framed in political terms. From his assessment of the anthropological and other evidence for the two main schools of thought concerning the origins of Hutu and Tutsi, Mamdani (2001, pp. 73–75) concludes that they are historical and political identities that have changed over time in relation to changes in power but are descended from one cultural identity (Banyarwanda). Newbury (2009, p. 302) goes further to argue that “while ethnicity serves as a powerful construct” in societies such as Rwanda, “regional diversities, ecological transformations, and political particularities are much more important than ethnic determinism in understanding the history.” Fujii (2009, p. 56) concludes similarly that in the history of Rwanda, “politics and power trumped ethnic loyalties every time.” In this chapter, I argue that it is the interplay between ethnicity and identity and politics and power that underpins the cycles of violent conflict and genocide experienced by Rwandans from precolonial times until today.

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## **Mythmaking and Construction of Identities in Precolonial Rwanda**

According to Lemarchand (1970, pp. 19–20), Rwandan society was highly centralized prior to colonization. However, while the south of the country was dominated by a single Tutsi monarchy (the “mwami,” who was revered as a divinity, absolute, and infallible) (Gourevitch 1998, p. 49), the north was still ruled by several Hutu

kings (Sibomana 1999, p. 81). The amalgamation of autonomous chieftaincies into a small nuclear kingdom centered around Kigali under the leadership of a royal clan (the Tutsi monarchy) probably took place in Rwanda during the fifteenth century (Lemarchand 1970, p. 19). This was followed by a period of expansion involving the gradual incorporation of outlying areas, with the last of the small Hutu kingdoms not being annexed until after colonization in the early 1920s (Lemarchand 1970, p. 21). The Tutsi dynasty had gradually defeated the Hutu kings and chiefs since the seventeenth century, but it was the European invaders, and especially the Christian missionaries, who reinforced the Tutsi lineage as the most important and formalized the centralization of political control under the Tutsi King, Mwami Yuhi Musingwa (Destexhe 1995, p. 40; Prunier 1995, p. 19; Sibomana 1999, pp. 81–2).

The Tutsi as a group most probably acquired economic and hence political power using the ownership of cattle as a lever (Lemarchand 1970, p. 19). The Tutsi possessed *ubuhake* – the right to own cattle – which was passed down from father to son (Destexhe 1995, p. 39). This ensured their socioeconomic and political domination over the Hutu who, like the Twa, were required to sell their labor and agricultural produce in return for protection from the chief (who was usually a Tutsi). The ownership of cattle thus formed the basis of a clientage system in which reciprocal bonds of loyalty were built up through the exchange of commodities and services between patron and client (Lemarchand 1970, p. 36). Tutsi would generally provide their Hutu clients with cow's milk and access to pasture land, as well as protection, in return for labor and agricultural produce. However, as Lemarchand (1970, p. 37) points out, the roles of patron and client were not mutually exclusive, and the client–patron relationships “formed a web of reciprocities embracing a wide segment of the population.” The relationship between Tutsi and Hutu at this point could thus be seen as more symbiotic than exploitative.

Although the social and political structure of precolonial Rwanda has been described as feudal, this does not imply that the relationship between the aristocracy and peasants was fixed as in Europe in the twelfth century. As argued by Grimes (1975), Maquet's depiction of Tutsi as a class or caste ruling over Hutu was inconsistent with the indications that some Tutsi were “commoners” and some Hutu were chiefs. The ideology that Tutsis were “born to rule” should arguably be replaced by one that identifies Tutsi as “born fit for a special, ritual association with cattle, Hutu were born to be agriculturalists and Twa – hunters” (Grimes 1975, p. 55). The categories of Hutu and Tutsi were fluid: a Hutu could become a Tutsi by acquiring cattle or becoming a chief, and a Tutsi could become a Hutu by losing his cattle-owning status and turning to cultivation (Watson 1991, p. 3). However, as soon as he acquired cattle or became a chief of sufficient power, a Hutu was reclassified as a Tutsi – “they are absorbed into the upper caste. Their Hutu origins are ‘forgotten’” (Lemarchand 1970, p. 39). Therefore, as argued by Lemarchand (1970, p. 39), the Hutu as a group “were inevitably destined to remain in an inferior position. A Tutsi could be both a client and a patron; but a Hutu could only be a client.” As explained by Mamdani (2001, p. 75), “to be a Tutsi was thus to be in power, near power, or simply to be identified with power,” while to be a Hutu was increasingly identified with being a subject.

The Tutsi were thus “not strictly a hereditary group but socially defined; for given the clientage system and intermarriage, Hutu could become Tutsi” (Grimes 1975, p. 66), based on what Fujii (2009, p. 115) classified as “status” or “hereditary” criteria. Intermarriages were possible, if not common, and the tracing of ethnic heritage could be arbitrary as Rwandans do not normally carry family names (Feil 1998, p. 34). Furthermore, many Tutsi were in a similar position economically to the Hutu, and often did not own cattle, but socially these “*petits* Tutsi” retained the privileges afforded to the rich Tutsi but not to the Hutu (Mamdani 2001, p. 74). According to Catharine Newbury (1988, p. 6), the strong identification as a socially oppressed group was not developed by the Hutu until the era of European colonialism that overwhelmingly favored the Tutsi group thereby transforming the structure of domination to one of blatant exploitation.

Vansina (2004) argues that the Hutu did begin to develop their identity as an oppressed group during the second half of the nineteenth century under the Tutsi clan dynasty, the Nyiginya kingdom, and that the first institutionalization of the distinction between Tutsi and Hutu that spread throughout Rwanda predated colonization. According to Vansina (2004, p. 136), the “absolute division between Hutu and Tutsi institutionalized by the daily practice of *uburetwa* rapidly displaced the older social class consciousness” as only farmers or Hutu (and not herders, the Tutsi) were obliged to perform the menial work associated with the new exploitative system of *uburetwa* introduced in 1870. The introduction of this new system continued the trend of increasing inequalities studied by Catharine Newbury (1988) in which the original reciprocal *umuheto* cattle clientship was replaced by the more unequal system of *ubuhake* which could involve families without cattle and thus expose them to “more arbitrary forms of exploitation” (Mamdani 2001, p. 65). *Uburetwa* as a completely nonreciprocal form of agricultural clientship was imposed on the newly landless Hutu farmers in the wake of the shift in land control from the lineages of land chiefs, many of whom were Hutu, to the king (Mamdani 2001, p. 66).

In order to justify and preserve this new social order that placed absolute authority in their hands, the Nyiginya clan promulgated an official account of Rwandan history that “claimed a primordial basis for Tutsi rule and superiority” (Fujii 2009, p. 57). Taylor (1999, p. 68) further points out how discrimination against the Twa was entrenched in the “local model of difference.” As argued by Lemarchand (2009, pp. 52–4), precolonial Rwandan myths of origins were intended not only to make the past intelligible, but also legitimize the present for both Hutu and Tutsi and thus promote social cohesion while at the same time validating oppression. This Tutsi-centric version of history maintained that specialized roles for the Tutsi, Hutu, and Twa “emanated from each group’s unique background” as pastoralists, cultivators, and forest dwellers, respectively, thus laying the foundation for the construction of ethnic identities by the European explorers and missionaries based on the Hamitic hypothesis of Tutsi superiority (Fujii 2009, p. 57). Lemarchand (2009, pp. 52–4) comments on the “uncanny fit” between European Hamitic theories and Rwandan myths of origins and how the “distortion of historical reality” through such myth-making was also used “to inspire division and to inflame ethnic passions” in a way that made atrocities against the demonized other possible.

Vansina's detailed account of the Nyiginya dynasties that dominated Rwanda in the eighteenth and nineteenth centuries reveals how the differing sociocultural and political experiences of Hutu and Tutsi grew during this period and ultimately led to violence between the two groups, including an armed anti-Tutsi insurrection that broke out in the northwest in 1897 and spread to a number of local areas. The armed revolt was eventually suppressed by the armies of the court in 1899, but not in all areas, and Vansina (2004, p. 138) concludes "not only that the population at this time was conscious of a great divide between Tutsi and Hutu, but also that the antagonism between these two social categories had already broken into the open." Nevertheless, Vansina (2004) and other historians maintain that the difference between Hutu and Tutsi was still more socioeconomic and political than it was ethnic, and it was only the promulgation of the Hamitic hypothesis and identity card system by the colonial powers that fixed and thus transformed the two social categories into ethnic groups.

The interethnic hatred and cycles of violence and revenge between the two groups that culminated in the genocide of 1994, did not begin until the end of the colonial era, but the seeds were sown in the "double-edged aspect of the clientage system" and the development of a superiority/inferiority relationship between Tutsi and Hutu (Lemarchand 1970, pp. 43–44). According to Kamukama (1993, p. 25), "the people of Rwanda were subjected to both monarchical and colonial exploitation and oppression" that fueled the Hutu revolution and subsequent cycles of violent conflict. Mamdani (2001, p. 74) also argues that the Hutu and Tutsi "emerged as state-enforced identities" derived from their history of state centralization and changes in clientship "that led to the social degradation of the Hutu." According to Lemarchand (1970, pp. 40–41), the clientage system not only created "a web of intercaste solidarities," it also created "the conditions of its rupture" by seeming to reinforce social and political inequalities between Hutu and Tutsi. Furthermore, he argues, "submissiveness and self-doubt remained the most enduring characteristics of Hutu behaviour" and resulted in pathological extremes of violence that could be "regarded as the blind reaction of a people traumatised by a deep and lasting sense of inferiority" (Lemarchand 1970, pp. 43–44). In his later work, Lemarchand (2009, pp. 49–68) went on to attribute the scale of depravity and bloodshed seen in 1994 to the power of divisive mythmaking that created not just "imagined communities" of Hutu, Tutsi, and Twa, but also "communities of fear and hatred" (p. 57).

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## European Colonization and the Entrenchment of Ethnic Identities

Rwanda was colonized relatively late due in part to the inaccessibility of the region, and to the "ferocious exclusiveness" of the Rwandans that repelled even the slave traders (Gourevitch 1998, pp. 53–4). The first European explorers arrived in Central Africa in the mid-nineteenth century, and in 1885, a conference of major European powers designated the separate kingdoms of Rwanda and Burundi as provinces of German East Africa. The first European to enter Rwanda was a German count named von Götzen, who visited the royal court in 1894. The following year, the long-reigning Mwami Rwabugiri died and as Rwanda fell into political turmoil, the



Germans set up administrative offices and a system of indirect rule over the combined territory of Ruanda-Urundi. The feuding Tutsi clan leaders collaborated with the German colonizers in return for patronage and support for the system of political dominance over the Hutu majority. The German system of indirect rule “reinforced the absolutism of the monarchy, and hence the hegemony of the ruling caste” (Lemarchand 1970, p. 62).

Following the defeat of Germany in World War I the colony became a trustee territory of Belgium, administered under a League of Nations mandate, and after World War II as a United Nations Trust Territory. As in other parts of the world, Belgium followed the colonial strategy of “divide and rule,” reinforcing the division between Tutsi and Hutu. Legitimacy was, however, favored over violence, whereby the Belgian administration operated through the Tutsi kings as the “prime legitimisers of Belgian colonial policies and practices” (Lemarchand 1970, p. 66). The colonial administration also continued the precolonial clientship systems of *ubuhake* – but as a more coercive arrangement – and *uburetwa*, as a requirement for “all Hutu men except for the small number who had salaried jobs” (Fujii 2009, p. 64). *Uburetwa* thus came to represent a system of Tutsi dominance that reinforced competition between the elites, and a means of colonial extraction from the poorest Hutu that reinforced a sense of discrimination against Hutu as a group (Fujii 2009, p. 64; Newbury 1988, p. 141).

The hypothesis was developed that the Tutsis were descended from nomadic pastoralists who had migrated from the north, most probably from southern Ethiopia, and conquered the indigenous Bantu societies in the fifteenth century. The British explorer J. H. Speke first suggested this theory in 1863 based on his observations of Rwandans from a vantage point in Tanzania (Destexhe 1995, p. 86). The physical features of the Tutsi suggested an ethnic link with the Galla or Oromo nomadic Cushitic tribes of southern Ethiopia (traditionally connected with the monarchic institution), along with extended racial links to peoples in the Middle East and Europe (Prunier 1995, p. 7). According to this “Hamitic hypothesis,” the Tutsis were one of the African tribes descended from Noah’s son, Ham, who along with his descendants was cursed after seeing his father naked, their color being a result of the curse (Destexhe 1995, pp. 37–8). The other “blacks” (including the Hutu of Rwanda), meanwhile, were classified according to their physical characteristics (such as skin color and skull shape) as different (and lesser) human beings not descended from Noah. This racist categorization of peoples based on “objective” criteria that was developed from social Darwinism during the early twentieth century was also used as an ideology to support the killing of Jews and other “lesser human beings” during the Nazi holocaust.

The Belgians thus regarded the Tutsi as superior and used the Hamitic hypothesis as justification for their discrimination in favor of the Tutsi minority. They ruled indirectly through the existing power structure of the Tutsi aristocracy and gave preferential treatment to the Tutsi in terms of education, employment, and political office. The lower level of school participation and university education enjoyed by the Hutu under colonial rule reinforced their lower socioeconomic standing in Rwandan society. The Belgians used the Tutsi as the administrators of their harsh



policies and the Hutu became increasingly resentful – not of their colonial masters, but of the Tutsi monarchical system. The Tutsi, meanwhile, became more attached to the idea that they were the superior ethnic group and deserved to be in power.

The introduction of native tribunals by the Belgians in 1936 served to further entrench the power of the Tutsi elite as they used them to “legitimise abuses and wrong-doings” rather than to dispense justice (Lemarchand 1970, p. 76). The Belgian administrative reforms also resulted in the deposing of most of the remaining Hutu chiefs through a process of Tutsification, and the introduction of identity cards that had the effect of fixing the formerly fluid ethnic categories of Hutu and Tutsi. However, the allocation of identity cards by the Belgians was somewhat arbitrary, with those possessing at least ten head of cattle being considered Tutsi (Klinghoffer 1998, p. 6). The ethnic category of the whole family was determined by that of the father, and many Hutu chiefs were redefined as Tutsi in line with the Belgian preference for Tutsi rule.

The theory of Tutsi superiority was adopted by the church as it was consistent with its claim that all the peoples of the earth are descended from Noah, and the Roman Catholic Church was quite influential in the Belgian decision to give preference to the Tutsi (Destexhe 1995, pp. 38 & 40). The European missionaries of the Roman Catholic Church, known as the White Fathers, and those of the various Protestant churches – Anglican, Seventh Day Adventist, and Presbyterian – were instrumental in supporting the development and fixing of ethnic identities during the colonial period. According to Longman (2010, p. 58), the White Fathers pursued an alliance with the dominant political class in society as part of their mission, and as “they perceived political power in Rwanda in primarily ethnic terms” this led to “ignoring or downplaying important divisions of class, region, lineage, clan, and political faction.” The missionaries “working together with the colonial administration . . . helped to make this interpretation reality” by supporting the Tutsi power structure (Longman 2010, p. 58); imposing a racialization of the Tutsi/Hutu relationship both ideologically and institutionally (Mamdani 2001, p. 87); and providing data for the classification of Rwandans as Hutu, Tutsi, or Twa as part of the official census of 1933–1934 as a complement to physical measurements and the application of the “ten-cow rule” (in which those who owned ten or more cows were classified as Tutsi). So as a result of these measures, “by the end of the colonial period, the division among Hutu, Tutsi, and Twa had indeed become the predominant cleavage in Rwandan society” (Longman 2010, p. 58). And the church could claim to have significantly affected “how Rwandans perceived their own identities” (Longman 2010, p. 65); as Fujii (2009, p. 67) suggests, “many Rwandans had internalized the precepts of Tutsi superiority” by the time of the struggle for independence.

The anthropologist Jacques-Jean Maquet and other social scientists who studied Rwanda in the 1940s and 1950s were also responsible for reinforcing the early European theories that the ethnic and class stratification between Hutu and Tutsi was a fixed feature of traditional Rwandan society. To the colonizers, it seemed that the minority Tutsi pastoralists held political power and controlled the sources of wealth, and exploited their Hutu subjects (Newbury 1988, p. 3). However, the situation was much more complex than that: “ethnic identities

were not primordial; they were contextually created, they altered over time, and they evolved differently in different places and contexts” (Newbury 2009, p. 297). According to Newbury (2009), the consolidation of identity into separate ethnic groups occurred as a result of the gradual encroachment of the state and the exercise of mutual agency in a complex process that saw the emergence of a “collective Hutu identity that transcended lineage and hill” (p 300). This broad social identity only became salient in a particular political context and “was based on concepts drawing on descent, occupation, class, and personal characteristics in various combinations” (p 301).

An important aspect of the growing resentment between the Hutu and Tutsi has been attributed to the lack of natural resources, high population density, and subsequent poverty and hardship that was not equally shared (Lemarchand 1970, p. 15; Uvin 1998). The Hutu revolution that secured Rwandan independence was largely driven by economic grievances and the struggle for access to the means of production (Newbury 1988, p. 213). For the majority of the population, ethnicity and class overlapped: “most of the people who were poor and exploited were categorized as Hutu” (Newbury 1988, p. 213). There were Hutu professionals who were better off, and not all Tutsi were rich and powerful. But by the end of colonial rule, a strong ethnic awareness had been developed (at least among the elite) and the Hutus as a group were generally regarded as inferior or subordinate.

Toward the end of colonial rule, it was the church, led by a new generation of socially progressive Flemish-speaking White Fathers, that began to educate the Hutus thereby producing the first generation of Hutu intellectuals (Fujii 2009, p. 66; Longman 2010). Under the influence of this “Christian socialism” now spreading throughout Europe, the Belgian Church in Rwanda began to support the Hutus in their quest for emancipation, and the Tutsi gradually lost their religious as well as political authority in Rwanda. Whether supporting the Tutsi or Hutu, the Catholic Church maintained its focus on ethnicity as a marker of social and political hierarchy, thereby playing its part in the fomenting of interethnic conflict in Rwanda and explaining how the church became so heavily implicated in the genocide itself (Longman 2010, p. 59).

The influence of the Roman Catholic Church in Rwanda gradually increased, while the role of the monarchy was diluted by the policies of the colonizers. After converting the Tutsi chiefs to Christianity, the missionaries used them to convert the Hutu masses. Rwanda thus experienced an unusually high conversion rate, with almost 65% of Rwandans having joined the Catholic Church by the end of the colonial era, and by the time of the genocide in 1994, the percentage of Christians in Rwanda had reportedly risen to 95%, with 85% belonging to the Catholic Church (Longman 2010).

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## Interethnic Conflict and Genocide

During the latter part of their rule, the Belgians responded to pressure from the United Nations and the Catholic Church, and began to open up the political and socioeconomic system to the majority Hutu. The Hutu ascendancy of the 1950s and

1960s was encouraged by the Belgians in a policy turnaround that saw the establishment of political parties and more democratic elections. Belgian policy now sought to bring an end to the feudal system of clientage, but the policies of democratization were, according to Lemarchand (1970, p. 79), “a classic example of ‘too little and too late.’” The Belgians allowed Hutu riots against the authority of the Tutsi chiefs to escalate into full-scale civil war, and thousands of refugees began fleeing to neighboring countries (Uganda, Tanzania, Burundi, and former Zaire). The Hutu shed their loyalty for the Mwami in a political backlash against the monarchical system of exploitation that had been encouraged by the colonial powers, and Hutu extremists adopted the Hamitic hypothesis as justification for labelling the Tutsi as outsiders who should be expelled or killed. The Hutus attained political control within the colonial framework, and the Tutsi monarchy of four centuries came to an end.

The growing resentment and cycles of violence between Hutu and Tutsi could thus be blamed on the Belgian colonizers, both because of their policy of “divide and rule” and because of their switch in ethnic group loyalty that supported a reversal in power relations between the two groups. And yet, as argued by Sibomana (1999, p. 87), Hutu and Tutsi extremists were also both responsible for perpetuating the stereotypes and interethnic violence as part of their own ongoing power struggle:

If power had not been given in its entirety to one group (the Tutsi) to the detriment of the other two groups (the Hutu and the Twa) and if, subsequently, it had not been taken away in its entirety from that group and handed over in its entirety to another group (the Hutu), we might have been able to avoid a genocide . . . The Belgian settlers implanted racist stereotypes which we were not able to shake off. But the responsibility of these settlers should not obscure the responsibility of Hutu and Tutsi extremists who, one after the other and each in their own way, exploited these stereotypes which served the purposes of their struggle to conquer or to hold onto power.

The Hutu revolution in Rwanda was extremely violent and was driven as much (if not more) by the internal conflict between Hutu and Tutsi as by the conflict between colonial society and the colonizer (Lemarchand 1970, p. 81). Nationalism was more of a by-product rather than a cohesive force for independence from the colonial power. According to Lemarchand (1970, p. 95), the Hutu revolution was a “long and painful enterprise, which may not have succeeded without the auxiliary support extended by the Belgian administration to the insurgents.” The Hutu were not, at that time, a united group, and could not all be classified as “peasant” due in part to their albeit limited upward social mobility. In fact, Lemarchand (1970, p. 95) argues that the revolution was led by the more elite Hutus of the northern region who remained a political force despite the superimposing of Tutsi rule.

Following the revolution and civil war during which an estimated 20,000 Tutsi were killed and approximately 200,000 Tutsi became refugees, Rwanda achieved its independence and became a republic under Hutu leadership on 1 July 1962. The first president was Gregoire Kayibanda, a Hutu from Gitarama in the south-central region of the country, who belonged to the Parmehutu party that became institutionalized in 1965 with the establishment of a one-party state. However, in July 1973, the defense

minister, Major-General Juvenal Habyarimana, took power through the military and created a new one-party system with the formation of the Mouvement Révolutionnaire National pour le Développement (MRND) in 1975. Habyarimana came from Gisenyi prefecture in the northwest. Following his takeover, 40 southern politicians associated with the former regime were killed in jail (Klinghoffer 1998, p. 8). This shift in power to the Hutu of the north was to last until the civil war and genocide of 1994.

The Hutu governments of Kayibanda and Habyarimana maintained the ethnic identity system instituted by the Belgians and initiated a policy of discrimination against the minority Tutsi population in retaliation for the years of subjugation under Belgian/Tutsi rule. They scapegoated the Tutsi in order to deflect attention away from grievances of the Hutu masses who remained “desperately poor” and the educated revolutionaries “who had been promised much, but received little” (Fujii 2009, pp. 70–1). The Habyarimana government also introduced a quota system that discriminated against Hutus from the south as well as Tutsi: Hutus from the north received 60% of university places and civil service positions, while Tutsis were limited to 9% and were excluded from the military (Klinghoffer 1998, p. 8). A social hierarchy was formed, with Habyarimana and his wealthy Hutu business associates at the top of the pyramid, followed by the northern Hutu, southern Hutu, Tutsi, and Twa at the bottom. By 1994, the number of Rwandan Tutsi living outside the country had risen to almost 500,000. Only one of the eleven Rwandan regions or prefectures was headed by a Tutsi prefect, and none of the 143 local government areas was headed by a Tutsi bourgemaster (Klinghoffer 1998, p. 8). The Habyarimana regime, citing Rwanda’s problem of chronic overpopulation, had refused to repatriate the refugees (Gourevitch 1998, p. 73).

During this period of discrimination, violence, and exile under Hutu rule, the ethnic identities of Hutu and Tutsi and the cycles of revenge became entrenched. A culture of impunity also became the norm, as the Rwandan government failed to bring to trial or prosecute anyone for the Tutsi massacres (Gourevitch 1998, p. 94) that were evidently a politically planned elite tactic for again “diverting attention away from the real crises that threatened various leaders’ legitimacy and power” (Fujii 2009, p. 74). An emphasis on the underlying “tribal” nature of the killings was used by the government to satisfy any concerns expressed by the international community (Des Forges 1999, p. 91). But it was becoming clear that in Rwanda, “ethnicity was a strategy of politics, not its foundation” (Fujii 2009, p. 75).

Between 1973 and 1990, there was a period of relative calm within Rwanda, but political and ethnic tensions continued to rise as the Tutsis faced the limitations of institutionalized discrimination and social inequalities, and their fellow Tutsis remained in exile in neighboring countries. These tensions were exacerbated even further when, on 1 October 1990, the Rwandan Patriotic Front (RPF) launched its first offensive from Uganda. The Tutsi exiles and Hutu dissidents resident in Uganda had formed the RPF in 1988 with the aim of removing Habyarimana and allowing the return of Rwandan refugees (both Hutu and Tutsi) to their homeland. The RPF, while primarily Tutsi and originating in Uganda, was supported by Tutsi exiles in the former Zaire, Burundi, and Tanzania and was not calling for the reestablishment of

the Tutsi monarchy (Klinghoffer 1998, p. 14). Led by Major-General Fred Rwigyema until his death in battle, and later by Major Paul Kagame, the RPF launched several attacks on Rwanda between 1990 and 1993 to which the Habyarimana government responded with periodic massacres of Tutsis in Rwanda.

At the same time as the RPF was exerting military pressure on the Habyarimana regime, the international community was pressuring the Rwandan government to introduce political reforms. In July 1990, Habyarimana announced that multiple political parties would be legalized and that a commission would be established to draft a new constitution. He also promised to remove ethnicity from identity cards. While the latter promise was never fulfilled, the new constitution was introduced in June 1991 and the first coalition government was formed in December. Among the new parties were the Mouvement Democratique Republicain (MDR), the successor to Parmehutu, and the Hutu extremist Coalition pour la Défense de la République (CDR).

The Rwandan government was also engaged in negotiations with the RPF under the auspices of regional governments, primarily Tanzania. Known as the Arusha process, these negotiations resulted in two ceasefire and power-sharing agreements being signed in October 1992 and January 1993. However, the more extremist Hutu groups including the CDR were not represented at these negotiations. Under the agreements, the RPF and MRND would receive five out of 21 ministerial posts, while the MDR would receive three plus the post of Prime Minister. Several other parties were also to be included, but not the Hutu extremist CDR. The role of President was to be weakened, but Habyarimana was entitled to retain his position during a transitional period. The ceasefire agreements did not hold, however, while negotiations on military issues, refugees, and the proposed transitional government continued at Arusha (United Nations 1996; Jones 1999).

The civil war coincided with economic decline in Rwanda triggered by falling coffee prices and escalating population growth. Foreign aid donors imposed a structural adjustment program that included reducing the civil service, freezing salaries, lowering government spending, and increasing exports. These austerity measures, combined with the effects of the war and poor management practices, contributed to a declining standard of living. Famine in the southern regions exacerbated the hardships, and the levels of refugees and internally displaced people increased throughout Rwanda. These conditions made it more attractive for young Hutu men to join the army and militias, while creating an environment conducive to ethnic propaganda against the former elite Tutsi group (Uvin 1998). At the same time, the failure of the Rwandan government to resolve the refugee issue was a major impediment to ending the civil war (Kamukama 1993, p. 59).

Elite level Hutu extremism grew in opposition to the RPF military invasions and democratization and power-sharing proposals, while local level frustrations with the economic hardships also increased. The creation of Tutsi youth democratic and liberation movements, and fears regarding the decline of MRND political dominance, led to the formation of the MRND's *Interahamwe* militia, as well as the CDR's *Impuzamamugambi* militia. Propaganda against the "Hamitic invaders" became blatant, and the Hutu Ten Commandments were published in the Hutu paper *Kanguara*

(‘Wake Up!’) in December 1990 calling for Hutu domination of political and economic positions, an exclusively Hutu army, and guidelines against mixed marriages and Hutu–Tutsi business partnerships. From as early as 1990, more than a dozen newspapers in Kinyarwanda and French that “systematically exploited ethnic hatred” had begun to appear (Human Rights Watch/Africa 1996, p. 16). The Belgians, meanwhile, had withdrawn their support from the Hutu government in 1990 and the vacuum was filled by the French who became identified with the Hutu majority and later implicated for failing to prevent the 1994 genocide, if not actively supporting it through the provision of weapons and other measures (Callamard 1999).

The Radio Télévision Libre des Mille Collines (RTLM), founded by relatives and associates of President Habyarimana in July 1993, reportedly to counter the influence of the RPF’s Radio Muhabura, began broadcasting anti-Tutsi and anti-Arusha peace process messages that became increasingly inflammatory leading up to the genocide in April 1994. A speech given by Leon Mugesera, vice-president of MRND in Gisenye prefecture, on 22 November 1992 implied that “Tutsi should be killed and recommended that their bodies be thrown into the Nyabarongo River as a means of returning them to their supposed Ethiopian homeland” (Klinghoffer 1998, pp. 21–22). The Rwandan Minister of Justice, Stanislas Mbonampeka, issued an arrest warrant against Mugesera for inciting hatred, but instead of going to jail Mugesera received protection from the army and then emigrated to Canada, while Mbonampeka was dismissed from his post as Justice Minister (Gourevitch 1998, p. 97).

Approximately 6500 Rwandans were killed in the civil war. However, against all odds, by the end of July 1993, the country appeared to be relatively peaceful; an African peacekeeping mission was in place and the United Nations (UN) had dispatched an observer mission to the Ugandan border region where the RPF were concentrated. Habyarimana was never fully aligned with the Arusha process, but under pressure from the international community, the Arusha Peace Agreement was formally signed in August 1993.

According to the peace accord, the Rwandan Army (FAR) and the Rwandan Patriotic Army (the RPF military wing) were to be integrated on a 60:40 ratio basis, and an RPA battalion was to be stationed in Kigali to protect RPF members of the new transitional government. Again, ethnic identifications on documents were to be eliminated, but this was never implemented. The United Nations Assistance Mission for Rwanda (UNAMIR) was to manage the implementation of the peace agreement, but its establishment was delayed until October which belatedly paved the way for the RPF battalion to set up in Kigali by the end of December (United Nations 1996). The transitional government that was to have been installed by 10 September 1993 was also delayed by the late deployment of UNAMIR, and on 5 January 1994 Habyarimana declared himself the president of the nonexistent transitional government. The RPF objected to this breakdown in the Arusha peace agreement.

UNAMIR commander, Brigadier-General Dallaire, cabled the UN in New York on 11 January, warning about assassination plans aimed at preventing the transitional government from taking power; Interahamwe plans to kill Tutsi in Kigali; and a plot to kill Belgian peacekeepers in order to cause UNAMIR’s withdrawal from Rwanda (Ronayne 2001, p. 155). The UN Peacekeeping Office denied Dallaire’s request to



seize weapons secreted for use by Hutu militia and instead advised him to share his information with the Habyarimana government and other Western diplomats (Dallaire 2003). Evidence of planning for the Rwandan genocide had been discovered by UN peacekeepers as early as December 1993 when they received an anonymous letter from Hutu army officers “warning of a plan for assassinations and massacres” (Ronayne 2001, p. 155). On 17 February, the UN Security Council reported on deteriorating security in Kigali and noncompliance with a weapons-free zone agreement. Other warning indications received and ignored by the UN included: information about illicit arms trading and weapons stockpiling; RTLM anti-Tutsi radio propaganda; past massacres and assassinations; and political maneuvering by extremists to undermine the peace process (Berry 2001; Dorn and Matloff 2000). Interahamwe violence around the country was increasing, and on 21 February an opposition Hutu, designated to be a minister in the transitional government, was assassinated.

On 6 April 1994, Habyarimana attended a meeting with regional leaders in Dar es Salaam, Tanzania, that appeared to augur well for the peace process. However, as the plane carrying Habyarimana and Burundian president, Cyprien Ntaryamira, approached Kigali airport on the evening of 6 April, it was struck by two missiles and crashed, killing all nine passengers and three French crewmen. Responsibility for the crash became a matter of some controversy, with blame being placed on Hutu extremists determined to stop the power-sharing agreement about to be implemented by Habyarimana, and competing claims that the RPA was responsible as part of an RPF plan to attack Kigali and take power in Rwanda. Either way, the impact on triggering the onset of the mass killings by Hutu extremists of Tutsis and moderate Hutus perceived as their political enemies is not in question.

During the night of the plane crash that killed president Habyarimana, hit squads killed twelve opposition political figures, including eleven Hutu and one Tutsi. During the following day, Prime Minister Agathe Uwilingiyimana, a moderate Hutu, was killed by members of the presidential guard who also killed the ten Belgian peacekeepers who were protecting her. These and other Hutu were killed on the basis of previously prepared death lists, but Tutsi were slaughtered without such selectivity (Klinghoffer 1998, p. 44). A curfew was imposed at 6 am on 7 April, and on 8 April telephone connections in Kigali were cut and the indiscriminate killing of Tutsi began (African Rights 1995). Hutu were killed because of their perceived political opposition, and thus southern Hutu were also indiscriminately targeted, at least at the beginning. The foreign community in Rwanda was evacuated, and the UNAMIR contingent was reduced after the loss of the Belgian peacekeepers.

The organizers of the genocide aimed to create an exaggerated fear in the Hutu masses in order to mobilize them to kill the Tutsis and their allies. Through a massive propaganda campaign, in which the Tutsi were described as “cockroaches” (*Inyenzi* in Kinyarwanda) to be stamped out, the Hutu population were instilled with the belief that invading Tutsi soldiers would mutilate, kill, or even eat them alive (Berry and Berry 1999, p. 3). Once the genocide began, Radio Rwanda joined RTLM in broadcasting extremist propaganda in Kinyarwanda, describing the Tutsi as “the enemy” and the RPF as “revengeful Ugandans” (Klinghoffer 1998, p. 45). Hutu

were encouraged to “finish the 1959 revolution” and to “gather in the harvest,” “get to work,” and “clean around their houses,” all euphemisms for murder and killing. They were urged to “do their duty” and to “fill up the half-empty graves with Tutsis” (Berry and Berry 1999, p. 116; Chalk 1999; Schabas 1999). In an ironic and deadly twist, the Hamitic hypothesis was used to justify the killing of Tutsis by referring to them as outsiders and invaders who should be thrown in the river and returned to Egypt from whence they came. In this way, the Hutu extremists continued to reproduce the colonial essentialization of ethnicity (Taylor 1999, p. 57).

Government ministers also played a role in inciting the genocide in speeches and at public meetings. For example, the interim president Sindikubwabo called for the “killing” of accomplices in his hometown of Butare (Klinghoffer 1998, p. 45). Rwanda’s only Tutsi prefect, the prefect of Butare, was then replaced by a northern Hutu, and the militia and presidential guard were brought in to begin the killings in the area.

Militiamen and the presidential guard were the main perpetrators, but soldiers of the Rwandan army (FAR) also participated in the killing along with the militia and ordinary Rwandans (Klinghoffer 1998, p. 44). The Interahamwe were joined by the Impuzamugambi to create a militia force of approximately 30,000. These young militiamen ran riot, setting up their own roadblocks, murdering in return for payment in the form of alcohol from businessmen, and targeting wealthy Tutsi for their houses, cattle, and other possessions. Ordinary Hutu also killed for economic gain and the desire to take land and property from the Tutsi who were perceived to be wealthier than the majority of Hutu. They were frequently forced to kill or be killed themselves. According to Human Rights Watch, Africa (1996, p. 14), “many ordinary citizens acted from fear, both fear of the Tutsi whom they had been taught were coming to kill them, and fear of other Hutu who threatened reprisals on any who did not join in the carnage.”

Whole Tutsi families were killed in their homes, sometimes being forced to kill fellow family members before being killed themselves. Tutsi women were often raped and mutilated prior to being killed. Testimonies from survivors confirmed that rape was extremely widespread (Human Rights Watch, Africa 1996). Hutu husbands were forced to kill their Tutsi wives or be killed themselves. Roadblocks were set up by armed militiamen who killed anyone with a Tutsi identity card, and sometimes even those who looked Tutsi or had no identity card (African Rights 1995). In this way, those who tried to escape being killed at home faced almost certain death on the road. Those who did manage to escape took refuge in churches and missions. These places had previously been considered safe havens, but this was not to be the case in Rwanda in 1994. Gourevitch (1998) claims that many priests participated in the killings or did not do anything to protect the people, although some Hutu priests did provide safe hiding places for Tutsi. According to Prunier (1995, p. 250), although ordinary Christians performed some “admirable acts of courage . . . the church hierarchies were at best useless and at worst accomplices in the genocide.” At the same time, many priests, nuns, and other religious officials were killed during the genocide (African Rights 1995).

Organized groups of armed militia came and massacred Tutsis taking refuge in public places, including churches, missions, the stadium in Kigali, hotels,



hospitals, and the UNAMIR compound after the UN force had departed (African Rights 1995). Those who were not killed in the massacres lay still among the dead bodies until they were able to crawl out to the hills to hide (Des Forges 1999, p. 217). In many instances, the Tutsi formed organized groups of resistance, the most well-known being the case of Bisesero, “a mountainous ridge in Kibuye, where Tutsi stood off militia and military from April 8 until July 1” (Des Forges 1999, pp. 217–218).

Some Tutsis were unaccountably saved by former friends or colleagues or other officials at roadblocks, through bribery or other means (Staub and Pearlman 2001, pp. 201–2). For example, Ndamyumugabe (2000, pp. 83–5) recounts how he paid 1000 Frw to a militiaman with a machete and was allowed to go on his way down the road, and on another occasion was able to pass through a roadblock by acting confident and greeting them in a way that seemed to confuse them. Many Tutsi survived because they were protected by Hutu neighbors, but others were not so lucky if they were found by the militia. In one case, as related by Sibomana (1999, p. 104): a Hutu peasant managed to hide and feed a Tutsi family for several weeks, but when the militia came they ordered him to kill the family he had hidden or they would kill his wife and family. So, the man killed the family he had been hiding, but the militia still killed the man’s family as punishment.

It has been argued that a Rwandan tendency to conformity and unquestioning obedience to authority, reinforced by both the German and Belgian colonial administrations, contributed to the effectiveness of the genocide (Prunier 1995, p. 245, Gourevitch 1998, p. 23). This enabling factor has been emphasized by some but downplayed by others. Sibomana (1999, p. 31), for example, suggested that the unbelievable “power of submission of Rwandan peasants” could be attributed to the fact that “the vast majority of the illiterate peasants who live in the countryside live under the moral guidance of chiefs.” This view is supported by observations of the role of radio as a medium to spread messages of hatred and fear, and instructions to kill the Tutsis. According to Berry & Berry (1999, p. 116), the use of radio was significant “in preparing and orchestrating the genocide” among the masses of “illiterate peasants [who tend] to believe that anything said on the radio is the truth” (Berry and Berry 1999, p. 116). For example, a captured *Interahamwe* killer interviewed by Berkeley (1998, p. 26) said that he believed the army radio broadcasts that told him “you must kill or you will be killed” and that “the RPF was Tutsi and if it wins the war all the Hutus will be killed.”

However, anthropological and other studies of the genocide which include interviews with those who participated in the killing have revealed that they did so for a multitude of reasons, often unconnected with the political propaganda inciting hatred and/or fear of the Tutsi invader (Fujii 2009). Researchers have found, for example, that Hutu in local communities were more likely to be responding to pressure and fears of reprisal from fellow Hutus and were unaware of the Hamitic hypothesis as justification for killing their neighbors (Straus 2006). Others such as Uvin (1998) have focused on the ongoing impact of economic and social inequalities exacerbated by the inadequacies of development aid policies that led so many ordinary local Hutus to participate in the violence. Smith (1998) attributes the

intensity of the genocidal killing to a combination of such structural factors (poverty, class inequities, the coffee crisis and IMF pressure), fuelled by psychocultural factors including propaganda, sexual projectivity, aspects of traditional religion, and authoritarianism.

Fujii (2009) shows how such factors were distributed unevenly across the country, with Hutus in the north being driven more by fear associated with the civil war and advancing RPF based on lived local experience more than by propaganda (p 184). In other areas, fear was more strongly associated with local Hutus with power who responded violently to resistance or refusal to follow orders (p 184). As mentioned above, Tutsis were often hidden and saved by Hutus, so they needed to distinguish between Hutus they feared and those they could trust (p 184). Fujii (2009, pp. 185–6) therefore concludes from her ethnographic study that the genocide was driven more by local factors of power and influence than by fears and hatreds of the Tutsi as a group. Her research documents the role of local group dynamics in creating a performance of ethnic claims over who was to be killed and who was not, made possible by the flexibility of stereotypes to satisfy the needs and goals of local leaders, rather than being based on ethnicity as such (Fujii 2009, pp. 121–5). These group dynamics played a role in constructing a new social identity for those who participated in the killing, Fujii (2009, p. 186) argues, such that “performing violence reconstitutes the identities of the performers” and ethnicity becomes an outcome as well as a precondition for violence (p 188).

The ongoing civil war and culture of violence, along with the strong administrative authority and local group dynamics, thus enabled the violence to flourish with some semblance of legitimacy. Within 100 days, thousands of Tutsi women were raped and an estimated 1 million people were killed – that is, 10,000 people per day or approximately 400 per hour or one person every 10 s. While some massacres were achieved with the assistance of guns, most of the killing was done individually using machetes and clubs with nails. This rate of killing could only be achieved with the complicity of a large percentage of the general population. As in Nazi Germany, bystanders (including the international community) played a part in enabling the genocide to proceed so rapidly and successfully, with the United Nations reducing its peacekeeping force and failing to recognize the genocide for what it was or send in forces to protect civilians until it was too late.

After 3 months of intense violence, the RPF won a military victory and installed a new Tutsi-led government in July 1994. During their advance toward Kigali, the RPF were also guilty of killing civilians, including the massacre of Hutu civilians in Gitarama prefecture on 19 June and the assassination of the Catholic Archbishop of Kigali on 3 June (Klinghoffer 1998, p. 46; African Rights 1995). In May 1995, the largest documented RPF revenge killing took place at the overcrowded internally displaced persons (IDP) camp at Kibeho, with the slaughter of an estimated 2000–4000 Hutus including many *génocidaires* as well as innocent Hutus who were seeking refuge from the Tutsi army (Schofield 1996, p. 155; Gourevitch 1998, pp. 188–194). According to Lemarchand (n.d.), there is “little question that many such killings stemmed from a sense of uncontrolled rage by Tutsi troops, many of whom had lost members of their family during the genocide.”

As the RPF advanced into Rwanda in response to the genocide and ceasefire breakdown, two million, mostly, Hutu refugees (including the genocide perpetrators) fled to the neighboring Congo (former Zaire) and Tanzania regions, creating a massive humanitarian emergency that finally attracted some assistance from the international community. Operation Support Hope was deployed by the US in July 1994 to provide food and medical services to the refugees suffering from hunger and disease. “Seemingly oblivious to the genocide that preceded and caused the refugee crisis, President Clinton called Goma [a town near the northwest border of Rwanda] ‘the worst humanitarian crisis in a generation’” (Ronayne 2001, p. 183). This rapid and extensive humanitarian response saved lives, but at the same time it served to strengthen the domination of the refugee camps by the Hutu extremists. For example, it was reported that the *Interahamwe* in the camps regarded it as a “sort of ethnic public service” to impregnate as many women as possible in order to breed more Hutus (Gourevitch 1998, p. 269). The humanitarian agencies focused on feeding people and saving lives, rather than thinking about the political implications (Gourevitch 1998, p. 268). The possibility of disarming the militia was never really addressed (Prunier 1999, p. 299). As the Hutu extremists were able to survive and consolidate their power, the stage was set for the continuing violence and insecurity experienced in the northwest of Rwanda, and over the border in the DRC, in the period following the genocide (Destexhe 1995, p. 58; Ronayne 2001, p. 182).

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## Post-Genocide Rwanda and the Elimination of Ethnic Identity

Most of the 1994 Hutu refugees who stayed in Africa were repatriated and after 30 years of exile, more than 750,000 Tutsi refugees returned to their home country following the RPF victory, “nearly a one-to-one replacement of the dead” (Gourevitch 1998, p. 230). According to Gourevitch (1998, p. 232), in 1996 more than 70% of the population in the major towns of Kigali and Butare and in some rural areas of eastern Rwanda were said to be newcomers. The percentage of Tutsi in the urban areas had risen to 40%, with an estimated 90% of the residents of Kigali being Tutsi (Middleton 1997). As a result, many of those who stayed, both Hutu and Tutsi, felt displaced from their homes and expressed resentment of the newcomers taking the jobs and business opportunities:

We survivors find it very difficult to integrate into the present society and – I hate to say it – into the government, too. They have their own style from outside, and they don’t have much trust in us either. When they came they took the country as in a conquest. They thought it was theirs to look after. They said of us Tutsis who were here, ‘The smart ones are dead and those who survived are traumatized.’ . . . ‘If they killed everyone and you survived, maybe you collaborated.’ (Tutsi survivor quoted in Gourevitch 1998, p. 233)

As described by Carr (1999, p. 220), one of the few foreign residents who returned to Rwanda after the genocide: “the once fertile potato fields of the Hutu are now pastures for the long-horned cattle of the Tutsi.” According to Gourevitch (1998,

p. 234), there was also discontent within the Tutsi returnee population as they discovered the differences that had developed among them as a result of their long periods of exile in Uganda or Burundi, Zaire or Belgium, or elsewhere. English was added as a third official language in Rwanda, along with French and Kinyarwanda, reflecting the influx of returnees from English-speaking Uganda and Tanzania who now dominated the political elite.

In the aftermath of the 1994 genocide and civil war, the divisions of Hutu and Tutsi had thus been broken into an intricate array of further categories and sub-categories of Rwandans, including Tutsi survivors and returnees; those who spoke English or French, and even some who no longer speak Kinyarwanda; old case (1959–1973) and new case (1990–1994) refugees; RPF, non-RPF, and anti-RPF Tutsis; current or former urban and rural Tutsis; Hutu survivors with good records and suspect Hutus; former militia extremists and refugees; Hutus who worked with the RPF, anti-Hutu Power and anti-RPF Hutus; Hutus from the north and Hutus from the south; rich and poor; and Catholics, Protestants, Muslims, and animists. There was a “significant cultural and attitudinal” distinction between “old case” Tutsi refugees who had returned from Zaire and Burundi (Francophones) and from Uganda and Tanzania (Anglophones) (Middleton 1997, p. 13). Overall, the Tutsi survivors felt marginalized by the returnees, and the Hutu felt the most marginalized as well as stigmatized by the label of being a *génocidaire*. The voices and experiences of the Twa, meanwhile, remained completely marginalized.

The new Rwandan government emphasized the significance of the genocide as the defining event for categorizing the Rwandan population into five categories: returnees, refugees, victims, survivors, and perpetrators (Mamdani 2001, p. 266). The official application of this system, that recognized only Tutsi as survivors of the genocide, greatly oversimplified the lived experience realities of the many Rwandans who now made up the population. By excluding Hutu from the category of survivor, the Rwandan government was implying that all Hutu were perpetrators, either as active participants or passive onlookers (Mamdani 2001, p. 267). Those with mixed parentage or other complex political identities, meanwhile, found themselves missing from the official narrative, and sometimes persecuted for their alleged association with the genocide perpetrators despite having seen their Tutsi relatives killed (Hintjens 2008). This categorization was therefore not helping to heal the ethnic divisions in Rwandan society, even though it was designed to support the elimination of ethnic identity as a defining feature of Rwandan social and political life.

The policy of the new Government of National Unity (GNU) has been one of inclusiveness, to the point where ethnic categories are no longer officially recognized. The crime of divisionism was added to the Rwandan penal code in order to enforce the government’s determination that the terms Tutsi, Hutu, and Twa would no longer be used (Lemarchand 2008, p. 66). Rwandan identity has therefore been redefined and the old Hutu-Tutsi ideology associated with the colonial policy of divide-and-rule that “sowed the seeds of hate that culminated in genocide,” has been rejected in favor of “building a shared sense of ‘Rwandanness’” (Ndangiza 2006). As described by the public affairs officer of the RPA during a conference in Kigali in

January 1995, the goal was to dispel the distorted myth of Rwandan history brought by the colonizers and “to forge unity and to focus on the common values that we have shared for 500 years” (Berry and Berry 1999, pp. 58–64). Building on commonalities of history, language, geography, religion, and culture, the post-genocide government of President Paul Kagame has instituted policies and programs to eliminate ethnicity by promulgating a new myth, emphasizing the common ancestry of all Rwandans and promoting unity through national rather than ethnic solidarity.

After an initial focus on revenge and retributive justice for the crimes of the genocide (as further discussed below), the GNU recognized the need to focus on reconciliation as well as unity in order to build a sustainable future for the country. The National Unity and Reconciliation Commission (NURC) was subsequently created in March 1999, in line with the original terms of the Arusha Peace Agreement, with a mandate to “promote unity, reconciliation, and social cohesion among Rwandans and build a country in which everyone has equal rights and contributing to good governance.” The NURC has focused on civic education including running the *Ingando* solidarity camps to educate students, returnees, ex-prisoners, and other community groups in the history of Rwanda and the lessons of unity and reconciliation (Mgbako 2005). According to the NURC (2009, p. 11), more than 90,000 Rwandans had participated in *Ingando* peace education camps in the first 15 years, resulting in an “increased trust and cooperation among the citizens” and more than 200 Student’ Clubs of Unity and Reconciliation (SCUR) in universities and secondary schools which are “combating genocide ideology among youth.” The NURC also conducts national summits, community consultations, training seminars, and research works, in addition to coordinating community-based programs with an emphasis on cultural renewal and celebration through social and cultural expressions of Rwandan identity such as drumming, dance, art, and theatre (NURC 2009).

The Rwandan “Law Relating to the Punishment of the Crime of Genocide Ideology” was passed in 2008 as an additional means of promoting unity and outlawing divisionism. While not specifically proscribing reference to ethnic identity, Nigel Eltringham (2011, p. 274) argues that research “demonstrates that Rwandans interpret these laws as mostly requiring public silence regarding ethnicity.” Yet as Eltringham (2011) and a number of other scholars have observed, Rwandans still think and identify privately in ethnic terms, their memories of the past are constructed along ethnic lines (Lemarchand 2008), and ethnic cleavages continue to exist below the surface (Buckley-Zistel 2008). Eltringham (2011, pp. 277–8) found that the Rwandans he interviewed drew on ethnicity “to find guidance on who they should trust and with whom they should reconcile in the present,” and he therefore concluded that “ethnicity has to be present as an index by which coexistence can be envisaged and evaluated.” From a psychosocial perspective, in order to be transcended, ethnic memories and identities may need to be recognized and addressed in order to be transformed rather than suppressed.

The government-mandated public silence on ethnicity applies also to the expressions of ethnic memory, as pointed out by Lemarchand (2008, p. 72), except, paradoxically, in the official terminology introduced by the government in 2006 to

refer to the genocide as the *jenocide yakorewe Abatutsi*, meaning “genocide against the Tutsi.” The GNU has also required all Rwandans to participate in national commemoration activities each year to remember the genocide, which serves to further reinforce the focus on Tutsi as victims. Consequently, only Tutsi memory is being commemorated in post-genocide Rwanda, but Hutu and Twa have also been victimized and suffered from human rights violations and mass killings (Burnet 2009). As argued by Buckley-Zistel (2008, pp. 133–4), “different groups in Rwanda have different views on the past’ and ‘different attitude(s) to remembering.” For Pottier (2002, p. 126), the distinction that only Tutsi can be victims of the genocide while Hutus are victims of politicicide and massacres implies a moral hierarchy that reinforces ethnic divisions despite the official discourse of “we are all Rwandans.” While the annual commemoration events seem to combine opportunities for mourning and honoring within a language of unity and reconciliation, by remembering only Tutsi victims of the genocide, it is not surprising that large sections of the Rwandan population have felt alienated from these commemoration events (Longman and Rutagengwa 2004). As Lemarchand (2008, p. 72) argues “the selectivity of public memories helps nurture ethnic enmities.”

The Kigali Genocide Memorial located in Gisozi, and other national memorial sites throughout Rwanda, have similarly served to reinforce oppositional ethnic identities in Rwanda. All of these memorials remember the victims of the genocide against the Tutsi; there are no memorial sites which commemorate the victims of RPF massacres (Longman and Rutagengwa 2004, p. 167). The displays at Gisozi highlight the horrors of the genocide, and while stopping short of blaming one ethnic group for the killings, they implicitly focus on the Tutsi ethnic group as the victims. This emphasis is entirely appropriate, but may not be conducive to creating a single Rwandan identity while other memories of loss are excluded. The Murambi Genocide Memorial in southern Rwanda provides an example of how Rwandans are allowing some alternative memories to be included in the official discourse: Hutu are not only perpetrators, they are also “saviors.” However, the acknowledgement of Hutu and Twa as victims and Tutsi as perpetrators could provide a more complete account of the past that acknowledges multiple memories and supports a more inclusive approach to national unity and reconciliation.

The Rwandan government has thus determined that how the country’s history is understood and portrayed is a critical part of its policy to eradicate the divisions of the past and create a unified nation. The GNU’s policies and programs have succeeded in transforming the devastated and divided nation into a politically stable country with a productive economy and a peace that has so far lasted 25 years. However, memory, linked with personal and national agendas about how history is perceived and communicated, can often become a controversial and contested terrain (Hamber et al. 2010, p. 398). The promotion of a nationally unified historical memory has been seen as exclusive, antagonistic, controversial, and contested, while at the same time repeating the historical pattern of “giving ideological legitimacy to the consolidation of Tutsi power” (Lemarchand 2008, p. 72). And state-mandated commemoration events and sites of memory which focus on remembering only Tutsi as victims have failed to acknowledge complexity and plural narratives,



hence reinforcing divisions rather than promoting unity and reconciliation. By mandating the elimination of ethnic identity in public discourse while simultaneously denying and reinforcing shared memories associated with each ethnic group, the Rwandan government is creating the possibility that ethnicity maintains its latent power as a potential driver of identity-based violence.

The Rwandan government's policy of achieving justice for the victims of the genocide has also been seen as divisive as thousands of prisoners, mostly Hutus, were held in terrible jail conditions and faced unfair trials and possible execution. According to some estimates, up to 25% of those who were in jail were innocent. From the Rwandan government's perspective, the detention and trial of perpetrators of the genocide was an important step toward ending the culture of impunity prevailing in Rwanda. It passed the Organic Law No. 08/96 of 30 August 1996 which enabled the prosecution in domestic courts of those accused of perpetrating the genocide. The first 22 of those accused of genocide and sentenced to death by the Rwandan courts were executed by public firing squad in May 1998 (IRIN 27 September 2001). Tutsi genocide survivors and returnees interviewed in Kigali in July 1998 indicated that the executions had brought hope that the *génocidaires* would be punished if found guilty (Lambourne 2002). In addition, according to Reyntjens (1997), "many Hutus realise that the prosecution and conviction of those responsible for the 1994 genocide is the only way to rid themselves of collective guilt."

There were, however, huge logistical problems involved in the domestic prosecution of all those accused of committing crimes during the genocide. Rwanda's jails were overflowing with up to 130,000 detainees of whom about 2100 would have been subject to the death penalty if tried and found guilty (the Rwandan government later repealed the death penalty in line with international norms and standards). Some 95% of Rwanda's lawyers and judges were either killed or in exile or in prison, making it very difficult for the criminal justice system to cope. As of September 2001, more than 2500 of the accused had been tried and more than 300 sentenced to death in Rwanda. Still some 115,000 remained in overcrowded jail conditions throughout the country and it was estimated that it would take more than 100 years to try all those accused. In order to speed up trials and sentencing, as well as for revealing the truth about the genocide and fostering reconciliation, the Rwandan government decided to revive the traditional community justice system of *gacaca* in a modern form adapted to deal with the crimes of the genocide.

As with traditional *gacaca*, the modern form of *gacaca* also involved hearings held "on the grass" in local communities with the intention that all members of the community would be present and able to have their say without the intervention of legal representatives (Reyntjens and Vandeginste 2005). The judges – *Inyangamugayo* or people of integrity – were elected by the local community in a manner intended to reproduce the respect traditionally given to the elders. The equal participation of men and women was actively promoted, unlike the traditional *gacaca* which reinforced the social hierarchies of traditional Rwandan society by excluding women as well as young people from participating, except if they were directly involved in the dispute (Mattioli 2000–2001, p. 30). A Compensation Fund

for Victims of the Genocide was established in 1999 to be used in conjunction with the *gacaca* as a vehicle for awarding damages to victims (Rambouts 2004).

As explained by Reyntjens and Vandeginste (2005, p. 119), traditional *gacaca* relied on a sense of community that engendered “common values, norms of reciprocity, mutual trust, and confidence.” This social capital was destroyed by the genocide both geographically and psychologically (Uvin undated, p. 8). Returning refugees and released prisoners often did not return to the communities where they originally lived, while the “old case” refugees from 1959 returned having lived much or all of their lives outside Rwanda. This meant that the local community base for reintegration and reconciliation was not present in many communities, and especially in Kigali where the proportion of returnees was relatively high. The typical interdependence of rural communities was still evident, but rather than encouraging authentic reconciliation, *gacaca* seemed to be resulting in no reconciliation at worst or pragmatic reconciliation at best (Lambourne 2010). A psychological and social barrier to the success of *gacaca* was also created by the polarization of experiences during the genocide that correlated with ethnic identity. Feelings of anger, hurt, and fear resulting directly from the genocide could not be so easily eliminated (Lambourne 2010). For example, survivors living in Byumba said they were afraid because former *génocidaires* living in the community – including released prisoners – would still voice extremist ideas and insults, threatening the survivors that they would “finish the job” (Lambourne 2010).

A divisive factor inherent in the modern *gacaca* was that even though the *gacaca* courts operated under the Organic Law which covers crimes associated with the genocide and civil war (1990–1994), only Hutus (the perpetrators of the genocide) were able to be accused and tried in the *gacaca* courts. Those who lost loved ones in the civil war or massacres perpetrated by the RPF therefore could not seek justice through *gacaca*. The promotion of reconciliation and eradication of a culture of impunity were further limited by the temporal restrictions of the *gacaca* which made it impossible to address the accusations of human rights violations perpetrated by the RPA in neighboring DRC in 1996 (Pottier 2002). The resulting perception of victor’s justice undermined the legitimacy of *gacaca* for the Hutu majority and the psychological openness toward reconciliation of those who were denied justice through the *gacaca* courts (Zorbas 2004).

The perception of victor’s justice and the perpetuation of ethnic division were reinforced by the official designation that only Tutsis could be survivors in post-genocide Rwanda and only Hutus could be perpetrators. As discussed earlier and outlined by Burnet (2009, p. 89), while ethnic identities were removed from the official discourse, they were replaced by terms that were essentially synonymous with the two main ethnic groups and subject to differential treatment. The term survivor was used exclusively to describe Tutsi who survived the genocide, and only Tutsi survivors could claim financial support from the Fund for the Survivors of the Genocide (FARG). Hutu widows and others who lost family, Hutu women who were raped, or Hutu who were targeted but survived were not regarded as victims for the purposes of assistance or recognition of their losses or special needs arising from being a survivor (Tiemessen 2004). Conversely, as indicated above, only Hutu could



be perpetrators, accused and tried in the gacaca courts. By denying the status of Hutus as victims or survivors, and Tutsi as perpetrators, what has been officially acknowledged and remembered is only part of the truth and works against the potential for reconciliation.

Jealousy and resentment of the other ethnic group based on perceived socioeconomic injustice because of the delays in implementing the victims' compensation fund, insufficient funding from FARG, and perceptions of limited assistance for those who were not identified as survivors or victims has also undermined the potential for reconciliation (Lambourne 2010). According to Mamdani (2001, p. 282), the continuing fusion of ethnic and political identity where the majority of Hutu population is politically and economically marginalized by the minority Tutsi-led government is not encouraging authentic reconciliation and may be creating a "simmering volcano" just waiting to erupt again (Mamdani 2001, p. 282). On the surface the language of unity – "we are all Rwandans" – seems neutral, but in practice it may be masking and perpetuating a deep ethnic cleavage (Mamdani 2001). Buckley-Zistel (2008, pp. 140–1) similarly reported on "deep fissures that continue to run through local communities."

Despite these criticisms and challenges, there is evidence to support President Kagame's conclusion at the gacaca closing ceremony in 2012 that gacaca had been successful in its mission to promote reconciliation amongst Rwandans. The NURC (2009) reported stories of survivors who had forgiven and reconciled with perpetrators as a result of gacaca, and where Hutu and Tutsi were living together and helping each other as friends and neighbors. These interethnic relationships were strengthening communities and building resilience through unity and reconciliation, according to the NURC (2009). Breed (2014, p. 98) reported that even though Rwandans acknowledged the risk of required performances of contrition as part of gacaca being insincere and undermining reconciliation, on the other hand the performance of reconciliation in itself, repeated at the weekly gacaca hearings, could contribute to healing communities (just as the performance of killing reinforced participation according to Fujii 2009). Clark (2010) concluded from his extensive field research that in some communities gacaca had promoted profound relationship transformation that contributed to reconciliation and social cohesion.

On the other hand, Clark (2010) reported that in some communities gacaca had stirred up tensions and resulted in retraumatization, while Purdekova (2015, p. 119) indicated there was evidence of an increase in distrust and suspicion resulting from participation in gacaca. The national service of Gacaca courts report (2012, p. 42) produced for the closing of gacaca acknowledged the factors contributing to a lack of social trust and the challenge of "strong trauma manifested during Gacaca court proceedings." The factors relating to gacaca that both undermined and indicated a lack of social trust included accusations of genocide crimes directed at the community-elected judges; violence perpetrated against genocide survivors, witnesses, and judges; lack of full truth being told by the accused; collusion of witnesses against survivors; and exclusion of RPF crimes from the process (National Service of Gacaca Courts 2012).

Thus, while annual commemoration events have reinforced a memory of one group (the Tutsi) being victimized by the other (the Hutu), the imprisonment of accused *génocidaires* and the conduct of *gacaca* community justice processes have seen one group (the Hutu) punished for crimes against the other (the Tutsi). What amounts to an official denial of ethnic difference has therefore been contradicted by a number of government policies in practice, including the application of a genocide framework for categorizing the population politically, the way the past is remembered, and how justice has been administered through *gacaca*, along with the lived reality of Hutu, Tutsi, and Twa in post-genocide Rwanda (Pottier 2002).

The stated aim of the government was to promote peaceful coexistence, but it seems that ethnic discrimination is still alive and well in practice, raising fears of a return to greater ethnic violence again in the future. The Tutsis took effective control and occupied most of the key positions in the country, adding to the alienation and resentment felt by the Hutu population (Prunier 1997). In the first 5 years of the Kagame government, a number of Hutu members of the government resigned and fled the country including one who was assassinated in Nairobi, while others remained but were progressively marginalized (Vandeginste 2001, p. 228). Some Tutsi members of the government also fled the country after criticizing government policy for failing to match its performance with its rhetoric in relation to inclusiveness and nondiscrimination. More specifically, the RPF-Tutsi in power were said to discriminate against other Tutsis because they did not fully trust them, wondering how they survived the genocide. As a result of the Hutu resignations, the Rwandan government became less representative of both ethnic groups, and the completion of the political transition process to a genuine power-sharing between Hutu and Tutsi, as mandated by the Arusha peace agreement, has remained an unfulfilled promise.

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## Conclusion

This chapter has shown how at each stage of Rwandan history, from precolonial to post-genocide, group identities have been constructed, reconstructed, and deconstructed for strategic and pragmatic purposes. Ethnic conflict and violence are therefore not seen as the inevitable outcome, but rather as a constituted result of the construction of identity around group differences equated with access to socio-economic resources and political power. These politically constructed identities and their relationship to ethnicity thus need to be understood as historically situated as well as geographically located, before embarking on an analysis of their contemporary implications.

In the precolonial kingdoms of Rwanda, the two categories of Hutu and Tutsi were defined primarily in social and economic terms, without the immutable elements and distinctive characteristics normally associated with ethnic groups. A shared language and geography were offset against different occupational groupings and some differences in religious and cultural traditions. Cohabitation, intermarriage, and cultural exchange over centuries had created, what Mamdani (2001, p. 74) claims was, a single cultural community with Hutu and Tutsi constructed as political

identities by the newly emerging state of Rwanda which brought together the scattered kingdoms and populations of Hutu and Tutsi across the country. There have always been poor, nonelite Tutsi, according to Mamdani (2001, p. 74), as well as Hutu chiefs and officials with social status, so even the precolonial groupings cannot be defined in purely socioeconomic terms. It was the social mobility and definition of Tutsi as a political construct associated with power which ensured that the groups did not take on the character of essentialist ethnic categories.

Toward the latter stages of the nineteenth century, however, the symbiotic relationship of the Tutsi herders and Hutu farmers began to take on a more exploitative form, as the Tutsi clan leaders took advantage of their more powerful position to extract menial labor from the less powerful Hutu farmers. The roots of interethnic conflict and violence were thus laid down during the precolonial era, and most especially during the Nyiginya kingdom when Hutus began to rise up against their Tutsi overlords. However, this conflict was not based on Hutus seeing themselves as an ethnic group nor on racial hatred toward the Tutsi as a group, according to Vansina (2004, pp. 138–9). But rather, it was the result of the Tutsi elite manufacturing discontent based on discrimination in order to consolidate their power, a precursor to the “divide and rule” policies later used by the colonial powers (Fujii 2009, p. 45).

The group identities of Hutu, Tutsi, and Twa were constructed as ethnic identities by the German and Belgian colonizers building on what they found and reinforcing the power and elite status of the Tutsi over the inferior Hutu and insignificant Twa. Racist ideologies from Europe were overlaid onto the existing precolonial power structure in Rwandan society, based on the Hamitic hypothesis and an identity card system that conclusively ended the fluidity of Hutu and Tutsi identity groups with eventual devastating consequences. The Tutsification of the customary system of rule and increasing discrimination against the Hutu as a group reinforced the relationship between power and ethnic identity, thus paving the way for the Hutu revolution against Tutsi rule associated with decolonization.

The independence struggle and postcolonial experiences of Rwandans reinforced the ethnic character of the two identity groups as they developed distinct historical memories of a common past as victims of discrimination and violence perpetrated by the “other” ethnic group, bolstered by a myth of common ancestry as Hutus and Tutsis respectively and a growing sense of solidarity within each group (Hutchinson and Smith 1996, p. 7). These factors of difference could thus be seen as outweighing the commonalities of language, geography, religion, and culture in reinforcing the ethnic character of the conflict that led to genocide. Further adding fuel to the interethnic fire were events in the region, including most particularly the assassination of the first Hutu president in neighboring Burundi in November 1993. However, it was the regional factors within Rwanda of political power struggles within the Tutsi elite prior to independence, and between the Hutu power factions post-independence, that were decisive in leading the country to pursue policies of ethnic discrimination and genocide.

The genocide itself was by definition an outpouring of violence and killing directed toward destroying the Tutsi ethnic group. However, as discussed, it was

not that simple. The primary targets for assassination at the outset of the killing were those mostly Hutu seen as political enemies of the ruling Hutu clan from the northwestern region of Rwanda. Hutu were also killed during the genocide because they were identified as looking like or having some association with Tutsi, as a friend, relative, sympathizer, or protector – or simply being in the wrong place at the wrong time. Tutsi, by contrast, were often hidden or otherwise saved by Hutu, thus belying the essential ethnic character of the violence as being based on fear or hatred for the whole of the other group. Even at the height of the genocide, the identities of victims could thus be seen as social or political constructions rather than in purely ethnic or cultural terms.

Ambiguity and flexibility in relation to ethnic identity remained beneath the surface in postindependence Rwanda, as evidenced by Rwandans choosing to take “strategic action” to change their official ethnic identity by obtaining a new identity card (Fujii 2009, p. 115). The decision to change from Hutu to Tutsi, or Tutsi to Hutu, would be made for strategic reasons such as attaining privileges, avoiding discrimination, or escaping death. Keane (1995, p. 11), for example, claims that the leader of the *Interahamwe* militia, Robert Kajuga, was a Tutsi whose father had succeeded in changing the family’s identity to Hutu. Fujii (2009, p. 118) argues that the choice made by many Rwandans to abandon their ethnic identity for strategic and pragmatic purposes indicates a lack of “deeply held, affective attachment” to ethnicity.

Despite this analysis of the essentially political and socioeconomic nature of the root causes of the genocide, the impact of this devastating experience on reinforcing ethnic identities needs to be understood with its deep and far-reaching psychological and sociocultural as well as political consequences. For the Hutu group now branded as perpetrators, and the Tutsi group as victims, intermarriage now became unthinkable, living together an incomprehensible and painful prospect, and in the words of one Tutsi survivor “the death penalty is not enough” to provide justice for what happened (Lambourne 2002). As Lemarchand (2009, p. 70) observes, “the horrors of genocide profoundly alter the image that one has of the other” that creates immense challenges for reconstruction and peacebuilding.

Following an initial period of revenge killings and retributive justice, the new Rwandan government embarked on a remarkable sociocultural and political journey: to eliminate Hutu and Tutsi identities and replace them with a new Rwandan national identity that would enable perpetrators, survivors, and returnees to live together in unity and reconciliation despite the newly laid down historical memories of interethnic violence, pain, and loss. This policy of national unity and reconciliation has been accompanied by aggressive programs of socioeconomic development designed to eliminate the root causes of interethnic violence and provide a stable and attractive environment for foreign investors. Only time will tell if these programs and policies of national development and community healing and reconciliation will be sufficient to quell the potential for future political or socioeconomic crises to again feed the seeds of discontent along ethnic lines in Rwanda.

## Cross-References

- ▶ [Historical Memory and Ethnic Myths](#)
- ▶ [The Threat of Genocide: Understanding and Preventing the “Crime of Crimes”](#)

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## Part IX

# Ethnicity, Migration, and Labor

## Part Introduction

This part casts new light on the emergence of ethnic alignments in the context of global labor migrations, colonialism, and refugee flows. The key concerns that underpin the research showcased here are ones canvassed in the classic ethnic studies works by anthropologists like Clyde Mitchell, A.L. (“Bill”) Epstein, Fredrik Barth, and Abner Cohen. How can we best explain the creation of ethnic categorizations, boundaries, and identifications in particular circumstances? What is the relationship between ethnic configurations and labor migrancy, the introduction of capitalist systems of production, and state-building in colonial and postcolonial societies? The chapters that follow address these kinds of questions, raise others, and speak to powerful global histories of the plantation, imperial exploitation, and forced migration, as well as far more benign labor flows across international borders. And, at the vital center of these movements, we find ordinary people trying to shape their everyday lives as best they can in – sometimes dreadful – conditions that were not entirely of their own choosing.

The trans-Atlantic slave trade has rightly been the subject of an incisive and voluminous scholarship, but slavery also existed outside the Americas. In an exciting new work, Sadasivam Jaganada Reddi and Sheetal Sheena Sookrajowa survey the demography of the slave labor force on Mauritius, one of the Britain’s most significant slave colonies, during the eighteenth and nineteenth centuries. Drawing on a range of source materials, they show that a shortage of women, inadequate food, poor health, natural disasters, and terrible social and economic conditions contributed to high mortality rates and a decline in the slave population across the French and British administrations. This pattern continued even after emancipation in 1839. The authors trace how the continuation of a slave workforce depended on the further importation of labor and demographic decline as a result of the legacies of the plantation economy also marked the post-Emancipation era. Brinsley Samaroo’s chapter moves attention from the Indian Ocean world to its wider connections with the Atlantic and Pacific. He outlines the broader global history of slavery and



indenture. The numbers are startling. He estimates that around 2.2 million men and women from China, India, Java, Madagascar, and Africa were contracted to work on tropical plantations around the world between 1837 and 1920. “Queen Sugar” and the pursuit of profit were central to this story and the human exploitation that it entailed. Like other contributors to this part, Samaroo speaks to on-going legacies: from music and dance to flora and fauna, and from syncretic forms of spirituality to foodways.

The theme of legacies in the context of colonial labor migration is further pursued in the context of Mauritius by Kathleen Harrington-Watt. She examines one aspect of the British indentured labor system on the island that followed the cessation of chattel slavery and led in this case to particular patterns of ethnicization. The emigration of Indian laborers under the contract system was a structured and selective process. These workers sailed from three principal ports – Calcutta, Madras, Bombay – and left particular villages in Eastern India, Bihar, Uttar Pradesh, the Madras Presidency, and Western India, with later flows from northern regions. Their arrival and settlement in large numbers had a major impact on local demography, economics, politics, and society, and the circumstances on the island led to the emergence of a particular ethnic configuration that differed from other plantation colonies like Trinidad and Guyana. A comparison here with Sherry-Anne Singh’s chapter is instructive. She shifts our geographical focus to the Caribbean and to the experiences of the thousands of indentured laborers who made their way there from India between 1838 and 1920. As in the Mauritian case, this movement emanated from specific places and backgrounds with a predominance from the Bhojpuri belt. Singh teases out the roles played by caste, religion, and transposed traditions such as the *panchayat*, and documents contrasting outcomes in terms of ethnic formation across the region. Her work speaks to the “deep resonance” of these diasporic journeys and the need to attend to the varied shades and textures of ethnic organization over time and space.

The remaining chapters in this part bring us into the present day and contributors examine aspects of migrant labor mobility and refugee flows. Sheetal Sheena Sookrajowa and Antoine Péroud set the scene for these case studies with their overview of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW) that was adopted by the United Nations in 1990 to protect the human rights of migrant workers and their families. Their research identifies a number of obstacles that stand in the way of ratification and effective implementation of the Convention globally. As a consequence, they suggest, the future of the ICMW is by no means certain. Yet its very existence highlights a crying need for “alternative political approaches to migration, grounded in multilateralism, cooperation, and human rights.” In a different vein, Isabelle Bartkowiak-Théron and Nicole L. Asquith deal with vulnerability in relation to the “over-policing” of minorities globally. They identify comparable patterns of exclusion and domination in several contemporary contexts and see an antidote to current practices in the adoption of “critical diversity” by law enforcement agencies.

The protection of vulnerable people on the move is also the theme of the chapters that deal with refugees. Louise Humpage investigates the nature of refugee and

settlement policies in New Zealand with a particular focus on the impact for the sector of its new labor-led government. Although there have been some very important shifts, she argues that political and economic considerations have dominated humanitarian motives in terms of refugee policy. In the immediate future, at least, New Zealand's response will be "driven by mixed agendas with discriminatory outcomes." Bruno Mendelski's study of the rhetoric employed by Hungarian Premier Victor Orban in the wake of Europe's recent refugee crisis suggests another outcome in a context where the immediacy of inflows and the need for action was substantially greater than in New Zealand. He argues that Orban constructed two "outsiders" who posed a twin threat to the nation's sovereignty and its sense of identity: a large wave of Muslim migrants and the stance of the EU's liberal-left elite. The immediate consequence has been the control and militarization of the Hungarian borders, a decisive move away from the integrationist dynamics of EU, and a more strident isolationist nationalist policy. The contrast with the incorporation of Muslims in Austria and Germany is striking. Although there have been well-documented tensions, Ryosuke Amiya-Nakada's chapter investigates differing institutional arrangements and historical legacies which have nonetheless pushed both nations toward convergence around shared ideals of "Liberal Multiculturalism."

The reception of Rohingya refugees in the aftermath of the recent Myanmar crisis is the subject of two chapters. In a provocative study, Sangit Kumar Ragi asks why there has been such polarization within India around the influx of these desperate Muslim newcomers. The answer, he suggests, can be found in the fears held by Hindus that their settlement would alter fragile "demographic equations" irreversibly and threaten pluralistic and democratic values central to a predominantly Hindu India. His work further underlines the importance of context in shaping ethnoreligious alignments and the need to retain a sensitivity to the genuinely held concerns of host populations. This research is supplemented by Badrus Sholeh's chapter on Indonesia's policy toward Rohingya refugees in the Southeast Asian sea. He examines the nation-state's management of regional meetings, the question of regional agreements around the principle of noninterference, and government support for mediation in the Rakhine conflict and the democratization of Myanmar. As William Maley has observed, refugees are indeed "a symptom of a system of states that has failed properly to live up to its responsibilities" (2016, 12).

Two chapters deal with contrasting cases of modern labor mobility. Sam Scott notes that migration researchers have tended to ignore "ordinary" middle-class professional migrants, despite the fact that they are growing globally and now constitute a significant international flow. In a highly suggestive chapter, he identifies five key themes to guide future research: the relationship between migration, social mobility, place, and middle-class membership; the connections between age and decisions to move; the role played by lifestyle factors; the emergence of gendered household strategies; and social and cultural "emplacement" of middle-class migrants in everyday life. Remus Gabriel Anghel, Stefánia Toma, and László Fosztó, on the other hand, examine large-scale migratory flows of Romanian citizens across Europe. They emphasize a diversity of backgrounds and ethnoreligious identities among a migrant cohort that includes Roma, Romanian Germans, and Romanian

Hungarians. In an interesting move, they focus our attention on the role of informal networks that are based on ties of local identity, kinship, ethnicity, and religious belonging. Identity and ethnicity, they argue, are forms of social capital deployed by migrants during the migration process and their incorporation into host societies.

Lyndon Fraser



# Policing Ethnic Minorities: Disentangling a Landscape of Conceptual and Practice Tensions

# 84

Isabelle Bartkowiak-Théron and Nicole L. Asquith

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## Abstract

The policing of ethnic minorities has been a challenge for law enforcement agencies. After decades of research, inquiries into policing, policy-making, and attempts at changing practice, some progress has been made, but we are still far from an ideal picture of equity and procedural fairness. Conceptually, and in practice, issues of racial profiling, institutional racism, and over-policing still plague the everyday police business. The many innovative initiatives to increase trust and accountability, build confidence, and close gaps between ethnic minorities and police officers are commendable. However, they go but a small step into the right direction. Some further efforts are needed toward human rights policing and

I. Bartkowiak-Théron (✉)

Tasmanian Institute of Law Enforcement Studies, University of Tasmania, Hobart, TAS, Australia  
e-mail: [isabelle.bartkowiaktheron@utas.edu.au](mailto:isabelle.bartkowiaktheron@utas.edu.au)

N. L. Asquith

Western Sydney University, Kingswood, NSW, Australia  
e-mail: [n.asquith@westernsydney.edu.au](mailto:n.asquith@westernsydney.edu.au)

critical diversity in policy to make up for the enduring and entrenched tensions that are the legacy of past colonialist and, in some case, genocidal practices.

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**Keywords**

Police · Policing · Ethnicity · Race · Racism · Minorities · Vulnerability

*It must be recognised that racial discrimination, both direct and indirect, and harassment are endemic within our society, and the police service is no exception. (HMIC 1997, 2)*

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## Introduction

Exploring the landscape of police interaction with ethnic minorities is like disentangling a complex web of issues where geopolitics meet issues of social identity, sociocultural understandings of difference, philosophical frameworks, and globalization. While newer generations of global citizens are more adroit at bringing these issues to the fore – largely by way of social media – the context of, and responses by, policing organizations appears, at first glance, to remain unchanged. The recent cases of Eric Gardner, Michael Brown, Dylan Voller, Julieka Dhu, or Laquan McDonald and the many others that have flooded the press and social media since 2010 have just replaced the imagery generated by the stories of Rodney King, Stephen Lawrence, Amadou Diallo, Abner Louima, TJ Hickey, or Patrick Dorismond in an earlier time.

The policing of minorities, especially visible ethnic minorities (i.e., individuals whose physical traits are different to the local majority and to the governing few), has been a subject of political, criminological, sociological, and cultural research for many years. Specifically, policing and criminological research has focused on the tense relationships between police and minorities and attempted to explain, occasionally help address, the abusive use of power by police and the “criminalization of race.” Our discussion here is focused on the experiences of democratic policing services in the Global North. While some of our points reflect the situation in transitional societies, there is a dearth of research in this field in the Global South, where the ethnic minorities of the Global North are ethnic majorities. After positioning our approach, we consider various factors that have contributed to issues such as racial profiling and over-policing, institutional racism, border control, community policing, training, and the recruitment and retention of ethnic minority police officers. Each of these aspects of the relationship between policing and ethnic minority communities highlights that a single strategy will not answer problems that date back to colonization, slavery, and the formation of modern policing.

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## Definitions and Positioning

The expression “ethnic minorities” automatically evokes notions of race and physical difference (Carpenter and Ball 2012). Specifically, it suggests notions of race, skin color, and religion and is associated with issues of colonization, oppression,

and, in some circumstances, the distressing histories of slavery and genocide (Holmes et al. 2015; Carpenter and Ball 2012). More recently, the larger and supposedly more politically correct notions of “culture” or “cultural or linguistic background” have been juxtaposed to issues of ethnicity, especially in countries where multiculturalist policies have attempted to write a better pathway for inclusive diversity and where images of “unity in diversity” have punctuated political discourses (Holmes et al. 2015, 91). In this chapter, “ethnic minorities” will be defined as communities who differ from the cultural norm; “racism” is defined as an “ideology based on the unfounded belief in the existence of different ‘races’ that involves locating social subgroups on a hierarchy” (Carpenter and Ball 2012; Holmes et al. 2015, 43).

The policing of minorities, ethnic or otherwise, has long been associated with the policing of migrants and, from a geopolitical point of view, the control of borders or colonies (de Koster and Reinke 2016). Embedded in *maladroit* and simplistic definitions of diversity, the policing of ethnicity is enshrined in discrimination and politics of exclusion which, despite attempts at remediating the situation, and due to a long-standing history of abuse and prejudice, have never been quite successful at fostering climates of inclusion and acceptance (Holmes et al. 2015).

Similarly, “policing” evokes images of brutal encounters with members of law enforcement organizations, often framed in paramilitary contexts. Images of shootings or vigorous management of urban protest fuel, rather justly, this imagery, and have stimulated a new debate about the relationships between what is seen as repressive law enforcement agencies and members of the community. Here, policing will be understood and defined as the broader range of services delivered by policing organizations, and not solely limited to “crime fighting,” such as pure law enforcement, crime prevention, order maintenance, and peace-keeping. It will see policing as inclusive of the usually mundane activities performed by individual police officers (traffic or patrol duties, call and emergency response, or crowd control), as well as the more strategic operations conducted by officers, such as community liaison activities, problem-solving, and transnational or international cooperation. However, while policing is also defined as a range of services delivered by police organizations as well as other government, private, or third parties (such as private security, nongovernment specialist organizations, health agencies, etc.), we will limit our discussion to public police organizations and law enforcement personnel only (Fleming and Wakefield 2006).

Our discussion will be premised on the foundations of critical criminology discourse (Anthony and Cunneen 2008). As such, our argument will attempt to challenge some of the traditional understandings of policing and law enforcement, as much in concept as in practice, by putting them into perspective in the broader context of studies and scholarship in criminal justice, sociology, and criminology (Anthony and Cunneen 2008; White et al. 2017). This discussion will analyze the various dynamics at stake in the management of social difference, cultural diversity, and “othering,” in societies where multiculturalist policies, since their inception in the 1960–1970s, should have solved a number of tensions between minorities and the law enforcement arm of governments (Cashmore 2002; Bartkowiak-Théron

2012b; Carpenter and Ball 2012). These policies, as part of a vision about the public good, were intended to act as governance mechanisms for ethnic diversity in constantly changing communities. They are based on four hypotheses: (1) multiculturalism is in the best interest of a nation; (2) multiculturalism can foster social, cultural, and economic benefits; (3) according to principles of social justice, society should become fairer because of multiculturalism; (4) social cohesion can only be achieved if governments overcome difference by embracing diversity (Bartkowiak-Théron 2012b; Holmes et al. 2015). These precepts however have a tendency to highlight difference and social fragmentation, as opposed to embracing them, and therefore divide more than they include (Body-Gendrot 1998; Bowling and Phillips 2003). Such policies are therefore confusing, in that they aim to challenge the social status quo, though never quite succeed in depolarizing debates.

Research has had a tendency to focus on some ethnic and cultural minorities more than others (e.g., African-Americans, indigenous populations, Hispanics or Asians; Zhao et al. 2015). However, it is agreed that police responses or interactions with ethnic minorities are as much a matter of personal attitudes and beliefs, as they are of operational practice and policy (White 2009). With “whiteness” (a “European-based system of justice”: a scholarly, political, and judicial discourse often about or directed at ethnic minorities and imposed on these ethnic minorities) at the basis of most of the functioning of the criminal justice system, the “level-playing field” is rhetorical, privileges dominant classes, and disadvantages ethnic minorities (Cooper 2005; Holmes et al. 2015). However, it should be acknowledged that although racism seems to be rampant in policing organizations, most policing encounters happen without any problem, and while tensions may be felt by the individuals interacting with each other, exchanges are usually cordial, if not respectful (Fridell and Scott 2005). In saying that, the picture provided by the media, and several international inquiries into policing and law enforcement, have shown that prejudice and cynicism remain entrenched (Wieviorka 1999). Most of this polarization has to do with simplistic, mediatized images of moral panics (Goode and Ben-Yehudfa 2009; Wieviorka 1999) and urban “gangs,” linked to the behavior of young African-American, Bangladeshi, Lebanese, Sudanese, or Vietnamese men (Jones and Newburn 2001; White 2004, 2009).

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## Unraveling the Landscape

Ethnic minority groups living (or arriving) in Australia, Canada, the USA, and most Western European countries have particularly problematic and poor relationships with police (Murphy and Cherney 2011; Zhao et al. 2015). These tensions have been long-standing and have created historically endemic strains on the ways these communities and law enforcement agencies approach and interact with each other (Jones and Newburn 2001). In fact, while police abuses of power usually evoke images of American police shooting members of indigenous or African-American communities, we can trace similar matters back to fifteenth-century Europe (in particular France’s *ancien régime*). Long before the consolidation of policing as a profession, the movement of Roma or Gypsies challenged the early beginnings of

the territorialization process (Holmes et al. 2015; de Koster and Reinke 2016). In those days, the management of poverty, begging, and vagrancy ranged from either brutal forms of eviction to the passive escorting of individuals to city gates. As a form of exclusion, such practices were used to translate policies aimed at consolidating borders or territories, and the privileges of ruling classes, from royalty to the lower *bourgeoisie*. As systematic ideas of racial stratification dominated colonization and understandings of social dominance (superiority) over inferior classes or races (Carpenter and Ball 2012), “domination by the ‘superior race’ was considered inevitable and desirable, because it was [mistakenly] thought to lead to human progress” (Holmes et al. 2015, 43).

With time, such practices extended to the mismanagement of the industrial revolution, colonization, and decolonization practices (Holmes et al. 2015; Body-Gendrot 1998). Some commentators have indicated that racist policing practices in European countries could be merely an extension of colonial policing, with media exacerbating the demonization of social groups and associating the myths of “folk devils” with that of the “enemy within” (Bowling and Phillips 2003; Cyr 2003; Body-Gendrot 1998; Wieviorka 1999). The withdrawal of large European empires (e.g., the departure of France from Algeria when the nation voted for its independence) created systems of disadvantage, and neither catered for the return or arrival of populations into metropolitan areas nor for the sociocultural dynamics created by workforce demands. The world wars exacerbated existing ethnic tensions, as well as the process of independence suffered by some Mediterranean countries, which remain the source of violent conflict between law enforcement and second- or third-generation minorities in Europe (de Koster and Reinke 2016; Body-Gendrot 1998, 2011; Wieviorka 1999; Bui-Trong 2000).

A focus on contemporary practices of police violence minimizes the historical legacy of colonization, which is replete with actual police massacres. Recently, criminology research has begun to map the links between colonial past and current practice (see, e.g., the work of the Université de Montréal in indigeneity and Michelle Alexander’s (2010) critical work on the links between slavery and mass incarceration in the USA). Since the emergence of civil rights discourses, ethnic minority communities – particularly African-Americans in the USA, Caribbean migrants in the UK, and post-WWII migrants to Commonwealth countries such as Australia, South Africa, New Zealand, and Canada – have been represented “disproportionately among persons killed by police through the use of deadly force” (Goldkamp 1976, 169; Zhao et al. 2015). While, in this chapter, we focus on contemporary policing practices, we are cognizant that these do not exist in a vacuum; they are part of a longer history of territorialization, border control, and genocidal practices.

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## Over-policing and Racial Profiling

Over-policing is defined as “the imposition of police control on individual or community activities at a level unlikely to occur in the dominant society” (AJIC 1999). Over-policing is linked to two schools of thought. One largely deals with the fundamentally



“racist machinery of policing” (Goldkamp 1976, 170; Holmes et al. 2015), while the other more fundamentally deals with a so-called *underclass* argument (Body-Gendrot 1998). Strongly associated with labeling theory, both schools of thought however stress the idea that law enforcement administration has encouraged policies and practices that focus on people at the margin, therefore feeding a self-fulfilling prophecy that minorities (of any kind) will systematically know or generate high-volume crimes, more altercations between communities and law enforcement personnel, and therefore more possible deaths by police. More arrests will therefore occur among these (usually lower socioeconomic) minorities and naturally attract further police attention. The fact that some marginalized social subgroups are more prone to being arrested, and that there are organizational and informal pressures that encourage this, is not new (Cain and Sadigh 1982). Research in those matters spans many decades, and the study of law enforcement activities shows an alienation of minority members in poor, ghettoized neighborhoods and peaks in reported incidents of police brutality or race-based policing (Zhao et al. 2015).

### Stop-and-Search

*I have long been concerned about the use of stop-and-search. Although it is undoubtedly an important police power, when misused it can be counter-productive. It can be an enormous waste of police time. When innocent people are stopped and searched for no good reason, it is hugely damaging to the relationship between the police and the public. In those circumstances it is an unacceptable affront to justice. Rt Hon Theresa May, Home Secretary, 2014 (Home Office 2014)*

*The Met must continue to ramp up its fight against violent crime ... This will include a significant increase in the use of targeted stop and search by the police across our city. When done badly, stop and search can cause community tensions. But when based on real intelligence, geographically focused and performed professionally, it is a vital tool for the police to keep our communities safe. Sadiq Khan, Mayor of London, 2018, in response to increases in reported knife crime (Crerar 2018)*

Along with discretion, stop-and-search is probably the power most used by the police. Its practice is under strict scrutiny by governments as well as scholars, with regular inquiries as to its use, and questions as to the necessity to bolster its remit. It is now common knowledge that stop-and-search is linked to racism and that ethnic community members are overrepresented in stop-and-search statistics around the world, despite the fact that stop-and-search needs to occur under “reasonable grounds for suspicion” or “reasonable suspicion” (Murray 2018). However, while tacit knowledge, experience, and suspicion are a part of the police officer’s decision to stop-and-search a person, research has shown that labeling and stereotypes, as well as “race-out-of-place,” are central to making that decision (Quinton 2011).

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There are now several mechanisms and organizations in the UK specifically monitoring police use of stop-and-search. For example, the Northern Ireland Police Service now openly publishes statistics about stop-and-search and allows researchers as well as other community members to download full databases on Excel spreadsheets. Regrettably though, these databases provide select information, such as the gender of the person stopped-and-searched and the legislation under which the power was used. The ethnicity is not an information recorded in these databases. Similarly, the London Metropolitan Police publishes stop-and-search data regularly, via an online “dashboard,” which helps track stop-and-search occurrences according to legislation, borough, etc. (Metropolitan Police 2018). Community-based agencies have also consolidated partnerships with various organizations to collect and record data on policing, with specific campaigns organized around stop-and-search (see, e. g., StopWatch: <http://www.stop-watch.org/about-us/>). Such community initiatives are informative, and in addition to focusing on creating new, visible, and accessible mechanisms for police accountability, they also help relay information reported by police organizations on their stop-and-search activities.

Overall, while data about stop-and-search seems to be at a record low in the UK, Home Office statistics covering 2016–2017 indicate that:

- black people are eight times more likely to be stopped than white people.
- black and minority ethnic groups are four times as likely to be stopped and searched.
- the proportional rise in searches of ethnic minorities contrasts with an actual 21% drop in stop-and-search overall in England and Wales since 2013.
- only 15–17% of these detentions led to an arrest.
- only 25% were conducted under justifiable cause.

Discussions about stop-and-search powers are not limited to the UK, although a large portion of the early literature has focused on that country as a response to the uncomfortable truths triggered by the Scarman and MacPherson reports (Bowling and Phillips 2007). In Australia, the Office of Police Integrity conducted a review of Victoria Police use of stop-and-search in 2012, further to new legislation passed in 2009, and especially with regard to the control of weapons. While the inquiry failed to reveal any misuse of power toward social subgroups, it found some entrenched failures in terms of accountability and data collection, concluding that Victoria Police did not meet legislative requirements in those areas. The inquiry failed to demonstrate an impact of stop-and-search onto crime reduction, especially violent crime or weapon-related crime. In acknowledging stop-and-search as an intrusive form of surveillance, the report ends in recommendations that the power be exercised in proportion to a perceived risk and informed by police intelligence

*(continued)*

(the latter recommendation being echoed by the Mayor of London in the above quote). The report aligns with research suggesting that instead of focusing on “race,” other attributes should be factored into the study of stop-and-search (Parliament of Victoria 2012).

Racial profiling consists of the use of generalizations and prejudicial inference based on not only race but also gender, language, ethnicity, culture, or age to guide police practice and decision-making, such as detention, arrest, searches, traffic stops, etc. (Fridell and Scott 2005; Delsol 2006). With some origins in the 1980s’ war on drugs, racial profiling concerns itself with the idea that some individual attributes are indicators that a person is more likely to commit a crime or found guilty of an offense if confronted by law enforcement personnel. “Driving while black” (and all its declinations, such as “Flying While Arab”) are derivatives of racial profiling practices (Zhao et al. 2015). Minimalist understandings of racial profiling concern an officer’s decision to interact with a member of the community solely based on the observable attributes of this individual. Much criticism since the 2000s has been directed at debunking this minimalist definition, as an attempt to hide more pervasive discriminatory practices which included race as well as other individual attributes, such as age, clothing, or behavior or even occurrences of probable cause (Fridell and Scott 2005). While policing services are beginning to address this issue in more comprehensive and justified ways, and construct the practice in layers of observable factors (such as skin color, age, dress code, place and time of day), they continue to encroach into urban planning policies and over-police minorities in ghettoized, disadvantaged communities (Body-Gendrot 1998, 2011; Bui-Trong 2000). It is important to note that such issues as over-policing can sometimes be exacerbated by research innovations such as hot spot policing, which is sometimes guided in its geographical orientation on earlier generations of over-policing. Good research monitoring and methodological design is paramount to avoid such drawbacks in applied research and operational practice.

To continue our earlier point, research on policing conducted in the later part of the twentieth century – as part of the many inquiries into law enforcement and policing in Western countries, or following these – has actually found that police commonly use a wide range of labels, stereotypes, and descriptors outside race characteristics, to classify people according to various social attributes, from their age to their ethnic origin, housing status (even physical address), levels of education, state of health, etc. (Bowling and Phillips 2003; Bartkowiak-Théron and Asquith 2012). Among those, however, race (with determinants such as “Asian,” “Black,” “Indians,” “Gypsies,” “Lebanese,” etc.) remains a prominent “marker,” which is associated in policy and practice with dominant understandings of social conformism and law-abiding behavior, and is linked too often with gang, terrorist, and/or drug-dealing behavior. Entrenched racism continues to inform community attitudes such as “police have one trigger finger for whites and another for blacks” (Takagi, in Goldkamp 1976, 171). This nurtures tensions during encounters with members of

ethnic minority communities. In a way, such stereotypes confirm Reiner’s positioning of racist practices toward ethnic minorities as a form of “police property.” According to such practices, the social majority consent to police dealing, as they see fit, with what is perceived as a socio-ethnic underclass (Reiner 2000; Sharp and Atherton 2007). Others have also labeled such practices and attitudes “functional racism,” as part of broader injustices within police culture (Body-Gendrot 2011).

**Police Shootings**

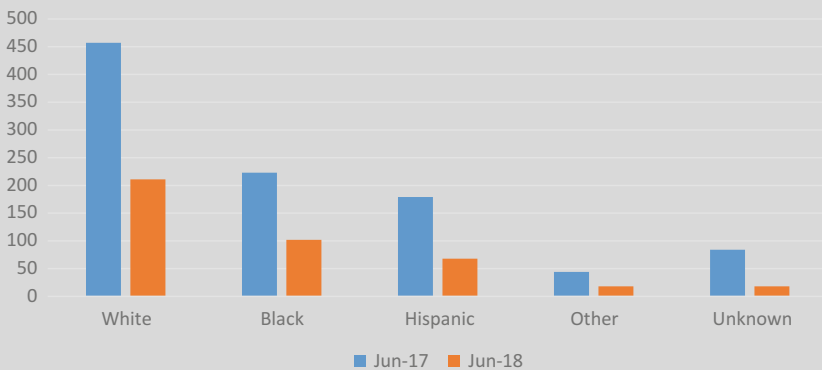
“If you encounter these Negroes, shoot first and ask questions later.” This quote, from the Christopher Commission, which investigated instances of police brutality by the Los Angeles Department in the context of the Rodney King Riots, highlights that some policing organizations have endorsed “shoot first, then ask question” policies (Cooper 2005).

Police shootings are vastly different between countries such as the UK and the USA. In Australia, for example, the Australian Institute of Criminology accounts 13 police shootings between 2013 and 2015. Numbers are significantly different in the USA, where the Washington Post (which started compiling a systematic database of police shootings since the 2015) shows 995 deaths by police shooting in 2015, 963 in 2016, 987 in 2017, and 707 as of 30 August 2018.

Statistics indicate significant overrepresentations of ethnic minority deaths, with race as a prominent factor in these police shootings.

**Number of people shot to death by the police in the United States in 2017-2018, as of June, by race**

(source: www.statista.com)



While the extent of the overrepresentation of black minorities in police shootings was questioned in earlier research, there is now overwhelming evidence that demonstrate an overrepresentation of ethnic minorities in statistics dealing with police use of force and use of deadly force (Zhao et al. 2015; Kearns 2017).

## Institutional Racism

The idea that racism spans not only individual practice but every layer of the police organization has been widely discussed since the 1960s in America and specifically since the 1981 Scarman Report and the 1999 MacPherson Report in the UK (Jones and Newburn 2001). The Scarman Report was an inquiry ordered by the UK Home Secretary immediately after 3 days of urban unrest in Brixton in 1981. Tensions between black communities and the police had rapidly escalated into public disorder in the communities of Bristol, Brixton, Manchester, Liverpool, and Birmingham. The 1981 Brixton riots were triggered by the police saturation of the community, and the constant application of “stop-and-search” powers to no other probable cause than “looking suspicious.” Fraught with methodological and theoretical positioning that only allowed identifying a limited number of police failures, the Scarman Report remains a touchstone in policing history. It started a process of denunciation of abusive practices by police. While not specifically mentioning institutional racism (racist practices which are endemic and normalized), it clearly criticized the “insufficient formal liaison between the black community and the police” (Jones and Newburn 2001), and paved the way for much “soul searching” (Bowling and Phillips 2003), and stronger, more provocative inquiries later (Cain and Sadigh 1982).

Scarman denounced the difficulties, social and economic, “which beset the ethnically diverse communities who live and work in inner cities,” and urged the police to “fully recognise the problems of ethnic minorities” including recommendations to undertake “speedy and positive action to overcome them” (Williams 1982, 2; Scarman 1981). Scarman identified various problems in policing “a multi-racial community in a deprived inner city area where unemployment, especially among young black people, is high, and hopes low” (1981, 15), and the report found that while a strong racial element was at play during the riots, the media had played a part in escalating the situation. While Scarman found that “the police strategy and tactics in handling the disorders were to be commended and not criticised,” the final part of his report suggests significant amendments to police organizational procedures and policies, including, but not limited to, better and more culturally friendly recruitment practice, community relations, training, supervision of officers, stop-and-search policies, and disciplinary action (the latter specifically focused on severe organizational responses to prejudicial police behavior) (Williams 1982; Bowling and Phillips 2003). He also pointed at a wide-ranging lack of public trust in the police, “unsafe statistical generalisations,” and police abuse of power. The report finishes on a strong recommendation for the police to consider “more coherent and better directed [police] responses to the challenge of policing modern, multi-racial society” (Scarman 1981, s5.5).

The MacPherson Report was a later inquiry into the 1993 death and subsequent botched investigation of the murder of Stephen Lawrence in London (Rowe 2006; Bartkowiak-Théron and Asquith 2015), which acted as a “lightning rod” for a new consideration of police practice and policy in the UK (Bowling and Phillips 2003). The MacPherson Report, deemed a “bombshell on the British political and cultural landscape” (Younge 1999, 329), directly accused the police

organization of institutional racism and specifically put blame on police organizations for an inability to provide a multicultural society with adequate and culturally appropriate problem-solving, service, and leadership. In shifting the focus from individual prejudice to institutional discrimination, the inquiry is a watershed in race relations, which made some damning points about the lack of ethnic representativity of the organization, disproportionate levels of discriminatory practices (“random” breath tests, stop-and-search, curfew or identity checks, etc.), racist violence, and harassment toward diverse community members (Younge 1999; Bowling and Phillips 2003).

To date, the Scarman and MacPherson reports remain landmarks in international policing and, just as the Royal Commission into Aboriginal Deaths in Custody in Australia, present race as a forefront issue in policing practice and policy (some say “canonical,” presenting them like the “Pillars of Hercules in British race relations” – Cashmore 2002, 328). These inquiries are unprecedented in that they triggered annual (or less regular, albeit equally important) mandatory reporting mechanisms for law enforcement agencies as to the progress made on all or part of the recommendations aimed at improving more culture-friendly policies and operational frameworks. For example, recommendation 61 of the MacPherson Report insists that records be made of all “stop-and-searches” under any legislative provision. Initially discarded as “yet another piece of bureaucracy,” these policing “progress statuses” are usually accompanied by academic commentaries, such as the one published in a special issue of *Policing: a Journal of Policy and Practice* in 2015 (see Bartkowiak-Théron and Asquith 2015).

#### **The Australian Royal Commission into Aboriginal Deaths in Custody**

The 1987 Royal Commission into Aboriginal Deaths in Custody (RCIADIC) was commissioned after 99 indigenous people died in custody between 1980 and 1989, of which 63 occurred within the first few hours of police custody (often by hanging). The inquiry revealed no instance of unlawful behavior on the part of the police. However, it severely criticized a lack of awareness, training, accountability, and reporting toward Aboriginal and Torres Strait Islander communities across all police jurisdictions and across all stages of the policing and justice process. Many of the 339 recommendations contained in the report are directly relevant to police. Such recommendations include:

- Improved standard of care in police cells
- Concerns around overrepresentation of indigenous people in public order offenses
- Better investigative practices in cases involving indigenous people or communities
- Lack of data about remand and police detainees

(continued)

- Institutional racism and violence by police
- Alternatives to detention for intoxication
- Arrest as a last resort for minor offenses
- Better recruitment, training, and placement of officers
- Attempts at recruiting indigenous police officers into police organizations

Further to the inquiry, the Indigenous Law Bulletin published progress reports for each Australian jurisdiction in 2001 (the first anniversary of the inquiry) and 2007. However, one of the main outcomes of the RCIADIC was the creation of the National Deaths in Custody Monitoring and Research Program at the Australian Institute of Criminology (AIC 2017), which monitored all deaths in custody (prison or police) over 20 years. The reports of the program are intended to guide criminal justice stakeholders in developing policy and practice initiatives to reduce deaths in police and prison custody.

The 2011 report found that the indigenous and nonindigenous rates of deaths in custody had decreased between 2001 and 2011, which was praised as significant progress. In 2011, death rates were lowest ever seen (0.16 per 100 and 0.22 per 100 for indigenous prisoners and nonindigenous prisoners, respectively), and the indigenous rate of death in prison was lower than the equivalent nonindigenous rate between 2003 and 2011. The report however stated that:

*While Indigenous prisoners continue to be statistically less likely to die in custody than non-Indigenous prisoners, there is a concerning trend emerging, as the actual number of Indigenous deaths in prison are rising again, with 14 in 2009–10 which is equal to the highest on record. More concerning still is that over the 20 years since the Royal Commission, the proportion of prisoners that are Indigenous has almost doubled from 14% in 1991 to 26% in 2011.*

In 2018, the Australian Institute of Criminology further reported on deaths between 2013–2014 and 2014–2015 (Ticehurst et al. 2018). The report indicates that of the 34 deaths that occurred during that time, 6 (19%) were of indigenous. During the 26 years of the program monitoring, 782 deaths occurred in police custody and custody-related operations, 153 (20%) of which were indigenous. This is a significant overrepresentation given that the Aboriginal and Torres Strait Islander community is only 3.3% of the Australian population. In spite of the RCIADIC and the work done since the commission, overrepresentation of indigenous people in custody in Australia continues to be a significant problem. In the case of the Northern Territory in 2018, 100% of all young people in detention are Aboriginal or Torres Strait Islanders (Allam 2018).

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## Border Control: The Post 9/11 Context

Issues of territorialization are complex. They span the control of immigration with the physical control of borders by customs officers, or police officers seconded into the role, the enforcement of overstayed visas, and the control of asylum seekers (Murphy and Cherney 2011). Issues of terrorism have long been on the agenda of governments and their policing services, with most Global North countries reorienting much of their policing resources to manage a perceived uptick in terrorist activity since 2000. Yet, the disastrous events of 9/11 cast a new picture of the “enemy within,” which labeled Muslims and Islam generally as sources of potential threats (Burnett 2012). Social tensions have escalated since, and racist attacks toward Muslim minorities have increased the regularity of police encounters with members of religious minorities. With antagonism encouraged by some hardened right wing political parties since the 1970s, and then with the Gulf War (Wieviorka 1999), police have had to readjust to new social dynamics, and to tensions amplified by riots in the 1980s, particularly in France and England (Williams 1982; Bui-Trong 2000). Crystallized by the images of the World Trade Center under attack, and the subsequent attacks in Bali, and on the London and Paris public transportation systems, “the enemy within” has become a component of many territory-focused enforcement initiatives, such as the “Plan Vigipirate,” across the whole French territory.

As a result of political and social anxiety about terrorism, and its prominent position at the bureaucrats’ agendas, much legislation and policy aimed at tackling terrorism or addressing radicalization have been enacted without regard to their potential effect on the policing of ethnic minorities (Pickering et al. 2007). In the UK, the Anti-Terrorism Act 2001 is “argued to be discriminatory against Muslim people in particular, and perceived to be eroding many basic rights on the grounds of national security” (Bowling and Phillips 2003, 22; Spalek and Imtoul 2007). While exodus and migration are typical traits of human nature (Egan-Vive and Fraser 2012), resettlement policies have accompanied colonization and civil war history. The acceleration of human movement due to world conflicts has made race and ethnicity a fundamental aspect of border control. Legislation and resettlement policies have been a feature of most dominant countries in the Global North and are a usual part of the law enforcement landscape in these countries. Yet, and while their arrival and settlement should be expected, refugees or migrants of different ethnic origins systematically face various levels of racial profiling and discrimination (Egan-Vive and Fraser 2012), resulting in overrepresentation in stop-and-search, traffic stops, and fine statistics (Holmes et al. 2015).

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## Community Policing and Procedural Policing: Do They Work?

A large portion of critical discussions about the policing of ethnic and cultural minorities focuses on mishaps in the field and entrenched racism in police organizations. These are artifacts of histories of tense relationships between community



members and police officers. Literature also focuses on the various initiatives that have been created in order to build bridges between communities and government agencies, using social capital and local knowledge as pivotal aspects of positive interventionist frameworks such as community policing and procedural policing/justice. Indeed, contrary to major social phantasmagoria, ethnic and religious community organizations more often than not promote forms of solidarity and engagement geared at citizenship and social harmony (Wieviorka 1999). It is therefore unsurprising to see the increased use of community-oriented policing initiatives to foster relationships with these communities, and for police to acquire a better understanding of the communities they serve and create real partnership-based problem-solving initiatives.

Community policing has been presented by many as a fundamental shift in paradigm from a traditional model of centralized, command-and-control policing. More of a feature of England, Canada, Australia, and US policing than it is in France, for example (Body-Gendrot 2011), community policing is defined as a proactive problem-solving approach used to address some inherent, sometimes chronic, threats to public safety. Aimed at building longer-lasting mutual respect between law enforcement and the public, community policing has been adopted, with varied terminology, as a foundational or strategic pillar for most democratic police organizations (Skogan 2006).

The topic of community policing needs to be approached cautiously and critically. While it is one of the primary strategies used to fix estranged relationships between police and communities, community policing has been widely documented, analyzed, and criticized for its many evaluation and measurement flaws. Its precept as well, while admirable, stands on shifting sands: the expression “community” has been pluralized, yet “communities” remain ill-defined, amorphous, and in a constant state of flux (Brogden and Nihar 2005; Bartkowiak-Théron and Corbo Crehan 2010). As a result, community policing initiatives have suffered from a lack of measurable indicators on which to judge efficacy of these approaches. Specifically, police organizations have struggled to increase trust in policing or crime reporting to the police. Additionally, as Fleming (2010) notes, community policing is not applied across all communities, and those who engage with community policing initiatives are probably those who need these the least (Fleming 2010). In a way, one could say that at a time when evidence-based policing is an ever-increasing paradigmatic framework on which some organizations focus their policies and practices, police organizations have a political and community obligation to account for the use of the softest, nonevidence-based approach for addressing one of the most intractable problems in policing. Furthermore, when embedded in the counter-terrorism framework, and despite calls to capitalize on existing social cohesion and capital, the “get tough” on the policing of terrorism weakens the community policing message conveyed to ethnic minorities and contributes to the precariousness of police-community relationships (Pickering et al. 2007). Engagement in such context, and despite efforts to make it look otherwise, functions according to binary conceptualizations of communities (us vs. them; legal vs. illegal), which hinders engagement and actual community participation and trust (Spalek and Imtoul 2007).

Scarman was one of the first officials to recommend the adoption of forms of community policing, specifically focused on consultation with communities, with accountability as a key aspect of those initiatives (Cain and Sadigh 1982; Jones and Newburn 2001; Skogan 2006). However, not all organizations have been successful at embedding community policing principles and practices in their everyday operational policies. Fundamentally based on the availability of budgetary resources, and the propensity of individual police officers to engage with communities and community members, community policing is often relegated to a philosophical backdrop, in favor of initiatives that generate more visible and faster results according to neoliberal budgetary frameworks (such as a drop in reported crime rates). Community policing has been applied to many types of communities, yet it has found more success in rural communities, where social networks are stronger and more developed (Kearns 2017). Race has been shown to significantly impact on police-community relationships, though, with “damaged relationships between police and minority communities,” the ethnic composition of neighborhoods and the ethnic background and cultural beliefs of police officers cited as impeding community-policing initiatives (Kearns 2017, 1216; Zhao et al. 2015).

#### **Police Liaison Schemes**

Community liaison schemes are seen as crucial in the building of community relationships with police (AHRC 2010). These approaches have been established, particularly in the UK, Canada, the USA, Australia, and New Zealand, to “build positive, trusting and cohesive relationships with communities,” promote information sharing and trust, capitalize on cultural differences, and improve relations between officers themselves (AHRC 2010, 1).

At the heart of the liaison officer role is an effort to build a bridge between two groups whose relations, historically and contemporaneously, have often been fractious and marked by power imbalances and distrust. (Willis 2010, 43)

Often, these schemes are focused on specific subsections of the community, despite the fact that no ethnic or cultural community is a coherent, cohesive entity (Bowling and Phillips 2003; Carpenter and Ball 2012). Accordingly, some of these schemes focus on youth solely, or women, within these ethnic communities; others are applicable to only some sections of the national territory, such as remote and rural communities.

Some schemes have been particularly successful. A review of the “Community Partnership Project” (a project implemented under the Australian Human Rights Commission’s Community Partnerships for Human Rights) by the Centre of Excellence in Policing and Security showed some local initiatives contributed to a better understanding of police officers and community members, although the positive impact of such initiatives is often thwarted

*(continued)*

by the constant rotation of police officers into different roles (AHRC 2010), or the appointment to these roles as secondary to officers' general duties.

By "extending the police family" through the pluralization of policing, recruitment of police auxiliaries, training and deployment of specialized officers, and the creation of corporate liaison roles dedicated to vulnerable populations, police liaison schemes have provided a way to symbolically advance a political intent to do things differently with diverse communities (Bartkowiak-Théron 2012a, b). However, we can only regret the fact that liaison schemes, due to their very wide nature, are never exactly comprehensive, and either target specific ethnicities or cultures (e.g., the Aboriginal Liaison Officer in New South Wales) or vaguely group different cultures under the same collective identification (e.g., ethnic liaison officers in Victoria or community liaison officers in Tasmania). These liaison roles fail to consider the layers of vulnerability often present in ethnic minority communities and do not adequately consider the ways in which intersections in vulnerability may change the nature of what is required from policing.

Procedural justice is defined as fairness in process and in the allocation of problem-solving processes, in order to guarantee just outcomes for all the parties involved. Recent research has focused on how procedural justice applies to the whole criminal justice system, in terms of relationships with disadvantaged communities, and particularly to the police, as the gatekeepers of that system (Tyler 2005; Bradford 2014). One of the strongest arguments made in favor of procedural justice in policing, particularly community policing, is that "given the history of police and ethnic group relations, enhancing legitimacy in the eyes of ethnic groups should be a priority for police agencies" (Murphy and Cherney 2011, 238). The research suggests that "if police adhere to principles of procedural justice in their dealings with ethnic minority group members, then they may be able to successfully engage these people and shape their willingness to cooperate with police in a range of matters" (Murphy and Cherney 2011; Tyler 2005).

It is natural, therefore, to see procedural justice research in policing flourish in the last 20 years. Although group and individual experiences of procedural justice are important in encouraging, building, or maintaining cooperative links with police (Bradford 2014), such research has concluded that "procedurally just encounters are not sufficient to alter general views of police and cooperation for ethnic minorities" (Murphy and Cherney 2011, 251). In light of the enduring tensions that have existed in the social control of multicultural communities, such findings are disappointing, but not overall surprising. Centuries of abuse, over-policing and sometimes genocide, cannot be overcome with process systems. In light of this, police organizations have since reverted back to more embedded forms of community engagement which not only aim at the resolution of social problems that have been identified by police but also defined and identified by communities themselves (VicPol 2013). Such joined-up approaches to social issues

are a better, more significant step toward building more efficient and legitimized problem-solving and social capital building.

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## Training

Police training and education is the perennial “go-to” response in times of crisis. Escalating or ongoing tensions between police and vulnerable people are not an exception to this rule, and commentators are quick to insist on boosting cultural awareness components in police recruit training. According to this “go-to” answer, in order to make a police organization less racist and discriminatory, organizations need to not only “weed” racist and heavily biased applicants at recruitment but also need to make the organizations more culturally aware of difference (Stenning 2003; Zhao et al. 2015). While this is a laudable comment, much research has been conducted in this area since the 2000s, and evidence has shown that while education on ethnicity, culture, and critical diversity can bear some fruit, such training alone cannot change practice (Kearns 2017). It can even come with drawbacks that can aggravate tensions and stereotypes, as opposed to easing them (Stenning 2003), such as siloing police responses, generalizing about communities so much so that it becomes a caricature of what is needed, and creating a “competition of suffering” (Mason-Bish 2013) that is only remedied by dedicated modules in police training.

Cross-cultural training or cultural awareness training implies that the syllabus will focus on a number of attributes featured in ethnic minority communities. Various aspects of culture, religion, language, and relationships are expected to be featured in the curriculum. However, the multiplicity of such features makes the design of such curriculum a difficult task, and much of this curriculum has reverted to “areas of priorities” for law enforcement agencies, that is, cultural training specifically focused on those communities with which the police have experienced enduringly tense relationships and conflict. Training also focuses on communities’ “deficits,” as opposed to strengths, which has a tendency to aggravate stigma (or create new ones) as opposed to fostering new platforms for mutual comprehension (Victoria Police 2013). As such, curriculum has focused on ethnic minorities with a history of criminal or riotous behavior, indigenous communities, and migrant (often refugee) communities (Egan-Vive and Fraser 2012).

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## Recruitment and Retention of Ethnic Minorities into the Police Workforce

Most police organizations have been active in trying to address ethnic discord, urban disorder, and lack of community trust in law enforcement. As part of a professionalization and democratization process, a large part of their effort to address these tensions has been to increase the representation of ethnic groups in their organizations, often by establishing quotas and recruitment practices across all levels of their hierarchy (McLeod 2018). As indicated earlier, one of the major recommendations made in

successive inquiries into policing has focused on the recruitment of ethnic minorities into the police workforce (Cain and Sadigh 1982; Cahsmore 2002; Bartkowiak-Théron 2012a, b; Shepherd 2014). This recommendation is based on the beliefs that (1) the police force must be representative of the communities they serve (including gender, McLeod 2018), (2) multiethnic organizations are likely to promote understanding and tolerance, and (3) a diverse workforce fosters climates of tolerance, legitimacy, and accountability in and outside the organization, in addition to economic benefits. Indeed, the idea of increasing the ethnic representation of the police force has been presented as a way to boost trust between minorities and police and contribute to ending negative encounters between police and members of these ethnic minorities (Rowe and Ross 2015). Police organizations have therefore implemented a number of laudable initiatives, and structured imaginative interventions, largely inspired from affirmative action principles, to redress discriminatory hiring policies (Jones and Newburn 2001; Stenning 2003; Fridell and Scott 2005; Shepherd 2014; McLeod 2018). These initiatives have however faced a number of barriers and obstacles that have now been widely documented in research literature (Cashmore 2002). Most of these obstacles have to do with the above three hypotheses, which have ill-posed the extent of existing tensions between police and minorities, and the exacerbating effect these positive discrimination policies would have on hiring practices.

In Australia and New Zealand, the Australasian Police Multicultural Advisory Bureau (APMAB) worked on assisting police services in establishing benchmarks for the management of cultural and linguistic diversity, with the particular aim to recruit and retain Culturally and Linguistically Diverse (CALD) police officers (APMAB 2006). Ending with 46 recommendations, most of which taken with serious consideration by policing leadership and management, the report concluded that most jurisdictions understood the challenges of recruiting and retaining a multicultural workforce and that cultural change had to be accompanied by stronger forms of engagement with ethnic minorities (Jones and Newburn 2001). Despite these initiatives, under-recruitment remains a problem, and police organizations are still struggling to meet the “unreachable” quotas initially thought out by policy-makers. In Canada, younger members of ethnic minorities did not respond enthusiastically to these recruitment campaigns, in large part because they could not see themselves being part of organizations that they have experienced as biased and racist (Stenning 2003). Research has indeed reported high levels of negative attitudes from young ethnic community members toward the police, not only because of the confrontational nature of interaction in the field (with white *and* black police officers, the latter “acting tough” to prove their worth) but also, at recruitment level, out of fear of subjection to sexist and racist practices within the force itself (Sharp and Atherton 2007). Focusing on the appointment of individual officers from ethnic minorities also fails to consider the ways in which the organization itself is antithetical to cultural diversity. For example, there are problems in recruiting ethnic minority communities when HR policies and practices are primarily aimed at ethnic (white) communities (such as the privileging of Christian public holidays, and little or no provision for religious practices such as those required by Muslim and Jewish officers).

However, recruitment and retention of an ethnically and culturally diverse force is a problem linked to the scarred history between police and minority communities, and

“lofty goals have either not been achieved or are still being met” (Rowe and Ross 2015, 33). In 2012, the chief of the London Metropolitan Police admitted that he wished one in three police officers in London were of ethnic background, instead of one in ten (Anon 2012). This was reiterated by the then Home Secretary, Theresa May, in 2015, who “criticised the race record of the police in England and Wales, saying they are ‘too white’, with not one of the 43 forces looking like the communities they serve” (Dodd 2015). In 2016, the London Metropolitan Police appeared to have made some progress, with “3% of the Met’s total police workforce [being] non-white,” and “the number of black and minority ethnicity (BME) officers in the force rising from 3,163 in 2013 to 4,033 at the end of August” (Anon 2016). While laudable that the proportion of ethnic minority officers had increased, this, in no way, reflects the cultural diversity of London communities nor addresses the “pale, stale, and male” environment that these ethnic minority officers must negotiate once recruited.

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## Conclusion

One paradox to highlight is that while ethnic tensions, protest, and rioting were at the forefront of political and media commentary in the 1990s and 2000s – possibly exaggerated to renew police legitimacy (Bowling and Phillips 2003) – prominent members of these communities were advising peaceful resolution of conflict and demanding further police action to quench hostilities. It would not be fair to unpack a complex web of tension, brutality, and resentment without acknowledging the significant efforts that have been made to try and rectify the situation and bring forth more culturally appropriate forms of democratic policing. Nor is it fair to ignore the fact that many of the communities who rightly complain about biased practices of over-policing often seek solutions that increase the police contact with these same communities, albeit, positive rather than negative encounters.

Law and order is a catch phrase for most politicians and governments during elections. However, “strong on crime” stances, when turned into practice, have always been counterproductive in the context of addressing tensions between police and ethnic minorities. Attempts to remediate conflicts between police and minorities have been in response to highly mediated, often brutal incidents occurring in public spaces. As a result of such knee-jerk attempts at “crafting policy on-the-go,” such policies have consistently come at a time where police organizations were “ill-equipped to meet the challenges of policing multicultural societies” (Stenning 2003, 17).

Today, much attention is being lent to “critical diversity” as a better framework to examine forms of inequality, oppression, and stratification within society (Herring and Henderson 2011). Critical diversity is inherently important to policing, in that it analyzes the mechanics of exclusion and discrimination and challenges white-based elite discourses revolving around “inclusive” diversity and color blindness (Herring and Henderson 2011). It embraces cultural difference within and between what has been erroneously perceived as cohesive social groups. While critical diversity decries the approach of existing multiculturalist policies, it still acknowledges the central precept that diversity is institutionally beneficial to societies and provides competitive advantages through social complexity (Bradford 2014; McLeod 2018).

Awareness of issues relevant to ethnicity and culture is pertinent and paramount to policing, especially in globalized, multicultural countries. As pointed out by Egan-Vive and Fraser (2012, 145): “the impact of well-informed police cannot be emphasised enough. Ignorance of the complex issues can have long-term implication for the life of [ethnic minority members] and for future interaction with the community.” Nowadays, police organizations are moving toward a greater acknowledgment of diversity. Beyond ethnic or racial diversity, police organizations are increasingly focused on a variety of vulnerability attributes that can present alone or in layers, individually or institutionally instantiated, and can be enduring or sporadic (Asquith et al. 2017). Race and ethnicity are being “re-problematized” as part of a larger framing of diversity, which is not solely limited to visible racial markers. With identity politics at its zenith, issues of human rights and due process in policing are under acute scrutiny, and organizational response to police misconduct in cases involving ethnicity or vulnerability is almost immediate. This acknowledgment, however, comes with significant struggles toward embedding changes into policies and procedures. While much progress has been made, recent racial and discriminatory incidents in policing across the world indicate that there is still a long way to go.

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# Romanian Identity and Immigration in Europe

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Remus Gabriel Anghel, Stefánia Toma, and László Fosztó

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## Abstract

In the past 20 years, Romanian migration has grown from small numbers to one of the largest migratory flows in Europe. Much of the literature on this topic covers case studies of the labor migration of ethnic Romanians. In the past few years, there has also emerged a literature focusing on the migration of the Romanian Roma. As these two broad topics rarely meet, this chapter seeks to provide a more comprehensive view of Romanian migration, focusing on migrants' social identities and putting together studies on the migration of people with different ethnic backgrounds.

Romania is a rather diverse society, with significant ethnic and religious minorities; therefore, we took into account the diversity of ethno-religious identities rather than considering Romanian identity as a homogeneous category. In order to provide a comprehensive view of migration, the chapter distinguishes between *ethnic migration*, where migrants migrate to their kin states, *labor migration of the majority*, where migrants use their social capital in order

R. G. Anghel (✉) · S. Toma · L. Fosztó

The Romanian Institute for Research on National Minorities, Cluj Napoca, Romania

e-mail: [remusgabriel@yahoo.com](mailto:remusgabriel@yahoo.com); [tomastefania76@yahoo.com](mailto:tomastefania76@yahoo.com); [Laszlo.foszt@gmail.com](mailto:Laszlo.foszt@gmail.com)

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to migrate, and *migration of minorities*, where migrants belonging to minorities use ties and networks in the same ethnic group. For the first case, the study analyzed the migration of Romanian Germans and Hungarians; for the second, that of ethnic Romanians; and for the third, the migration of Romanian Roma, a migratory flow that has attracted much attention in the past decade. Using this typology, the chapter not only provides a more comprehensive and accurate image of migration from Romania but also discusses how identity and ethnicity can be meaningful categories in migration studies.

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**Keywords**

Romanian migration · Ethnicity · Religion · Ethnic migration · Labor migration

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## Introduction

In the past 20 years, Romanian citizens have become some of the most mobile Europeans, migrating in large numbers not only within the borders of the European Union but also beyond it. From the limited migration at the beginning of the 1990s immediately after state socialism collapsed, until recently, more than 3.5 million people have migrated to Europe permanently or temporarily. In the past decades, large Romanian communities emerged in many parts of Europe, especially in Italy, Germany, Spain, UK, and Hungary. Migration from Romania was very visible in the past, as it heated up the debates on immigration in many Western European countries. Migrants from Romania were often typified as poor immigrants, challenging public order and representing a burden on state budgets. However, in spite of the homogenizing tendencies of the debates, this large migration was highly diversified in terms of migrants' socioeconomic status, level of education, ethnicity, and religion.

This chapter provides an overview of the existing literature on Romanian migration, highlighting the diversity in the ethnic and religious identities of the migrants. Romania is a multiethnic and multireligious country with significant minorities and we show that especially ethnicity, but also religion, was important for how migration from Romania evolved. It uses the concept of identity to shed light on different social phenomena that influence the life of Romanian citizens and discusses the interrelatedness of identity and migration, inclusion and exclusion, ethnicization and the formation of networks.

It has often been observed that migrants from Romania rely more often on informal channels and networks than on formalized intermediary structures, employment agencies, or manpower companies. Kinship, local identity, ethnicity, and religious belonging shape how these informal networks develop (Sandu 2006) and how migration has developed as a massive social process encompassing large parts of the population in most parts of the country. Migrant social capital, social ties, and networks all play a role, both within the communities of origin and, depending on the context, in the countries of destination, in migrant adaptation and even long-term incorporation. Identity-based networks also stretch across

the geographic distances and contribute to the development and maintenance of translocal/transnational connections between migrants and their stay-at-home relatives.

However, how identity (especially ethnicity) played out in this migratory process was not systematically addressed. Based on the existing literature, the chapter proposes a typology which distinguishes between different types of migration processes depending on the degree of institutionalization of ethnicity and related identities. (1) There are minority groups that have their kin states within Europe. These migrants are recognized by their kin states as co-ethnics; they are entitled to special rights – most importantly, privileged access into the country and citizenship. In this case, we speak of *ethnic migration* (Münz and Ohliger 2003), since ethnicity offers a privileged status for the migrants. For this case, the chapter considers the migration of Romanian Germans and Romanian Hungarians. Besides these two cases, ethnic migration from Romania was more diverse, as there were also Jewish people migrating to Israel, Croats migrating to Croatia, or Czechs migrating to the Czech Republic. (2) In the case of ethnic and religious minorities, community ties facilitate migration and incorporation into Western societies. These may involve members of new religions in Romania, such as Adventists or Baptists, as well as members of ethnic minorities such as the Roma, but also Hungarians (migrating to destinations other than Hungary) or Csángó. These are mostly groups which do not gain recognition in the form of preferential access to citizenship in their national kin state or do not have such a state. In these cases, ethnic and religious networks and ties can still provide resources for migration and we can speak of *the migration of minorities*. This chapter presents the case of the Romanian Roma, which is included here as a typical example. (3) Finally, labor migrants are those whose migration involves the use of migrant networks and social ties. Thus, identity and belonging also play a role in the case of the majority of Romanians. Numerous case studies have shown how Romanian identity, in this case kinship and local solidarity, friendship, and emerging ethnic Romanian communities in Western Europe shapes the migration process.

Accordingly, the analysis considers identity and ethnicity as a form of social capital and identification that migrants and would-be migrants use for migration and incorporation that can play an important role in processes of incorporation (see also Moroşanu and Fox 2013). Much of the literature on Romanian migration does not critically assess the role of ethnicity when comparing different forms and patterns of migration. In this way, this chapter intends to provide a more accurate image of Romanian migration, distinguishing it from accounts that pay little attention to ethnicity and religion. It thus portrays Romanian migration as highly diversified, comprising people of different ethnicities and religions who, due to their ethnic or religious affiliations, had different access to migration and employed different migration strategies. It finally considers the importance of addressing the politicization of Romanian migration. As studies have shown, depending on the context of the destination countries, Romanian identity in its different forms often becomes a stigma. While the chapter is mostly concerned with identity as a resource for migration and migrant incorporation, here it is also necessary

to consider how belonging, and in particular external perception, can hinder social insertion at the destination. Studies of stalled social mobility or racialization of the migrants offer insights into these processes, as in the case of the Roma migrants.

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## **Ethnic Migration from Romania**

Ethnic migration from Romania started first after the First World War and became more intense in the wake of the Second World War. It is among the oldest types of international migration from Romania. Initially, ethnic migration involved Hungarians who migrated to Hungary after the First World War, ethnic Germans who were relocated to Germany during and after the Second World War, and Jews who migrated after the war towards Israel. The German and Jewish migrations especially continued during state socialism over more than 40 years. In the 1980s, Hungarians started to migrate to Hungary again. Causes of migration and migrants' incorporation took various forms, but in all these cases, officially recognized ethnicity offered migrants a privileged status. Due to the fact that Germans and Hungarians remained within the European context and represented a sizeable portion of the Romanian migration, in this section we focus mainly on the migration of these two large communities. Furthermore, the flows of ethnic migration, in particular the migration of Germans to Germany, played an important role in the emerging Romanian labor migration towards Western Europe. In the following sections, these cases are presented and discussed based on the existing literature.

### **Romanian Germans**

The migration of Romania's Germans started during the Second World War with the relocation of Germans from the eastern territories of Romania to areas in Poland under German occupation. This was conducted by the Third Reich as an ethnic engineering policy meant to ensure that "assimilable Germans" would remain German. Later, towards the end of the Second World War and immediately afterwards, there was a movement of German refugees and war prisoners, mostly towards West Germany. As a consequence, of the 750,000 Germans who were living in Romania before the war, only about 350,000 remained in the country after the war. With the arrival of communism in Romania after 1948, international migration was severely restricted, including that of ethnic Germans. However, due to the previous migration to Germany, many families had relatives who had already migrated to Germany. During the first period of the Cold War, this migration was regulated by family reunions negotiated by the Red Cross and later by an intergovernmental agreement between Romania and Germany. Romanian Germans were supported by the German federal states for their migration. This ethnic migration policy was based on the fact that, after the Second World War, East European Germans encountered much discrimination, including mass deportation, and millions of individuals became refugees (Dietz 1999). *Aussiedler* – ethnic

Germans from Eastern Europe – were entitled to receive citizenship, state support and compensation when they arrived in Germany.

The Romanian-German agreement was signed in 1978 and concerned the family reunion of Romanian Germans, for whom the German state was willing to pay a ransom. Initially, this was about 5,000 DM/person. It was later raised by the Romanian authorities to 10,000 DM/person. In addition, there was a commonly agreed yearly allotment of about 10,000 people who could use this framework to migrate to West Germany. In principle, the program was designed to facilitate family reunions. In practice, German ethnicity was the basis of qualification within the agreement. However, the yearly allotment was insufficient for the large numbers of those wishing to migrate to Germany (Weber et al. 2003: 142). State pressure was strong during state socialism. Those wishing to migrate had to go through the administrative procedures of the Romanian state; they lost their jobs and had to sell their houses, often at ludicrously low prices. They faced pressure from the Securitate, the oppressive communist secret service, and the Romanian Militia (the police). Because of the limited number of available places for a large number of applicants, informal practices developed: potential applicants had to offer informal payments to state bureaucrats (often from the Securitate and Militia) in order to obtain legal migration approval from the Romanian authorities. However, not all were able to qualify for these legal procedures. Therefore, irregular exits from Romania developed, especially in the regions neighboring the Yugoslav border. Because borders were militarized, irregular crossings were risky, often including the risk of losing one's life.

The later period of Romanian communism was experienced by many people as a period of very severe food and goods deprivation. In the context of West Germany becoming Europe's wonderland and the most important migratory destination from Romania, a culture of migration oriented towards Germany developed in the communities of origin. Germans also faced an existential problem: the exodus of the entire ethnic community. Most members of the minority felt they had to migrate, since there was no possibility of maintaining the culture and life of the German communities. In order to prevent the exodus of priests, for instance, the German Protestant Church in Romania tried to convince the Protestant Church in Germany not to offer parishes to migrant priests from Romania (Wien 2018). However, such initiatives were in vain, and up to 1989 about 170,000 Germans migrated, amounting to about half of the Romanian German community.

Post-communist migration was sudden. After 1989, when state socialism collapsed, Germans migrated *en masse*, with entire communities vanishing in less than 2 years. Thus, in addition to those who migrated during communism, another 180,000 Germans and their family members migrated up to 1996 (Anghel 2013). The composition of migratory flows also changed. During communism, mainly unmixed families migrated. Afterwards, an increased number of mixed families and families where Romanians could claim German ancestry followed. This is because German families from Romania ceased to be homogeneous; in the last decades of communism, intermarriage was very frequent (Poledna 1998). Thus, the ethnic migration of ethnic Germans paved the way for the migration of

Romanian family members and later enhanced the migration of Romanians to Europe.

Romanian Germans' incorporation into Germany was very successful, at least in economic terms. The majority migrated towards the southern federal states of Bavaria and Baden-Württemberg (Münz and Ohliger 1997: 246–250). Migrants arriving there had first to go to reception camps for East-European Germans (*Aussiedler*). Administrative procedures changed for potential migrants. During communism, migrants had to apply and prove their ethnicity in Romania, but in 1990 exiting Romania was no longer controlled and migrants came to Germany directly. After reception in the camps and successful administrative registration, migrants could move out of the camps. They very quickly obtained German citizenship, financial support for integration and support for language schools and education. Before 1989, there was also compensation for those whose houses had been confiscated by the Romanian state (Groenendijk 1997). Labor-market incorporation was very good for these migrants. Their education and competencies were automatically recognized. Their German language proficiency was very good (Münz and Ohliger 1997), as most of them were German speakers. Thus, according to a study conducted among many *Aussiedler* groups from Romania, Poland, and Russia, Romanian *Aussiedler* performed very well in the labor market (Bauer and Zimmermann 1997).

In conclusion, ethnic Germans' migration was a politically motivated migration driven by Germany's migration policy towards East-European Germans (Weber et al. 2003). Ethnicity was the main selection criterion. However, migration by no means involved only ethnic Germans. In fact, many Romanians and Hungarians followed the same path, together with their German family members and friends. As Anghel (2013) shows, migration after 1989 was accompanied by the marriage migration of (mostly) Romanian women. If Romanian Germans planned no return, before 1989 they had usually encountered enormous difficulties in maintaining their ties to Romania, but after 1989 they could develop ties to Romania more easily. People who managed to retain properties in Romania were able to travel easily between Romania and Germany, and networks of temporary labor migration and businesses developed, stretching between the two countries (Anghel et al. 2016). Pensioners also spent much of their vacation time in their localities of origin. In many of these cases, ethnicity functioned as access to the right to migrate and obtain citizenship. Upon migration, the migrants' social capital encompassed non-ethnic Germans also, and migration diffused to other ethnic groups.

## Romanian Hungarians

The ethnic migration of the Hungarians from Romania has some similarities with the case of the Germans, but it is also markedly different. Before 1918, Hungarians formed the politically dominant stratum in Transylvania, which was part of the Dual Monarchy of Austria-Hungary, although statistically, the Romanian population was dominant in the region. As a consequence of the Treaty of Trianon (1920),



Transylvania and Banat became part of Romania. About 1.6 million Hungarians became Romanian citizens. This period signaled the commencement of the systematic migration of Hungarians from Romania to mainland Hungary. While migrations continued at different paces and intensities during the various periods of the past century, the size of the Hungarian population decreased. However, it has been able to itself within Romania to this day, as the 2011 census recorded about 1.2 million ethnic Hungarians. The reasons for the sustained ethnic population, as well as for the ethnic migration of the Hungarians include internal factors, such as the historical political economy of the population and its identity formation, domestic policies of Romania towards minorities, and the external politics of the Hungarian state oriented towards Hungarians living abroad.

Immediately after the end of the First World War, a significant wave of refugees reached Hungary. Between 1918 and 1924, about 197,000 Hungarians left Greater Romania for Hungary, and a further 10,000 left in the period up to 1940 (Stark 2011). This migration was generated by pressures such as the restrictive policies of Romania, which introduced a compulsory oath of loyalty and Romanian language exams for public administration employees, as well as occurring for economic reasons. In the interwar period, the external politics of Hungary aimed to preserve the territorial distribution and residence of the Hungarians living in the successor states of the Monarchy, and there were sustained efforts to demand territorial revision. These contributed to the maintenance of the community within Romania. For a 4-year period (1940–1944) during the Second World War, the northern part of Transylvania became part of Hungary. Thousands of Hungarians from southern Transylvania, still part of Romania, fled to Northern Transylvania during this period. The Hungarian administration proceeded with the deportation of the Jewish population, most of whom were Hungarian speakers. By the end of the war, only 44,000 of the original 151,000 remained in Northern Transylvania (Stark 2011).

As stated previously, after the Second World War, international migration was limited by the Romanian communist authorities during the 1950s and 1960s. There was increased pressure to assimilate and relations with foreigners, including the Hungarians from Hungary, were under strict control. By the late 1980s, due to economic shortages and the declining possibilities for careers, many Hungarians planned emigration, although the socialist Hungary had no policies in place similar to those in Germany to welcome them. Those Hungarians who managed to flee were granted refugee status in Hungary (although Hungary did not sign the Geneva Convention until 1989). The numbers of these refugees reached a peak during the period between 1988 and 1990; totaling 47,954 persons, half of whom crossed the border illegally (Gödri 2004).

Romanian citizens could submit requests for residence permits and naturalization after 1990. Labor migration also became regularized between Romania and Hungary in the form of work permits issued for Romanian citizens. Hungarians from Romania continued to be the most significant immigrant group in Hungary. On the eve of Hungary joining the EU in 2004, about half of all immigrants were from Romania (and about an additional quarter from the former Yugoslavia and the

Ukraine), most of whom were ethnic Hungarians. The overwhelming majority of labor migrants were also from these same countries. The geographical proximity and the cultural and linguistic similarity facilitated the relatively smooth integration of these groups.

However, the immigration of Hungarians from Romania was not without adverse effects, as the level of xenophobia gradually increased and ethnic Hungarians from Romania were also targeted. As Fox shows (2007), Transylvanian Hungarians migrating to Hungary for work very often encountered negative stereotyping from the majority population. He concluded that a policy intended to produce national unity and solidarity produced ethnic disunity and economic exclusion among Transylvanian migrant workers in Hungary. In December 2001, Hungary gave special status to ethnic Hungarians living across the borders, to ease their access (Stewart 2003). Issues related to unwelcome labor migrants became topical during the 2002 election campaign; according to opposition leaders, the government wanted to “unleash millions of Romanian workers” to outcompete the Hungarian workers. In spite of the language and cultural closeness and the rights they had, towards 2007 Transylvanian Hungarians started to prefer new and richer labor markets in western and southern Europe and did not continue going to Hungary to the same extent as before.

Romania joined the EU in 2007 and a simplified procedure for obtaining Hungarian citizenship for ethnic Hungarians was introduced by the Hungarian government in 2010. As an outcome of this procedure for extraterritorial citizenship, increasing numbers of ethnic Hungarians from Romania acquired Hungarian citizenship, enabling them to access the labor market and social services within Hungary if they decided to migrate there. Even if they decided to stay in Romania, they could have political influence during the national elections, from without. This change brought the promise of full political membership and compensation for what they perceived as a century-long political marginality within their home country of Romania. However, the block vote of the new citizens also fueled controversies both in Hungary and to a lesser degree in Romania, during the recent parliamentary elections.

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## **The Labor Migration of Majority Romanians**

Migration of ethnic Romanians began to develop more substantially during the later period of communism. Like the migration of Germans and Hungarians, this was mostly a politically motivated migration. People could migrate while visiting foreign countries in professional exchanges, while visiting relatives or by leaving Romania irregularly. Legal migration was in principle possible for purposes of family reunion. The number of those migrating legally grew during the late years of communism, but the numbers were smaller than the numbers of ethnic Germans migrating legally (Horváth and Anghel 2009). After the collapse of state socialism, migration motivations were mostly economic. Labor migration from Romania, encompassing mostly ethnic Romanians but also members of other ethnic groups, evolved

differently from the migration of ethnic migrants. Romanians' labor migration developed largely through the use of migrants' social capital, i.e., migrant networks and social ties (Sandu 2005). Over the years, the use of migrant networks and ties was employed differently in relation to migration and the labor opportunities Romanians had at different periods of time. Migration passed through several distinctive periods – first one of pioneers after the collapse of communism, followed by large-scale labor migration and later, one of diversified migration, especially after 2007 when Romania joined the EU (idem).

After 1989, the migration of majority Romanians was tied to that of Romania's ethnic minorities in its initial phases. Migration towards Germany of ethnic Germans was the first major migration from Romania. Germany was also the main European destination after 1990, as migrants from Romania went there during late communism and in the first years after 1989. Up to 1993, for instance, Romanians represented the largest group of asylum seekers (Anghel 2013). As Diminescu points out (Diminescu 2003), Germany was the "entry point" for Romanians going to Europe in the 1990s. As studies on the early migrations of Romanians unfolded, it was seen that Romanians used their ties to Romanian Germans in order to get to Germany and from there to different European countries (Bleahu 2004; Cingolani 2009; Elrick and Ciobanu 2009). In this period, when Romanians were pioneers of migration, migration was an innovative social practice, with pioneers looking for new destinations (idem). Romanian migrants were initially marginal migrants (Diminescu 2003; Marcu 2015). In a few years, Romanian migration grew, due to the development of migrant networks (Sandu 2006). Various studies (Șerban and Grigoraș 2000; Bleahu 2004; Sandu 2006; Elrick and Ciobanu 2009; Anghel 2013) show how these migrant networks were established, not only among kin members but also among friends and acquaintances from the same localities of origin. The study by Bleahu (2004) shows how a large network of migrants arrived in Spain. Using social capital, the pioneer migrant who initiated the network helped friends and relatives to migrate. In this case, he often helped friends first and relatives later. In a different study (Anghel 2013), networks developed between northern Romania and Milan, based almost exclusively on large kinship networks. Such case studies, concerning migrants from small Romanian localities, demonstrate social closure towards various other migrants, including Romanians. These studies and some others showed that social capital among co-ethnic Romanians was mobilized for migration, with extended migrant networks based on local trust and solidarity. Migrant networks provided funds for migration, knowledge of migratory strategies, and accommodation opportunities. They rapidly extended from one or two individuals to families and groups. Labor was also most often obtained via migrant networks. For migrants without social support, labor was obtained by relying on new acquaintances, usually made by Romanian co-ethnics, in risky and dynamic social environments in Western European cities (Perrotta 2011). As much of the labor was informal, newly arrived immigrants sought for jobs in the places where Romanians and other migrants were meeting. In places such as Madrid, Milan, or Rome, where there was a larger concentration of Romanian immigrants, Romanian migrants met in various open places in a search for jobs, accommodation,

and new acquaintances. In many cases, Romanian entrepreneurs also relied on socializing with newly arrived Romanians to run their businesses and to obtain a certain social position (Anghel et al. 2016).

The development of this large migration was caused by the massive growth of labor demands in secondary labor markets in the countries of southern Europe (Italy, Spain, Portugal, and Greece) that became major attractors of international migration after 1990 (Anghel et al. 2016). In Romania, migration was driven by the massive collapse of the socialist economy, a process that left much of the population without jobs (Horváth and Anghel 2009). The level of employment fell dramatically. Between 1990 and 1999, 40% of jobs disappeared from the labor market. In industry, 48% of jobs disappeared (*idem*). Furthermore, in so-called mono-industrial cities and regions, the collapse of the former communist industry resulted in massive unemployment for the population. This large migration of Romanians took place between 2000 and 2008, when aggregate labor demand was very high in southern Europe.

Later, this labor migration, where migrants were needed in construction, care, or agriculture, decreased drastically when labor opportunities dropped in these countries, due to the economic crisis that struck southern Europe. After 2007, with the accession of Romania to the European Union, Romanian citizens became EU citizens; they had more rights than before and after a period of restrictions they were able to travel, reside, and work freely within the EU. The economic crisis resulted in another push for Romanian migrants, as it also hit the Romanian economy, putting pressure on salaries and labor opportunities. Institutionally mediated migration intensified over the years. Romanian state authorities enabled labor recruitment policies conducted by Spain and Germany, even from the early 2000s. However, the numbers of those recruited within these frameworks were small in comparison to the overall numbers of migrants (Horváth and Anghel 2009). As European citizens, Romanians could be employed formally through a variety of means, not only using state-mediated contracts but also through manpower companies operating both in Romania and abroad, through Romanian companies operating abroad or through direct employment in the labor market. Thus, as Romania became part of the EU, Romanians could easily find jobs in labor-intensive sectors, such as construction, care, butcheries, or agriculture.

Furthermore, Romanians started to migrate towards northern European countries, such as the Netherlands, Belgium, and the UK, and diversified their lines of business. Studies conducted in this period mention the ties used by migrants, rather than the extended networks used previously, together with flexible migratory projects (Meeus 2012). The concept of liquid migration (Engbersen and Erik 2013) may aptly describe migration in this period. Migratory practices were more temporary in nature and there was a less solid labor demand than there had been in southern Europe, where construction and care demanded very large numbers of workers. Furthermore, Romanians migrated towards the northern destinations not only from Romania but also from southern destinations such as Spain, using their ties to friends and relatives (Ciobanu 2015). Thus, migration after the economic crisis was more complex, as it involved many temporary practices, changes in migratory destinations, returns, and a wider diversity of migratory profiles. It also involved jobs mediated by both

social networks and manpower companies and people using networks of co-ethnics or mixed networks. In addition, migration involved both temporary and long-term migration. For example, the migration of highly qualified Romanians followed a different path: migration was more selective and involved fewer social networks. Many Romanians migrated first as students and later prolonged their stay (Csedö 2008; Morosanu 2013). As European citizens, the migration of highly qualified workers was more flexible and less structured. One consistent migration was of medical doctors and nurses, whose recruitment was actively sought by Western European manpower companies and hospitals (Anghel et al. 2016).

Due to this migration, there emerged large communities of Romanian immigrants in Western European countries, with greater concentrations around cities such as Rome, Turin, Madrid, Barcelona, London, Nuremberg, and Stuttgart. In such places, Romanian ethnicity was mobilized by migrant organizations and Romanian Churches, especially the Orthodox Church. Although few studies have been undertaken on this important subject, the studies of Ciornei, Cingolani and Coşciug stress that religion had an important role, not only in the development of migration but also in integration and mobilization of migrants' social capital both at home and abroad (Coşciug forthcoming; Cingolani 2009; Ciornei 2012). Ethnic solidarity and new forms of ethnic connectedness appeared in larger urban areas, also manifesting via Internet sites, such as Facebook groups of Romanian migrants living in certain European cities, where those seeking information on jobs, accommodation, and various bureaucratic procedures could find support from more established Romanian migrants.

Ethnic mobilization may be of increased relevance in the context of the politicization of migration also. Romanian migrants were often the subject of heated anti-Romanian debates in major destination countries such as Spain, Italy, or the UK (McMahon 2015). They were often stereotyped as social security concerns or as poverty migrants. Although policy reactions to the arrival of Romanians have been analyzed in some studies, less research has been done on how Romanians reacted to these situations (idem). Their status had passed from one of irregular migrants to one of freely moving European citizens. However, a large majority of them performed lower-status jobs in construction, care, or agriculture. A topic also less covered by research is how Romanians experienced ethnicity. Studies conducted in the UK point towards two main strategies: playing “invisible” and focusing on personal worthiness and skills (Moroşanu and Fox 2013) or transferring the stigma to other migrants, most often Roma originating from Romania (idem). The second strategy, especially, that of racializing and stigmatizing the Roma, was not only adopted in emigration contexts: whenever public debates erupted in relation to Romanian migrants, the media in Romania emphasized this strong stereotyping of the Roma.

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## Migrating Minorities

The migration of Romania's ethnic and religious minorities also differed from that of ethnic and labor migrants. Ethnic migrants were, of course, members of minority groups. However, the defining feature of ethnic migrants is that *identity as*

*status* (here *ethnicity*) provides the means to migrate. For migrating minorities, it is social capital, whether confined or not to members of the same ethnic or religious group, that drives migration. Romania has 18 recognized national minorities. As in the situation of the majority Romanians, members of these ethnic minorities were significantly involved in migration. This was the situation for Croats, Czechs, and Ukrainians. For this second category of migrating minorities, this study uses the case of the Romanian Roma. A similar framework could be used to understand the migration of members of different minority Churches and religious groups, especially the new religious denominations which developed in the country after 1989: Baptists, Jehovah's Witnesses, and Adventists. Despite the fact that ethnic identity differs from religious identity, some studies attest that migration propagated as a group strategy among members of the same religious community.

Ethnic and religious communities were the most mobile communities from Romania in the first years after 1989 when Romanians could exit the country without restrictions, but they started to face travel and migration restrictions from Western European countries. While there is substantive research on migration of ethnic minorities, there is less on Romania's minority religions. However, existing studies seem to suggest that religious social capital played a role in the migration of many Romanians. What makes the case particularly interesting is that members of these religious denominations could capitalize on their religious capital abroad, obtaining access to foreign countries, labor markets, and a community of co-believers they could rely on. The studies of Stan (cited in Anghel 2013) and Cingolani (2009), in three different villages in eastern Romania, show that members of religious minorities in Romania, i.e., Catholic and Pentecostal believers, migrated first to Western Europe. After their migration, their relatives migrated also, using kinship ties to neo-Protestant and Catholic Romanians. The study of Cingolani goes even further – he showed that multiethnic Romanian-Italian religious ties were used for labor-market incorporation. The Pentecostals' ties to the community of origin in Romania made them a transnationalized religious community, whereas the transnationalism of Orthodox Romanians was more individualized and less intense (Cingolani 2009). However, in spite of these results and the importance of the topic, little research is devoted to the migration of members of minority religious communities from Romania. However, based on these studies, the chapter hypothesizes that religious social capital played an important role in the migration of many Romanians and their labor-market incorporation abroad. More consistent literature exists, however, with respect to the migration of ethnic minorities, particularly the Roma, which has received much attention in the past 10 years. The following section details this migration, also paying attention to some effects of the migration of this discriminated-against group in the country of origin.

## **The Migration of the Roma**

The first accounts of the mobility of the Roma from Romania in the early 1990s focus on the high number of asylum applications (Matras 2000), especially in Germany, France, and Ireland. In this period, accounts of ethnic conflicts and discrimination and

persecution of the Roma in the home localities were common. After this period, however, the public discourse shifted toward a more stigmatizing presentation, often speaking about “waves of migrant Roma” or even an “exodus” or an “invasion.” Such discourses were heightened prior to 2007, the moment when Romania joined the EU. The European Commission criticized Romania for not being able to regulate the policies for migration and free movement of its citizens and recommended that the Romanian authorities take more severe action to stop illegal migration. This was mirrored by public discourse; an analysis by an Agency for Press Monitoring (Ganea and Martin 2006) shows that the Roma minority was presented in a negative way and often associated with “criminality.” A journal started a national campaign entitled “Gypsy instead of Roma” in which the authors argued that there is a need to dissociate the majority population from the Roma minority, who were said to “spread the negative image of Romanians in the world.” The campaign was followed by heated disputes – even a legislative debate – regarding the proposal to change the ethnonym of the Roma. At the request of the Romanian Government, the Romanian Academy of Sciences issued an official statement recommending the use of the term “Gypsy” when speaking about the Roma minority of Romania (Fosztó 2018).

Press outlets, not only in Romania but also in Italy, published derogatory reports on the Romanian Roma (Italy being one of favorite destination countries for their migration in this period). Several studies concluded that after the EU enlargement, the number of negative depictions of Romanian migrants – Roma among them – had increased significantly. Surveys among Italian citizens showed that more than half of their respondents felt personally threatened by the presence of the Roma and Roma camps. The Roma represented the “number one enemy” for Spanish citizens also, Spain being the other favored destination country (López Catalán 2011). These situations, and especially the reaction of the French authorities to the presence of Romanian Roma (Nacu 2012), led to the launch of the EU Framework for National Roma Integration Strategies in 2011. However, many measures focused more on ways of excluding Romanian Roma from destination countries by preventing or restricting movement or by facilitating the expulsion of Roma migrants, framed by increasing anti-Gypsyism.

In this context, a growing number of empirical case studies emerged contributing to the deeper understanding of the migration of the Roma population from Romania. While the migration of Romanian citizens generally is characterized by more or less well-defined frameworks (Horváth and Anghel 2009), the case studies on the migration of the Romanian Roma provide us with an image of a more complex phenomenon, partially due to the diversity of the Roma groups (Tesár 2015), while at the same time, it is not clearly independent of the migration of the majority population (Nacu 2011). Early field studies focused on the structural integration of Roma migrants, both in the country of origin and in the destination countries, highlighting that decisions and the potential to migrate are structured by available informal networks and resources (Pantea 2012, 2013). Pantea (idem) drew a distinction between communities rich in migration and those poor in migration. Migration was thus not a levelled, uniform process among the Roma from Romania; it varied widely between communities where migration is a more



sustained process and those where migration is rare, with respect to the ways people were able to mobilize their social capital. Some case studies similarly showed that, in many cases, migration of the Roma was separated from that of Romanians or Hungarians (Anghel 2016; Toma et al. 2018). Networks and resources also play a role in their integration into the receiving society: as Nacu (2011) observed, many Romanian Roma migrants are concentrated in the suburbs of large cities, living in more or less temporary camps or in inadequate homes lacking basic and proper infrastructure (running water, electricity, heating, etc.), making it difficult for them to access basic social services.

During the past few years there have been increasing numbers of studies on the European policies for, and the local context of, Roma migration, with a particular focus on the destination countries. A large part of this scholarly literature highlights the limitations of European citizenship in effectively protecting the rights of the most vulnerable during their sojourns within the Union (van Baar et al. 2019) and demonstrates that their social mobility is stalled at the destination (Beluschi-Fabeni et al. 2018). In addition, their exclusion continues or even intensifies after they return home (Crețan and Powell 2018). A 4-year-long EU-funded research project (MigRom) empirically investigated the mobility of the Romanian Roma (Matras and Leggio 2018). Recent studies also focus on the ethnically mixed communities of origin within Romania (Anghel 2016; Toma et al. 2018). Social relations and local networks within these localities shape how migration patterns develop, the effect of social distance between the different segments of the local population (Toma and Fosztó 2018), the strategies of repositioning of the returnees and the diverging paths of local social development. On the other hand, for poor Roma, migration represented an opportunity for financial betterment and even a way of decreasing the sharp inequality that exists between the poor Roma, often living in segregated quarters, and the Romanian or Hungarian majority (Anghel 2016; Toma et al. 2018).

The issue of identity is ingrained in all these studies in intricate ways. In the ethnically mixed localities of origin, which are often residentially segregated, Roma identity is stigmatized. Mobility might offer escape from the local stigma, but racial stigma is also present in the context of destination countries. Nevertheless, migrants are able to navigate between different identity constructions, for example, the multiple geographical and social anchorages of the mobile Roma families, their Romanian national identity or the new residence in the destination country, even though that might be a shantytown. At the same time, returnees often reposition themselves upon return: some challenge the local categorizations and the hierarchy of identities at home, and spontaneous residential desegregation processes are underway as part of the migration-induced local development in places of origin.

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## Conclusions

Most studies on Romanian migration have focused either on the labor migration of ethnic Romanians or, in recent years, on the migration of Roma. Ethnicity as a relevant category for the structuration of Romanian migration was less frequently



addressed in a comprehensive manner. Romania is a rather diverse society, with significant ethnic and religious minorities. Therefore, we considered the diversity of ethno-religious identities rather than considering Romanian identity as a homogeneous category. Identities, forming the basis for networks and solidarities which contribute to the emerging processes of migration in the communities of origin, can be important resources for migrants in the destination countries. If their identity is perceived as a stigma, it can hinder the incorporation or stall the social mobility of migrants in the context of their new home. Translocal and transnational ties stretch identities across state borders, channel remittances, and direct returns.

This chapter presented research focused on the Romanian Germans and the Romanian Hungarians as cases of so-called *ethnic migration*. In these cases, *ethnicity-as-status* is rather well institutionalized and serves as a basis for migration, entitlement to rights, and citizenship acquisition in the destination countries. Ethnic and linguistic similarity eases the process of inclusion in the labor market and society of the destination. Moreover, as the case of ethnic Germans exemplified, ethnic migration can also facilitate the large labor migration of the majority Romanians. State policies can make a crucial difference in the development of ethnic migration, as the contrasting cases of the Hungarians and Germans showed. Hungary's external policy towards the Hungarians abroad did not encourage immigration and naturalization over long periods, until recently when procedures for extraterritorial citizenship were introduced. In contrast, West Germany (and later Germany) held the door open for Germans from Eastern Europe, due to the country's political responsibility towards people who had to suffer after the Second World War because of their German ethnicity.

The case of *migration of ethnic minorities* is exemplified by the recent mobility of the Roma, which intensified over the last decade. In this case, ethnicity is not a basis for citizenship in the destination country. Rather the opposite: Roma identity is stigmatized very often at home and is also stigmatized abroad in the context of the destination country. Nevertheless, Roma migrants can take advantage of the resources available to them in the form of local social networks at home or abroad and the labor and financial resources available. The interplay between overcoming exclusion, returning, and repositioning in the local context offers a fertile ground for analysis of the role that identities play in the migration process.

The *migration of the majority* Romanians, both the Orthodox Christians and other religious groups, provides yet another angle from which to view migrants' social identity. Here, the chapter focused mostly on how migrants used their social networks and ties to migrate and adapt to the destination countries. Social networks based on kinship, friendship, and locality of origin supported the large migration of Romanians to Western Europe. As research developed and as the chapter discusses, it was shown that Romanians' social capital was employed differently at different periods of time: the periods with migration based on extended networks coincided with the contexts of strong pushing factors in Romania, which was experiencing crises and economic decay, and strong pulling factors abroad, especially the strong demand for laborers in southern Europe. As pushing factors became less intense and labor offers diversified into many more localities and countries of destination,

extended networks were replaced by ties and, in some contexts, by institutions that mediated the migration of labor migrants. Furthermore, another relevant factor was the emergence of large Romanian communities abroad, providing support and assistance to newly arriving immigrants.

In conclusion, using this typology, the chapter gathered and compared cases that have generally been treated separately: the migration of ethnic Romanians and that of ethnic minorities from Romania. In so doing, it provided a broader and more comprehensive view of how one of the most important migratory flows in Europe emerged and developed, i.e., that of Romanian citizens. It also addresses how migrants fared at their destinations and the contexts they encountered, including politicization of migration and emerging anti-immigrant sentiments.

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# Refugee Protection and Settlement Policy in New Zealand

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Louise Humpage

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## Abstract

New Zealand is a small country that often frames itself as making a big contribution regarding refugee protection and settlement. This chapter highlights where New Zealand is world leading but also where scholars believe it does not meet international obligations, with particular focus on how refugees selected via an annual quota are prioritized over other refugees when it comes to initial orientation and settlement, family reunification, and access to social services. This form of institutional discrimination is exemplified by the 2012

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L. Humpage (✉)

Sociology, Faculty of Arts, University of Auckland, Auckland, New Zealand

e-mail: [l.humpage@auckland.ac.nz](mailto:l.humpage@auckland.ac.nz)

New Zealand Refugee Resettlement Strategy which focuses only on Quota refugees. A new coalition government formed in 2017 promised significant change in refugee policy, including an extension of the refugee quota, a new humanitarian visa for those displaced by climate change, and further investment in many under-resourced public services. But an overall context where economic and political factors shape policy as much as humanitarian needs remains the biggest obstacle to radically improving the lives of refugees settled in New Zealand.

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**Keywords**

Refugee protection · Refugee settlement · Institutional discrimination · New Zealand · Policy

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## Introduction

The 1951 United Nations Convention Relating to the Status of Refugees defines a “refugee” as a person with a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular group or political opinion. As a signatory to the Refugee Convention and the related 1967 Protocol, New Zealand is one of the 196 countries who have committed to protecting refugees and asylum seekers and one of 35 countries with an annual settlement program (United Nations High Commissioner for Refugees – UNHCR 2017). Beaglehole (2009) notes that New Zealand’s long history of accepting refugees since World War II is often framed as exceptionally humanitarian but has actually been driven by mixed intentions and, until the early 1980s, by a general reluctance to take refugees from non-European origins.

Today, New Zealand accepts refugees from a variety of ethnic and national backgrounds. Between July 2017 and May 2018, New Zealand welcomed 1020 refugees representing 23 different nationalities with Syria, Myanmar, Colombia, and Afghanistan being the most common (Immigration New Zealand – INZ 2018a). Moreover, in 2017, New Zealand elected a new government led by the Labour Party in coalition with the New Zealand First Party and supported in confidence and supply by the Green Party. The Labour and Green parties promised big changes in refugee protection and, to a lesser extent, settlement policy. This chapter argues that the Labour-led coalition government’s reforms and modest funding increases are welcome but insufficient to overcome institutional discrimination resulting in assistance for newly resettled refugees being unevenly distributed, as well as significantly underfunded. Moreover, although New Zealand’s policies are far less controversial than those espoused by Donald Trump in the United States of America or far-right groups in Europe, Beaglehole’s (2009) argument that economic and political factors – not just humanitarian ones – play a part in the admission and the selection of refugees in New Zealand remains true in the twenty-first century.

## Current and Proposed Refugee Protection Policy

The Immigration Act 2009 provides a process for New Zealand to meet its international obligations and support the settlement of refugees but Marlowe and Elliott (2014: 46) contend that: “Despite a nearly 70-year history of refugee resettlement, New Zealand does not have a formal refugee policy.” As in many other policy areas, refugee protection has developed in a rather ad hoc manner over several decades, enabling world-leading humanitarianism to sit alongside what Mahoney et al. (2017) and the Human Rights Commission (HRC 2017) believe to be significant breaches of international obligations. This section highlights the four major pathways to protection available to refugee claimants, as well as a new community sponsorship pathway and proposals for a unique climate change humanitarian visa being considered by the new Labour-led government, because very different lived experiences result from these varied protection pathways.

### Quota Pathway

Most refugees in New Zealand are selected overseas in UNHCR camps using Refugee Convention criteria and granted refugee status before arriving in New Zealand. They are known as “Quota refugees” because New Zealand committed to resettling a quota of up to 800 refugees annually in 1987; reduced to 750 in 1997, this refugee quota remained unchanged for three decades until a National Party-led government agreed to raise the quota to 1000 from July 2018 (Labour Party 2017). The new Labour-led government plans a further increase to 1500 per year by 2021 (Ministry of Business, Innovation and Employment – MBIE 2017). Although 1500 is somewhat less than the 4000 quota places promoted by the Green Party (2017a), the New Zealand First Party coalition partner indicated in September 2018 that it had not agreed to even this increase (see Bramwell 2018); it seems likely the historic rise in the quota will go ahead but this turn of events highlights the challenges of making policy in a Mixed Member Proportional representation environment where political compromise within coalition governments is commonplace.

The increased quota also represents only a fraction of the 68,000 immigrants arriving in 2018 (Statistics New Zealand 2018) and the total number resettled through the quota is extremely small compared to other countries (for example, Australia’s quota is 20,000 people per year). This contributes to New Zealand ranking 90th in the world in per capita assistance to refugees (Amnesty International 2017). Although 1020 people were actually settled under the quota in 2017–2018, in some years it has not been fully subscribed: 527 were approved 2010–2011 and 679 accepted in 2011–2012 (Immigration New Zealand – INZ 2018b). Beaglehole (2009: 111) notes that, on occasion, New Zealand’s small geographical size “has provided a convenient excuse for declining to accept a specific group of refugees, further groups or significant numbers of refugees.”

The refugee quota program operates on a 3-year rolling program based on UNCHR recommendations regarding global resettlement priorities, but “political” factors can still determine government decisions regarding refugee protection. In 2010, Cabinet allocated 50% of the quota to the Asia-Pacific region and 50% to the Americas, Middle East, and Africa but chose not to accept refugees coming from the latter two regions unless they already had family living in New Zealand; this criteria proved difficult to meet, meaning the quota for these areas was undersubscribed (Green Party 2017a; HRC 2017). Presumably refugees from such regions were assumed to be Muslim and potential “terrorists,” highlighting how New Zealand governments are not immune to global shifts in political and public attitudes that view some refugees as more “deserving” than others. In contrast, in 2017–2018, the National-led government allocated the 100 places within the quota for large-scale refugee crisis situations to ethnic Rohingya and Syrians (MBIE 2017), two groups (currently) viewed as worthy of urgent humanitarian action. It is important to acknowledge, however, New Zealand’s broader leadership in settling refugees rejected by other countries. Since 1959, the country has accepted refugee families with “handicapped” members, and it was also one of the few countries in the world to accept refugees with HIV/AIDS (Beaglehole 2009: 108). Today, the refugee quota reserves 75 places for “women at risk” and 75 places for “medical/disabled” applicants (MBIE 2017).

## Convention Pathway

New Zealand receives approximately 300 applications each year from asylum seekers. Many arrive on valid visas, with nearly 50% living in the community for 1 year or more before making their claim, and only around 5% seek asylum upon arriving at a New Zealand airport, usually without documentation or travelling on a false passport (MBIE 2017). Research suggests this latter group receive poor treatment upon arrival (Bloom and Udahemuka 2014) and a small number will be detained in the Mangere Refugee Resettlement Centre or prison until identity/security issues are addressed (MBIE 2017). People claiming refugee status, however, are usually granted a visa to work, study, or live in the community, provided with free legal aid if required and will not be removed until their claim has been finally determined, which takes at least 3 months (HRC 2017).

Approximately one half of asylum seekers have their claims approved, either by the Refugee Status Branch of Immigration New Zealand (INZ) or, if unsuccessful there, the Immigration and Protection Tribunal. Successful asylum claimants are referred to as “Convention refugees” and can apply for permanent residence, but this is not granted automatically (MBIE 2017). Indeed, Bloom and Udahemuka’s (2014: 79) research identifies the journey towards permanent residency as:

... laden with hurdles, from poor guidance, misinformation and/or mistreatment from airport officials and government agencies, to exploitation and corruption from community members. Participants faced prolonged periods of uncertainty resulting in anxiety, fear and low self-esteem, with severe health and well-being impacts.



In 2013, a National Party-led government introduced legislative amendments to deter large groups of asylum seekers arriving in New Zealand. Although no boat carrying asylum-seekers has ever made it to New Zealand's distant shores (Beaglehole 2009) and policies of deterrence have been unsuccessful in reducing asylum seeker numbers (Amnesty International 2014), this legislation states that any asylum seeker arriving in a group of more than 30 people (referred to as a "mass arrival") and successful in gaining refugee status, will have his or her situation redetermined after 3 years. Only if redetermination is successful can they then apply for permanent residence, with restricted family reunification provisions. Moreover, the legislation provides for the detention of a mass arrival of asylum seekers under a group warrant for up to 6 months, restricts access to judicial review proceedings, and allows claim processing to be suspended if reliable country information is unavailable or fluid (see Immigration Amendment Act 2013). Submissions on the proposed legislation highlight that many organizations and individuals across the refugee sector viewed such measures as breaching human rights obligations but, significantly, Bloom and Udahemuka (2014: 71–72) note:

Immigration New Zealand policies are exempt from the Human Rights Act 1993, which means that the Human Rights Commission, which is the agency that receives discrimination (and other) complaints under the Human Rights Act 1993, cannot receive complaints of alleged discrimination in relation to immigration.

## Family Reunification Pathway

Many people are sponsored by refugee family members under one of four family reunification immigration policies, a process of bringing separated families together that people from refugee backgrounds identify as a crucial determinant of positive settlement and mental health outcomes (ChangeMakers 2009; Choummanivong et al. 2014). Mahoney et al. (2017) note a number of areas where New Zealand policy on family reunification of refugees meets or exceeds New Zealand's international obligations but overall policy treats Quota refugees more favorably compared to other refugees.

In fact, the first of the four family unification policies – the Refugee Quota Family Reunification Category (RQFRC) – is directly linked to the quota program. Reunification of immediate family members of Quota refugees begins immediately upon arrival if they have already declared spouses, dependent unmarried children and parents of a young Quota refugee to INZ during the refugee's initial Refugee Quota Branch interview. The person being reunified does not need to pay an application or airfare fee and does not require standard immigration documentation because they are effectively included within the annual quota by their association with someone already approved as a Quota refugee (HRC 2017; Mahoney et al. 2017).

The main family reunification policy is the Refugee Family Support Category (RFSC), which allows both Quota and Convention refugees with New Zealand permanent residence to sponsor family members. The first tier of the RFSC system allows for up to 300 sponsored people (including their partners and dependent

children) to settle in New Zealand each year. To be eligible, refugees must live alone in New Zealand or be the sole carer of dependent relatives and have no other family member eligible to apply for residency under any other New Zealand immigration category. Applications can be made at any time but are placed in a queue (INZ 2018c). Sponsorship can be achieved without independent referral from UNHCR and the individuals are not counted as part of the annual quota (MBIE 2017; Mahoney et al. 2017). However, sponsors must hold a residence class visa, meaning the partner/spouse of a Convention refugee is not eligible to be a Tier 1 sponsor if the couple separate (as is the case for Quota refugees) because that partner was granted residence on the basis of partnership with the person granted refugee status, not as a refugee. Reunification can be sought only for those whom New Zealand authorities have deemed to be the closest of relatives, not extended family. Although “New Zealand takes a fairly liberal approach to the definition of immediate family including spouses, partners, children up to the age of 24 and children adopted by custom” (Mahoney et al. 2017: 11), this policy causes much confusion and anguish for potential applicants (see Choummanivong et al. 2014). Mahoney et al. (2017) further argue that the narrow understanding of “family” could be considered discrimination under article 26 of the International Covenant on Civil and Political Rights on grounds of sociocultural beliefs, although not in domestic law.

Tier 2 registration is for applicants who already have family in New Zealand (including “extended” family) and their sponsors must have been New Zealand residents for at least 3 years (Immigration NZ 2018d). INZ only accepts Tier 2 applicants when the RFSC quota is not already filled by Tier 1 applicants, so families could not apply in the periods 2007–2011 and 2013–2017, and in other years, very limited numbers of Tier 2 applications were approved (INZ 2018b, e). Between 2007 and 2018, there were a total of 4320 applications for Tiers 1 and 2, accounting for 17,753 applicants of whom only 2452 (57%) were granted residence visas (INZ 2018e). Even successful Tier 1 and 2 applicants must pay for flights and all other costs, with sponsors required to ensure the provision of accommodation for the first 2 years. While various trusts fundraise to help cover such costs, this is a major stress for families and their supporters (ChangeMakers 2009). Moreover, those sponsored to New Zealand under the RQFRC or RFSC are not themselves eligible to apply for other family members to come to New Zealand because technically they have not been granted refugee status (HRC 2017; Mahoney et al. 2017; MBIE 2017). Given the constraints noted above, some refugees end up achieving family reunification via temporary or permanent residence visas through normal immigration channels. Classed as “migrants” not “refugees,” they face additional requirements in order to obtain residency (Mahoney et al. 2017).

Finally, reunification can be achieved through a last resort “Special Directions” request to the Associate Minister of Immigration where strong humanitarian grounds exist. Until 2001, refugees were able to seek family reunification under a “humanitarian category” which allowed refugees with family members who did not meet the requirements for reunification under other categories to apply for residence. With the abolition of this category, refugee supporters suggest that cases of exceptional humanitarian concern brought to the attention of the Associate Minister of Immigration are almost always unsuccessful (ChangeMakers 2009; Mahoney et al. 2017).

It is therefore significant that the Labour Party and Green Party (2017) confidence and supply agreement agreed to review the family reunification system. The Green Party (2017b: 3) argues that the “The current visa application process for the reunification of refugee families is unfair and inhumane” and advocates for clearly published priorities and standards of acceptance, as well as an increase in the powers and funding of the Immigration and Protection Tribunal to allow for the consideration of more family reunification cases. At the time of writing, it remained to be seen whether the review achieved these aims; the New Zealand First Party campaigned on a policy of ensuring “immigration under ‘family reunion’ is strictly controlled” (see Weiner 2017: n.p), so political compromise may again be necessary.

### **Emergency Protection Pathway**

Although not a process by which refugees can apply, refugees have also entered New Zealand in exceptional circumstances when requested by the UNHCR. In 1999, for instance, New Zealand accepted over 400 Kosovars for resettlement who had family in New Zealand, in response to the Kosovo humanitarian crisis. Again in 2001, New Zealand accepted 130 Afghan asylum seekers picked up by the freighter, MS Tampa, after their craft capsized in the Indian Ocean but was refused entry to Australian waters (Beaglehole 2009). Between 2015 and 2018, New Zealand also settled 600 refugees from Syria. These were in addition to the annual refugee quota but this is not always the case; in 2017, Prime Minister Jacinda Ardern (2017) indicated that New Zealand would be willing to accept refugees currently detained by Australia on Manus Island and Nauru as part of the quota. This offer was declined but it exemplifies how seemingly “humanitarian” gestures in times of emergency have attempted to avoid any overall increase in refugee numbers and the economic costs associated with their settlement. Neither the Labour nor the Green Party appears to support Amnesty International’s (2014) call for a “Crisis Quota” that is separate from the annual quota so as to provide protection in unplanned circumstances at reduced notice.

### **Community Sponsorship Pathway**

In June 2018, an additional 25 refugees were accepted into New Zealand under a pilot community sponsorship category initiated by the previous National-led Government. Although only a fraction of the additional 1000 community sponsorship refugees desired by the Green Party (2017a), this trial represents a significant shift in policy because it relies even more heavily than in the past on community organizations to provide sponsorship and the majority of settlement support. INZ conducts assessment and screening of all refugees in the new category because they must be mandated by the UNCHR as refugees and it funds a 2-week program at the Mangere Refugee Resettlement Centre. But community sponsors are responsible for: domestic travel to settlement locations; arrangement of privately funded accommodation,

furniture, and household goods; community orientation and settlement assistance; and “meaningful and sustainable” employment or training that leads to employment (MBIE 2017). Minister of Immigration, Iain Lees-Galloway (2018a), described the pilot program as a grassroots approach that would encourage communities to get involved with supporting refugees in their resettlement. Four church-based organizations were chosen for the trial in Wellington, Timaru, Christchurch, and Nelson. The spread of community organizations outside of Auckland, New Zealand’s largest city, and into regional areas aligns with the views of the New Zealand First coalition partner which believes that the intensification of immigrants generally in Auckland is not sustainable (Weiner 2017).

Other countries such as Canada, Australia, and the United Kingdom reportedly find the community sponsorship model a positive means for refugee settlement (MBIE 2017). It also seems likely that refugees taking this pathway will be able to access both the RQFRC and RFSC for family reunification. But applicants for this category in New Zealand must meet a higher bar than other refugees. Not only must they be UNHCR-mandated, meet security health and immigration risk assessments, and not be eligible to be sponsored for residence under any family category but also they must be aged between 18 and 45 years and have a minimum 3 years work experience or a tertiary qualification which took a minimum of 2 years to complete. The Minister of Immigration (Office of the Minister of Immigration – OMI 2017: 3) noted in a Cabinet paper that: “During consultation, there were concerns expressed about the inclusion of language, skill and age requirements due to the perception that these requirements are not consistent with the principles of the broader refugee and humanitarian programme.” These concerns reportedly reduced the number of community sponsors wanting to be involved: “However, I consider that the potential benefits of improved settlement outcomes for sponsored refugees support the inclusion of language, skill and age requirements” (OMI 2017: 3). This desire to select refugees who it is hoped will find paid work quickly suggests economic factors outweigh humanitarian criteria (INZ 2018f); later discussion highlights that concern with paid work also dominates settlement policy, even under the new Labour-led government, suggesting this focus will not be addressed following an evaluation in December 2018 (OMI 2017). It is also unclear whether such refugees will have preferential access to family reunification since they are UNCHR-recognized but are not technically Quota refugees.

## **Pacific Climate Change Pathway?**

The new government proposes a new humanitarian visa category for people displaced by climate change. Referring to saltwater intrusion in fresh water supplies, rising sea levels and extreme weather events affecting Pacific nations such as Samoa, Tonga, Niue, and the Cook Islands, Prime Minister Jacinda Ardern (2018: n.p) commented: “Collectively these islands represent a tiny portion of global emissions. They play almost no role in creating the crisis we now face, but they are already the first to face its devastating impacts.” Because many people wish to stay living on

their islands for as long as possible, New Zealand is helping to install renewable energy supplies, while maintaining a role in disaster relief and resilience building (Ardern 2018). But the climate change humanitarian visa acknowledges that remaining on some islands may be impossible in the long term. The visa is supported by the Green Party (2017a), which would trial the new category at 100 places per year, although refugees were not mentioned in discussion of climate change in its supply and confidence agreement with the Labour Party.

The government has also promised to establish a Ministerial Advisory Group to examine outstanding immigration issues within the Pacific (Immigration NZ 2017a). This is perhaps not surprising since:

New Zealand has long-standing ties and a unique set of relationships with the Pacific Island nations including: the three realm countries of Niue, Tokelau and the Cook Islands; the Samoan Quota, the Pacific Access Quota, the Treaty of Friendship with Samoa, the Recognised Seasonal Employer Scheme, and its sizeable Pacific population who have made Aotearoa their permanent home. (Labour Party 2017: 5–6)

Alongside the review of family reunification, the government is thus reviewing the Pacific Access Quota to ensure both are accessible for Pacific people, working effectively and consistent with wider Pacific development commitments (Labour Party 2017).

Such discussions involve both INZ and the Ministry of Foreign Affairs and Trade (2018: 1) and it seems unlikely progress will be speedy given: “The complexity of the issues associated with Pacific climate change-induced displacement, resettlement and migration, and the significant implications for New Zealand and the Pacific region.” Nonetheless, such a move aligns with the New York Declaration on Refugees and Migrants, adopted by all UN member states in 2016, which committed to specific (although unbinding) Global Compacts on refugees and on safe, orderly, and regular migration to provide a state-led global approach to “upholding human rights and wellbeing of migrants and their families” (MBIE 2018: 2). The first “Zero Draft” of the Migration Compact proposes to strengthen joint analysis to better map, predict, and understand migration relating to climate change and other environmental factors (MBIE 2018). In this context, the Labour-led government may be bold enough to establish the world’s first climate change humanitarian visa. Although the government has been careful not to use the term “refugee” because persecution is not involved, this move could facilitate international discussion as to the appropriateness of broadening the Refugee Convention to include environmental causes for displacement.

*In summary*, this section has highlighted that current refugee protection policy offers a number of pathways to New Zealand. Quota refugees are clearly favored by family reunification processes, in that only they are practicably able to secure family unity without enduring the enormous cost and stress of other immigration processes, and it is unclear whether the new community sponsorship category or proposed climate change visa will change this focus. The next section highlights that Quota refugees can also access significantly higher levels of settlement support than other

refugees, even though Article 31 of the Refugee Convention states that people should not be penalized based on their mode of arrival (Bloom and Udahemuka 2014). Although there is no evidence that Quota refugees are selected from one particular ethnic group, country, or region more than another, it is argued that this constitutes a form of systematic institutional discrimination because legally sanctioned organizational practices and procedures consciously favor one group over another based on their immigration pathway (see Fleras and Elliott 2017). This discrimination has yet to be addressed by the Labour-led government's proposed changes in a range of policy areas.

## Settlement Policy

INZ is the lead government agency for the operational coordination of refugee-specific services and for undertaking longitudinal research on settlement outcomes with a particular emphasis on refugees. Since 2013, it has implemented the whole-of-government New Zealand Refugee Resettlement Strategy to provide greater cohesion to settlement policies which, as with refugee protection, have been developed over a number of years. Table 1 indicates the five goals guiding the establishment, development, and monitoring of all services funded by the government for refugee resettlement, which were developed in consultation with refugees and community groups. The refugee-focused strategy runs alongside the broader New Zealand Migrant Settlement and Integration Strategy 2014 (Altinkaya 2016) and regional settlement strategies for newcomers to New Zealand's larger cities (Mahoney et al. 2017).

Implementation of the Resettlement Strategy has thus far focused on providing greater information to Quota refugees before arrival, changes to their 6-week reception program, and the establishment of orientation and driver training programs in the community. English language service provision to refugees has also been mapped, while work is underway to improve language assistance services and refugee employment outcomes (MBIE 2017). Further priorities until 2020 include an evaluation of the reception and community orientation programs, changes to

**Table 1** The five goals of the New Zealand Refugee Resettlement Strategy

Housing	Refugees live in safe, secure, healthy, and affordable homes, without needing government housing assistance
Self-sufficiency	All working-age refugees are in paid work or are supported by a family member in paid work
Education	English language skills help refugees participate in education and in daily life
Health and well-being	Refugees and their families enjoy healthy, safe, and independent lives
Participation	Refugees actively participate in New Zealand life and have a strong sense of belonging here

Source: INZ (2012)

evaluating refugees' settlement outcomes, and strengthening the delivery and coordination of health and disability services (INZ 2018g).

The remainder of this section highlights the rather narrow focus of Resettlement Strategy goals as well as constraints inhibiting their achievement. It is worth noting, however, two general problems with the Resettlement Strategy. First, although the original Cabinet documents mandated consideration that other categories of refugees be included in its focus, it still officially serves only Quota refugees. This is most obviously evident in the initial settlement and orientation period discussed below but arguably this favoritism continues to shape refugee experiences for years to come. The settlement needs of Convention refugees are currently being explored by INZ but it seems unlikely the Resettlement Strategy will ever encompass refugees arriving under all of the pathways identified earlier (MBIE 2017). Second, non-government organizations (NGOs) are the main provider of refugee-specific services in New Zealand (Marlowe and Humpage 2016; Mahoney et al. 2017). The committed individuals who run these organizations do a fantastic job but have long been constrained by underfunding and short-term contractual arrangements, forcing them to rely on volunteers and limiting their capacity for advocacy (McIntosh and Cockburn-Wootten 2018). Government tenders for refugee-focused services now require such organizations to link their services to the Resettlement Strategy's goals (Marlowe and Elliott 2014), thus further inhibiting their ability to service needs not prioritized in this document.

## Initial Orientation and Settlement

Upon arriving in New Zealand, Quota refugees stay for 6 weeks, free of charge, in the Mangere Refugee Resettlement Centre to participate in a reception program that includes: general information about life in New Zealand; an English language assessment with follow-up language courses; medical screenings and mental health assessments; as well as free primary health, dental, and counselling care (INZ 2018h). The previous National-led government rebuilt the World War II-era Resettlement Centre buildings to address complaints about substandard conditions (MBIE 2017) and the Labour-led government's 2018 Budget provided further operating and capital investment funding to improve capacity and effectiveness (Lees-Galloway 2018b).

Upon leaving the Resettlement Centre, Quota refugees are settled in key sites where refugee-specific support is available: Auckland, Waikato, Manawatu, Wellington, Nelson, Canterbury (from 2019, after being on hold since the devastating earthquakes there in 2010–2011) and, more recently, Otago and Invercargill (Immigration NZ 2018b). The New Zealand Red Cross, an NGO, is contracted by MBIE to provide a settlement program to Quota refugees for up to 12 months via social workers, cultural workers, and trained community volunteers (HRC 2017; MBIE 2017). The use of trained volunteers to support families in the community is the strength of the program – providing a diverse range of community contacts for newcomer families that would be impossible to achieve through agency support



alone (see Elliott and Yusuf 2014) – yet also results from the limited funding made available for refugee services. Other refugee organizations do important work but few have a national focus, meaning considerable diversity across regions. Overall, the contracting out of the provision of settlement services results in fragmentation of delivery, while access to such services is also heavily-dependent upon the population center where Quota refugees are settled (Mortensen et al. 2012).

Refugees using other pathways to protection receive no orientation but can choose to live anywhere in New Zealand except those arriving under the pilot community sponsorship category who, following a 2-week orientation at the Resettlement Centre, must settle in the sponsoring community (INZ 2017b). All non-Quota refugees can seek general information/advice from the Red Cross and access its employment program but cannot benefit from their case management services (HRC 2017). The remaining discussion further identifies that they are also excluded from many housing, employment, health, and educational opportunities afforded Quota refugees.

## Housing

Since 2000, Quota refugees have been prioritized upon arrival for state-owned Housing New Zealand (HNZ) homes, where the maximum rent is set at 25% of weekly income. They are also eligible for a one-time reestablishment grant of \$1200 if they apply within a year of arrival in New Zealand. Refugees arriving via other pathways must find their own housing in the private rental market (HRC 2017). RFSC and Community Sponsorship refugees have to rely on the persons sponsoring them to provide or help them find accommodation, with eligibility to apply for housing assistance dependent on eligibility to receive an income support benefit. The Auckland Refugee Council provides the country's only asylum seeker hostel but government funding stopped in 2013, so it now relies solely on donations and can provide accommodation to asylum seekers only for 3 months (HRC 2017). If New Zealand ever receives a "mass arrival," such asylum seekers will have to wait at least 3 years before they are able to gain permanent residence and thus access to full housing and other entitlements.

The Resettlement Strategy (INZ 2012: 7) identifies "reduced housing subsidy for refugees (after 2 years and 5 years in New Zealand)" as the desired integration outcome. This focus on reducing the cost to the state, rather than on positive outcomes for refugees, is troubling given affordable housing is in high demand, with housing shortages in some regions facilitating significant price increases. This makes housing subsidies necessary for many New Zealand households and increases to the Accommodation Supplement available to those in the private housing market in 2018 are unlikely to improve affordability in the long term (Robertson 2018). Moreover, adequacy of housing is not reflected in the Resettlement Strategy outcomes, despite this being a major concern in New Zealand where poor insulation means cold and damp houses are common. New government funding is targeted towards "greater resources to assist refugees to find affordable housing"



(Lees-Galloway 2018b: n.p), the Labour-led government is building more state housing and legislation now requires landlords to ensure homes are warm and dry. But in the context of what has been called a national “housing crisis” (Robertson 2018: 7), accommodation issues for refugees are unlikely to be resolved quickly.

## Self-Sufficiency

This Resettlement Strategy goal focuses on ensuring all working-age refugees are in paid employment or supported by a family member in paid work. Refugees who are permanent residents/citizens have the same employment rights as other New Zealanders, while asylum seekers and Convention refugees must reapply for work visas until permanent residence is gained (HRC 2017). Although New Zealand has relatively low rates of unemployment, unemployment and underemployment are common among refugees (ChangeMakers 2012; O’Donovan and Sheikh 2014). Marlowe et al. (2014: 63) thus believe that “employment must not become the implicit principal measure that eclipses other important considerations for defining ‘successful’ settlement for refugee individuals, families or communities.”

This comment was made at a time when a National-led government placed a strong, neoconservative focus on reducing welfare dependency which was arguably reflected in the Resettlement Strategy’s emphasis on ensuring that refugees do not rely heavily on government income support (O’Donovan and Sheikh 2014). A focus on employment, however, remains strong under the new government and comments such as “limited English and a lack of formal qualifications still create barriers to employment for refugees” (INZ 2018g: 6) suggest that the problem is viewed as one of individual skills rather than shaped by broader structural factors. These include the dominance of poorly paid and insecure part-time or casual work versus full-time work (New Zealand Council of Trade Unions 2013) and discrimination by employers against foreign qualifications/experience, accents, names, or practices such as Muslim women wearing the hijab (HRC 2017; Ibrahim 2012). More specifically, asylum seekers find employers reluctant to employ them due to their short-term work visas (HRC 2017). Low English proficiency is, of course, an important factor inhibiting refugees gaining employment (see ChangeMakers 2012) but it is not the *only* factor.

At present, only refugees with permanent residence can access the free Red Cross refugee-specific Pathways to Employment program (HRC 2017). Free migrant-focused employment programs also run in larger cities by local councils and business groups, focusing on employment mentoring and matching (INZ 2018i). Although important, these programs are not available nationwide and are insufficient to meet demand and need. O’Donovan and Sheikh (2014) argue that a cross-political party commitment is needed to adequately fund the individualized, intensive programs that research suggests are most successful.

In the absence of paid work, many refugees who have permanent residency rely on conventional income support benefits as well as a range of additional benefits (such as the Accommodation Supplement, Child Care Subsidy or Disability

Allowance), while Convention refugees and successful RFSC applicants are entitled only to the emergency unemployment benefit and Temporary Additional Support (which must be reapplied for every 13 weeks) until they gain permanent residence (HRC 2017). In recent years, many forms of income support have become more discretionary and require benefit recipients to meet work, parenting, and other obligations to retain their income support payment. As a result, O'Donovan and Sheikh (2014) argue that more needs to be done to educate people from refugee backgrounds about these reforms in their own languages, otherwise refugees risk not meeting obligations and being financially sanctioned. While the Labour-led government is undertaking a review of the welfare system and has promised to remove inappropriate financial sanctions (Labour Party and Green Party 2017), refugees who rely on benefit payments will likely continue to struggle to meet work obligations and other requirements.

## Education

As with employment, the Resettlement Strategy's focus on education focuses heavily on English language skills, rather than on education more widely, and again favors some refugee pathways over others. All children who have permanent residency or citizenship have a right to free compulsory education from ages 6–19. Child asylum claimants and children arriving under the RFSC can enroll in school, but while young RFSC refugees can access the same entitlements as children arriving under quota, additional support (including English as a second language) for child asylum seekers is assessed case by case (HRC 2017).

This is significant because the Ministry of Education (MoE 2018) provides funding for 5 years of English language support for each refugee background student (2 years of intensive support followed by 3 years of standard ESOL funding) if their assessment score is below a set threshold. MoE will further fund a range of other activities, such as homework and academic support programs; bilingual liaison support to link schools with refugee families; in-class bilingual support staff; and computers (with training) for refugee families. Such resources are coordinated by Regional Refugee Education Coordinators, who are employed in Auckland, Hamilton, Wellington, and Christchurch to help with student enrollment and adjustment into schools. Part of this role includes liaising with families and community groups to communicate about the education system, its expectations and identify particular children's needs, while a "Refugee Flexible Funding Pool" can be used by specific schools to address some of the broader issues preventing refugee background students from participating and achieving in mainstream school programs (MoE 2018).

Not all children from refugee backgrounds will attend a school with such support, so the Ministry of Education (2003) publishes *English for Speakers of Other Languages: Refugee Handbook for Schools* to assist schools in adapting to refugee learner needs. However, while the quality of compulsory education in New Zealand is highly regarded internationally, various studies indicate that limited access to

information technology, English language ability, gender, geographic region, and level of disability may affect a refugee student's access to compulsory education, as does a school's response to bullying and discrimination (Ibrahim 2012). Additional funding for compulsory education in Budget 2018 does not specifically address these issues (Robertson 2018).

Regarding adult education, all permanent residents/citizens are eligible to apply for entry to tertiary education and benefit from government-subsidized tuition fees and access to the Student Loan scheme. Given many refugee families live on low incomes, permanent residents are likely also eligible for the means-tested Student Allowance, which covers basic living costs and does not need to be repaid. Convention refugees can access these forms of financial support once they have been given refugee protection status (HRC 2017). However, research suggests that people from refugee backgrounds are more likely to delay their entry into tertiary education because they cannot afford it. This may be related to a lack of awareness regarding the Student Loan Scheme and not having lived in New Zealand long enough to qualify for assistance; 6 months after arrival, only 28% of refugees were successful in obtaining a student loan; 2 years after arrival, that figure increased to 89% (Joe and Kindon 2011). The Labour-led government's commitment to 3 years of free postsecondary school education, initially beginning with 1 year free in 2018 (Robertson 2018), is therefore significant only if refugees know about and can take advantage of this policy.

There is no nationwide, free English language support for adults as in countries like Australia (Fozdar and Banki 2017), but adult refugees are eligible to work with a volunteer instructor through English Language Partners (Marlowe and Humpage 2016). Quota refugees may also be eligible for English language training provided through employment-focused schemes. Asylum seekers issued with a work visa while their refugee and protection claim is being processed may obtain permission to attend fee-paying ESOL classes in some regions and if they have been in New Zealand for fewer than 2 years but are not eligible for student loans or Student Allowance. Overall, non-Quota refugees have greater difficulties finding or doing study/training than Quota refugees, likely because they receive less information and support during initial settlement process (HRC 2017; Joe and Kindon 2011).

## Health and Well-Being

New Zealand has a well-regarded public health system which all types of refugees can legally access, including subsidized primary health care and prescription medicines (both free for children under 14). Free basic dental care is available for children aged 18 but only emergency dental care is free for adults. Low income earners are also eligible for the Community Services Card, allowing access to certain healthcare services at reduced cost; the Labour-led government extended eligibility in 2018 (Robertson 2018) but low refugee take-up due to poor awareness limits the likely effect of this change (Mortensen et al. 2012). The Refugee Health Services program provides funding for some general practices to deliver primary health care services if they have a large enrolled refugee population. However, only Quota

refugees definitely receive a free full health screening at MRRC; although this may also be free for asylum seekers, information about what services are accessible to other refugees is not well known (Mortensen et al. 2012; HRC 2017).

The Ministry of Health (Mortensen et al. 2012) publishes a handbook for professionals providing health services that describes common medical issues faced by refugees in New Zealand and suggests ways to provide culturally sensitive services for diverse refugee groups. There are also initiatives aiming to ensure refugee groups receive culturally appropriate healthcare, including cultural competency training, training programs for working with culturally and linguistically diverse populations, and additional funding for cross-cultural training. But because New Zealand has 20 District Health Boards responsible for health objectives, there can be considerable variance in terms of the services offered, the cost involved in using them and the length of waiting lists depending on where refugees live (Mortensen et al. 2012).

In particular, free refugee-specific mental health services are provided for Quota refugees and Convention refugees but only in Auckland and Wellington and even these run on extremely limited funding, with no government funding available for specialist mental health services for asylum seekers released into the community or children from refugee backgrounds (Amnesty International 2014; HRC 2017). These gaps are significant given research has identified mental health issues as an ongoing issue during resettlement, particularly for asylum seekers who not only must face uncertainty while waiting for their refugee status determination but also cannot access many of the same services as quota refugees (Bloom and Udahemuka 2014; Shrestha-Ranjit et al. 2017). It is unclear if significant investment in mental health, especially among young people, from 2018 will include refugee-specific programs (Robertson 2018).

A further barrier is limited access to professional interpreters and healthcare professionals trained to respect customary practices (Mortensen et al. 2012). Interpreting services are currently offered through Language Line which offers services through 44 languages and is funded by the Citizens Advice Bureau. However, nongovernment agencies and some government agencies are not eligible to use this service and need to employ bilingual workers, use community interpreters, or have access to specific funding for this service. A lack of national training, qualification or codes of practice for interpreters also means varying levels of access (particularly to those outside of main centers) and appropriateness for particular groups. Patients often end up using family members (even children) as interpreters to discuss health-related information (Mahoney et al. 2017). It is therefore significant that an improved language assistance program is one of the Resettlement Strategy's 2018–2020 priorities (INZ 2018g).

## Participation

Just as with education and employment, the Resettlement Strategy goal for “participation” is framed only in terms of improving adult refugees’ achievement of English language. This is troubling because it assumes that participation is not possible

without English and thus excludes many refugees from ever feeling they can participate. However, there are no legal barriers to full civic participation for refugees who are permanent residents or citizens (Marlowe et al. 2014), particularly since even the former have the right to vote in New Zealand general elections.

Moreover, despite the limitations of the official participation goal, government has actually placed considerable focus on strengthening the refugee sector in recent years. Since 2006, INZ's Strengthening Refugee Voices (SRV) initiative in Auckland, Hamilton, Wellington, and Christchurch has provided modest funding to enable refugee groups to meet and discuss issues affecting their communities, hoping to shift power relationships between refugee groups and nongovernmental organizations. SRV also enables refugee community members to participate in setting the agenda for the National Refugee Resettlement Forum, an annual national consultation between government agencies and the NGO/refugee community sector. Since 2009, the National Refugee Network, composed of representatives from the regional SRV groupings, also provides a collective voice for refugees at a national level (Elliott and Yusuf 2014).

At a more general level, INZ developed the Welcoming Communities Standard for nine local government councils to pilot and use as a benchmark to mobilize and involve local residents to make New Zealand more welcoming for newcomers (defined as recent migrants, former refugees, and international students). This includes partnering with local indigenous peoples, businesses, community groups, other government agencies, and NGOs. Communities are supported to access other funds, make connections, and share best practice and lessons learned (INZ 2018j). This is important because:

... public receptivity to increased diversity as a result of changing immigration priorities has not been universally positive ... Refugee groups from countries such as Afghanistan, Burma, Iraq, Somalia, Bhutan, Iran and Ethiopia carry ethnic markers that distinguish them, physically (i.e. as 'non-white') as well as culturally, from most of the host society. Thus, for these and other groups, the potential remains for the persistence of social barriers to participation and belonging. (Marlowe et al. 2014: 64)

The HRC (2018) has embarked upon a nationwide campaign against racism using well-known celebrities, while organizations such as the Auckland Resettled Community Coalition (2018) focus more specifically on changing public perceptions towards refugees. Yet complaints to the HRC about racism are at an all-time *high*; that 16% of complaints in 2018 came from members of the ethnic majority suggests significant resistance to valuing diversity, with scholar Camille Nakhid (cited in Te 2018: n.p) commenting that, in terms of race relations, New Zealand had "not even gotten on the road much less started the journey."

*In summary*, this section has argued that the immigration pathway taken matters when it comes to refugee settlement in New Zealand, for different types of refugees receive varied rights and access to services. Although in some cases rights exist but refugees are not aware of them, it is telling that the Resettlement Strategy focuses only on Quota refugees. Given the limited support available to refugees who did not arrive under the Quota pathway, it is not surprising that research shows some

extremely negative settlement outcomes for these groups (see Bloom and Udahemuka 2014; HRC 2017). This reinforces the argument that the day-to-day practices of organizations and institutions are having a harmful, if unintended, impact on non-Quota refugees in New Zealand (Fleras and Elliott 2017), as well as potentially reinforcing public perceptions that refugees are not “deserving” of more assistance.

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## Conclusion

New Zealand’s refugee policies, which are ostensibly driven by humanitarian motives, are in fact constrained by economic and political considerations. These limit the government’s commitment to ensuring all refugees are sufficiently protected and receive the same treatment once living in New Zealand, arguably constituting a form of institutional discrimination. There is little indication the Labour-led government elected in 2017 will radically change this situation. Although the new government is reviewing family reunification, the inclusion of Convention refugees in the Resettlement Strategy and two new refugee categories, there has yet been no commitment to treating all types of refugees equally regarding family reunification and settlement.

The current focus on Quota refugees is heavily shaped by the economic factors associated with offering all refugees the same access to services and rights such as family reunification. The extra funding provided by the new government since 2018 is unlikely to meet current needs, never mind this extra burden, since insufficient resourcing has historically been a significant issue for the refugee sector, and there is some evidence of underuse of existing rights and resources due to poor awareness. Indeed, despite INZ’s efforts to promote collaboration, inconsistent and project-focused funding streams simply encourages organizations to *compete* with each other rather than share their knowledge and skills (McIntosh and Cockburn-Wooten 2018). Moreover, the Labour-led government has bound itself to Budget Responsibility Rules (Robertson 2018) that focus on producing a surplus and reducing government debt, making significant spending increases difficult.

Although the new government has not chosen to discourage certain groups of refugees for “political” reasons, nor has it reversed the decisions made by the previous administration regarding the “mass arrival” of asylum seekers and restrictions placed on African and Middle Eastern Quota refugees. Mahoney et al. (2017: 12) note that: “It is important to acknowledge that the differential treatment of varied types of refugees in New Zealand is not explicitly prohibited grounds for discrimination either under the Refugee Convention or New Zealand’s Human Rights Act 1993.” Yet they highlight a number of ways that New Zealand’s position could be viewed as not meeting its international obligations. It remains to be seen whether the Labour-led government will prioritize humanitarian outcomes, as indicated at election time, or whether New Zealand policy will remain driven by mixed agendas with discriminatory outcomes. Given political and public concerns about the impact of diversity and the economic costs of settling refugees, along with the international

implications of recognizing climate change as a cause for displacement for the first time, prioritizing humanitarian goals will take some bravery – but far less than refugees themselves have shown in establishing new lives in New Zealand.

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## Cross-References

- ▶ [Immigration Policy and Left-Right Politics in Western Europe](#)
- ▶ [State Hegemony and Ethnicity: Fiji’s Problematic Colonial Past](#)
- ▶ [The Significance of Ethno-politics in Modern States and Society](#)

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# Indian Indentured Laborers in the Caribbean

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Sherry-Ann Singh

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## Abstract

Between 1838 and 1920, more than half a million Indians (South Asians) migrated to the Caribbean as Indian indentured laborers. During the 82-year tenure of the system, Indians had an indelible impact on the Caribbean landscape, not just by fulfilling their ascribed economic role as the proverbial “saviors” of the sugar industry but also in terms of their social, cultural, and emotional presence. The system was terminated in 1920, which set the stage for a new dynamic for those Indians who had opted to make the Caribbean their home, especially since they were now unfettered by the rules, regulations, and restrictions of the system of Indian indenture. This chapter endeavors to trace the experiences of these indentured laborers as, at first, sources of labor on the various plantations and, as they left said plantations, as migrants embarking on the very complex journey of settlement in a foreign location, the Caribbean.

## Keywords

Indian · Caribbean · Indenture · Labor

S.-A. Singh (✉)

The University of the West Indies, St. Augustine, Trinidad and Tobago

e-mail: [Sherry-Ann.Singh@sta.uwi.edu](mailto:Sherry-Ann.Singh@sta.uwi.edu)

## Introduction

Between 1838 and 1920, more than half a million Indians (South Asians) migrated to the Caribbean as Indian indentured laborers (Table 1).

Most of these indentured laborers were drawn from the agricultural and laboring classes of the Uttar Pradesh and Bihar regions of north India, with smaller numbers being recruited from Bengal and various regions of south India. This predominance of immigrants from the “Bhojpuri belt” (Western Bihar and Eastern Uttar Pradesh) inevitably generated Indian cultural, social, and religious transfigurations throughout the Caribbean that are predominantly rooted in the Bhojpuri traditions of Uttar Pradesh and Bihar (Vertovec 1992). Approximately 85% of the immigrants were Hindus and 14% Muslims (Vertovec 1992). The predominant age group of the immigrants was 20–30 years (Laurence 1994), and, while most came as unmarried men and women, some came as small family units (Tinker 1974). Initially, the journey from India to Trinidad took about 3 months but became shorter and less turbulent with the opening of the Suez Canal in 1869. For those Indians who had not truly understood the realities of their journey, the realization that they had left Indian soil was often quite traumatic, sometimes resulting in attempts at casting themselves overboard in a desperate effort to return to their homeland. Conditions onboard the ships were cramped and dismal. There were frequent outbreaks of cholera, typhoid, dysentery, and measles resulting in high mortality rates on some of the journeys, especially during the early years of the scheme (Tinker 1974; Table 2).

There were separate sleeping sections for single males, single females, and couples. Daily life on the ships was fairly routine. Indians were brought on deck on mornings and daily exercise/walk was encouraged. They were served meals twice daily which were prepared by Indian cooks. During turbulent weather no cooking was done, and instead, a dry meal comprising biscuits with sugar and tamarind or salt and raw onions was served (Tinker 1974). The immigrants were encouraged to engage in such harmless diversion such as music, song, dance, stick fighting, and

**Table 1** Indian indentured laborers to the Caribbean

Locations	Period	No. of Indians
British Guiana	1838–1917	238,909
Trinidad	1845–1917	143,939
Guadeloupe	1854–1887	42,595
Jamaica	1845–1916	38,681
Surinam	1873–1918	34,024
Martinique	1848–1884	25,509
French Guiana	1853–1885	19,296
St. Lucia	1858–1895	4354
Grenada	1856–1885	3200
St. Vincent	1860–1880	2472
St. Kitts	1860–1861	337

Source: Verene Shepherd (2006)

**Table 2** Mortality on ships to the Caribbean, 1856–1857

Ship	Passengers	Deaths
Wellesley	382	22
Bucephalus	380	45
Sir Robert Seppings	291	61
Roman Emperor	313	88
Adelaide	304	25
Sir George Seymour	354	36
Eveline	387	72
Maidstone	375	92
Merchantman	385	120
Granville	309	37
Burmah	326	49
Scindian	288	60

Source: Hugh Tinker (1974)

wrestling. Yet, depression, seasickness, and attempted suicide were constant features of the journey to the Caribbean.

Comparison between Indian indenture and African enslavement has generated the debate of whether or not Indian indenture was “a new system of slavery.” The general consensus shared by the most proficient works on Indian indenture by Hugh Tinker (1974), K.O. Laurence (1994), Walton Look Lai (2004), Marina Carter (1995), and Brij V. Lal (2006) is that the former was not a system of slavery but, rather, was one that exhibited features of several systems of bonded labor and, by extension, varying shades of unfreedom. According to historian Bridget Brereton, Slavery and indenture “. . . were fundamentally different systems of labour control” (Brereton 1994). Another debate permeating discussions on Indian indenture surrounds the degree of voluntariness of Indian immigration under the system. A holistic consideration of this issue mandates taking into account all facets of the system of Indian indenture: recruitment practices, the contracts, the journey, conditions on the estates, legal sanctions, and the authenticity of the system. Questions surrounding the nature and workings of the system of Indian indenture are multifaceted and rather open-ended. A substantial degree of ambiguity has plagued the system, especially during its first three decades. These include the recruitment process in India; British role in the impoverishment of nineteenth-century India – a main push factor of Indian indenture; whether or not the Indians were truly and fully aware of the nature and details of the system; and their level of cognizance of the fact that they were leaving Indian soil.

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## On the Plantation

The first two decades of the system were very experimental in nature, with highly fluid regulations and conditions (Laurence 1994; Tinker 1974). There were, however, two central and enduring features of the system: immigrants were contracted

with a single employer for long periods of time, and there were penal sanctions for breaches of the contract. From the Immigration Ordinance of 1854 until 1917, the system remained largely constant with a few discernible changes. However, there were a few features of the system that distinguished its operations on specific colonies. For example, in Trinidad, a land commutation scheme was implemented between 1869 and 1880 which granted Indians 10 and, later, 5 acres of land in lieu of their return passage (Brereton 1985). During the 1890s, a similar offer was made to Indians in Surinam (Hoeft 2006). On arrival in the various Caribbean colonies, the indentured immigrants spent a period of quarantine before being assigned to estates. In Trinidad, they were quarantined on Nelson Island. Immigrants were then assigned to the various estates for the contracted 3-year period; this was followed by a 2-year period which completed the “industrial residence” of 5 years. At the end of this 5-year period, the Indian immigrant was granted his Certificate of Industrial Residence, a type of “freedom paper” indicating that he/she was no longer indentured. However, in order to qualify for the free return passage back to India, the immigrant had to re-indenture himself for an additional 5 years but was then free to choose both employer and occupation. The only other option for returning to India without completing the 10 years of labor was at one’s own expense.

For the indentured immigrants, life on the estates was fettered by the terms and conditions of the contract which they had signed, though most were illiterate in all of the three languages in which the contract was written. In essence, the Indians were not absolutely free. They could not demand higher wages, leave the estate without permission, live off the estates, or refuse the work assigned to them. The minimum wage stipulated in the contract was 25 cents per day or task for adult males and 16 cents for adult females. Although this amount could not be legally reduced, tasks were often increased (Brereton 1985). The contract stipulated a 45-hour workweek, but during crop time it was often six 9-hour days. There was no work on Sundays. Wages also varied according to the type of work, season, and the location (Tinker 1974; Laurence 1994). Withholding and cutting of wages were a persistent problem during the entire period of Indian indenture (Tinker 1974).

A rather irksome feature of the system for the indentured laborers was the fact that they were prosecuted as criminals for what were essentially civil offences: breach of contract and immigration laws (Brereton 1982). Indians leaving their respective estates had to carry a pass indicating that they had been granted permission to do so. Being found off the estate without this pass or “Ticket of Leave” led to many Indians being imprisoned for vagrancy or being found “at large” (Laurence 1994). For example, in Trinidad, 11,149 indentured Indians were prosecuted for absenteeism, desertion, vagrancy, or idleness between 1898 and 1905 (Kirpalani 1945). In British Guiana, between 1876 and 1910, 20,058 desertions were recorded (Seecharan 2006). Such “unlawful” absence from the estate could entail a maximum fine of \$14.40 or 3 months in prison (Laurence 1994). By 1876, extension of indenture was the most common form of punishment for absenteeism, with fines and imprisonment being reserved for the more serious cases (Laurence 1994). Official investigations indicated that the common occurrence of both absenteeism and desertion was rooted in the issue of management on the estates, harsh treatment

of the Indians, and unscrupulous employers conspiring for desertion by unfit or unwanted immigrant laborers (Tinker 1974). In attempting to deal with absenteeism and desertion, Indians who were no longer indentured were required to carry their Certificate of Industrial Residence at all times, to prove that they were not deserters and in seeking employment. Other offences carrying sentences included deliberate disobedience, threatening or verbally abusing the employer, and deception in performing work. The courts were heavily skewed against the Indians, who were often unfairly charged with excessive sentences (Brereton 1985). Very few Indians actually understood the immigration laws and regulations could defend themselves or pay for legal aid. By the 1870s, immigration laws were becoming increasingly arbitrary and confusing. Also, each revision of the law resulted in more stringent and comprehensive penalties.

While, in theory, there were a number of mechanisms put in place for the welfare and protection of the immigrants, these were more often than not very ineffectual. The Immigration Department led by the Protector of Emigrants/Agent General was established to secure the interests of the Indians through its regulations and regular estate inspections and even act as the last “court of appeal” (Tinker 1974). However, this office was very vulnerable to demands from the planters. The various authorities often failed in discharging their duties of protecting the immigrants, and inspection of the estates was too sparse. Not many immigrants lodged complaints because of an inherent fear of victimization and a general suspicion of the impartiality of the magistrate’s court, which more often than not accepted the evidence of the estate authorities over that of the Indians. These, together with the pervasive influence of the planters, underlying administrative weaknesses, and general laxity in the operation of reformed laws, saw excessive exploitation being an integral facet of the system of Indian indenture (Laurence 1994). However, the ultimate sanction against the mistreatment of the Indians was the power of the Governor to remove laborers from an estate. Two such instances occurring in Trinidad were on the Patna Estate for unhealthy conditions and on the La Gloria Estate where the Indians were not being treated properly (Laurence 1994).

Throughout the period of Indian indenture in the Caribbean, living conditions on the estates were extremely unpleasant and many times subhuman. Indians were assigned barrack-type quarters, usually the same barracks used for the formerly enslaved Africans. Each room of the barrack building measured 10 ft<sup>2</sup> and 8–10 ft high. Since the partitions between rooms did not reach the roof, there was a total lack of privacy. Ventilation was inadequate. Each room housed either a married couple and their children or two to four single adults. Cooking was usually done outside, on the stairs (Brereton 1985).

Two constant problems on the estates were sanitation and the provision of drinking water. Even though some of the estates had sunk wells and water pumps, the facilities for storing rainwater on the estates were often deficient. Even when there was sufficient storage, the water was often polluted since both employer and the Indians were careless about maintaining its purity. The Indians themselves further aggravated the situation by drinking water from the ponds, streams, and canals. Throughout the nineteenth century, stagnant drains and the absence of

latrines created serious sanitation problems on almost all of the estates. Indians had to use the fields, which resulted in malaria, dysentery, cholera, and such parasite-related diseases as hookworm, ground itch, and anemia being rampant on almost all of the estates (Brereton 1985). There were also occasional epidemics of yellow fever and smallpox. By law, each of the estates had a hospital for the Indian indentured laborers, which the District Medical Officers visited at set times. However, the condition of these hospitals ranged from good to appalling. In the worst cases, ill Indians continued staying in their barracks and were hurried to the hospital only when the doctor visited (Brereton 1985). So distasteful did the Indians find such dilapidated conditions that a law imposing jail sentences on those who ran away from the hospital was passed. Despite sustained attempts at improving the health of the immigrants, investigations revealed that, on average, an indentured laborer in Trinidad was ill for up to 4 weeks a year. In 1911, out of an indentured population of about 10,000, over 24,000 cases of illness were treated, the chief scourges being malaria and ancylostomiasis (Williams 1964). During the early decades of indentureship, the health conditions of the Indians in Surinam were extremely deplorable, leading to the temporary suspension of the system in 1875 (Hoeft 2006). High infant mortality rate was a grim reality throughout the entire period of Indian indenture (Laurence 1994). Due to the general lack of privacy in the living quarters, the disintegration of the extended family system, and the slackening of conjugal bonds, family life on the estates suffered enormously.

Throughout the entire period of Indian indenture, there was an acute imbalance in the ratio of male to female immigrants. From a total of 95,707 immigrants between 1874 and 1917, 65,084 were males, and 30,623 were females (Laurence 1994). There was an even more severe imbalance in the earlier decades; at its worst, the ratio stood at one female to five males. Recognizing the inherent problems of not addressing this issue, and under strong pressure from the Colonial Office, in 1868, the Secretary of State for India issued instructions that, heretofore, the proportion of 40 women to 100 men should be adhered to (Tinker 1974). This 2:5 ratio was obtained until the termination of the system of Indian indenture. The reasons for female immigration were manifold and located in the social and economic framework of nineteenth-century India. Many were women fleeing oppressive social situations including widowhood, dowry-related conflicts, domestic problems, and abusive husbands. Some came as wives of male immigrants, from pre-existing marital unions or unions that were established either in the holding depots or on the ships. A small number of women came as prostitutes or became prostitutes on the plantations. Underscoring all of the foregoing, however, were the economic push factors of destitution, extreme poverty, glut in the labor market, and starvation.

The paucity of Indian women had a profound impact on family life on the plantations, especially in Trinidad since most Indian men did not marry or cohabit with African women (Wood 1986). In colonies such as British Guiana, Trinidad, and Jamaica, competition for Indian women resulted in an erosion of caste restrictions and generated grave tension which often erupted in violence against unfaithful women and, sometimes, the loss of lives. According to calculations done by Laurence, between 1872 and 1880, “. . . 21 of the 22 Indian murders in Trinidad involved



wives or reputed wives, while in British Guiana in the period 1873–1880 the number was 43 out of 71” (Laurence 1994). Traditional Indian male-female dynamics crumbled. The practice of dowry in the Hindu marriage ceremony where the bride’s family gave gifts to the groom was reversed and replaced by the bride price where, now, the groom had to pay for his bride (Tinker 1974). Marriages were visibly unstable, and keeper unions were quite common with their stability largely contingent on the satisfaction of the female. Inter-caste marriages and Hindu-Muslim marriages were common on the estates.

A wide cross section of the Indian caste system manifested itself among the Hindu indentured laborers. These figures, however, carry with them a deep-seated ambiguity on the issue of authenticity of caste ascriptions by the indentured Indians. There are numerous accounts of individuals changing their castes upon arrival in the Caribbean or even at the depots in India (Laurence 1994). However, there was a rapid attenuation and reconfiguring of the Indian social system which could not reproduce itself under the Caribbean’s quite variant social, political, economic, ethnic, and religious composition (Tinker 1974). Thus, rather than the system itself, some elements of caste ideology and practices survived on the estates in variously attenuated and diluted forms (Schwartz 1967). In fact, the process of caste disintegration and dilution began on the depots in India and on the ships where all the immigrants, regardless of caste, had to share common space and facilities (Tinker 1974). This process continued on the estates where shared living facilities and consequent indiscriminate contact among all the laborers further diluted many of the traditional taboos such as those associated with eating and touch. Almost all of the immigrants were ascribed the same social status. Occupation, instead of, as traditionally, being determined by caste, was now decided by the estate overseer. Yet, though small in number, high caste men – or those with claims to high caste – continued to exercise some level of influence among the Indians. Of these, the Brahmins (the priestly caste), due to their role in religious and ritual performance and preservation, would emerge at the fore of Hindu sociocultural and even sociopolitical life on the estates. Yet, even this dynamic was often interestingly conditioned by context. For example, in British Guiana, subversion was at work when the tiny Brahmin population (about 2%) found themselves having to minister to even the lowest castes in order to save their flock from Christian proselytizers (Seecharan 2006).

Castes	British Guiana (%)	Trinidad (%)
Brahmins and high castes	11.84	14.45
Agriculturists	31.38	30
Artisans	7.63	6.60
Low castes	33.84	34.87
Muslims	15.21	14.01
Christians	0.10	0.07

Source: K.O. Laurence (1994)

In general, life on the plantation, focused on the maximum extraction of labor, was not conducive to significant reconstruction of any aspect of religious, cultural, or

family life. In addition to the highly labor-intensive days, there were rules and regulations that directly curtailed Indian religious and cultural practices. For example, Hindus were prohibited from beating drums at their wedding ceremonies which were traditionally held at nights since they disturbed the peace. Yet, despite the many hindrances, facets of Indian religion and culture were evident on almost all of the estates. By the 1860s, the earliest Hindu temples, very basic 2–3-ft-tall structures, began dotting the plantations; spaces were similarly claimed by the Muslims (Wood 1986). Simple domestic ceremonies such as the *pūja* – with or without an animal sacrifice – and the Madrasī “firepass” ceremony were being conducted (Wood 1986). Recitation from the religious texts such as the *Ramayana* (Sankalia 1982) was common after a long day’s work, providing the indentured laborers with the much needed respite from their otherwise wretched and harsh situation (Seecharan 1997). In Trinidad, communally observed festivals took birth on the plantations in the form of the *Muharram/Hosay* (Singh 1988) celebration and the *Ramlila* festival. Even in Grenada, where the Indian indentured laborers were an extremely small minority, Hosay was the only Indian festival that was openly observed during the period of indenture (Sookram 2006). The intense social, religious, and cultural diversity due to the wide sweep of immigration saw the process of cultural, religious, and social reconstruction being a highly creative one, marked by substantial levels of telescoping, adjustment, and substitution.

Life on the plantations rarely took into account the vicissitudes of Indian social life. Thus, Indian marriages were not recognized as legal unless registered with the District Immigration Agent, and the offspring of such unions were deemed illegitimate. Consequently, there were persistent complications over inheritance of property, and governors had to sometimes regrant lands to the children of Crown grantees who had not registered their marriages and had died intestate (Laurence 1994). This presents a very vivid example also of the clash of civilizations wherein, for the Indians, their religious ceremony was all the validation needed, while the Colonial authorities recognized just those unions that were officially registered; something that the Indians did not subscribe to. Additionally, Hindus were forced to bury their dead since permission was not granted for the traditional method of cremation.

Before the 1870s, hardly any effort was made to provide education for the children of the indentured laborers. Indians were also hesitant to send their children to the ward schools because of the linguistic, racial, and religious differences. In Trinidad, British Guiana, and Jamaica, a small number of estates and churches had established their own schools for the Indian children during the 1860s (Laurence 1994). It was, however, the persistent efforts of the Canadian Mission (C.M.), initiated in 1868 in Trinidad, in 1885 in British Guiana, and later on in Jamaica (Mansingh and Mansingh 1999), that saw a substantial rise in the formal education of Indian children in these three colonies. However, in Surinam, the education of Indian children was a (Dutch) government concern. In 1878, the compulsory education law was applied to Indian children, and in 1890, the first “coolie school” was opened (Hoefte 2006).

At the C.M. schools, teaching was initially done in English, but both standard Hindi and the vernacular were used “to explain the English.” The emphasis was on

reading, writing, and Bible knowledge (Morton 1916). The number of Indian children attending these C.M. schools slowly but steadily grew. However, because of the practice of child marriage and the primary roles of Indian women as wives and mothers, it proved extremely difficult to persuade the Indians to send their daughters to school. A noticeable number of the Indian males became teachers at the C.M. schools, and some became catechists and preachers. The C.M. schools were also providing Hindi interpreters for the government and clerks for offices (Morton 1916). Most of the Indians who had post primary education and subsequent employment via the Canadian Mission, however, fell prey to its underlying objective of conversion to Presbyterianism. It was grudgingly acknowledged by the Indians that, during the period of indenture, the only way out of the cane fields was through conversion. In Grenada, an official body responsible for the transformation of Indians into Christians, The Association for the Instruction of Indian Immigrants, was set up in 1864. Operating within an actively anglicizing and assimilative framework, this body was specifically aimed at coercing the Indians in Grenada “. . . to abandon their ancestral culture and embrace the cultural values perpetuated by the British” (Sookram 2006).

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## Beyond the Estates

During the 1880s, competition from beet sugar and the full implementation of the 1946 Sugar Duties Act saw depression looming over the British West Indian sugar industry. Planters quickly shifted the burden of the necessary economic adjustment on the Indian laborers, which generated strikes, disturbances, and other passive forms of resistance in many of the colonies. Most of these were due to the non-payment of wages, extending of tasks, and harsh and unfair treatment on the estates (Laurence 1994). In Trinidad, there were disturbances on the Cedar Hill Plantation and the Perseverance Estate. The situation, however, was most intense in British Guiana where, between 1876 and 1910, 20,058 cases were recorded (Seecharan 1997). By 1870, violence among indentured laborers on estates in British Guiana became widespread, giving birth to a “tradition of militancy” in that colony wherein Indian lives were lost and many more were injured (Seecharan 1997). Though substantially smaller in number, the Indians in Jamaica expressed their dissatisfaction with conditions on the estates in a similar manner. Between 1847 and 1921, 18 strikes were recorded on Jamaican estates, and production was further undermined by such more passive forms of resistance as desertion, feigning illness, committing suicide, and buying themselves out of contract (Shepherd 2006).

For Indians, estate life had become increasingly unbearable. This saw Indians exiting the estates in large numbers to become independent farmers, settle on, and cultivate lands granted to them through the land commutation scheme (in the case of Trinidad) or that they had purchased from the State. The Indians’ deeply ingrained affinity for land, along with their total disenchantment with estate life, saw many of them becoming peasant proprietors at the end of their periods of indenture. Between 1870 and 1915, Indians in Trinidad had purchased about 102,000 acres of land

(Laurence 1994). In Jamaica, until 1906, Indians were offered either GBP12 or 4 ha of land in lieu of their return passage. However, similar to Trinidad, most of the lands granted were uncultivable, too mountainous, and arid and were eventually abandoned (Shepherd 2006). Plots of land were also offered to immigrants in Surinam during the 1890s.

By the 1890s villages of former indentured laborers were established in both British Guiana and Trinidad. As Indians moved off the estates, they embarked on the process of community reconstruction, facilitated by factors such as the acceptance of the colonies as their homelands by those immigrants who had stayed in the colonies, the evening of the male-female ratio and the age imbalance, and the noticeable increase in the birth rate of Indians. This would, in turn, generate a focus on and acceleration of social change and further integration into their respective larger societies.

Even before the system of Indian indenture was formally brought to an end in 1917, Indians had more than fulfilled their primary purpose of revival and expansion of the sugar industry and had converted Trinidad, British Guiana, and other colonies from societies of small farmers to large plantation societies (Brereton 1985). By 1915, 9202 Indian cane farmers were cultivating about 10,000 acres of sugar cane, about 24.3% of the total cane ground in the factories in Trinidad (Laurence 1994). The period between 1870 and 1920 has been classified as the “Golden Age” of the cocoa industry in Trinidad, and Indians played a significant role as laborers and contractors (Brereton 1985). Wet rice cultivation was introduced into Trinidad and British Guiana by Indians, along with its associated agricultural methods and technology (Seecharan 1997). By 1896, 6000 acres of lands owned by Indians in Trinidad were dedicated to wet rice cultivation, accounting for one-sixth of the local consumption (Niehoff and Niehoff 1960). By 1913, 13,714 ha of land in British Guiana were dedicated to wet rice cultivation by Indians, which also saw the expansion of the cattle-rearing industry (Seecharan 1997). By 1903, Indian smallholders in Surinam owned or leased 14,000 ha of land, dedicated to rice, vegetable, milk, meat, and fruit production (Hoefte 2006). In Jamaica, agriculture remained the main occupation of Indians, and a few Indians even became estate owners (Shepherd 2006). This prominent role of Indians in agriculture persisted in the Caribbean for decades.

From as early as the 1920s, notwithstanding the Indians’ predominant engagement in agriculture and a variety of agriculture-related activities, Indian entrepreneurial endeavors were already being viewed as a viable alternative to agriculture. On the one level, there was a multitude of small-scale shopkeepers, hucksters, taxi drivers, proprietors, and transportation services. Nonagriculture-based caste-related skills brought by the Indian indentured laborers and passed on to their descendants added considerably to this level of Indian entrepreneurial effort (Brereton 1985). On the other level, a number of larger more established commercial businesses were already dotting the landscape of the major towns in Trinidad, British Guiana, and Surinam. Catering to the perceived needs and tastes of Indians, such larger establishments, often labelling themselves “General Provision Merchants” or “Importers of Indian Goods,” procured from India dry goods, haberdashery, gold and silver

jewelry, cotton and silk garments, brassware, furniture, household items, oriental curios, and Indian food staples such as rice, *dhall* (split peas), *ghee* (clarified butter), and a variety of whole spices. By the 1940s, Indians in Trinidad were also contributing significantly to the petroleum and energy sectors, either by leasing out the mineral rights of their land to oil developers or by working as professionals and technicians and often rising to the highest levels of management.

Indian organizational structure and function became increasingly active during the first half of the twentieth century. Even from the last decade of the nineteenth century, organizations such as the East Indian National Congress (EINC) or the East Indian National Association (EINA) in Trinidad were functioning as an organ and voice of the newly emergent Indian middle class (Malik 1971). A similar trend was visible in British Guiana with the formation of the British Guiana East Indian Association in 1916 and the Wesleyan East Indian Young Men's Society in 1919 (Mangru 1996). By the 1930s, Hindu organizations such as the Sanatan Dharma Board of Control and Sanatan Dharma Association were already serving as representatives of the Hindu population in Trinidad. Similar attitudes and trends would also be evident within the Muslim Indian community, with the Tackveeyatul Islamia Association (TIA), incorporated in 1931, and the Anjuman Sunnat-ul-Jamaat Association, incorporated in 1935 (Kassim 2002). The British Guiana Sanatan Dharma Maha Sabha incorporated in 1927 and the Sad'r Anjuman-E-Islam incorporated in 1937 functioned similarly for the Hindu and Muslim populations in British Guiana. However, in locations throughout the Caribbean with substantially smaller numbers of Indian immigrants, an Indian middle class was never consolidated during the period of indenture. In Grenada, for example, elements of an Indian middle class emerged much later on, "...at a time when the social system had already established the terms of their incorporation within the Grenadian mainstream: essentially, as persons devoid of Indian cultural supports" (Sookram 2006).

The increasing gravitation toward Western education provided Indians with another, though complicated, agent of mobility – that of conversion. Conversion has been a persistent concern among Indians in Trinidad and British Guiana since the advent of the Presbyterian Canadian Mission (C.M.) in 1868 (Seesaran 2002) and 1885, respectively. Under the shroud of education, the C.M. embarked on very vigorous attempts at communicating their "light and knowledge" to a "lamentably degenerate and base" group of people who retained but a "feeble sense of moral obligation" (Grant 1923). The techniques employed were formulated and administered in such an astute manner that it was both indiscernible by the members of the Hindu community and possibly misinterpreted by several scholars as a natural, practical dimension of the C.M.'s efforts at educating and "socializing" Indians in Trinidad and British Guiana.

Possibly the most skillful tactic was the incorporation of Indian forms of organization and worship into their efforts, thus packaging the fundamentally Christian values, beliefs, and principles in a veneer of Hinduism. Some of these techniques included the naming of Presbyterian churches, such as *Dharm ka Suraj* (the splendor of truth) and *Jagat ka Prakash* (light of the world), in Hindi so that they conveyed Christian messages in Hindi words (Samaroo 1975). In some cases, the meeting of

the Presbyterian minister and elders rechristened “the panchayat” (Samaroo 1975). Hindi terminology was also extended to aspects of the Christian service. For example, Jesus Christ was renamed Yeshu Masih and hailed as *Ishwari-ji* (the lord), and the wearing of traditional Indian clothing to attend church services was encouraged (Seecharan 1997). Prayer meetings were renamed *Yeshu Katha* (literally, the story of Christ but also imbibing all of the religious connotations of a Hindu *katha* which, among Hindus, often refer to the reading of Hindu scriptures within the context of a puja). The consecrated bread distributed at Christian Communion was duly named *jewan ki roti* (bread of life). Another method was the sale of Christian literature in Hindi. These included the Bible, *bhajans* (Hindu religious songs) with Christian messages, a critique of the *Valmiki Ramayana*, and Hindi editions of Church periodicals. Drawing on the deep-seated emotional bonds held by Indians in the Caribbean toward India, the C.M. also brought missionaries, pastors, and other helpers from India (Seecharan 1997).

Throughout the period of indenture, the predominance of such traditional social institutions as the *panchayat* (a group of five village elders responsible for resolving conflict), *bhaiyachaarya* (a cooperative brotherhood in building homes and cultivating crops), *kujat* (state of outcaste), and *praja* (traditional Indian patron-client relationship) and caste sentiments also tightened the sense of village (Klass 1961). Off the estates, this was enhanced by the de-emphasis of the individual in favor of the collective body, rooted in the secondary position of the individual to the family unit. The socioeconomic and emotional ties to ancestral lands and property and the persistence of traditional Indian structures and values surrounding Indian family life created a situation where male members of the family usually continued residing in their ancestral villages. This generated a high degree of consanguinity within villages which, in turn, prohibited marriages within villages. In addition, the kinship sentiment of the *jahaji bhai* relations (relationships established aboard the Indian immigrant ships and usually sustained during and after the indenture period) albeit fictive continued to exist among the descendants of the indentured immigrants, though in increasingly diluted degrees. Thus, along with the actual event of the wedding, affinal bonds generated by such unions greatly enhanced inter-village interaction and relations and the gradual crystallization of Indian group sentiments.

However, just one decade after the termination of Indian indenture, it was both imminent and evident that other elements were beginning to influence and, in some cases, even supersede the importance of traditional ideologies and institutions. Such factors included literacy, education, occupation, the acquisition of wealth, and in some cases power, which began to either work with or displace some of the traditional values and virtues as a formula for status, authority, and power (Haraksingh 1976). The decline of the traditional *panchayat* system provides a most potent example of this. Internally, being a member of the *panchayat* meant occupying the highest social position in the community; one accorded possibly the greatest degree of respect and authority. Judgments of the *panchayat* could have direct bearing on the status of both individuals and entire families in the village (Laurence 1994). The most outstanding evidence of this was the application of the state of *kujat* (outcaste) which involved the barring of the offender(s) from any kind

of social interaction with fellow villagers; with the duration of the ban dependent on the gravity of the offence. Such offences included intra-village, inter-religious, or, worst of all, interracial marriages; and the time period could range from a few months to a few years, to life. Until the early 1920s, the composition of the *panchayat* was based on a flexible combination of caste, age, moral uprightness, scriptural and religious knowledge, and a sound sense of judgment. By the late 1930s, however, factors such as English education and economic status were added to, and sometimes even superseded, the more traditional determinants. In addition to the presence of wealthy non-Brahmins, the age restriction was being broken with the infiltration of some comparably younger members on the basis of their level of English education. However, the one enduring prerequisite for members was good character (Singh 2012). As with most tradition-based systems and institutions, the authority of the *panchayat* remained unquestioned as long as the traditional order which sanctioned its role remained intact and its rulings could be enforced.

The immediate post-indenture period saw several key developments that contributed to the restructuring of various aspects of Indian religious life, festivals, and observances. There was a steady rise in the quantum and scale of religious observances and celebrations performed at the community level (Haraksingh 1988). This was facilitated by a marked increase in the appearance of Hindu temples and Muslim mosques in almost every major area where Indians lived. Such activities organized by groups usually mirrored an awareness of the perceived need to revive, reform, and promote religion in a manner which would impart a greater degree of visibility and acceptability of both the religion and its adherents (Singh 2012). Temples and mosques also served as the preferred meeting places where issues pertaining to the Hindu and Muslim communities, many times in relation to their social mobility as a group, were discussed, debated, and sometimes resolved. Thus, they functioned as both the basis and markers of the increase in Indian socioreligious organizational development during this period.

In both practice and the ideal, the extended family structure prevailed among Indians during this period. This notion of “extended,” however, should be tempered with the fact that it involved a number of compositional variations at the different stages of the cycle of the Indian family structure (Mandelbaum 1972). At strategic points, there would be the breaking away of a specific subgroup which would then proceed to form the nucleus (nuclear family) of another imminent extended system (Klass 1961). In a period where male siblings usually earned their livelihood by working on family-occupied (owned, rented, or leased) land, the common situation was one where the sub-unit would set up household either adjacent to or on the same property of the original unit or would even choose to stay at the same house while setting up separate kitchens. While factors such as Western education, non-agricultural occupations, and the geographical location of such occupations would influence the rate, extent, and nature of this breaking away, there would almost always be strong ideological and emotional ties with the original extended system (Klass 1961). However, the death of the patriarch inevitably led to the weakening of the ideal of fraternal relations and often set the stage for the materialization of formerly subtle, internal conflicts, often rooted in inheritance struggles. One fallout



was the subdivision of landholdings and other property according to traditional prescriptions. This promoted greater autonomy for the resultant subdivisions, since the cohesive powers of neither parent figure nor common property were at work (Singh 2012).

Though monogamy was held as the ideal among Indians in the Caribbean by the twentieth century, there were digressions on the part of both men and women. These digressions, viewed against the ideal, impacted directly on the status of the individual within both the family and the larger community. The most glaring aspect of this was the discrepancy in attitude toward males and females. With a mixture of pious castigation, grudging admiration, and sometimes not so secret approval and understanding, the social standing of the adulterous male remained relatively intact. This was especially where it was suspected that the wife was barren. It may even be said that extramarital relationships were covertly expected of the more prominent men in the community. In the case of those whose status was based on ritual purity such as the Brahmins and the pundits, there was a more pronounced effect. This involved a combination of largely private ridicule, a decline in the individual's viability as a religious leader, and yet, paradoxically, the continued faithful following of his disciples. Women, on the other hand, still viewed as "the receptacles of the ancestral seed," the sustainers of the lineage, the foundation of family life and honor, and through whose fidelity male sexual prowess was measured were heavily reprimanded, ridiculed, beaten, and even ostracized by immediate family members and, often, the community as well (Kanhai 2008). The status of Indian women during the immediate post-indenture decades was highly conditioned by the desire to control female sexuality through early marriages, glorifying female reproductive powers, and preferring sons over daughters. The selective shaping of religious texts and doctrines aided this mood.

Tangible property, especially land, was almost never inherited by daughters on the same or comparable scale as sons, since it would in turn become the property of her husband. Daughters either received none or, sometimes, a very small plot of the ancestral land as "a gift." This notion of keeping the wealth/land in the family was also compounded by the attitude that women should be provided for by their husbands and not their parents (since upon marriage she became the "property" of her husband). The woman's "share of the wealth" was given as her dowry (which re-emerged during the post-indenture period) and other gifts upon her marriage. This usually included jewelry, money, cows, an occasional plot of land, and household appliances. Daughters received the majority of their father's wealth only if there were no sons in the family (Kanhai 2012). Even that too was sometimes deflected to other male members of the extended family, all to keep the land "in the family." However, it was quite common for the wealthier individuals to gift their daughters quite generously. Also, many widowed women were often given small plots of land by their relatives upon which they could construct homes. However, during this period, there were many cases of women, usually widows, or those separated from their husbands, purchasing or leasing property (land) on their own (Roopnarine 2007). It should be noted that the personal agency and highly prized position of Indian women during the indenture stymied attempts at absolute reproduction of



patriarchal systems as they obtained in India. Within the essentially patriarchal values and ideology that permeated the Indian community until the 1960s, “women invariably negotiate[d] within their domestic spaces for changes which will improve the conditions of their lives and that of their families” (Mohammed 2002).

On 27 March 1917, the Viceroy of India terminated the shipping of Indian laborers overseas, setting the stage for the termination of the system of Indian indenture in 1920, when all of the indentured laborers in the various colonies would have ended their contracted periods of indentureship. Initial arguments against the system of Indian indenture were raised during the 1890s by Mahatma Gandhi during his prolonged stay in South Africa where, for 20 years, he fought against the atrocities of the system, as faced by Indian indentured laborers in South Africa. His arguments were later taken up and propelled into the forefront as one of many anti-colonial arguments of a rapidly increasing group of Indian nationalists who had been questioning colonial rule in India and who, by 1910, were advocating for self-rule in India. Highlighting the poor conditions, ill-treatment, punishment, and especially the abuse of Indian women, a massive campaign against the system of Indian indenture was initiated. Therein, numerous public meetings, the Indian press, resolutions, and petitions to both the Government of India and the British Imperial Government collectively saw the anti-indenture campaign reaching an all-India level. By 1915, the British Imperial Government could no longer ignore the growing threat of the campaign. Thus, in 1917, the shipping of Indian labor overseas was terminated.

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## Conclusion

When the system of Indian indenture was terminated by 1920, about 75% of the immigrants had chosen to make the Caribbean their permanent home (Laurence 1994). One hundred seventy-five years later, Indians have become an integral yet often distinct compositional element of the Caribbean landscape. The descendants of these indentured laborers now form an ethnic majority in Trinidad and Tobago, Guyana, and Surinam. Though substantially smaller, the Indian communities in Jamaica, Martinique, Guadeloupe, and St. Vincent are definitely visible, both demographically and culturally (Shepherd 1993; Singaravelou 1976). However, in such countries as Grenada, St. Lucia, St. Kitts, and Belize, the extremely small numbers together with variant factors have seen an almost total absorption of the Indian immigrant communities into their respective societies (Sookram 2009; Mahabir 2011). In most of the foregoing Caribbean locations, the decades following the termination of the system of Indian indenture generated a focus on and acceleration of social, economic, political, cultural, and religious transformation within and among the Indian communities in the Caribbean which would, ultimately, contribute to the process of identity formation, both within the various locations and as a larger Caribbean community. This would entail a dynamic interplay between “Indian” and “Caribbean,” the traditional and the modern, the religious and the secular, retention

and transformation, between being and belonging. Today, Indians in the Caribbean stand as an integral part of the Caribbean landscape. And, while such appellations as “Indo-Caribbean” and “Indians in the Caribbean” have been largely accepted by both Indians and the larger Caribbean community, they are a running reminder that, like all diaspora communities, the emergent identities of migrant communities would usually carry with them varying degrees and manifestations of hyphenation. Indeed, this in itself bears testimony of the intricacy and deep resonance of the physical, emotional, and psychological journey from India to the Caribbean.

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## Abstract

Migration researchers have tended to focus on social extremes: either highly skilled elites, on the one hand, or low-wage workers on the other. Less attention has been directed toward “ordinary” middle-class professional movers, and there have been no reviews of this literature to date. The chapter addresses this gap and identifies five important themes to guide future class-orientated migration research. First, the complex relationship between migration, social mobility, place, and middle-class membership is examined. Second, age is shown to be an important consideration in middle-class migration decision-making. Third, the cultural versus economic basis of the mobile middle-class is explored, and the role of lifestyle factors in shaping migration is critically examined. Fourth, middle-class migration decisions are connected to gendered household strategies, with the preponderance of dual-career couples now taking migration

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S. Scott (✉)  
University of Gloucestershire, Cheltenham, UK  
e-mail: [sscott@glos.ac.uk](mailto:sscott@glos.ac.uk)

decision-making well beyond the individual career path. Finally, the social and communal emplacement of middle-class migrants is considered as an important but neglected dimension of research. Overall, it is clear that the class-based analysis of migration is an important yet neglected field of study, and this is especially true for middle-class movers.

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**Keywords**

Labor · Middle class · Middling · Migrant · Mobility · Transnational

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## Introduction

Who cares about the middle classes? They are not, or at least do not at first glance appear to be, a ‘social problem’ (and) they do not appear to have spectacular amounts of power or influence. (Butler and Savage 1995: vii)

Traditionally, scholars have been attracted away from the mostly messy middle ground of class analysis toward the wealthy and powerful, on the one hand, and/or the poor and dispossessed on the other (Butler and Savage 1995). Migration, for instance, is commonly viewed at, and represented by, its socioeconomic poles. On the one extreme, the presence of a highly skilled professional elite has been researched (Beaverstock 2002) and the existence of a “transnational capitalist class” theorized (Sklair 2001). On the other extreme, there are low-wage (though not necessarily low-skilled) agricultural, manufacturing, and service workers who constitute a “secondary” labor force (Castles and Kosack 1973; Wills et al. 2010). The two extremes often exist side by side, most spectacularly within those world/global cities that are at the apex of the globalized economy. In fact, many have argued that these locations are where social polarization is most pronounced, with migration a key component part (Sassen 1991). However, it is clear – from students, to workers, to retirees – that middle-class migration is both highly significant and incredibly diverse. In short, migration scholars should care about the middle classes. To this end, the chapter that follows focuses in particular on middle-class labor migrants. The principal aim is to broaden the field of view with respect to migration studies away from the “elite” versus the “low-wage” extremes.

In an important contribution to the field of middle-class migration research, Conradson and Latham (2005a: 229) note:

What is striking about many of the people involved... is their middling status position in their countries of origin. They are often, but not always, well educated. They may come from wealthy families, but more often than not they appear to be simply middle class. In terms of the societies they come from and those they are travelling to, they are very much of the middle. But the fact is that surprisingly little is known about these kinds of migrants.

In terms of benchmark national and international statistics, the data is patchy and/or dated. Recently, the US Bureau for Labor Statistics (2016) calculated that around one-third (32.2%) of foreign-born workers in the USA are employed within

**Table 1** Proportion of foreign-born residents who are tertiary educated, by selected OECD country

Selected OECD country	Number native-born	Number foreign-born	% foreign-born	Number of foreign-born tertiary educated	% foreign-born tertiary educated
Australia	6,158,380	1,997,481	32.4	650,548	32.6
France	20,554,573	2,071,134	10.1	547,474	26.4
Germany	29,541,273	3,954,425	13.4	739,558	18.7
Italy	19,935,648	1,058,084	5.3	154,977	14.6
UK	24,247,796	2,327,938	9.6	965,470	41.5

Source: OECD.Stat/Demography and Population/Migration Statistics/Database on Immigrants in OECD Countries (DIOC)/Immigrants by Occupation. Available at: [https://stats.oecd.org/Index.aspx?DataSetCode=DIOC\\_OCCUPATION](https://stats.oecd.org/Index.aspx?DataSetCode=DIOC_OCCUPATION)

NB. The International Standard Classification of Education (ISCED; cf. UNESCO 1997) was used to classify educational level: primary level (ISCED 0/1/2); secondary level (ISCED 3/4); tertiary level 1 (ISCED 5A/5B); tertiary level 2 (ISCED 6). “Tertiary educated” thus corresponds to the ISCED 5/6 category. The Database on Immigrants in OECD Countries (DIOC) is mainly drawn from the 2000 round of censuses

“management, professional, and related occupations.” International OECD figures, though dated, show a similar significance with respect to middle-class foreign workers. In the UK, for example, university graduates make up around four in ten (41.5%) foreign-born migrants, and around six in ten (59.8%) foreign-born migrants are employed within middle-class occupations. Corresponding figures for other selected OECD countries (Australia, France, Germany, Italy) are a little lower, though they still indicate significant middle-class migratory streams whether based on educational (see Table 1) or occupational (see Table 2) markers.

Thus, many international migrants are not part of a prestigious and privileged elite and are not able to move around freely and unconstrained by national bureaucracies. At the same time, they are also not dependent upon precarious low-wage work to survive. They do, put simply, occupy a “middling” status (Conradson and Latham 2005a). Arguably, the most studied group of international middle-class migrants are academics and researchers whose mobility is often understood as part of a broader process of transnational knowledge acquisition and exchange.

Exactly how middling migrants are constituted and who is represented by this category is a difficult question. Relatively few authors have attempted to delimit or define the middle-class as a migrant group (though see Scott 2006). More broadly, there is the thorny question of defining the middle class per se, irrespective of immigration. To this end, van Hear (2014) observes that, in migration studies, class has been underemployed by scholars (for exceptions, see Cederberg 2017; Wu and Liu 2014; Bonjour and Chauvin 2018; Rye 2019). It has been eclipsed by studies focused on gender, ethnicity, race, religion, generation, etc. This lack of coverage is worrying, though not entirely surprising. Class is a difficult, and highly politicized, concept to employ, and the “middle-class” category can be especially difficult to pin down. As Butler (1995: 26) laments: “Traditionally (academics) have found it much easier to examine the working-class or the ‘ruling class’ than the more messy and fragmented middle-class.”

**Table 2** Foreign-born residents by middle-class occupation, by selected OECD country

Selected OECD country	Number of foreign-born "legislators, senior officials, and managers"	% of foreign-born who are "legislators, senior officials, and managers"	Number foreign-born "professionals"	% Foreign-born who are "professionals"	Number of foreign-born "technicians and associate professionals"	% of foreign-born who are "technicians and associate professionals"	Number of foreign-born "clerks"	% of foreign-born who are "clerks"	% Foreign-born who are in a "middle-class" occupation
Australia	211,761	10.6%	396,268	19.8	232,663	11.6	238,743	12.0	54.0
France	184,181	8.9%	267,539	12.9	288,107	13.9	171,320	8.3	44.0
Germany	51,360	1.3%	350,672	8.9	523,030	13.2	284,638	7.2	30.6
Italy	95,031	10.0%	88,584	8.4	145,308	13.7	63,859	6.0	37.1
UK	379,885	16.3%	411,539	17.7	303,576	13.0	298,094	12.8	59.8

Source: OECD.Stat/Demography and Population/Migration Statistics/Database on Immigrants in OECD Countries (DIOC)/Immigrants by Occupation.

Available at: [https://stats.oecd.org/Index.aspx?DataSetCode=DIOC\\_OCCUPATION](https://stats.oecd.org/Index.aspx?DataSetCode=DIOC_OCCUPATION)

NB. Occupations are recorded in the OECD database according to the International Standard Classification of Occupations (ISCO-88, cf. ILO 1990). There are 11 categories used in the OECD DIOC database: legislators, senior officials, and managers; professionals; technicians and associate professionals; clerks; service workers and shop and market sale workers; skilled agriculture and fisheries workers; craft and related trades workers; plant and machine operators and assemblers; elementary occupations; armed forces; unknown. The first four of these categories were used as surrogates for "middle-class" occupations. The Database on Immigrants in OECD Countries (DIOC) is mainly drawn from the 2000 round of censuses

Goldthorpe's (1982) concept of the "service class" is important here as it marks an attempt to distinguish between routine nonmanual white-collar workers (little different from manual workers) and the more powerful members of the (professional and managerial) middle class. The latter are distinguished by the trust that employers place in them and the associated roles they perform and responsibilities they hold within the contemporary workplace. The service class is characterized by relative stability and homogeneity. There is also, however, the work of Savage et al. (1992) which suggests that the middle class is changing and becoming increasingly fragmented and that the "service class" concept needs to be replaced by a more nuanced framework in order to capture the subtleties and fluidity of the new middle classes (see also Butler and Savage 1995).

Marxists perspectives would suggest, though, that capitalist societies will eventually tend toward polarization, with most people falling downward from the middle class into the proletariat, though a few will be co-opted upward into the capitalist class. This polarization thesis implies that the "middle class" is not in fact a stand-alone class category, but an extension (over a temporary time period) of a two-class system. Scholars argue over the degree to which contemporary society is polarizing, with some important contributions cautioning against the inevitability of an hour-glass society (Hamnett 1994; Samers 2002). Correspondingly, the bifurcation of immigration flows is identified as a phenomenon by some, though many others continue to emphasize the importance of middle-class mobility. This is especially true in countries where a strong welfare state insulates citizens from the extremes of neoliberal capitalism. In the EU context, for example, Verweibe (2008: 1) observes that "recent European migration seems to be, above all, a middle-class phenomenon."

If there is debate within the developed world over the degree of social polarization and the loss of the middle class, there is relative agreement that globally the number of people identified as, or defined as, middle class is rising. Two countries feature prominently in this trend: China and India. Batnitzky et al. (2008: 54), for instance, state that since the mid-1980s, the middle class in India has more than tripled to an estimated 300 million, with some predictions suggesting that by 2040 half the country will be middle class. Similarly, Blau (2016) cites McKinsey research showing how there are now around 225 million middle-class households in China, up from just 5 million in 2000. Thus, the world is accommodating ever more middle-class citizens, and so one might expect this to feed through into studies of class and international migration.

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## Spatial and Social Mobility

One of the principal motives behind middle-class labor migration is to cement or increase one's socioeconomic status and/or income. There is an expectation among migrants that moving across international borders will lead to secure middle-class group membership, at very least, and possibly even to class advancement (either for migrants themselves or for subsequent generations). The relationship between



spatial and social mobility, however, is complex, and there are instances where middle-class migrants experience, what they hope will only be a temporary, decline in their status and/or income. This is usually the result of not being able to transfer assets or “capital” (capital exists in three main forms according to Bourdieu (1984): economic (i.e., money and property); cultural (institutionalized via educational qualifications and often convertible into economic capital); and social (i.e., social connections, ties, and obligations)) across international borders. As Cederberg (2017: 149) observes: “It is well established that international migration involves not only geographical but also social mobility, as migrants achieve an improved socioeconomic position through increased economic opportunities, or experience downwards mobility as a result of not being able to transfer their economic, social or educational resources to the receiving country context.”

In an extensive US study, Clark (2003: xiv) notes that “the allure of continuing upward social mobility often leads to migration” and goes on to find that there has been significant progress in this respect both in terms of a growing middle-class immigrant population and in terms of a “home-grown” second-generation immigrant middle class. Overall, Clark estimates there to be four million foreign-born and ethnic native-born middle-class household in the USA, making up 12.3% of all middle-class households (Clark 2003: 221). Thus, even if labor migrants do not move internationally as members of the middle class, their aim is often for themselves, or their children, to become middle class with international migration central to this aspiration.

There are certain occupations where international mobility has become highly prized and an expected part of any fast-track career. This is true, for example, among those in the highly paid financial service sector where certain world/global city destinations such as New York and London are essential locales to gain experience of and in (Beverstock 2002). It is also true in academia where it is now the case that: “progression in science careers places a high premium on mobility” (Ackers and Gill 2008: 62). Essentially, then, certain professions now have career paths that extend beyond nation-state borders, and upward mobility can be facilitated by a willingness to acquire experience outside of one’s home country.

For some, class status may no longer be defined exclusively within nation-state borders but may be transnational in constitution. Indeed, mobility itself is a key element of establishing and augmenting one’s class position and brings with it various routes toward capital accumulation (see, e.g., Ong 1999). Cederberg (2017: 163), for instance, emphasizes “the importance of developing a transnational framework for understanding class processes.” It may be, for example, that leading peripatetic lives with families often spread between nation-states is part of a class strategy. Or, it may be that moving according to an international career path, similarly, leads to capital accumulation. Either way, it is clear that class can no longer be understood purely within a nation-state framework and that transnational capital acquisition is a key element to understanding the contemporary relationship between spatial and social mobility (see also Rye 2019).

Ong (1999: 19), in a study of the transnational Chinese, observes figures such as “the multiple passport holder; the multicultural manager with ‘flexible capital’; the ‘astronaut’ shuttling across borders on business; ‘parachute kids’ who can be

dropped off in another country by parents on the trans-Pacific business commute; and so on.” These examples of transnational flexibility have become something to strive for in certain social circles because of their role in underpinning social mobility. Perhaps most famously, there is the value now placed on Western education, in Asia in particular, as a grounding for subsequent professional employment and middle-class membership. This produces individuals “both technically adaptable to a variety of forms, functions, skills and situations and culturally adaptable to a variety of countries in Asia and the West” (Ong 1999: 170). Building on the work of Ong, Waters (2006) has shown how Western education enables the Hong Kong middle classes to accumulate valuable forms of “cultural capital.” Overseas credentials then get converted into economic capital, particularly when graduates return to work in Hong Kong. In other words, transnational home and school environments create a distinct middle-class “habitus” that then enables a migrant to enter middle-class professional employment on leaving university. There is, then, a clear link between certain forms of childhood and early adult international education and subsequent middle-class labor migration, though this appears particularly prominent for Asian (especially Chinese) transnational families.

The notion that class is transnationally produced/reproduced, via capital acquisition away from one’s home country, not only applies to those on the watershed between education and professional employment, it also applies to those forging international careers. Jöns (2011), for instance, talks about how international academics amass different forms of capital by virtue of their foreign sojourns, including prestige (symbolic capital); education and knowledge (embodied cultural capital); books and research infrastructure (objectified cultural capital); academic credentials and qualifications (institutionalized cultural capital); a network of relationships (social capital); and economic capital that is directly convertible into money. Similarly, in a recent study in Wrocław, Jaskułowski (2017: 262) argues that experiences in the city among Indian middle-class migrants are used “for increasing social status and gaining new experiences that may be understood not only in terms of individualization processes but also in the context of building cultural capital.” Or put another way, Indian migrants see their stay in Wrocław in instrumental terms and as part of a longer-term goal of securing and perhaps even increasing their socioeconomic status. Wrocław is not necessarily the final destination and is seen by many as an entry point on a longer journey of transnational middle-class production/reproduction.

In the literature on middle-class spatial and social mobility, it is clear that certain cities and regions occupy a particularly important place in terms of providing migrants with opportunities for advancement. The key concept in this respect is the “escalator” city/region. The origins of this can be traced back to the work of Watson (1964) and his concept of “social spiralism.” Essentially, social spiralism is about achieving professional success, and the fact that this success may be blocked in certain places but available elsewhere. In other words, to get on professionally would-be and aspirant members of the middle class may have to move away from their place of origin. The “escalator” concept explicitly seeks to identify where “social spiralism” is occurring, and it is clear that world/global city destinations are key.

Most “escalator” research to date has been carried out on London and the surrounding southeast region (starting with Fielding 1992; Savage et al. 1992: Chap. 8). The area has been shown to facilitate a higher rate of upward social mobility than any other in the UK, especially among the young. Indicative of this, it has seen net in-migration of young adults, their promotion, and then net out-migration of older adults who are choosing to step off the escalator once their middle-class status is secured.

Clearly, the phenomenon of social spiralism and the escalator concept that emerged from this have the potential to apply globally: to a host of cities/regions and to international as well as internal middle-class labor migration. Looking beyond London and the southeast, for example, Fielding (2012: 107) has argued that a range of world/global cities: “act as ‘engines’ of promotion into middle and upper-class jobs.” Similarly, Findlay et al. (2009: 876) stress that the escalator effect relates to international migrants too: “The increasingly global reach of major city regions such as London may well have enhanced the opportunities for upward mobility both for internal and international migrants with highly transferable and sought-after skills.”

The link between spatial and social mobility is not always straightforward. It is not simply a case that getting the right education or moving to the right city/region will establish middle-class membership and possibly initiate upward mobility. The “transnational” and “cultural capital” explanations of middle-class family production/reproduction and the “social spiralist” and “escalator” effects are evident for some migrants but not for all. Moreover, and as noted above, migration may sometimes result in downward social mobility, with middle-class labor migrants prepared to work in low-wage jobs over the short to medium term in the hope of an eventual increase in socioeconomic status either for themselves or their children. This is particularly true, it seems, for those middle-class labor migrants moving from peripheral to core areas of the world economy.

Chiswick (1978) observed a temporary earnings dip for immigrants on entering the US labor market but also noted that over the long-term earnings drew level with and then eventually surpassed the native-born. This study is important because it demonstrates that migration may well lead to *both* downward and upward mobility depending upon the time period one examines. Ryan (2015), for example, has recently examined Polish workers in the UK, and her findings show that they may experience an initial de-skilling but that this is then followed by upward mobility. Such observations are important because a number of recent studies have observed what one might call “brain waste,” i.e., university educated, middle-class migrants working in low-wage jobs, below the skill level to which they are qualified.

The “brain-waste” phenomenon appears to be most prominent where middle-class migrants cross a development gap and move from peripheral to core economies. Parreñas (2000), for example, has identified Filipino workers with tertiary qualifications employed in domestic care work and as nursing assistants, getting much lower rates of pay than their qualifications would imply. She uses the term “contradictory class mobility” to highlight the position of these largely skilled female migrants who raise their income via domestic work in Western countries but also experience downward social mobility by virtue of doing

low-status work. Similarly, Kelly and Lusic (2006) have examined Filipino migrants in Canada and also note an overall pattern of de-skilling.

India has a growing middle-class, and Rutten and Verstappen (2014: 1217) note the plight of middling migrants from Gujarat to London who “dreamed of going to the West to earn money and improve their prospects at home but ended up in low-status, semi-skilled jobs to cover their expenses, living in small guesthouses crammed with newly arrived migrants.” Others have observed a similar trend among the mobile Indian middle classes (Batnizky et al. 2008; Qureshi et al. 2013). Overall, then, it seems that there are considerable uncertainties with respect to the spatial mobility/social mobility relationship and that this translates into considerable ambivalence with regard to middle-class migrants’ decisions to move abroad. Moreover, this is true mainly for those moving across a development divide. Thus, while international labor migration is now seen as an essential element in what is an increasingly transnational process of middle-class production/reproduction (see, e.g., Mapril 2014), there is great uncertainty as to whether the decision to migrate will pay off.

The task for scholars then, in light of the “brain-waste” phenomenon, is to identify reasons for middle-class migrants working at a level below that to which they are accustomed. Language skills are undoubtedly a key factor to explaining how well labor migrants do within the host country (Chiswick and Miller 2002). Nevertheless, lack of language skills does not mean inevitable brain waste. Chiswick and Taengnoi (2007), for instance, found that professional immigrants in the USA without English language skills were still able to enter certain occupations (such as computing and engineering), though others were less accessible. There also appear to be social and geographical nuances with respect to which middle-class migrants progress as expected and which are blocked from entering professional occupations. Haley and Taengnoi (2011), for example, found that professional migrants from the English-speaking developed world did better in the USA in terms of earnings. Underpinning this, they found that educational and professional experiences and qualifications from these countries were more transferable. Also in the USA, Mattoo et al. (2008) found that educated migrants from Latin American and Eastern European were more likely to end up in unskilled jobs than migrants from Asia and certain industrial countries. A key aspect of this, they observed, was the recognition of qualifications. Elsewhere, evidence from Canada points toward middle-class refugees struggling to gain suitable professional-level employment due to structural labor market barriers (Krahn et al. 2000).

Some middle-class migrants, however, appear willing to accept brain waste as a temporary step toward eventual upward social mobility. Based on research in Scotland, Piętko et al. (2013) observe how eastern European migrants often work below the level to which they are qualified but gain in terms of human capital: particularly language skills and self-confidence. Also in the UK, Batnizky et al. (2008), in a study of Indian migrants in London, identify how certain forms of relatively low-status Western employment may be seen as “glamorous” (p51) back home. In addition, they argue that downward occupational mobility following migration is negotiated by migrants through conspicuous consumption patterns

(TVs, iPhones, etc.) and what might appear to be brain waste actually underpins middle-class status back in India. Migration, then, can be a transnational strategy tied to different class outcomes in the sending (positive) and receiving (negative) societies. Or, put another way, relatively routine low-wage service employment in core economies can underpin the production and reproduction of a middle-class identity in less economically developed home countries.

Waldinger and Lichter (2003: 9) usefully advance the idea of a “dual frame of reference” in relation to the acceptance, and even embrace, by migrants of apparently dead-end work. They argue that: “The stigmatized status of bottom-level work impinges differently on immigrants, who operate with a dual frame of reference, judging conditions ‘here’ by the standards ‘back home’.” Thus, if staying at home equates to class immobility, or even downward mobility, then it may well be worth moving abroad, even if there is brain waste. Middle-class migrants accept low-wage work because of the value of this work back home (e.g., via remittances) and/or because they see it as part of an international career path, a stepping-stone, that will eventually lead onto professional employment. In terms of the latter, Parutis (2014) identifies definite class advantage for eastern European migrants subject to brain waste in the UK. Provided they possess appropriate linguistic skills, migrants appear to progress from “any job” to a “better job” in search of an eventual “dream job.” Thus, it is the stepping-stone role of certain jobs and migrants’ short-stay horizons while in these jobs that can render brain-waste acceptable.

Finally, there are instances where middle-class migrants work for a long period of time below the skill level to which they are qualified but find this acceptable because of the hopes and class aspirations they have for their children. Lopez Rodriguez’s (2010) research on Polish mothers, for example, suggests that children’s opportunities are important motivations for migration. In a similar vein, Cederberg (2017) argues that: “The prospect of upwards mobility for migrants’ children can help mitigate the experience of downwards mobility for the migrants themselves, confirming the importance of taking a family-wide and inter-generational perspective on social mobility” (p159).

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## Age and Migration

There is a very strong correlation between age and migration, as evidenced in the “model migration schedule” (Barcus and Halfacree 2017: 152). This shows how people in their late teens and twenties are highly mobile, more so than other age groups. These are ages when people often move to university and then for career forging and family forming reasons. Most obviously, and as we saw above, “escalator” cities/regions attract large numbers of young workers seeking to cement and augment their socioeconomic status. In many respects, then, migration both for education and work functions as a rite of passage into adulthood and can also function as a rite of passage into the middle classes.

For those who are part of the transnational elite, migration at a young age may go all the way back to prestigious international schooling. For many more members of the middle class, it is international experience while at university that helps to

underpin subsequent mobility (see, e.g., Findlay et al. 2017). Those with international experience when in education may well be more likely to make a foreign move when working. Indeed, the normalization of the international through school and university, and the transnational employment trajectories that often develop from this, may actually underpin important forms of capital acquisition that are key to middle- and upper-class membership.

For young people outside of the transnational elite, and not on a highly skilled career path, international migration in early adulthood is well documented though it often relates to experience-seeking and self-development as much as economic opportunity. The lack of family ties and career commitment when young opens up possibilities for international experience. Work is important, but, crucially, it is used to pay for opportunities to experience other countries and cultures. Middle-class migration, then, needs to be understood as a phenomenon that involves individuals, especially when young, who might be termed “lifestyle” as much as labor migrants. Indeed, the period after education ends gives many young people, especially members of the middle classes, the chance to experience life abroad as a rite of passage into adulthood.

Clarke’s (2005) study of working holiday makers in Australia and Conradson and Latham’s (2005b) study of New Zealanders in London both capture this hybridized form of labor-lifestyle migration that has become reasonably common among the young middle class of the developed world (see also: Ryan and Mulholland 2014; Scott 2006; Wilson et al. 2009). For these individuals, labor market experiences may well be important, but immediate financial and career considerations are not always the main concern: with international cultural experience key. This experience may transfer into forms of capital that convey class distinction and advantage, but this is not usually a major strategic aim from the outset.

Conradson and Latham (2005b: 292) talk this type of mobility as a process of “societal individualization” which “places an enormous emphasis on the cultivation and nurture of the individual self” (see also Conradson and Latham 2005c). Some, however, have questioned how free migrants actually are in their aim of self-realization. Kennedy (2010: 480), for instance, argues that instrumental needs (i.e., a lack of opportunities at home versus employment available within the host country) are often dominant even among young skilled migrants who may appear at first glance to have a desire for adventure and cultural curiosity. Crucially, Kennedy does not dismiss cultural/lifestyle explanations for middle-class migration among the young, and he simply cautions against an overemphasis on this. The debate, then, is not about whether middle-class people work abroad when young, it is about how important employment and economic considerations are relative to cultural and lifestyle priorities.

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## Culture and Migration

The above leads us onto a broader discussion among scholars around what people look for in a place when they move there. Put simply, there is a debate about the primacy of economic opportunity (i.e., a job, a career path, a wider professional

*milieu*, etc.) in locational decision-making versus the role of social and cultural factors in determining where members of the middle classes end up living. Some scholars argue that a city/region must have a particular economic prowess in order to draw in graduates and professionals from the outside. Others, however, maintain that the middle classes make locational decisions based often on who already lives in an area and/or on that area's cultural capital.

An economic versus sociocultural dichotomy is unhelpful, however, in explaining middle-class migration. In reality, both facets help us to understand why people choose particular places to live above others. The key point is that economic explanations may well have more or less power for some, while sociocultural explanations may well have more or less power for others. Hannerz (1996: 129–132), for example, in his analysis of the 'transnational city', identifies a group of "expressive specialists" alongside a "transnational managerial" category. His analysis underlines both the diversity of middle-class arrivals to the contemporary global city and also the fact that within this diversity, economic, social, cultural, and other factors are weighted differently by different groups and lifestyle types. The value of Hannerz's insight is that it teaches us, even for cities at the apex of the global economy, to look beyond the classic corporate career path mover to consider the full diversity of middle-class migration (see, e.g., Scott 2006).

Perhaps the most famous framework advocating for sociocultural factors to be considered in, and indeed central to, middle-class migration is that advanced by Richard Florida focusing on the mobility patterns of the "creative class" (Florida 2002, 2005; Mellander et al. 2013). The creative class are "people who are paid principally to do creative work for a living...the scientists, engineers, artists, musicians, designers and knowledge-based professionals" (Florida 2002, xiii). According to Florida, cities compete against each other, and one part of gaining competitive advantage rests in the people you are able to attract. Specifically, cities must try to attract the "creative class," and this is not just about having the requisite economic base. Instead, the creative class, especially immediately after graduating, are footloose and prefer certain types of places and spaces. Thus, if cities want to increase their competitiveness, they need to attract both firms and workers, and attraction is about more than just economics. To hackney a famous slogan: it's not just the economy, stupid.

Florida's arguments require one to believe that (1) there is a creative class; (2) the creative class is mobile; (3) the creative class are a key driver in economic development; (4) the creative class prefer certain types of place and thus concentrates within these; (5) the preferences of the creative class can be explained by "soft" factors (culture, leisure, environment, openness); and (6) overall cities/regions that are most successful will be endowed with the three Ts: technology, talent, and tolerance. Each of these assertions is open to contestation and indeed has been questioned in a sizeable sceptical literature.

While there is no space here to rehearse all the criticisms directed toward Florida's thesis, it is worth identifying key relevant critiques. Most notably, scholars point out that:



the idea that there are large numbers of ‘footloose’ creative individuals who are highly mobile and can choose freely between locations and who will be influenced by some vague notion of city attractiveness, rather than economic opportunity, seems barely credible. There might be some individuals for whom this condition is true but not so many that cities could use this as the basis of their economic development strategies. (Borén and Young 2013: 208)

Across a range of studies, there is considerable skepticism that place-based sociocultural factors can draw in the middle classes. As Storper and Scott (2009) argue, it is difficult to imagine how improving a city/region’s attractiveness will draw in large numbers of people in the desired occupations in the absence of economic opportunities. Similarly, Murphy and Redmond (2009) found that members of the creative class were attracted to a city (Dublin) mainly on the basis of employment availability, family, and birthplace and that “soft” factors did not play an important role in decision-making. They concluded: “the validity of the creative class thesis for stimulating regional economic growth must be viewed with a high degree of caution” (p. 82). However, and to rebut these criticisms somewhat, one can surely accept that *both* economic and sociocultural factors might come into play in the locational decision-making of the middle classes and that they might come into play differently for different individuals.

Another criticism of Florida’s work is that: “the migration dynamics of the creative class are little understood” (Borén and Young 2013: 196). This criticism is valid, in particular, with respect to international migration. There are very few examples of Florida’s thesis being applied to the study of middle-class movers across international borders. A notable exception is Boyle’s (2006) research on the Scottish creative class in Dublin. Boyle found that the city’s sociocultural appeal was mainly for younger people before family formation but, even then, that the vast majority of Scottish expatriates moved to Dublin because of the city’s career opportunities. Put another way, Florida’s thesis did explain international migration of the Scottish middle classes to Dublin to a degree, but its role was at best a partial one.

Where does the above leave us, then, in understanding the migration patterns and preferences of the global middle classes? To be sure, Florida’s “creative class” thesis is a convincing one. It has, though, been subject to a great deal of criticism. At worst, Florida leads us away from considering only a narrow group of international career path migrants to think about a more diverse mobile middle class. At best (and more controversially), Florida’s thesis actually explains the geography of significant swathes of middle-class migration and helps us to understand why certain cities may attract significant numbers of international middle-class migrants.

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## Household Migration

Middle-class migration has, by some, been understood as a process involving largely male career path migrants making decisions to move that are often quite separate from the broader household unit. Kofman (2000, 2004) is critical of this narrow perspective and makes the case for a family-oriented and gendered migration



framework looking beyond the individual economic motives of the male career path migrant. Similarly, Hardill (2002) is clear that middle-class membership is increasingly contingent upon dual careers and thus involves household level decision-making. Developing this point, Raghuram (2004), based on research with migrant doctors, argues that the nature of family migration and decision-making changes when migrants are skilled. In short, dual-career households are likely, and so choices over when and where to move can become very complex.

Overall, then, and especially within the past two decades, scholars have come to recognize that studies of middle-class mobility require gendered perspectives that acknowledge the role of women as workers, wives, and mothers in the migratory process. It is no longer sufficient to examine a single (usually male) career path and to use this as a basis for understanding migration. As Ackers and Gill (2008: 127) argue skilled migration is “simultaneously influenced by both family and employment considerations with the balance shifting over time.”

This said, it is still commonplace to see the female career sacrificed when middle-class families move both internally and internationally (Boyle et al. 2001; Cooke 2007; Hardill 1998; Purkayastha 2005; Yeo and Khoo 1998). So, while our understanding of middle-class migration needs to be rooted within more complex and multilayered decision-making processes, there is still a need to examine and explain important gendered outcomes: most obviously, the continued phenomenon of the female “trailing spouse” and the associated career (and other) sacrifices that are made. Though the situation is changing, with up to one-third of tied professional movers now male (Clerge et al. 2017).

The above can have significant implications for how well women do in particular middle-class careers. To elucidate, certain professions expect internal, and in some cases international, mobility as part of career progression. Academia is a prime example. Several studies indicate, for instance, the necessity of geographic mobility for academic success; and this may account for why women appear more likely to drop out en route to top academic positions (Ackers and Gill 2008; Jöns 2011; Schaer et al. 2017). There is, then, an important gendered dimension infusing the relationship between social and spatial mobility, for some professions at least.

Alongside calls for gendered and familial perspectives on middle-class migration decision-making, scholars have also pointed out that some professional families engage in transnational patterns of behavior. Ong (1999), in a study of Chinese professional migrants, observed the phenomena of both “astronaut” parents shuttling across borders on business, and “parachute” children studying in foreign countries while their parents work (often transnationally). Often transnational family formation is both specific to certain nationalities and gendered. Commonly, for example, it has been observed among southeast Asian (especially Chinese and Taiwanese) professional whereby the man of the household works at distance from the rest of the family as the latter engage on a quest for an international (Western) education (Waters 2006). In such scenarios, the mother’s professional life is often put on hold, and “the achievement of a mother lies in her children’s education” (Chiang 2008: 516) which in turn is expected to convey class advantage. It is, therefore, education rather than employment that underpins the gendered transnational strategies of some

middle-class professional families. Education explains why parents (usually the father) may work at a distance from the rest of their family and why the family may be spread transnationally across two or more nation-states.

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## Emplacing Middle-Class Migrants

In this final section, attention turns toward the ways in which middle-class migrants ground their life-worlds both within actual places and in terms of a more abstract sense of identity. The development of social networks, on the one hand, and a sense of place and belonging, on the other, is usually rooted both within and across nation-states. In the case of the latter, it is worth noting the “transnational turn” that took place within migration studies from the mid-1990s and the implications of this for the study of middle-class migrant communities (see, e.g., Beaverstock 2011; Colic-Peisker 2010; Conradson and Latham 2005b; Scott 2004). Notwithstanding this transnational turn, van Riemsdijk (2014) argues that the everyday experiences of ordinary skilled migrants have been neglected by researchers even though these experiences are extremely important in understanding processes of middle-class migrant integration.

One area where noteworthy insights have been made is in relation to the gendered nature of middle-class migration. There are, put simply, implications of the “trailing spouse” often being the female partner/wife. It seems that in-group communality is underpinned in many contexts by migrant women’s ability to network (Ryan and Mulholland 2014; Willis and Yeoh 2002; Yeo and Khoo 1998). This is, in a sense, indicative of an adaptive strategy whereby middle-class migrant women often lose their productive/professional function and replace it by turning to the social and communal realm in order to ground their everyday life and identity. The presence of children and the use of specialist international schooling seem to further augment the importance of the social and communal realm in the life-worlds of the trailing spouse. This occurs through parents’ “school-gate” networking and because the presence of specialist schooling can lead to middle-class residential clustering (White 1998).

This said, there are also ample studies demonstrating the in-group networking prowess of those migrants who are professionally employed (Beaverstock 2011; Cohen 1977; Colic-Peisker 2010; Conradson and Latham 2005b; Scott 2007). Further, in some contexts, this middle-class (often professional) networking involves certain types of “performance.” Most notably, there are studies pointing to the importance of the club/society (Cohen 1977; Scott 2007) and studies pointing to role of alcohol, drinking, bars, nightclubs, and house parties in middle-class (Western) socio-communal behavior (Clarke 2005; Walsh 2007; Yeoh and Willis 2005).

Beyond actual in situ social networks, middle-class migrants have been shown to maintain transnational contacts and harbor transnational/multicultural identities (Colic-Peisker 2010; Ong 1999; Scott 2004). There is no simple process of integration happening, therefore, among middle-class migrants. Instead, foreign professionals often maintain in-group social and communal ties to different degrees

depending upon the type of migrant they are (Scott 2006). Likewise, they attach to different places depending upon their own particular circumstances, their biography, and their future aspirations and expectations. Middle-class labor migrants, like all migrants, are engaged in a complex process of adaptation within the host country that places them both here and there in terms of their everyday life-worlds they inhabit.

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## Conclusions

This chapter has argued that it is important to consider migrants who are “in-between” the elite and the low-waged. These “middling” migrants are highly diverse and do not appear to constitute a stable or homogenous group. To this end, they have been referred to as “new middle-class labor migrants” to acknowledge their dynamism and complexity. Given the diversity, the chapter has sought to identify common themes emerging from a literature that has not been drawn together until now. Five core themes have emerged. The most significant concerns the link between spatial and social mobility and, specifically, the ways in which the middle class move in order to advance, or at least cement, their class position. The concept of the “escalator” city/region first advanced by Fielding is particularly important here. For some, however, the link between spatial and social mobility is one that stretches across generations: with migrants sometimes investing in their children and prepared, themselves, to accept “brain waste” and delayed gratification. Second, it is clear that some members of the middle class see international experience as a “rite of passage” into adulthood, and as part of this, cultural and lifestyle considerations are important in deciding to live and work abroad. The balance between culture and economics in explaining patterns of middle-class labor migration is developed further in the third theme of the chapter. Here, Florida’s “creative class” thesis is significant in helping us to understand why certain places appeal more than others to graduates and professionals. Fourth, middle-class labor migration was connected to a household and gendered perspective to take us beyond a narrow notion of individual career path mobility. Finally, relatively little attention has been directed toward the everyday emplacement of middle-class migrants and their related socio-communal networks and cultural identities. The work that is available suggests that in-group communality is significant among middle-class migrants and that migrants’ identities are complex and often transnational.

The above shows why one should not only care about the middle classes but care in particular about middle-class migration. The middle classes are growing globally, and middle-class labor mobility is a highly significant piece of the overall international migration jigsaw. Studying professionals on the move draws one into consider, *inter alia*, how class categories are defined; the relationship between spatial and social mobility; the role of age and life stage in mobility; the balance between culture and economics in migration decision-making the importance of the household and gender in the migration process; and the complexities of migrant integration and belonging. These are all issues that relate specifically to migration studies while,

crucially, also drawing migration scholars into other areas of the social sciences. One may well be interested in middle-class labor migration per se, but this interest is one that inevitably connects to wider social issues, themes, and questions.

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## Cross-References

► [Ethnicity and Class Nexus: A Philosophical Approach](#)

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# Slavery, Health, and Epidemics in Mauritius 1721–1860

# 89

Sadasivam Jaganada Reddi and Sheetal Sheena Sookrajowa

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## Abstract

The decline of the slave population during French and British occupation from 1721 to 1870, the high mortality rate, and the impact of epidemics have been less thoroughly examined than other aspects of slavery. The standard work on slave demography remains Kuczynski's *Demographic Survey of the British Empire* published in 1949. A few detailed studies on some aspects of the slave population in recent years have helped to clarify certain issues, but most works on slavery remain general (Barker 1996; Teelock 1998; Valentine 2000). This chapter relies on existing studies to provide a survey of the slave population in Mauritius before and after abolition of slavery in 1835 and to look at the major factors that impacted on the slave demography, with a focus on health and epidemics.

## Keywords

Slavery · Health · Epidemics · Population

S. J. Reddi  
Réduit, Mauritius  
e-mail: [sada.reddi@yahoo.co.uk](mailto:sada.reddi@yahoo.co.uk)

S. S. Sookrajowa (✉)  
Department of History and Political Science, Faculty of Social Sciences and Humanities, University of Mauritius, Réduit, Mauritius  
e-mail: [s.sookrajowa@uom.ac.mu](mailto:s.sookrajowa@uom.ac.mu); [sheenasookrajowa@gmail.com](mailto:sheenasookrajowa@gmail.com)



## Introduction

Mauritius is a small island, 61 km long and 41 km wide, and is located in the Indian Ocean, 800 km, east of Madagascar. It had no indigenous population when the Dutch occupied the island in 1638. The Dutch occupied the island on two occasions, and when they finally left in 1710, the French colonized the island between 1721 and 1810. The British administered the island from 1810 until independence in 1968. Both the Dutch and the French relied on a slave labor force during the period of colonization, and when the British occupied the island in 1810, there were about 67,000 slaves, 8,000 white and 7,000 colored. This made Mauritius one of the major slave colonies in the British Empire. The British abolished slavery in 1835, and slaves were set free in 1839 after a period of apprenticeship.

Several reasons can explain the lack of interest in the study of the slave population during the French and British occupation. Detailed investigation would have required a vast amount of research especially as the sources are dispersed in various archives. Available surveys and censuses during the early decades of the nineteenth century are marred by numerous inaccuracies, which have proved daunting for researchers. For example, the enumeration in the late eighteenth century and early nineteenth century were based on tax returns, and slave owners sought to minimize the number of slaves they owned to avoid paying taxes. In the British period, figures were compiled on different occasions. During the illegal slave trade, returns by slave owners were falsified to conceal the number of slaves obtained illegally. Even later, when the colonial government carried out surveys, there was resistance on the part of slave owners, and returns were defective and unreliable. After the termination of apprenticeship in 1839, the apprentices (ex-slaves) were labelled as ex-apprentices in the censuses but from 1861 the ex-apprentices were merged with the white and the coloured in the category 'general population' so that it becomes difficult to identify the former slave population from the other social groups. Historians agreed that slave population figures are at best approximate except for the census of 1826 and that census too has its limitations but can nevertheless yield some insights about slave demography in this period (Barker 1996).

This paper is divided into three sections which cover three different and distinctive periods of the history of Mauritius, (i) the French period; (ii) the British period from 1810 which impacted on the slave population, first by illegal slave trading and second the development of a plantation economy based on sugar; and (iii) the post-emancipation period but also marked by the massive introduction of Indian indentured labor. Though they are distinctive periods in the country's history, there were a lot of continuities in the conditions and lives of slaves. It is against this broad background that the evolution of the slave population will be surveyed together with impact of the major epidemics on the slave and ex-apprentice population.

When surveying the slave demography in this period, health was just one of the factors which impacted on the population. Morbidity and mortality from epidemics were also linked to the general economic and social conditions of the population and their lack of resources. Inadequate sanitary measures and the failure of colonial administration to cope with ill-health and outbreak of epidemics played their part.

Epidemics had a major impact during the French and the British period – smallpox, cholera, and later malaria were responsible for excessive deaths among the population, particularly the slave population.

## The Slave Labor Force in the Eighteenth Century

A starting point for studying the slave demography is the eighteenth century when Mauritius, formerly known as Isle de France, developed into a slave society during French colonization. Earlier, the Island had been occupied by the Dutch during two distinctive periods 1678–1694 and 1695–1710. During these years, the Dutch relied on the slave labor force to occupy the island, but the number of slaves never exceeded more than a hundred. The French occupied the island from 1721 to 1810, and slave labor was used by the French to develop the island.

In 1726 there were only 20 slaves in the island, and the figure rose to 638 in 1735. Under the governorship of Mahe de Labourdonnais, there was a rapid increase of slave population that reached 2,612 in 1740, and when Labourdonnais left the island in 1746, there was a slave labor force of 2,533. Between 1746 and 1767, slave population increased sixfold to reach 15,027. In the same period, the white population increased from 551 to 3,163 (North – Coombes 1978).

In 1777, the slave population reached 25,154 and 33,382 in 1787, and by 1807, its population had reached 63,367 slaves, 6,489 white and 5,912 free blacks or mixed black and white ancestry, and by 1810 it reached 68,177 (North – Coombes 1978; Noel 1991). The increase of free blacks was the result of both natural increase and those who had secured their emancipation (Nwulia 1981). These figures drawn by D’Unienville help to explain the trend in the slave population although he too conceded that the slave owners tended to conceal their wealth and evaded taxes and allocation of slaves for corvee (North – Coombes 1978; Table 1).

Slavery in Isle de France had its own characteristics. It was ethnically very diverse, and slaves were drawn mainly from Mozambique, Madagascar, and India. The increase of the population was due to importation and not to natural increase. Since the sources of slave labor were easily accessible given the relative proximity of either Madagascar or the east coast of Africa, slave owners had little interest in the natural reproduction of the labor force and preferred male slaves.

**Table 1** Slave population in the eighteenth century

Year	White	Free blacks	Slaves	Ratio of freemen to slaves
1767	3,163	587	15,027	1:4
1777	3,434	1,173	25,154	1:5.5
1787	4,372	2,235	33,823	1:5.1
1797	6,237	3,703	49,080	1:4.9
1807	6,489	5,912	65,367	1:5.3

Source: North Coombes Problems in the Sugar Industry of Ile De France or Mauritius 1790–1842, p. 88

The island inhabitants relied on regular importation to replenish the slave labor force. Bernardin de St Pierre (2002) estimated that between 1768 and 1770, the 20,000 slaves had an annual decrease of 1/18 annually, a figure that North-Coombes (1978) considered probably to be inflated for that would have meant an annual rate of decrease of 55%. On the other hand, D'Unienville advances a figure of natural increase per annum based on a birth rate of 33.3% and a death rate of 30%. However, according to North-Coombes, in the manuscript version of D'Unienville, there was a natural decrease of 3%. In addition, a manumission rate 2.0% was assumed in the manuscript version, while in the published version, it was 0.8% (North – Coombes 1978). Analyzing these figures, North-Coombes concluded that there is a case for giving a greater role to slave importation, and the natural decrease was greater than the 3.3% assumed by D'Unienville (North – Coombes 1978).

Importation figures also vary with the sources. D'Unienville gives a figure of 61,400 for importation for the period 1769–1810 and 56,700 between 1773 and 1810. Toussaint's figure is 62,387 and Filliot's 105,000. From 1804 to 1806, the natural decrease of the slave population was 3.3% per annum compared to a rate of natural increase of 12% for the white population (North – Coombes 1978).

The shortage of women as well as other factors in the slave population inhibited population growth. The slave population in 1807 shows a ratio of 45 men for 19 women (Noël 1991). Government slaves showed the same imbalance in their sex ratio (Teelock 1998). Slave owners were not interested in developing family units among the slave labor force. Though there were some family units, families were easily broken by sale. Women showed low fertility because of the difficult working conditions, and these also deterred women slaves from having families. Marooning made it difficult for women to rear children for their maternal care made it difficult to leave their children behind when they marooned. Moreover, during the period they were marooning, children's cries would have made detection by maroon hunters easier. Since most women had been marooning at least one time or more, this would have been a major hindrance to their freedom. It was reported that women slaves also resorted to abortion to avoid their children living a miserable life under slavery (Arago cited in North – Coombes 1978). Freycinet (1996) also attributed it to promiscuity of the slave women. Dietary deficiencies militated against pregnancies and raised the high risks of mortality and miscarriage. Freycinet who visited the island in 1818 found while white women might have two children and women slaves might have three children and even five, they lived only a few weeks (Freycinet 1996).

Contemporary accounts of travelers though valuable are not easy to assess especially when the settlers hosted many of them. They are divided on the treatment of slaves. Milbert (1812) found slave conditions were reasonable, and the ship surgeon Avine saw that a few masters treated their slaves well, while de Bernardin de St Pierre (2002) was very critical of slavery, and the miserable life of the slaves was highlighted in his writings. Generally, the high incidence of mortality in the slave population was related to socioeconomic conditions that were very poor and harsh, and these made natural reproduction difficult. Economic and social conditions of the slaves varied from masters to masters, and slaves were employed in numerous occupations, domestics, field laborers, housemaids, artisans, and port workers. In the

absence of labor-saving implements – carts and draught animals, slaves doing manual labor were excessively used with little concern for their health (North – Coombes 1978).

Slaves were generally poorly fed. The general population generally suffered from inadequate food according to the missionary Jean Pierre Teste. One can expect that the situation of the slaves would have been worst and it further aggravated during epidemics, cyclones, and wars. The ordinary white style of feeding was likened to a perpetual fast and worsened during hurricanes, epidemics, and lack of imported food during the war (North – Coombes 1978). One cannot deny that a few masters might have provided their slaves with adequate food but that would not be the case for the majority of slave owners. The ration of a slave was 2 lbs of maize or 5 lbs of manioc or 11/2 lbs of rice, supplemented by greens which they cultivated or fish (Noël 1991). Article 17 of the Code Noir of 1723 related to food and clothing was very vague (Wanquet 1979). An amendment of the law 1767, specifying the amount of food, suggests that previous food provision for slaves was not generally respected. Henceforth, those who were invalids or old abandoned by their masters were to be treated at the nearest hospital and be charged 4 to 6 sols a day. Later, in the 1820s, Charles Telfair refuted the criticism of the anti-slavery reporter on the quality of food on his estate at Bel-Ombre, but Barker concluded that the slaves enjoyed more than a tiny fraction.

In the eighteenth century, apart from sex disproportion of the slave population and low fertility, the excessive mortality among slaves is explained by the poor health, dietary deficiencies, and inadequate health facilities, dearth, hurricanes, and epidemics (North – Coombes 1978). Contemporary writers and travelers reported a wide variety of common diseases which afflicted the inhabitants such as chest pains, apoplexy, gout, scurvy, flux de sang, diarrhea, and intermittent and continuous fever. Urinary diseases, tetanus, small pox, and leprosy were also common ailments in the island among the white population (Freycinet 1996).

One can reasonably assume that slaves were most vulnerable to this disease environment as a result of grim economic and social conditions. Apart from diseases, nutrition must have been an important factor in the slave's health. It was reported that the constant use of manioc as a staple food created flux of blood or dysentery. Dependence of rice led to beriberi. In fact, epidemics of measles, dysentery, and beriberi were common among slaves. Bouron (cited in North Coombes 1978) added that abdominal diseases such as dysentery and associates were encountered frequently among slaves. He also reveals that scantily - clad slaves were prone to chest disease and that their weak constitution made treatment such as pneumonia difficult. Only in the large estates could some medical treatment be provided, and masters had to cope with the minor ailments. Later the law was updated in 1792, and the masters were charged 8 sols for every day a slave spent at the hospital in good health and 30 sols in case of medical treatment (Wanquet 1979).

In the eighteenth century, the population was afflicted by epidemics which resulted in sharp rises in mortality, particularly among the slave population. There were outbreaks in 1742, 1756, and 1758. There were cholera epidemics in 1775 and 1782. In 1756, half of the slave population was reckoned to have perished. In 1756,

an outbreak killed half of the slaves belonging to the settlers and 1,800 slaves belonging to the company (Kuczynski 1949). In 1792, D'Unienville gives a figure of 4,000 persons who died in a population of 58,000 persons, excluding the garrison (Kuczynski 1949). One third of the black population and half of the white population died from the smallpox epidemic of 1792. Smallpox killed 8% of the population of Port Louis. It was reported that 556 of the 2,780 government slaves perished during the epidemic though they had better conditions of living compared to other slaves (Toussaint 1973). From 1793 to 1820, there was no serious outbreak of smallpox, and part of the explanation was the introduction of vaccine from India by Deglau in 1802 (North – Coombes 1978). In the eighteenth century, poor diet, constant whippings, diseases, the ravages of epidemics, a skewed sex ratio, and high mortality rate made life for the overwhelming majority of the slaves infinitely grueling, a situation which became even worse in the nineteenth century with development of the plantation economy.

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### **British Period 1810–1870**

When the British occupied Mauritius in 1810, slaves who had some hopes of emancipations were disappointed as the British administration issued proclamations to maintain slavery and the miserable socioeconomic conditions of the slave population during the French regime were perpetuated. In fact, the situation worsened. The abolition of the slave trade was not implemented in Mauritius until 1817, and illegal slave trade continued up to the 1830s. The transformation of the economy into a plantation economy based on sugar after 1825 intensified the misery of the slave population. The decrease in the slave population continued, and slave owners had recourse to importation to maintain and increase the level of their labor force. The decline of the slave labor force continued throughout the following decades up to the 1860s and possibly after. The termination of apprenticeship in 1839 registered a decline in their numbers. In 1856, it had fallen to 40,730, and in 1867 it was further reduced to 35,000. All the available figures, contemporary observations, censuses, as well as the judgment of historians point incontrovertibly to the decline of the slave and the ex-apprentice population during the period under study. This drastic reduction of population needs to be explained and placed in its historical context.

At the outset, it must be highlighted that the population figures for the slave population and the ex-apprentices for most of the period have been taken from various contemporary sources and were arrived through different computations so that there is very often wide variation in the numbers. The reasons are many: sometimes figures cover the island of Mauritius and its dependencies, and sometimes slaves for whom taxes are paid are listed excluding children under 6 years old, apart from underreporting to avoid paying taxes or simply inaccurate reporting or recording. According to the tax rolls in 1810, there were 60,000 slaves; a note from General Decaen to Governor Farquhar mentions 80,000, while returns from the collector of internal revenue give different figures from those tax rolls. Generally, figures for slaves population differed from those in the tax rolls (Nwulia 1981). The population

figures were marred by inaccuracies, and it is difficult to be definitive about them for the period 1811–1834 (Kuczynski cited in Barker 1996). At best, the figures can only be approximate. Despite the rough estimates of the slave labor force and inaccuracies, they throw some light on the population dynamics – the direction in which the population numbers moved and its relationship to economic and social factors.

At time of British conquest, the continuation of the slave trade prevented the stabilization of the slave labor force and its natural reproduction because of the skewed sex ratio in favor of male slaves among the imports. Like in the French period, the labor force was only be replenished by importation so that an increase in the slave population was the result of importation. Historians have concluded that it is difficult to establish with any precision the number of slaves imported illegally and population figures vary from one source to another (Wanquet 1979).

In 1807, the population of Mauritius was constituted of approximately 65,637 slaves, 6,489 white and 5,912 colored (Barker 1996). Statistics of the slave population remains on a weak footing because slave owners would tend to conceal the identity of slaves introduced illegally (Valentine 2000). They might inflate the number to provide for the future acquisition of slaves from illegal importation or even transferred slaves from one estate to another at the time of enumeration (Reddi 1989). Farquhar estimated that the number of slaves imported from 1811 to 1821 was 30,000; other estimates suggest between 2,000 annually from 1793 to 1810 and 3,500 illegally introduced between 1811 and 1820 (Nwulia; Valentine 2000). The Commission of Inquiry on slave trade estimated in 1828 that of the 65,000 slaves in the island, 50,000 had been introduced illegally since 1814 which is considered high by several historians (Wanquet 1979; Teelock 1998). Carter and Gerbeau (1987 cited in Teelock 1998) advance a figure of 60,000, while Allen (2000) suggests an import figure of 52,550 to Mauritius and Seychelles between 1811 and 1827. The debate on illegal importation rests on the numbers imported with estimates varying from the conservative figure of 30,000 to much higher figures.

Closer analysis of the slave demography by Barker, Coombes, and Valentine gives credence to higher figures for illegal importation. Barker's analysis of the adult population in 1826 gives a figure of 66.8% for foreign-born slaves compared with 33.2% for creole slaves (Barker 1996). North-Coombes figure in 1826–1827 for male adult population aged 17–60 is 35.1% foreign-born and 11.3% local-born slaves (North-Coombes 1978). Valentine's population pyramid in a data set of 26,672 slaves for 1835 slave population finds that slaves of foreign origins constituted 40.2% foreign born and 59.8% creoles. Moreover, she finds that there was an increase in the male population between ages 25 and 59 and a similar but smaller increase in the same age group for female slaves. Valentine's life table of the slaves in 1835 confirms that while the sex ratio in the data set is 123 for the slave population, the sex ratio of creole slaves was 91 compared with 198 for imported slaves. All these suggest a very high mortality and low life expectancy with a sharp decline in population numbers after the age of 40 (Valentine 2000). Though Barker finds an increase in the slave population by 14,126 between 1807 and 1817, there was a decline of 17% in the slave population due to cholera in 1819. However, Pitot advances a slave mortality of 20,000 during the epidemic which implies a 33% reduction in the slave population (Reddi 1989).

During the period of amelioration, later censuses and returns on the slave labor force failed to improve the accuracy of the population figures. Slave owners opposed registration of the slave population, and returns were falsified in various ways. As a result, in 1826 the slave population was variously estimated as 69,076, 62,634, and 69,201 (Barker 1996). Barker prefers to rely on the figure of 68,201 as it is based on the 1826 slave registers to Kuczynski's (1949) figure of 69,264 which may have included slaves from other islands, dependencies of Mauritius. Based on the figure of 69,076 of 1826 which is generally considered the most reliable, the slave population declined to 64,331 in 1834 and 61,045 in 1835, though these figures too are derived from the 1826 census (Blue Book 1826 B6; Blue Book 1834; Blue Book 1835).

In explaining the decline of the slave workforce, D'Unienville finds that the death rate of the slave population exceeded birth rate and a yearly decrease of 5% would have led to the extinction of the slave population in 20 years, a conclusion which is contested by North-Coombes (1978). North-Coombes (1978) points out that the decline of importation following the abolition of the slave trade changed the demographic profile of the slave population. The slaves who died in old age were no longer offset by fresh importation and that the absolute decrease which had started in 1826 was at an end in 1846. Since the slaves introduced illegally were overwhelmingly male, an improvement in the male-female ratio of the slave population over time would have ensured natural reproduction. But with an increasing proportion of creole slaves born in the colony rising from 26.6 of the total to 50.2 in the period 1826–1827, while in 1827 male slaves still outnumbered female by 1.6 to 1 compared to 2.1 in 1809, the balance between the sexes would have taken much longer time in Mauritius as a result of the slave trade. On the other hand, low fertility or infant mortality in the slave population retarded population growth. Women appeared to have few children and fewer survived to adulthood. Even a possible rise in the number of children in 1835 did not mean a rise in total fertility rate and that the slave population had become self-reproducing (Valentine 2000). Further the cholera epidemic of 1824–1825 might also have increased mortality among children. Overall, the slave pyramid of the slave population in 1835 reflected a high mortality rate and short life expectancy as well as the harshness of the slave regime (Valentine 2000).

The increased harshness of the slave regime resulted largely from the expansion of the sugar industry after 1825. Changes in the plantation economy had profound effects on the slave population (Teelock 1998). The expansion of cane cultivation resulted in general shortage of labour on sugar estates. Planters hired personal and urban slaves or transferred labor from small and declining estates for sugar cultivation and production. The expansion of sugarcane cultivation increased the labor and the hardships of slaves; personal slaves faced several unstable situations as they were hired to work on different estates in different work situations resulting in increased alienation. Moreover, decline in food production resulting from the shift to sugarcane affected the diet of the labor force and its health. Slaves relied more and more on rice compared with the variety of food which they had in the past. Consumption of rice resulted in beriberi epidemics. In these difficult circumstances, there was a high incidence of morbidity and mortality.



Poor working conditions and harsh punishment in addition to change in diet also contributed to deteriorating health conditions. In the early years of the British occupation, Dr. Burke's report on the health of the slaves shows that health conditions were very bad (Teelock 1998). Housing conditions were dismal, and women slaves were deprived of any health facilities during pregnancy or for childcare. Later the Commission of Inquiry in the 1820s reported the same conditions prevailed on the sugar estates where severe labor and insufficient food resulted in the excess of deaths over births (Teelock 1998). Planters extracted the maximum labor from slave, men, women, and children since they regarded child-rearing and pregnancy as a loss of labor to the estates. Such an attitude meant that the planters gave scant regard to the health conditions of the slaves; they were made to work even when they feel sick or suffered from a particular disability. Complaints lodged at the protector's office reveal that with only a few exceptions, most sugar estates did not have proper hospital or medical personnel to treat the sick.

Amelioration policy inaugurated in 1825 was intended to improve the general conditions of the slave labor force. During that period measures to provide for the sick were resented by the proprietors. The old and the aged and those with incurable sickness were sent to government hospitals and even encouraged them to maroon so that they would be of little expense to the planters in terms of food and shelter. Amelioration measures were resisted by the planters, and their impact on the well-being of slaves was marginal. Barker (1996) concluded that masters were making physical labor difficult and the extreme measures contribute to the morbidity and mortality of the slave population.

The period of apprenticeship certainly brought some changes in the life of the apprentices who were able to purchase their freedom, but for the majority, apprenticeship equaled slavery. Conditions of living and work did not improve during apprenticeship, and the planters sought to extract the maximum labor from their apprentices especially that apprenticeship was viewed by the British government as a way to compensate the slave owners for the loss of slave labor as a result of abolition, while the other half was paid by the British government as compensation. In Mauritius, slave owners obtained 2 million pounds out of the 20 million pounds paid to all slave owners in the Caribbean and Mauritius. Even after abolition, the planters intended to secure the labor of the ex-apprentices through an ordinance in 1835, a piece of legislation that was very oppressive and was already in force for 1 year before it was disallowed. The ordinance of 1835 made provision for those apprentices unable to work or find work punishable by 3 years of imprisonment. Children 8 years old were to be employed. The thirst for freedom made the apprentices work much harder to secure their release from apprenticeship, and the fact that the planters raised the prices of apprentices meant they had to work much more and do overtime to secure their purchase. Apart from the law, a number of measures were passed to prevent apprentices from purchasing their freedom or even developing means of autonomous existence (Reddi 1989).

After 1835, the colonial state and the slave owners implemented a number of measures to the detriment of the apprentices. The imperial government did not consider that the ex-apprentices needed protection or had cause to complain from



competition from Indian laborers on the ground that they had withdrawn their labor from the sugar estates (Deerpalsingh and Carter 2015). All these measures were unfavorable to the apprentices, and these meant apprenticeship could prove worse than slavery itself (Kloosterboer). The indifference of the colonial authorities continued after the termination of apprenticeship.

During the apprenticeship period 1835–1839, there was an absolute decline in the slave population. In 1835, two figures on the apprentice population are provided, 61,045 and 62,022 (Kuczynski 1949; Nwulia 1981). The second figure is higher because it may include 1,009 who were under 6 and not subject legally to apprenticeship. The number of effective apprentices was 51,929, excluding 9,084 of the aged and the infirm (Nwulia 1981). We still do not know if the above figures include those who went maroons. The number who went marooning in the years 1835, 1836, and 1837 averaged 7.7% (Allen 1999). The ex-slave population declined further between 1835 and 1851, with a slight increase in 1846 when the ex-apprentices numbered 49,365 compared to figure of 48,060 in 1835 (Census 1851).

There were also other factors to explain the decrease between 1835 and 1846. Ex-apprentices were confronted with varying conditions. Those who had obtained their freedom during apprenticeship no longer registered themselves as apprentices. For example, in the district of Grand Port, about 9,000 slaves had already secured their freedom before apprenticeship came to an end, and they would have merged in the category general population. Fluctuation in the population of ex-apprentices in the different districts was related to internal migration. Their numbers increased in the districts of Flacq, Grand Port, Black River, and Moka but decreased in the district of Riviere du Rempart (Census of Mauritius 1851). Many of the ex-apprentices relocated themselves in some districts and established themselves as small cultivators and took employment outside the sugar estates.

After the termination of apprenticeship in 1839 and 1840, conditions of the ex-apprentices seemed to have improved generally, as they had been released from the rigor of plantation life with the introduction of Indian indentured labor. Ex-apprentices lived in relative freedom; wages were high for skilled workers on the sugar estates. Others could live and gain their living outside the sugar estates where there was a general shortage of labor. Even those who worked on the estates welcomed the presence of Indian laborers as they helped to lessen the workload of the ex-apprentices. In a period of general labor shortage, the ex-apprentice slaves could also enjoy a stronger bargaining power. All these positive changes had beneficial effects on the health of the slaves and must have contributed to a lower mortality and morbidity among many in the ex-slave population. This was reflected possibly in the relatively small decrease in the mortality rate. Mortality between 1835 and 1846 averaged 3.2% annually and between 1846 and 1851 to 0.4% annually. Death rate continued to exceed birth rate although its average death rate between 1835 and 1846 had fallen to 1.3 between 1846 and 1851. This slight improvement in the conditions of the ex-apprentices could also be explained by the fact that the ex-apprentices had moved away to “the wooded and the less cultivated districts where they could purchase land at cheaper rates or occupy land without purchase. Many apprentices established small independent farms where they did not come under the pressure of the sugar

economy. Many ex-apprentices settled outside the sugar estates and even in Port Louis so that they could find alternative jobs to laboring on the sugar estates” (Report from the Acting General Sanitary Inspector of the epidemic Fever of 1866–1867). One additional factor that can explain the direction toward demographic stability was that there was no major epidemic during that period.

The general improvement of the ex-apprentice population is borne out by several reports from contemporary observers. Governor Gomm remarked that mortality among the ex-apprentices was not excessive. Mortality averaged 3% throughout the 10 years following emancipation. However, the old and the infirm would not have necessarily improved the economic situation or even their health. A slight improvement in the sex ratio also raised the prospect of a balanced population. It is impossible to know whether these comments applied to those ex-apprentices who had purchased their freedom or those still under the apprenticeship system though we have shown earlier that those working during the apprenticeship system faced difficult conditions. Those who had purchased their freedom would have improved their conditions outside the apprenticeship system but not necessarily inside the system.

By 1840, most of the apprentices left the sugar estates. They could be divided into three classes – those who purchased small plots of land, on which they erected their dwellings and lived with their families, and a second group hired plots of ground at low rents and grew vegetables, manioc, sweet potatoes, or Indian corn. A small number worked on sugar estates as sugar makers and carters during the crop season and received high wages; others did some hawking and petty trafficking. A third group were masons and various tradesmen who hired their services regularly on the sugar estates or are in the employment of master tradesmen, and some are domestic servants (Stipendiary Magistrate to Colonial Secretary 19 December 1845 MA SD 28). At the time of the termination of apprenticeship, some 3,000 ex-apprentices worked on the sugar estates, but by 1845 the number had increased to 6,000 out of 52,000 workers in agriculture (Report of Rawson Committee 19 February 1845). The division of labor during slavery and apprenticeship was maintained during the indentured period. In 1846 ex-apprentices had varied occupations. There were 8,409 in commerce and trade, 4,826 in agriculture and laborers outside agriculture, 148 in government civil service, 796 in naval establishments, 4705 domestic servants, and 2,388 independent workers (Census of Mauritius 1851). These different categories of employment included clerks, watchmen, stone and tombstone cutter, porter and messengers, seamstresses, carpenter and joiner, mason and bricklayers, fishermen, and boatmen (Census of Mauritius 1851; North – Coombes 1978).

The post-emancipation period, despite several positive changes for many ex-apprentices, brought its own lot of setbacks. The colonial state discharged itself of its responsibility for ex-apprentices who refused to integrate the plantation labor and disqualified them from protection of the colonial government. Access to medical and other facilities was limited. In the 1820s vaccination has been compulsory, and with the relative disappearance of epidemics, the population paid little attention to vaccination apart from the fact that there was reluctance among ex-apprentices to be vaccinated. The relocation of many ex-apprentices population in remote areas meant they had to fare for themselves in case of epidemics. The presence of Indian

**Table 2** Ex-apprentice population 1846–1851

Year	Male	Female	Total
1846	28,142	21,223	49,365
1847	28,101	21,397	49,498
1848	28,234	21,727	49,961
1849	28,031	21,836	44,867
1850	27,757	22,012	49,769
1851	26,653	21,677	48,330

Source: Kuczynski (1949), Part 4, “Mauritius and Seychelles,” p. 777

**Table 3** Population of Mauritius in 1846 and 1851

Type	Year 1846	Year 1851
General population	52,852	54,497
Ex-apprentices	49,365	48,330
Indians	56,245	77,996
Total	180,823	158,462

Source: Census 1851, Appendix No 4

laborers and old immigrants intensified competition in the labor market, and most of the ex-apprentices in all walks of life were reduced to a precarious existence. In spite of prosperity of the island in the 1850s, it is uncertain whether these conditions had any significant impact on their lives. The census of 1851 reported a decline in the ex-apprentice population of 2% or 0.4% per annum from 1846 to 1851. This decrease contrasts with a 3% increase in the general population though some women may have merged in the general population by marriage (Tables 2 and 3).

## Ex-apprentices and the Epidemics of 1854, 1856, and 1867–1868

The three major epidemics of cholera in 1854 and 1856 and malaria in 1865–1868 occurred against a background of poor economic and social conditions which affected the lives of the population in several ways (Kuczynski 1949). A major role played by these epidemics was to aggravate mortalities and delay the demographic recovery of the ex-slave population. In the ordinary period of mortality, deaths among ex-apprentices were significantly higher compared with other social groups (Table 4).

For the year 1851, mortality figures show that ex-apprentices had a death rate of 52% compared with 26% for the general population (Kuczynski 1949). It is reasonable to assume that the death rate for the ex-apprentices remained consistently higher throughout the 1850s with excess mortality during the epidemic years. Although reports on epidemics did not specifically report on mortality of ex-apprentices, scattered references in reports and newspapers make occasional references to the fate of ex-apprentices thus confirming the mortality trend in the lower classes (Table 5).

**Table 4** Mortality among the population

Years	Ex-apprentices	General population
1853	2,142	1,616
1854	4,200	1,700
1855	509	303
1856	2000	1,000

Source: Commercial Gazette 30 December 1854

**Table 5** Mean rate mortality of the population

Year	Mean
1850	31.46
1851	26.50
1852	28.07
1853	29.66
1854	84.61
1855	33.01
1856	50.56

Source: Mauritius Almanac 1901

In 1851 ex-apprentices had 2,535 deaths compared with 1,401 among the rest of the general population (Kuczynski 1949). In 1853 there were 2,142 deaths among apprentices compared with 1,616 among the rest of the general population. Within the general population, the ex-apprentices constituted an important segment, and mortality was determined by the class structure. Compared with either the white or the colored elite, the ex-apprentice, the casual worker, and the manual worker living in crowded urban conditions suffered most compared with the better-off. In 1854, during the cholera epidemic, the total number of deaths for the whole island for the period of 25 May to 14 September was 8,496. In Port Louis, from 25 May 1854 to 1 August 1854, the number of deaths was 3,492. A detailed breakdown of the figure shows that between 25 May and 31 August 1854, of 7,650 deaths reported, there were about 3,832 deaths among ex-apprentices and 1,538 among the general population and 2,280 among Indians (Kuczynski 1949) (Table 6).

During the 1854 epidemic, cholera deaths in Port Louis were higher than in other districts. Port Louis had a population of 49,631 or 49,909, and cholera caused approximately 3,492 deaths in Port Louis. The victims of cholera among the ex-apprentices were 1854 and for Indians 543 and the general population 995. The figures for the district of Pamplemousses were 1385 and 718 the district of Flacq (Hoolass 1998). The mortality figures indicate that within the general population, it was the ex-apprentices who suffered the most and the rest of the general population was the least affected. In all districts, except Riviere du Rempart, ex-apprentices had the highest number of deaths. During the cholera epidemic of 1856, there were 3,532 deaths, 2,000 deaths among the ex-apprentices and much less than 1,000 among the rest of the general population. Altogether, there were 6,200 deaths among the ex-apprentices for cholera, and if deaths from smallpox are added, in the period of 1854–1856, there were

**Table 6** Deaths from cholera (25 May 1854–31 August 1854)

General population	Ex-apprentices	Indians	Total
1,538	3,832	2,280	7,650

Source: Report on Cholera 1854, 1856

7,000 deaths. According to Governor Higginson, the number of apprentices declined from 48,366 in 1852 to 40,730 in 1856, and out of a decrease of 16% and 14.5%, 7,000 deaths were attributable to epidemic diseases (Kuczynski 1949).

Though from 1861 census does not distinguish between ex-apprentices and the category general population, occasional references and analysis of the ex-apprentice population occurred in Kuczynski's work drawn from contemporary sources. According to Kuczynski, between 1859 and 1866, there were 17,518 deaths among the ex-apprentices compared with 15,586 among the rest of the population. By 1866 he reckoned that in a population of 130,000 of the general population, there were about 35,000 who were apprentices to the utmost. In 1867 there were 9801 deaths among the ex-apprentices compared with 7223 among the rest of the general population though registration was apparently incomplete (Kuczynski 1949). An indication of the high mortality in Port Louis is evident in the rise of a death rate for fever and typhus per 1000 from 207.3 in 1866 to 840.8 in 1867. The deaths from fever amounted to 31,920 against 8544 from other causes giving a total mortality of 40,464 in a population of 360,378 on the 1 January 1867 (Report from the Acting General Sanitary Inspector of the epidemic Fever of 1866–1867) (Table 7).

Even before the outbreak of the malaria epidemic in 1867, the greater part of the ex-apprentice population faced dire economic and social conditions. The Acting General Sanitary Inspector in his report on the malaria epidemic of 1867 described the life of the ex-apprentices as one reduced to pauperism, "In the best of times since the emancipation, numbers of these people must have suffered great distress when the chief of the family was ill or out of work What then must have been their condition when provisions rose to a famine price." In the 1860s, the ex-apprentices were satisfied "with a bowl of rice, and 'bredes', a piece of salt fish or boiled salt beef or pork" (Report from the Acting General Sanitary Inspector of the epidemic Fever of 1866–1867). Moreover the high prices of rice in 1865 were beyond the reach of many. Destitution and misery were widespread, and "even families previously in easy circumstances experienced the sad effects of want and high prices." The distress was both in town and in the rural districts where the financial difficulties of the sugar industry has swelled the number of unemployed who flocked to town and increased the crowded conditions. According to Dr. Fitz Patrick, the ex-apprentices were living in idleness, and "these people accustomed to be taken care by others, had no notion of whatever of providing for the future; to earn enough for their daily wants was all they aimed at and were always in a state of pauperism." He concluded his report by blaming society for its indifference to ex-apprentices and indentured labor for, "neither of them has the community given any attention until some doleful mortality devours them, and nothing remained to be done but to find places to inter them." (Report from the Acting General Sanitary Inspector of the epidemic Fever of 1866–1867).

**Table 7** Mortality in Mauritius in 1867

General population	7,223
Ex-apprentices	9,801
Indian immigrants	24,177
Total	41,201

Source: Kuczynski (1949), Part 4, Mauritius and Seychelles

Apart from the economic and social conditions of the poorer classes, the indifference of the colonial government and the plantocracy was reflected in the absence of health facilities. For example, there were hospitals and dispensaries on the sugar estates for Indian immigrants; for those not employed on the estates among whom were the old Indian immigrants and the ex-apprentices, there was practically no access to health services. It was found that there is a low death rate of malarious fever in the district prisons where the inmates were provided “good lodging, clothing, bedding, wholesome and sufficient food with medicines and medical care . . . sadly contrasted with the state of the bulk of the poor living in the neighborhood who did not themselves possess, who could not go to the appointed places to find, and to whom it was not possible during the height of the epidemics, to extend any of those benefits to a degree at all commensurate with their great need” (Report from the Acting General Sanitary Inspector of the epidemic Fever of 1866–1867). The same diagnostic of lack of food, medicine, and medical attention explains the thousands of deaths in 1867 as has been the case of previous epidemics of cholera that was the conclusion of the Report of the Fever Commission. For example, death rate on sugar estate was 6.1 per 100 compared with Indians not on sugar estate which was to be 12.9. There was a general lack of health infrastructure for the poor both in Port Louis and in the country districts. Though in Port Louis the Local Board of Health opened 11 hospitals and provided food medicine and clothing to the poor while the General Board of Health also opened dispensaries and provisional hospitals, “the inefficiency of these measures . . . disclosed in a pointed manner how backwards Mauritius remains as far as the great questions of public health are concerned” (Report from the Acting General Sanitary Inspector of the epidemic Fever of 1866–1867). In spite the opening of dispensaries to care for the sick, there was no medicine available. The high price of quinine made it inaccessible to the majority of the population and even those who could afford. There was a shortage of quinine in the island, and quinine had to be obtained from other countries such as reunion and South Africa. Among the poor, it was both the old Indian immigrants and the ex-apprentices who suffered the most.

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## Conclusion

An average death rate of 38 and a birth rate of 30 for the population of Mauritius between 1831 and 1870 means a natural decrease of the population in that period (Mauritius Almanach 1900; Kuczynski 1949). On the other hand, the death rate of the ex-apprentice population always remained higher than the rest of the population.

With epidemics taking a dreadful toll on the population, it was always the ex-apprentices who fared the worst. This grim reality is mirrored in the slow natural growth of the population in general, and until the 1870 the ex-slave population was in continuous decline. Economic and social conditions of the apprentices and crowding in the urban area of Port Louis are important factors in the decline of the apprentices, but lack of sanitary practices and rudimentary health services were as important as was government and planters' attitude and policy after emancipation. While the economic and social conditions were never favorable for the growth of the slave and the ex-slave population except for a very brief period after emancipation in 1839, epidemic mortalities were not isolated events but cumulative effects of economic and social conditions before and after the development of a plantation economy. The structure of the slave population and the labor force remained dependent on regular and continued importation of labor as a result of colonial and planter's policy. This contributed significantly toward the demographic decline of the slave population during slavery and the post-emancipation period.

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Kathleen Harrington-Watt

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## Abstract

This chapter will present and discuss the system of indentured labor established by the British Empire during the nineteenth and early twentieth centuries as a new form of labor acquisition for the colonies. The indentured labor system was created in response to the British Abolition of Slavery Act of 1833. This chapter will outline the nature of the indentured labor system, why it was started, and how it functioned. It will then examine how such a migrant labor system impacted upon both the migrants and receiving colonies, paying particular attention to the notion of ethnicity and the development of multiethnic communities. Mauritius is

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K. Harrington-Watt (✉)  
Anthropology, Canterbury University, Christchurch, New Zealand  
e-mail: [kharringtonwatt@gmail.com](mailto:kharringtonwatt@gmail.com)

one such host society that dramatically changed due to the impact of indentured labor migrants arriving on its shores; it will therefore serve as a useful case study to examine the significant role indentured labor has played in the formation of Mauritian society today.

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**Keywords**

Indentured labor · Indo-Mauritian · Plural society · Multiethnic · Ethnicity and diversity · Indian ancestry · Labor migration

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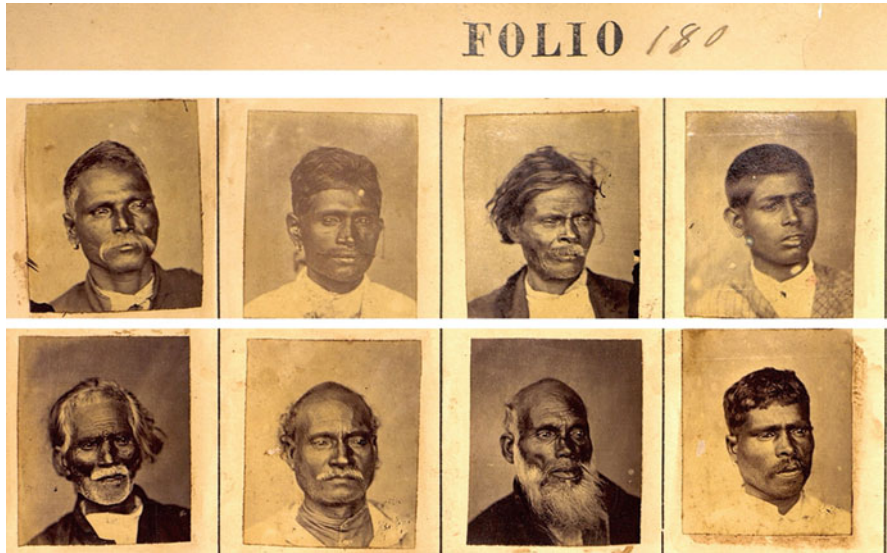
## Introduction

Like all events in history, it is important to understand the many contexts that exist in a particular time and place. The indentured labor system began in the British colonies during the early nineteenth century and was seemingly a well-controlled and highly structured model of labor acquisition and supply. It involved specific laws, work contracts, and administrative processes that were applied to each host nation; however, each colony developed differently as new ethnic groups and communities arrived, settled, and grew over time. One could premise that all migrations of people adapt to their environment accordingly. However, in this chapter, I argue that the British indentured labor system of the nineteenth century impacted greatly on the future ethnic makeup of indentured labor host societies. These impacts, what I term the “legacies of indenture,” were the consequences of the various arrangements that were imposed or developed by the indentured labor system itself. With that said, because each host society has its own historical and cultural context, each site of indentured labor has developed its own flavor of nationhood and complex of ethnic identities. What is important to highlight is that the indentured labor process meant that there were large numbers of migrants dislocated from their homeland and adapting to their new circumstances. This chapter takes a cultural historical view of the legacies of indentured labor on the receiving societies. It will begin by setting the stage of indentured labor, explaining what it was and why it was established. Following this, it will look more specifically at the indentured labor system as it was applied in Mauritius and make links to specific indentured labor circumstances that influenced the makeup of ethnicity in Mauritius today (Fig. 1).

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## Setting the Stage of the British Indentured Labor System

Indentured labor was a form of labor recruitment for the plantation colonies of the British Empire. Indentured labor is labor based upon a voluntary work contract. This form of labor provision could be described as a global phenomenon of the last 200 years. The origins of a systemized form of indentured labor began as a consequence of the British Abolition of Slavery Act in 1833, where slavery, after



**Fig. 1** Images of indentured laborers taken as ID photographs in Mauritius from 1865 to 1910. Photographs with permission from Mauritian National Archives and Mahatma Gandhi Institute, Moka Mauritius

much debate and criticism in the British parliament, was determined an immoral process of obtaining labor for the colonies. Royal assent was granted in the British Parliament on August 28, 1833, and the abolition of slavery took effect on August 1, 1834. This meant that hundreds of thousands of British slaves who had been kidnapped and made to work in the colonies were to be freed from bondage.

The British colonies who had relied on slavery to provide a workforce for their plantation economies had already experienced an influx of migrating populations. There were previous free settlers, traders, and laborers who had travelled to the colonies to establish new homes, businesses, and work opportunities, respectively. These migrants brought with them their own language, culture, and traditions. There were also those that arrived as slaves who came with their own language, culture, social systems, and traditions but were forced to live and work in a setting that attempted to forcibly stamp out all notions of their original culture, religion, and identity. It is essential that we understand that the foundations of indentured labor began in response to the cessation of slavery.

The transition of slavery and its abolition differed for each British colony according to its own colonial and/or indigenous history. The general impact of abolition meant that with the emancipation of slaves, the plantation owners had a problem obtaining enough labor to keep productivity and export markets profitable. The indentured labor system was proposed as a way to alleviate this crisis and was titled “the great labor experiment” (Carter 1996:19).

A voluntary contracted labor agreement was the foundation of the indentured labor process and was perceived as a new and improved method of acquiring labor. Indentured labor was deemed significantly different to slavery, because the system was voluntary and the labor contract specified wages, work and living conditions, and arrangements for transportation to and from the country of employment. This system aimed to encourage the mass migration of people from their homelands to outreaching colonies that were desperate to fill labor shortages (Fig. 3).

This new system of labor recruitment provided opportunities for laborers and the peasant classes in other countries to obtain much needed work. Many of these recruits had been displaced off their land, due to floods and famine, or from the impacts of capitalism that had effected massive economic changes in the colonies. Consequently, there was a ready-made population in countries such as India, China, and Africa, with masses of people needing work to support their families and villages. Like slavery, the indentured labor system saw, yet again, the large-scale movement of people from one country to another.

Alongside this large-scale movement of people, the laborers brought with them their language, social customs, religion, and cultural practices. The sheer number of laborers migrating from specific regions to the colonies meant they could continue to associate with others from their place of origin with similar cultural backgrounds. Unlike the circumstances of slavery, the employers were invested in trying to keep the laborers in their employ and paid greater attention to the significance of the laborer's individual, family, social, religious, and cultural needs. There have been numerous debates surrounding the differences and similarities of slavery and indentured labor, and for the purposes of this chapter, it is unnecessary to discuss this well-covered topic here, though it is important to appreciate, as does Brij Lal (1998), that both slavery and indentured labor systems were ultimately exploitative. What was significantly different between these two labor systems was that the indentured laborer had a greater freedom to transfer and adapt their social and cultural traditions to their new homes, something tragically absent for those subjected to slavery. While this chapter begins to discuss the legacy of indentured labor and ethnicity, it is important to keep in sight the background of slavery of which indentured labor emerged. At the core of this new labor system, while perhaps not intended in the minds of the colonial administrators who were more concerned with productivity and global trade, was the notion of ethnicity.

Colonies such as Mauritius, La Reunion, Fiji, Trinidad Tobago, Suriname, Guyana, Jamaica, and South Africa relied on this new form of labor supply. To obtain labor for the colonies, a new system regulating methods of recruitment, wages, and living conditions was required. At the heart of this new labor system was a complex administrative recording system (Addison and Hazareesingh 1984; Richard Allen 1999; Clare Anderson 2009; Satyendra Peerthum 2012). Consequently, the indentured labor system resulted in large numbers of people shifting from their place of origin to new locations, places with distinctly different geographies and ethnic populations. Ad Knotter (2015) refers to organized labor systems as "intervening institutions" where laborers were recruited from countries with large groups of people seeking employment and opportunity. The sheer number of laborers migrating to the colonies, over the

span of approximately 80 years, meant that this system of labor migration had a significant impact on the communities in which they arrived, worked, and, for many, chose to permanently reside. As such, the indentured labor system directly and indirectly influenced how these varied cultural groups negotiated their place in their host settings and how these sites of cross-cultural migration have developed over time (Fig. 4).

One of the largest recruitment sites for indentured labor during the nineteenth and early twentieth century was India. It is no surprise that India became such a proficient provider of labor. At the time the official British indentured labor system began, in 1842, India was already an established British colony and had undergone major changes to land tax and land ownership laws imposed by the colonial administration. These changes impacted heavily upon the agricultural sector, particularly small landowners and farmers who could no longer afford to remain on their ancestral land. Consequently, there was a large and growing peasant class looking for employment, who were shifting towards populated centers hoping for new opportunities. As such we can see that the consequence of the British Land Tenure and Tax laws provided, somewhat surreptitiously, a desperate and available labor workforce.

The British colonial system of indentured labor and its relationship with India serves as a good example of shifting labor populations. The significance of the British colonial indentured labor enterprise on the history of South Asian global migration and ethnic group formation in indentured labor colonies should not be underestimated. Around the globe, we find South Asian-based communities/diasporas that were formed during the nineteenth century as a consequence of the extensive movement of laborers from India to many British colonies around the globe. As a result, these Indian-based communities have grown and developed their own understanding of their ethnic identity often holding onto their Indian ancestral origins. Indentured labor has had an important demographic, economic, cultural, and social impact on these colonial host societies. While indentured labor had its own social, cultural, and economic consequences in the countries of labor recruitment and employment, these consequences remain relevant to our understanding of migration and notions of ethnicity and identity today. To understand more fully the legacy of indentured labor on ethnicity, it is useful to focus on a particular site of indentured labor. This chapter will focus on the Island of Mauritius as a way of explaining how the system of indentured labor influenced the particular characteristics of ethnicity in Mauritius today.

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## **Mauritius, Indentured Labor, and Indo-Mauritians**

Krish Seetah (2016:265) states that, “*New plural societies, characterized by cultural hybridity, were created around the world as a consequence of labor diasporas in the late historic period.*” Mauritius was one of these plural societies created as a consequence of the British Empire’s indentured labor system. Mauritius is a small island situated in the middle of the Indian Ocean, often referred to as “Little India” as coined by Patrick Eisenlohr (2006), referencing its strong links to India as a nation today. Mauritius is located approximately 800 km east of Madagascar. It was

uninhabited until seafarers attempted to settle on the island in the late 1500s. Since then, it has been under colonial control by Dutch, French, and the British Empire over the last 300 years. Mauritius has no original indigenous population and today consists of multiethnic communities that all originated as migrants from Europe, China, India, and Africa. Today, it has a population of 1.4 million and has been an independent republic since 1968.

Mauritius was the first site of the formalized indentured labor system. It also received the largest number of indentured laborers over a period of 68 years, from 1842 to 1910, approximately 453,000 people (Vijayalakshmi Teelock 2009). While the indentured laborers came predominantly from India, there were also smaller numbers of contracted laborers from China, Malaysia, and East Africa. For the purposes of exploring the legacy of indentured labor, this chapter will focus on the migration of indentured laborers from India, justified by the significantly large number of Mauritian indentured laborer's of Indian origin. Similar legacies of the indentured labor system in Mauritius can also be found in other countries whose Indian communities originally stemmed from the migration of indentured laborers from India. It is also important to stress that these other indentured labor colonies have their own local histories and influences that created their own national character and configurations of ethnic diversity. In other words, while the British system of indentured labor was very much mirrored in each receiving British colony, the particular dynamics of geography and other resident indigenous and ethnic communities means that each location has negotiated its own unique multiethnic character (Fig. 5).

To understand the unique cultural and social milieu of Mauritius and the legacies of the indentured labor system, we need to contextualize the history of Mauritius and how the implementation of an indentured labor system has influenced its ethnic and cultural makeup. To do this, this chapter discusses several topics that piece together the complex legacies of indentured labor in Mauritius. We start with a brief summary of the history of Mauritius before the arrival of the indentured laborers. We then consider the need for indentured labor in Mauritius and examine how the indentured laborers negotiated their new lives in Mauritius. The second half of this chapter will focus on the various forces operating during the indentured labor period in Mauritius, from both inside and outside the indentured labor community influencing the formation of distinct ethnically bounded communities.

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## **Mauritius and the Indentured Labor System**

The previous colonial rulers of Mauritius, in particular the French, played a significant role in the development of Mauritian society. Even though the British annexed Mauritius from the French in 1810, after defeating the French in the naval Napoleonic wars, they negotiated lenient terms for the population already living in Mauritius. The existing population were allowed to keep possession of their property and their way of life, including language, laws, religion, and customs (Addison and Hazareesingh 1984; Teelock 2009). Therefore, the influence of French culture in

Mauritius has persisted over time. Other migrant groups arrived in Mauritius during and after the French period, namely slaves from Africa who arrived during both periods of French and British colonial rule as well as British migrants and civil servants who came to Mauritius after the British took control of the colony. There were also Indian migrants who had arrived in Mauritius as either indentured laborers on private contracts or as free settlers or traders. A limited number of Chinese migrants also came as laborers or traders. The population of Mauritius is now made up of these main migrant groups (Fig. 6).

During the nineteenth century, sugarcane agriculture was labor intensive, requiring individuals to plant, water, harvest, and transport the sugar crop to the nearest sugar mill for processing. Prior to 1833, when the British Slavery Abolition Act came into force, the sugar plantation labor supply was obtained through the importation of slaves from nearby Madagascar and the East Coast of Africa (Teelock 2009). With specific reference to Mauritius, the enforcement of the Slavery Abolition Act happened in 1835 – a year later than other parts of the British colonial empire, due to the strong resistance from Mauritian planters (Addison and Hazareesingh 1984: 48). Prior to the abolition of slavery in Mauritius, planters had already foreseen the labor shortage and an apprenticeship system was established. The apprenticeship system, under the guise of retraining and educating ex-slaves, forced them to continue as paid laborers under a labor contract period for 6 years (Allen 1999: 55–56). In practice, this system forced ex-slaves to keep working on the sugar plantations, where they were paid a minimal sum and were restricted by laws that governed marriage, meetings, land ownership, vagrancy, and corporal punishment. Consequently, the apprentice was neither slave nor free. The Abolition of Slavery Act of 1833, and its potential impact on laborers on the sugar plantation in Mauritius, was thwarted by the apprenticeship system. Consequently, ex-slaves would choose either *maroonage* and run away from their place of work, or *manumission* and work out the remainder of their contracted period (Richard B. Allen 2002). As a consequence, by the time the apprenticeship system ceased in 1839, the general reaction of ex-slaves was to leave the vicinity of the sugar plantations altogether, distancing themselves from the tyranny of the plantation, and moving to more urban center's or unpopulated regions on the island where they could established their own communities (Misra 2009).

One significant difference between the system of slavery and indentured labor was their administration. The indentured labor system involved the documentation of each individual's journey, from their point of recruitment overseas to their contracted employment on the sugar estate, to their death or departure from Mauritius. The British colonial administration recorded each laborer's name, father's name, age, village of origin, region, religion, caste, ship, date of arrival, place of contract, and physical features. This detailed documentation can be read in two ways: one as a criticism of the methods used by the colonizers to control and monitor their subjects; and two, as often presented in Mauritius today, a redeeming feature of the British colonial governing system, enabling histories to be traced and the laborer's points of origin and identities to be retrieved.



In Mauritius, the lack of detailed documentation for slaves continues to impact their descendants and their ability to make links with their ancestral history. In contrast, many descendants of the indentured laborers have a gamut of information available to research their ancestral and familial heritage. With this said, the level of documentation recorded under the indentured labor system was unlikely to have been done for the future good of the laborers and their descendants. Instead, it mirrored the documentation systems already in use by the British administration in other colonies. These systems were used to record and control the colonial population, as with the colonial recording systems used in India. The fact that the descendants of the indentured laborers have such a wealth of historical information about their ancestors today is by coincidence rather than design. Yet has had a great deal of influence on their perceptions of ethnicity and identity.

Emigration of the Indian laborers was carried out under a government-regulated recruitment strategy from three principal ports – Calcutta, Madras, and Bombay. The Indian emigrants who went to distant plantation settlements under the contract system came from diverse regions, including the tribal regions of Eastern India, Bihar, the North West Provinces (present Uttar Pradesh), the Madras Presidency, and Western India. In the later period, many laborers from the northern regions, such as Western parts of the United Provinces and present day Haryana, also emigrated. The main regions of labor supply were the tribal regions of Chota Nagpur in Eastern India, Saran, Chapra, Shahabad, Champaran, Gaya, and Patna in Bihar; Banaras, Ghazipur, Azamgarh, Gorakhpur, Basti, Bahraich, and Jaunpur in the United Provinces; Chingalpet, Tanjore, Tiruchirappalli, South and North Arcot, Salem, Coimbatore, and Vizagapatam in Southern India; and Ratnagiri in Western India, as shown on the following map (Mishra 2009) (Fig. 2).

The relative proximity of Mauritius to India, already a British colony, along with the abundant supply of potential laborers from the growing unemployed and landless classes, made the ports of Calcutta, Madras, and Bombay ideal recruitment and transportation centers for indentured labor. The regions around these ports were primarily agricultural, and the laborers from these areas were deemed to be knowledgeable about farming, as well as fit and strong. Regional events, such as floods, famine, and political unrest, and unemployment resulted in willing participants for the recruitment process. There have been several critiques of the “willingness” of laborers, in particular the inaccurate/false promises of recruiters and the exploitative operations of the indentured labor system. Frequently, the living, work, and pay conditions that actualized once the laborer was stationed in Mauritius did not meet the expectations of the laborers themselves (Teelock 2009; Hugh Tinker 1974; Allen 1999; Carter 1992, 1995, 1996).

Another fundamental difference between the indentured labor system and slavery was the temporality of the indenture contract. For instance, the Mauritian Ordinance of 1849 determined a 3-year contract, and a following ordinance in 1862 reauthorized the period to a 5-year contract (Allen 1999:60). Slavery, on the other hand, was indefinite. The indentured labor system followed a pathway from recruitment to the completion of the labor contract. This pathway became more regulated as





**Fig. 2** Map showing the general regions of indentured laborers origins and the three main ports of Madras, Bombay, and Calcutta – used for ship transportation to Mauritius. Large crosses mark the general regions of Indian indentured labor origins

time passed. The following diagram depicts the indentured labor system as it was employed in Mauritius and other colonies (Table 1).

The pathway began with the ever increasing demand for sugar in England, as G.L. Beer (cited in Sidney Mintz 1985:39) stated in 1948: “From the middle of the eighteenth century these islands seem never to have been able to produce much more sugar than was needed for consumption in the mother country.” When a planter

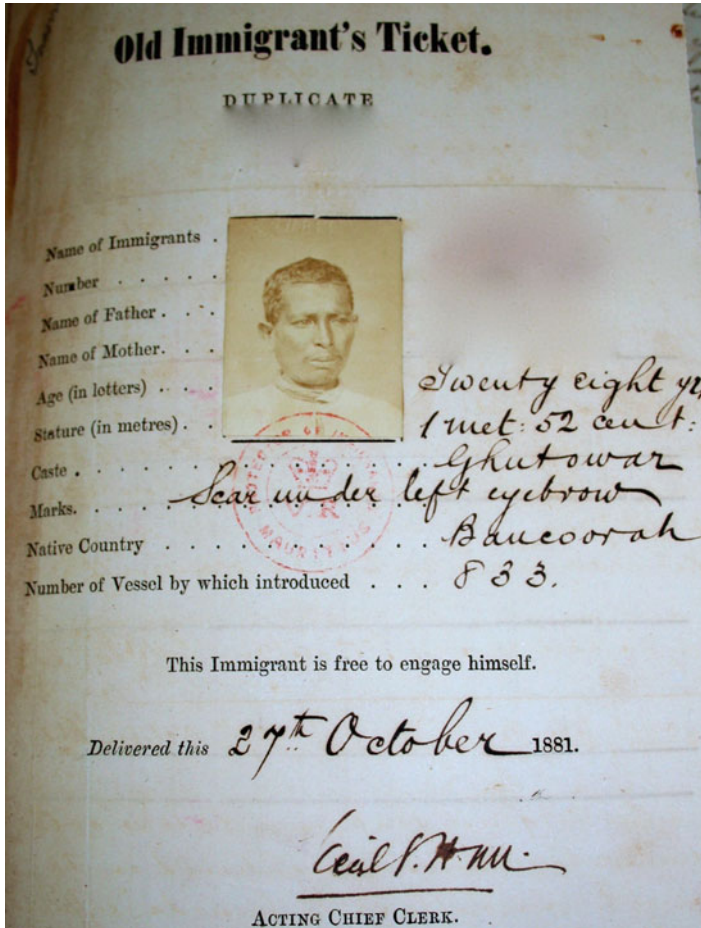


**Fig. 3** Identification photographs of indentured laborers in Mauritius, from the indentured labor colonial ledger. Identification names and numbers removed as according to publication policy of the Mahatma Gandhi Institute Indentured Labor Archive, Moka Mauritius

(the owner of a sugar plantation) required new labor for his estate, they would make a request to the colonial government of Mauritius for new labor recruits. These requests were then transferred to India and other areas where recruitment agents were stationed. The recruitment agents sought out potential laborers and organized the signing of contracts and the placement of prospective laborers into immigration depots at the nearest port. From here, they awaited transportation to Mauritius by ship. On the signing of their contracts and registering as an indentured laborer, the immigrants' details were entered into administrative records and ledgers and became part of the detailed British colonial record. These records followed the immigrants' embarkation on the ship, their journey and arrival at their destination, their stay at the Immigration Depot in Port Louis, and their dispatch to specified plantations for their contracted period of labor. All these steps and movements were recorded at certain processing stages. One particular stage that is highly relevant to the topic of ethnicity was the immigrant ticket system.

The immigrant pass or "ticket," system identified the laborer as an indentured immigrant and therefore subject to specific rules. These rules governed the living and working arrangements of the indentured laborers while resident on the island. The immigrant ticket became an essential document in the laborers day-to-day lives. Containing identifying details such as name, immigration number, date of arrival, name of sugar estate, and from 1865 the ticket included an identification photograph.

The immigrant pass system played an active and vigorous role in the lives of the indentured laborers. In fact, as noted by Peerthum and Peerthum (2014), the ticket system and the high level of vagrancy due to lost or misplaced tickets were at the core of both the colonial government's attempt to control the laborers and the laborers attempt to resist the regulatory systems imposed on them. It could also be argued that the immigrant ticket system was one of the tangible differences between the systems of slavery and indenture, as it served to classify and identify the laborer with a direct link to their work contract and the terms of the contract agreement. While acting as a controlling and monitoring device, it also ambiguously provided



**Fig. 4** Example of Old Immigrant Ticket, given to indentured laborer once they had completed their work contract. Original document as found in colonial ledgers, Mauritian National Archives

the laborer with a form of verification and legitimacy of movement around the island, keeping the laborer from being labelled and charged as a vagrant. The pass system also served to identify the laborer as a particular kind of immigrant, one from another country, encouraging the identification of a very specific migrant group. The regulatory indentured labor immigrant ticket system and the lengths the colonial government and planters went to keep the required level of laborers available for work emphasizes just how high the economic stakes of the sugar industry were.

In Mauritius, the recruitment of indentured laborers ended in 1910. The Indian indentured labor population was expanding rapidly. The laborers had already formed community groups associated with language, religious practices, and points of origin in the labor camps. A large percentage of laborers had chosen to remain in Mauritius and settle. Some laborers had taken the opportunity to become landowners often in



**Fig. 5** Muslim prayer shrine, Creve Couer Mauritius. Surrounded by newly planted sugar crop. Authors photo, 2014

the same area in which they had worked on the sugar plantation, keeping them close to their established social networks. Identifying temples began to dot the land as well as mosques and churches. The growing Indo-Mauritian community had a clear idea of their ancestral heritage, and began to perceive each other and their ancestors as having a significant historical Mauritian story, one of struggle and survival. The growing population of the descendants of the indentured laborers has, in turn, impacted greatly on the demography and cultural landscape of Mauritius, today contributing to what Rosabell Boswell (2006:196–197) describes as, “... the island’s rich tapestry of cultures” or what Erikson (1998: ix) refers to as, a “laboratory of diversity” that can ‘profoundly’ deepen our understanding of ethnic processes.”

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## Ethnicity and Diversity

Ethnicity: “The systematic and enduring social reproduction of basic classificatory differences between categories of people who perceive each other as being culturally discrete” (Erikson 1993:3).

Mauritius is frequently described as a country made up of multiple ethnic groups and is often referred to metaphorically as a “rainbow nation.” In fact, Megan Vaughan (2006) describes Mauritius as, “... the most ethnically diverse country on Earth.” The following discussion attempts to explain this ethnic diversity in

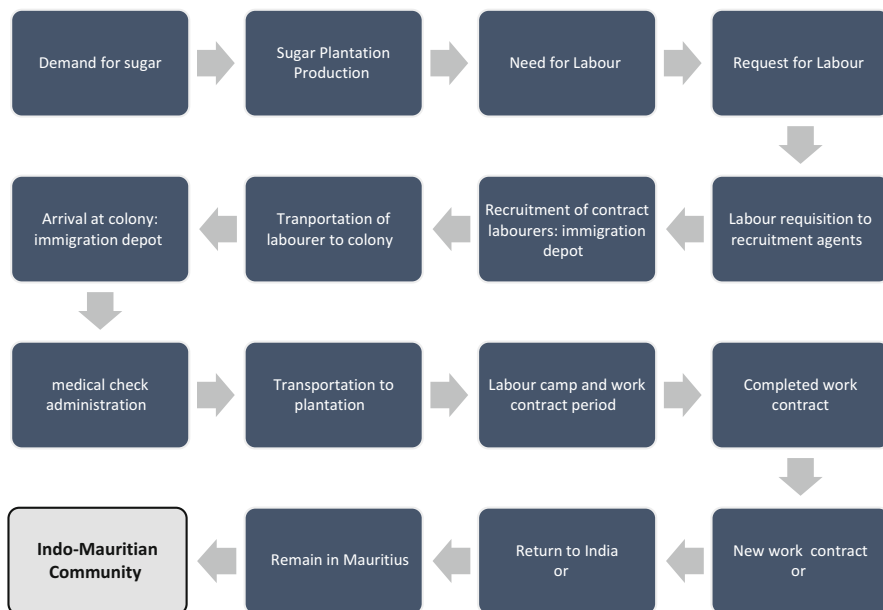


**Fig. 6** Kalimai shrine found amidst sugar plantations, Flaq Mauritius. Author Photo, 2014. (Performing rituals at the *Kalimai* shrine is still strong today, especially in rural Mauritius and especially among women who perform rituals asking for the protection of the goddess Kali and making offerings to appease her. The shrines are used by different people for different rituals that vary based primarily on gender and caste, and although Sanantanist Hindi-speaking Hindus are the primary practitioners, Mauritians from a variety of backgrounds make offerings and prayers at the Kalimai shrines, recognizing the powers of the goddess (Mauritian Hinduism, The Pluralism Project, 2018)



relation to the impacts of indentured labor on the sociocultural makeup of Mauritius. Today, the people of Indian descent (predominantly descendants of the indentured laborers) are called Indo-Mauritians and identify religiously as either Hindu or Muslim, with the exception of a small number of Indian Catholics who came as indentured laborers from India (Marcel Chowriamah 2010). The people of African descent are called Afro-Mauritians, or Creole, and Europeans are predominantly distinguished as Franco-Mauritians; both these communities associate largely with the Catholic Church. The minority group of Sino-Mauritians, those of Chinese origin, follow Buddhism or Christianity. According to the 2011 census conducted by Statistics Mauritius, Hinduism is the dominant religion with followers making up 48.5% of the population, followed by Christianity (32.7%), Islam (17.3%), and Buddhism (0.4%) (Mauritian Government 2011).

The Indo-Mauritian diaspora contains further complicated religious and cultural differentiations, based on religion and Indian regional languages. The Hindu community in Mauritius includes subgroups, these groups are defined

**Table 1** Indentured labor system pathway

by corresponding languages and religious groups, such as Hindi, Tamil, Telugu, and Marathi. It is the religious and cultural identities that distinguish these Hindu groups, whereas religion remains a unifying signifier for the Muslim Indo-Mauritian community (Selvam 2003).

These diverse communities determine the cultural and religious makeup of Mauritius and while there is crossover for business, trade, employment, education, and national events, they remain markedly separate in social, cultural, and religious contexts. Multiple readings and research would suggest that in social, religious, and kinship matters, these different groups function exclusively. Metaphorically, the edges of each color of the rainbow are clearly bounded rather than blended.

Erikson (2001) refers to ethnicity as a social relationship that is negotiated between people, where ethnic identity is constructed by forces within and outside the group. There is a complex of pressures and ideologies that influence how the concept of an ethnic group forms, develops, and continues to change over time. These include laws, economic resources, language, marriage rules, cultural practices, religious practices, associations with place of origin, food, and dress. The development of ethnic identities and categories in Mauritius is no exception, and the indentured labor system and its legacies have played an important role in the construction of existing community ethnic boundaries. Tijo Salverda (2015:546) comments that, “Most Mauritians see themselves through a mental framework of ethnic belonging and accept ethnicity as a dominant organizing principle of social life.”

The descendants of the indentured laborers are very much entrenched in the organizing principle of ethnicity. The Indian indentured laborers came from highly structured social systems in India. At the time of the indentured labor system, India was predominantly ruled by the British colonial government, functioning as a colonial hierarchical system. The social structure of the Hindu caste system was also a highly structured and hierarchical system. At the time of indenture, the caste system functioned as the dominant social system in India. At the top of this system is the Brahmin, the temple priests who are believed to be the link between the people and gods. Next is the Kshatriya, the rulers and warriors, and after them comes the Vaishya, the merchants and farmers. Beneath them are the Shudras, the unskilled labor classes, and at the bottom of (or below) this group are the untouchables. Lying at the heart of the caste system are Hindu concepts of purity and pollution, where the higher the caste category, the more pure, and the lower the caste category, the more polluted. While this is an extremely simplistic description of a very complex social structure, what is important to recognize in the indentured labor context is that the majority of indentured laborers were Hindu and were familiar with living inside defined social categories where caste laws influenced and governed all areas of social life, such as: (a) the importance of endogamy (marrying within one's own community), (b) the maintenance of religious rituals and practices, (c) the significance of ancestral genealogy and family origins, (d) the importance of language and culture, (e) the significance of rules around food preparation and consumption, and many more. . .

The notion of caste was weakened during the process of the indentured labor system and some would argue that it actually dissipated during this time, where the recruitment and transportation circumstances of the laborers meant a mixing of all recruits at the immigration depots, on the ships, and in the labor camps regardless of an individual's caste. It was difficult for labor migrants to maintain traditions and intentions of purity and religious ritual in such settings. However, even though the laborers found it difficult to maintain caste and religious purity, the idea of a bounded community remained a familiar concept, and as Hollup (1994) argues, the notion of caste became again more relevant in Mauritius post-independence especially within the Indo-Mauritian political domain.

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## Indentured Labor and Ethnic Boundaries

The following section considers the impacts of the indentured labor system on the formation of distinct ethnic boundaries in Mauritius. If we unpack the indentured labor system as it existed in Mauritius, we find certain features that have helped shape the formation of an ethnic group identity. These features are listed below and will be discussed in detail.

- (1) The categorization of race and ethnicity
- (2) Mass migration of Indian laborers
- (3) The indentured laborer category

- (4) Land ownership
- (5) The reinvigoration of endogamy
- (6) Language, religion, and identity
- (7) Independence and Indo-Mauritian political power
- (8) Ancestral heritage and cultural capital

## **The Categorization of Race and Ethnicity**

Before Mauritius became a British colony in 1810, the British empire had already been actively categorizing people into specific racial and ethnic groupings through scientific and anthropological investigations, determining categories of racial types through physical, cultural and behavioral differences. These investigations treated communities of race in a similar way to other colonial scientific investigations such as the study of exotic (foreign) flora, fauna, and geography. “Foreign” subjects were subjected to being measured, photographed, and observed. These investigations sought to clearly define a hierarchy of race and distance the colonial empire from “other” races. The colonial administrators in the colonies sought to make clear distinctions between the multiethnic communities they found themselves governing in the colonies.

The categorization of people during the colonial period helped to structure what we can still see today as official categories of race and ethnicity. The census was one such tool that ordered and classified the various populations in the colonies. In Mauritius, beginning as early as 1830, the census referred to three categories: European, Free Black, and Slave. With private Indian indentured labor contracts beginning in 1834, by 1837 the census included European/Free Black, Apprentice, and Indian categories. The Mauritian census has continued to change and adjust to population and political shifts, such as the further distinction between Hindu and Muslim Indians, Chinese, and a broadening General Population category. Today, as with other postindependence colonies, the use of an ethnic question in the census was removed to help symbolically “forge a common nationalism” and replaced today by a question of language (A. J. Christopher 2005).

## **Mass Migration of Indian Laborers**

Yancey et al. (1976) describe ethnicity as a phenomenon rather than a category; it is something that develops and changes as groups and individuals change over time. For post-migrant communities, to identify as a particular ethnicity, the members of this migrant network must expand, form, and maintain ties with, what Grieco (1998: 705) describes as, other “co-ethnics”. The large numbers of indentured laborers to Mauritius during the nineteenth century meant that their community in Mauritius was already buoyed by large numbers of Indian laborers who were working and living together. These social networks were strengthened by a variety of ties between other indentured laborers. The decision to distribute the newly arrived



laborers to the same plantations as other family members or with those from the same village or region encouraged the association of laborers with family ties and similar connections through language, religious practices, and familiar cultural expressions. This intention, though there were many exceptions to this rule, was an attempt by the colonial administration to ensure the labor population remained in Mauritius by encouraging connections with other co-ethnics with similar Indian regional identities. The laborers were therefore able to find support and maintain ties with their Indian origins and what could be described as a continued sense of “Indianness.”

Initially, the indentured labor recruits were predominantly male. In 1839, the ratio of male to female was 56:1. This gender disparity became a concern for the colonial authorities in Mauritius, who saw a close link between the shortage of women and the lack of moral restraint in the indentured labor camps resulting in difficulties maintaining law and order in the colony. As a strategy to correct this imbalance and stabilize the indentured labor population, the authorities introduced new recruitment laws, beginning in 1857, that specified that at least 35% of immigrants arriving in Mauritius had to be women. This was increased to 40% in 1858 and 50% from 1859 to 1865 (Allen 1999:162). Not all women who came to Mauritius were contracted as laborers, some came as wives and daughters, or free migrants. While not contracted laborers, they still performed important roles on the sugar estates. They planted and looked after the labor camp gardens, managed livestock, and were often employed as staff on the sugar estate. The increase in women arriving in Mauritius impacted on the social dynamics of the camps, increasing the practice of religious rituals and marriage. The birth of children in the labor camps encouraged the development of *baitkas*, (a social meeting place to pray, perform religious rituals and instruction) and a greater desire to settle in Mauritius permanently. By the 1880s, fewer old immigrants returned to India at the cessation of their work contract. In 1880, the island became home to more than 113,000 Indo-Mauritians who had been born in Mauritius and who accounted for 45% of the Islands Indian residents (Allen 1999: 162).

## The Indentured Laborer Category

With specific regard to the indentured labor system in Mauritius and ethnic categories, the indentured labor system classified the Indian migrants as a specific kind of migrant in Mauritius. They were governed by different laws regarding work contracts, living conditions, wages, food, and the ability to move around the island. These laws enforced identification processes, criminal convictions, marriage, private trade, and so on. From the moment they arrived in Mauritius, they were numbered, distributed, and monitored as a distinct group. Their records contained specific details that documented their name, origins, tribe, village, religion, caste, physical markings, and photographic identification. They were effectively branded by their status as an “indenture immigrant” and while restrictive in practice, unintentionally over time, allowed for the continued connection between the indentured laborer, their place of origin and ancestral heritage. Today, the indentured labor category is

perceived as one of ancestral pride and honor, what Eisenlohr (2006:100) refers to as an ideology of “ancestral culture.” This has encouraged the forming of strong ties between the Indo-Mauritian groups and their Indian origins, and invigorated an ancestral collective memory of struggle, survival, and achievement, helping to legitimize the rise of Indo-Mauritian political power in contemporary Mauritius (Eisenlohr 2006).

## Land Ownership

During the mid-nineteenth century in Mauritius, the Indian indentured labor population grew and continued to grow within the labor camps of the sugar estates, as well as in nearby villages where the old laborers would set up homes, and shops. By the 1880s, there were two changes to the plantation economy in Mauritius that created a dramatic shift in the indentured labor landscape greatly influencing the social and political makeup of Mauritius. Firstly, in the late nineteenth century, the sugar industry became more centralized, where the size of sugar mills expanded but decreased in number due to greater efficiency. Secondly, as a result of a drop in the global market for sugar, many small plantation owners lost their business and larger sugar estates sold off parcels of land to survive the slump (Teelock 2009). As a consequence, the indentured laborer was given the opportunity to buy land, called *the grand morcellement*. Most of the newly available land was purchased by Indian families and laborers. This developed into a growing Indo-Mauritian land owning class. By 1935, 39% of sugar cane plantations were owned by Indo-Mauritians (Eisenlohr 2006; Teelock 2009). As a consequence of land acquisition, there was a movement away from the sugar estates and Indian village communities developed around the rural areas of Mauritius.

## The Reinvigoration of Endogamy

One of the most powerful ties in post-migrant communities is the practice of *endogamy* (marrying only within one’s own community) serving to reinforce a form of social closure and establishing a clear boundary marked by a commitment to a particular ethnic identity. Ari Nave (2000:348) suggests that, “. . . an adequate understanding of ethnic group boundaries requires knowledge of the proximate mechanisms driving endogamy and cultural reproduction.”

The majority of Indian indentured laborers practiced endogamy in their Indian homelands, both Hindu and Muslim laborers. Just as with the practice of the caste system, endogamy was difficult to maintain at the time of the indentured labor scheme. Initially, the low levels of female laborers and the mixing of laborers from varied regions made following an endogamous system difficult. As we have already discussed, initially the indentured labor recruits were predominantly male, in 1839, the ratio of male to female was 56:1. Consequently, during the period of indenture, mixed marriages were common. By 1891, the colonial administration in Mauritius

produced guidelines on how to collect data on the children of intermarriages, where the child was assigned the ethnic identity of the father, no matter their appearance or cultural identification. The increase in women arriving in Mauritius impacted on the social milieu of the camps, with an increase in the practice of religious ritual and endogamous marriages.

As the population of Indian indentured laborers grew, the traditional practice of endogamy was reinvigorated. Mauritians in general have a clear preference for marrying someone of the same ethnic group. Franco-Mauritians' also have a preference for marrying "white" conforming to the endogamous marriage patterns of all Mauritian communities (Nave 2000: 548). We understand these preferences to be based upon a preference to marry someone with shared social norms and values. Research done on interethnic marriage by Nave (2000) found that ethnic groups in Mauritius maintained distinct boundaries through dress, religious beliefs and cultural practices, and the practice of endogamy.

Mauritius is commonly described as a plural society: a "fruit salad" of multiculturalism. The discourse about unity in diversity is strong in Mauritius. It has been widely assumed by researchers that in plural societies, rates of interethnic (involving people of different ethnicities) marriage is a common indicator of the level of social integration between groups. However, in Mauritius, we find that interethnic marriages are uncommon, and that intra-ethnic (involving people of same ethnicity) marriages are the predominant organizing principle of marriage. Endogamy and intra-ethnic marriage is important for the continuation of ethnic culture, whereas interethnic marriages reduce the possibilities of passing on ancestral cultural practices and beliefs to the next generation. This is particularly true in Mauritius where heritage and cultural diversity are celebrated and endorsed as National ideologies, where ethnicity and the practice of endogamy is socially accepted (Ng Tseung-Wong and Verkuyten, 2015: 690).

There are of course exceptions to the rule where intermarriage occurs, and in the Indo-Mauritian context, where endogamy is well entrenched. The practice of interethnic marriage is often socially challenging for those families involved (Erikson 1997 cited: Hans Vermeulen and Cora Govers ed. 1997). This is particularly so with marriages between Muslim and Hindu couples, due to strict religious doctrines and tensions between these two groups. Ng Tseung-Wong and Verkuyten (2015) found Mauritius exemplifies a country that is multicultural at the national and public level but is ethnically bounded at the family and cultural community level. They use a descriptive phrase from their research on intermarriage in Mauritius in their title which references directly the common attitude towards endogamy, "I'd rather we be neighbors than lovers": the two-sidedness of multiculturalism (Ng Tseung-Wong and Verkuyten 2015:690). The common Mauritian discourse rejects "mixed" marriages and is found among all communities. This discourse is encouraged by the significance of ethnic affiliation in Mauritian society, and as Erikson (2012) notes, there is little appeal to having a hybrid identity. So, with the practice of endogamy prevalent in Mauritius, we see how cultural ethnicity can remain a powerful invigorator of social boundaries and ethnic identities within essentially plural societies.

## Language, Religion, and Identity

The circumstances of language in Mauritius reflect a similar dichotomy to both nationalism and pluralism. Language in Mauritius can symbolize both unity and disunity. At the time of the 2000 National Census, the languages spoken, in order of prevalence and followed by the number of speakers, were: Creole (806,152); Bhojpuri (142,387); French (39,953); Hindi (7250); Tamil (3623); Telugu (3623); Marathi (1888); Urdu (1189); and Chinese/Hakka (1606). Today, Creole remains the vernacular language of Mauritius, cutting across group boundaries and identities (Tiroumalechetty 2014:17–18). There are many languages spoken in Mauritius and many people speak three or more of them. Language in Mauritius is heavily caught up in debates around communalism and ethnic division in Mauritius. The ideology of a united and inclusive multicultural nation is undermined by post-colonial policies that foster ancestral culture and heritage (Eisenlohr 2006: 264). In recent times, there have been attempts to standardize and institutionalize Mauritian Creole, where it is described as the only cultural feature that transcends all ethnic boundaries in Mauritius. Yet, there has been strong opposition within the dominant Hindu community, who take issue with favoring a national Creole language for fear that the Creole community will claim Creole as their own distinct language base as the national language (Eisenlohr 2006). Consequently, the “ancestral cultural” ideology is gaining a stronger foothold in Mauritius as more and more Indo-Mauritians choose to promote their own ancestral language. The growth in speaking, writing, and publishing of Indian ancestral languages in Mauritius continues to demark ethnic subgroups.

Religion also plays a deciding role in the ethnic divisions of Mauritius. There are three broad religious groupings in Mauritius: Catholic, Hindu, and Islam. As Selvam (2003:28) comments, in the case of Mauritius, “. . . in addition to factors such as language and place of origin, religion and places of worship play a significant cementing role in the formation and existence of ethnic groups and maintenance of an ethnic consciousness.” With respect to the indentured labor migrants, religion and identity have gone hand in hand. As previously explained, the indentured laborers were able to continue their religious rituals and practices, albeit in adapted forms and settings that accommodated their new circumstances on the sugar plantations and in the villages of Mauritius.

Today, it is still possible to find clear links between the indentured laborers, the sugar plantation, and traditional religious practices, such as small shrines or temples found among the sugar plantation fields. During the indenture period, the sugar plantation owners realized that religious practice was essential to the well-being of the laborers and therefore allowed for the construction of religious prayer structures in the labor camp. For the Indian indentured laborers, the faithful performance of religious tradition and ritual was directly related to their sense of survival in what was initially experienced as a hostile and laborious circumstance. As is believed in the performance of rituals such as *Shivratri* and *Kavadee* today, if these rituals were not performed or done properly, a great misfortune would befall the laborer, their family, village, and community (Tiroumalechetty 2014:67).

Tirumalechetty (2014:67) suggests as an example that religious rituals for Tamil indentured laborers, “. . . provided the emotional support and strength to face the miseries and injustices of the time and, secondly, it became a binding force grouping the Tamils together under common beliefs, customs and traditions.” The sugar plantations today exemplify how laborer religious practices and rituals continue to signify religious affiliations and traditions by the Indo-Mauritian community. Although there are different religious subgroups within the broader Hindu community, there also exists an overall Hindu unity that functions as a powerful tool for maintaining political influence in Mauritius. So much so, that the advancement of Hinduism in Mauritius is perceived as a threat to the well-being of other ethnic communities (Clare Sisisky 2016). Leo Couacaud (2013) agrees that religion has become the most significant indicator of ethnic differentiation in Mauritius, especially in view of the extent to which religion has been instrumental in constructing group identity and belonging, particularly for Indo-Mauritian ethnic groups.

## **Independence and Indo-Mauritian Political Power**

Throughout the twentieth century and more recently the start of the twenty-first century, we can still see the impacts of indentured labor on ethnicity being played out in the social and political realms of Mauritius. In the words of Patrick Eisenlohr (2011:262), “. . . peaceful coexistence through the acceptance and promotion of ethnic and religious pluralism is considered “a supreme common good” in Mauritius. Mauritius is described as a plural society, a medley of people who mix, but do not combine. Each distinct group represents different sections of Mauritian society where they live side by side, but separate, yet governed within the same political system (Mehta 1995). Mehta defines Mauritian society as one based on a cultural pluralist model. Ethnicity has a significant influence on Mauritius society, where it continues to divide communities into multiethnic, heterogenous groups. Consequently, each group has its own dynamics of population size, majority or minority groupings, history, and socioeconomic conditions. As such, some groups have greater representation and political force than others.

Throughout the twentieth century, the descendants of the indentured laborers grew in numbers becoming the largest population group in Mauritius, of which Indo-Mauritians were the largest group of indentured laborers. The next largest ethnic category is what the census defines as “the general population” made up of European white settlers, African Creoles, and mixed Creoles, making up 25% of the population. Within this group, and who represent only 1% of the population, are the Franco-Mauritians, who hold the greatest economic power (Mehta 1995). Although the Franco-Mauritians have the greatest economic power in Mauritius, as the dominant land and international business owners, it is the Indo-Mauritian ethnic community that holds the greatest political power. Unlike other British indentured labor colonies, the indentured labor descendant population of Mauritius has managed to forge their way into a dominant political position.

There are a variety of complex factors that have supported this development, and for the purposes of this chapter, we will focus on factors that are directly linked to the history of indentured labor. As previously mentioned, the fast expanding demographics of the post-indentured labor population has played a large role in Indo-Mauritians having a powerful stake hold in the government of Mauritius. The postindependence electoral voting process has favored rural constituencies which have been dominated by Hindu Mauritian communities. Historically, over the last century, there has been strong protest and debate around the exploitation and subjugation of indentured laborers, which led to the implementation of progressive laws that protected their rights.

While the Hindu Indo-Mauritian community was improving its social and economic position in Mauritius, there were also growing tensions between the ethnic communities, concerned with their growing political dominance over minority groups. By the 1960s leading up to the independence of Mauritius from British colonial rule in 1968, there was a growing fear among non-Indian communities that their political and social position would be overshadowed by a dominant Indo-Mauritian Hindu community. This tension saw a large number of Mauritians migrate outside of Mauritius, in particular, members of Catholic Creole communities. To help balance the fears of minority groups being swamped by a Hindu-based government, the Best Loser System (BLS) was introduced as part of the new postindependence electoral system. The aim was to guarantee political representation of “all” communities, especially minority groups. The implementation of the BLS system incorporated ethnic distinctions into the constitution, namely, Hindus, Muslims, Sino-Mauritians, and General Population (Salverda 2015:540).

Again we see the use of ethnic categories to identify the separate communities of Mauritius. As Boswell (2006) suggests, instrumentalization of ethnicity is hard to undo. In plural societies, behind the outward appearance of interethnic compromise, there exists competition between the various ethnic groups who are all attempting to improve their social, economic, and political position. As such, competition and tensions occur between groups, where each aim to have their own priorities and needs met. This is also true for Mauritius.

With the growing indentured labor descendant population and greater political representation, there came a growing interest in the promotion of Indian regional languages, traditions, and cultural events. With an emerging Indo-Mauritian middle class, the community became more confident in the development of family businesses, accessing comprehensive education and the strengthening of intra-ethnic ties through kinship, marriage, business, and caste networks (Salverda 2015: 549).

Hollup noted in 1994 that since post-independence, there has been a revival of caste consciousness in political contexts. Generally speaking, mentioning the caste system in Mauritius is politically incorrect, where the question of a caste structure in the Indo-Mauritian community is highly controversial (Claveyrolas 2016). For some Mauritians, it exists, and for others, it does not. Whether caste is relevant or not relevant in Mauritius today is a complex topic that cannot be addressed sufficiently here; however, what is apparent in Mauritius is the notion of “backing” that can be described as a derivative of the caste system. Rosabell Boswell (2006:155) claims

that “backing” is widely used in Mauritius. This practice results in the preferential employment of European and Indo-Mauritian descendants in the private sector and civil service, respectively. Today, jobs and promotions within government and business sectors are still commonly influenced by an employee’s ethnic network (Bunwaree 2002). These links may exist through family and kinship networks, caste or religious group membership. The existence of “backing” serves to create further tensions between the different ethnic communities in Mauritius, where some groups appear to have greater access to resources and opportunities than others (Lyn M Hempel 2009).

Even though there exist marked differentiations between each ethnic community in Mauritius, Mauritians manage to unconsciously and routinely navigate these differences at a national level, where there does exist a sense of social cohesion. This is exemplified by the creole term “*Lakorite*,” a word that does not have a direct equivalence (or roots) in the English or French language but means a common nationhood (Salverda 2015). Erikson (1998) has commented on the positive atmosphere of interethnic compromise and cooperation in Mauritius; however, Boswell (2005: 201) also suggests that this sense of social cohesion is a veneer, covering over the real competition and struggles that exist between groups for hegemony (leadership) and control. One such example of this is the underlying negative discourse associated with the descendants of slaves, identified as belonging to the Creole community, where they are perceived by other Mauritian ethnic groups to be of mixed heritage and therefore a hybrid group, with no clear ethnicity. This becomes particularly difficult for the Creole community when the majority of Mauritians emphasize ethnicity and ancestral origins as highly significant in Mauritian society. Consequently, today there is a great push towards connecting the descendants of Afro-Mauritians and Slaves with their African origins (Boswell 2005). This is a way for the Creole community to strengthen their political position in Mauritius, as a bounded community determined by a similar heritage and particular cultural traits. As Boswell (2005:212) observed, “. . .knowing one’s origins and celebrating it . . . was becoming more important because it had become the only thing that tells others who one is and establishes belonging.” Hence, there is a focus on researching Afro-Mauritian history in Mauritius, including research of archaeological sites and a growing interest in promoting music, dance, and language that can be linked to their African heritage.

## **Ancestral Heritage and Cultural Capital**

The shifting status of the indentured laborers as colonial subjects (objects of labor) to the transformation over time of the status of their descendants is astounding given their subservient beginnings. The transformative narrative of the Indo-Mauritian community is central to their sense of identity and belonging. For the descendants of the indentured laborers today, the valorization of ancestors has become a form of “cultural memorialization” through a repetitive narrative (Hirsch 1997:4). In Hirsch’s words: “this involves an activity occurring in the present in which the



past is continuously modified and re-described, even as it continues to shape the future.” Ancestral heritage and memorialization could also be described as a form of cultural capital: an asset that can be institutionalized, objectified, or embodied, that helps promote social mobility, that is different to financial capital (David Throsby 1999). The narrative of the indentured laborers as brave, strong, and tenacious helps to further substantiate the Indo-Mauritian’s social status and negates any old narratives of the indentured laborers as slaves, victims, as downtrodden, sick, or weak. This narrative is reinforced by the descendants’ continual reference to their indentured labor ancestors with pride, honor, and gratitude.

Ancestor worship takes on a very powerful role in reaffirming family and descendant community histories and is inherently involved in Indo-Mauritian religious practices and rituals. Because the Indo-Mauritian community dominates national and political arenas, indentured labor heritage sites, objects, and cultural traditions have become important cultural capital in Mauritius. These findings resonate with those of Eisenlohr (2006:100), where he claims that the improved social and political status of the Indo-Mauritian community is explained by their adherence to ancestral traditions, “Hindus in Mauritius have in the end been redeemed by their steadfast attachment to ancestral traditions and values, which are responsible for their economic success and climb upward from a previously inferior position in the political system.” According to Eisenlohr (2006), because all communities in Mauritius have origins from “elsewhere,” the cultivation of ancestral traditions and historical narratives help to cement the successes of the postcolonial experience.

Hinduism, while remarkably old, complex, and diverse, has always incorporated ideas of ancestral worship and ancestral rites (Sayers 2015). These ideas and practices most certainly travelled with the indentured laborers from India and were cultured and nurtured amidst the new environment of the indentured labor camps. While these traditions and religious practices have adapted over time, having a more Mauritian flavor, they have nevertheless remained a stable indicator of Indo-Mauritian identity and culture. The practice of Indo-Mauritian religious pilgrimages, such as *Shivratri* and *Kavadee*, and the ancestor ritual of *Gran Dimoun* are good examples of just how important ancestral and religious traditions are in contemporary Mauritius today.

*Gran Dimoun* is a family ritual usually conducted in the home on the 1st January each year. It is specifically practiced to honor family ancestors. *Thaipoozam Cavadee* is a yearly celebration performed in devotion of Lord Murugan. On this day the Tamil people show deep thanks and appreciation for having a prosperous year and ask for the deity’s blessing. It involves, purity rituals and fasting as well as physical sacrifice, such as body piercing, walking on nailed shoes, carrying the heavy wooden *cavadee* (mountain) etc. It is considered so significant it has been given public holiday status. The Mauritian *Maha Shivaratri* festival is the largest Hindu pilgrimage outside of India. Thousands of devotees walk from all corners of the island to Ganga Talao the sacred lake in the centre of the island also called Grand Bassin, where the great night of Lord Shiva is celebrated. The festival exemplifies the Hindu tradition of pilgrimage, an imperative aspect of Hindu religion



that connects the human world with the sacred. (cited from *The Pluralism Project* Harvard University <http://pluralism.org/>). In the Indo-Mauritian context, these are not only religious performances but also collective re-enactments and commemorations of the past sufferings of the immigrant ancestors (Eisenlohr 2004:93). There are many examples of religious performances enacted in Mauritius depending on the particular religious community (Telugu, Tamil, Marathi, etc.) and their calendar of religious festivals and auspicious days. The social lives of Indo-Mauritians are centered around these religious events and auspicious occasions. As such, we also find the celebration of festivals and ethnic group identity celebrated and supported at the Government level, where public holidays include specific days for each ethnic community in Mauritius.

As previously discussed, language has also played an important role in defining ethnic boundaries in Mauritius and also performs as an important form of cultural capital. Patrick Eisenlohr (2006:173) discusses the attachment and reinvigoration of ancestral languages in Mauritius performing in similar ways to religious traditions. He notes how traditional ancestral languages have grown as a political focus in Mauritius since post-independence. Today, the teaching of regional Indian languages in respect to ancestral tradition also continues the “valorization” of their ancestral heritage and helps to ensure the continuity of their Indian origins and culture. In turn, the practice of ancestral language keeps the Indo-Mauritian community tightly bound.

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## Conclusion

The indentured labor system, by its reliance on migrant labor and its innate categorizing structure, encouraged the development of a plural society; a society with strong ethnic affiliations that differentiate each group from another. While the influx of indentured laborers does not explain fully the development of a multiethnic society in Mauritius, as there were already clear divisions between the Franco-Mauritians, slaves, and others before the arrival of the indentured laborers, it has, however, fostered clear divisions between the indentured labor migrants, their employers, and other Mauritian communities. The indentured laborers were perceived as distinctly different to any other group. They were allowed to speak their own language, practice religious rituals and cultural traditions, remain endogamous, eat and dress according to their own customs, build temples and shrines, own parcels of land, and eventually become business owners. These opportunities all began within the auspices of the indentured labor system, a system that strongly signified difference and bounded this particular group through specific laws and administrative processes. It is no surprise that as the indentured laborers completed their work contracts and chose to remain in Mauritius, they had already established strong social networks and belonged to clearly marked ethnic communities. The sheer number of indentured laborers that arrived and remained in Mauritius had a pronounced impact on the demographics of Mauritius and altered the social, economic, and political constitution of the island. At a broader social level, this has resulted in an imbalance of ethnic group population numbers, political representation, and

access to resources and equal opportunities. While there does exist a perception of social cohesion at the national level, the significance of ethnicity and group identity remains a dominant force. The growing interest in ethnic group identity, history, and ancestral heritage would suggest that the cultural plurality of Mauritius is likely to continue with further cultural and ethnic distinctions and boundaries being further defined and encouraged.

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## Cross-References

- ▶ [Diaspora as Transnational Actors: Globalization and the Role of Ethnic Memory](#)
- ▶ [Global Capitalism and Cheap Labor: The Case of Indenture](#)
- ▶ [Indian Indentured Laborers in the Caribbean](#)
- ▶ [New Middle-Class Labor Migrants](#)
- ▶ [Religion and Political Mobilization](#)
- ▶ [State Hegemony and Ethnicity: Fiji's Problematic Colonial Past](#)
- ▶ [The Significance of Ethno-politics in Modern States and Society](#)

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# Global Capitalism and Cheap Labor: The Case of Indenture

# 91

Brinsley Samaroo

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## Abstract

The system of indentureship, utilizing mainly Chinese and Indian labor in the post-slavery period, was a continuation of the capitalist desire of sourcing cheap labor under the aegis of the plantation system. That system, originating in Brazil from the sixteenth century, provided a model which was effectively used by the other Western European countries to create a plantation society. This was a rigidly stratified polity using race as a major determinant of one's place in the pyramid. The model was transferred from Portuguese Brazil under the auspices of Dutch entrepreneurs, to the Caribbean colonies transforming them from poverty into prosperity. Its success in the Caribbean led to its transference to the Indian Ocean by the same European powers which had established parallel patterns of trading in the East, complementing their Western, Atlantic enterprises. In this continuance of labor exploitation, China and India were major sources of "coolie" labor under less brutal conditions than in slavery. For both peoples, however, this bondage was not the end of their world. Most of them survived using new opportunities

B. Samaroo (✉)

History Department, University of the West Indies, St. Augustine, Trinidad and Tobago

e-mail: [bsamaroo40@gmail.com](mailto:bsamaroo40@gmail.com)

provided by new situations, discarding some of the old traditions selectively. Both Chinese and Indians came from ancient societies guided by beliefs and traditions sanctified by time. As they adapted to their adopted societies, they used their ancestral moorings as enablers in new homelands in the Atlantic and Pacific worlds. Through the complex interaction of sugar, slavery-bonded labor, and European capitalism, the international economy was transformed leading to the industrialized world of the nineteenth and twentieth centuries.

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**Keywords**

Plantation system · Cuban Chinese · Guandong · Calcutta · Girmitya (agreement signer) · Arkatia (recruiting agent) · Jahaji bandal (ship's belongings) · Gender imbalance

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**Introduction**

To what purpose do you bring me frankincense from Sheba and the sweet smelling cane from a far country? Your offerings are not acceptable nor are your sacrifices pleasing to me (Jeremiah 6:20)

During the period 1837–1920, just over 2.2 million Chinese, Indians, Javanese, Malagasy, and free Africans were indentured on tropical plantations worldwide. This activity occurred as European mercantilists continued the process of industrializing human energy in the pursuit of profit which had been an ongoing activity during the previous two centuries of African enslavement. From the start of the nineteenth century, the movement toward abolition gained increased momentum with the British ban on slave-trading in 1807 and their prohibition of slavery between 1834 and 1838. Mauritius ended its slave trade in 1839 and the French colonies in 1848 followed by the Dutch in 1863, Cuba in 1886, and Puerto Rico in 1873. At the center of this long story of slavery and indentureship was the sugarcane, the boon and the bane of the modern world.

This narrative of the interlocking roles of sugar, slavery, and indentureship has been the focus of many studies, some of which have been described by contemporary analysts as *Sweet Malefactor: the story of sugar* (Aykroyd 1967), *Fruits of Empire* (Walvin 1997), *Bitter Sugar* (Teelock 1998), *Sweetening bitter sugar* (Seecharan 2005), and *Sugar in the blood* (Stuart 2012).

From its Asiatic roots, the plant was transferred to the Iberian peninsula by the Arabs from the time of their invasion in 711 to the end of the fifteenth century when Christopher Columbus introduced sugarcane to the Caribbean. Most of the canes cultivated by Spain and Portugal was done on the offshore islands such as Madeira, the Canaries, and Cape Verde where the labor was provided by African slaves fetched from Northwest Africa. The Spaniards were the first to introduce the plant to the Caribbean when Columbus brought the first set to Hispaniola in 1493 on his second voyage to the New World. In 1506 a second consignment was brought by the Spaniard Avignon. But this early introduction of sugar to the Northern Caribbean did not mean its diffusion to the rest of the islands. Spain was far more interested

in precious metals and pearls than in agriculture. Hence sugar cultivation was secondary to the search for metallic wealth. Even so there was a significant sugar industry in Cuba and Hispaniola. At the same time the Spaniards prohibited the export of both plants and technology to their possessions in the Southern Caribbean. Here the challenge of the interlopers (British, French, and Dutch) posed a serious threat. In fact as Spain concentrated on Mexico and Peru, its Caribbean possessions from Jamaica to the Guianas were increasingly being conquered by these interlopers.

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## Creation of the Plantation System

With the Spanish embargo on the export of sugar technology, the task of introducing the product to the British and French islands was undertaken by the Dutch whose traders considered this transference as essential to their roles as international carriers in the Atlantic world and in the Indian Ocean and as sugar refiners in Europe. The Dutch occupation of Pernambuco in Northern Brazil from 1621 to 1651 was an integral part of this process. The Portuguese had introduced sugar cultivation to their Brazilian colony from 1520 under the donatario system which became the foundation for the evolution of the plantation model. This system was largely responsible for the prosperity of Brazil for the next two centuries providing the wherewithal for the penetration of the sertao (interior). Like the Spaniards, the Portuguese were reluctant to pass secrets to their northern neighbors in the Caribbean. Such secrets remained as secrets until the Dutch gained temporary ascendancy in Brazil for just over three decades from 1621. During this period the Dutch invited British and French investors to Brazil. These persons were pleased to observe a ready-made system which effectively utilized slave labor, creating a stratified society for the profitable production of sugar and its by-products (Davis 1973, p. 173). Dutch investors also moved to the Caribbean.

The plantation system established a clearly defined class system based on ethnic origins where one's "caste" position determined one's occupation and place in a well-defined pyramid. This enabled a large cohort of plantation owners to live in Europe, while the local "compradore" class made up of Europeans and European creoles managed the plantations as attorneys, accountants, commercial agents, and overseers. Over time, mixed-race (colored) functionaries ascended into the compradore class. Beneath these upper echelons, there was the mass of Africans, themselves classified as soldiers, policemen, drivers of gangs, house slaves, and field slaves. The plantation system was devised to allow one crop to one region as this suited the metropolitan interests. In this way sugar was allotted to Mauritius, Natal, Fiji, and the Caribbean, cotton and tobacco to the North American colonies, and rice and textiles to India. In this regulated crop system, other necessities were imported from those colonies whose assignment was different and from metropolitan producers and colonists who were socialized into the acquisition of foreign tastes. The plantation system dissuaded slaves or indentured servants from developing independent livelihoods so as to increase dependence on a centralized center. In this way, rice production was discouraged in the swamplands of British Guiana or Suriname whose post-indentureship development became heavily based on rice production.

Similarly Fijians and Mauritian were not encouraged to exploit the abundant fisheries which existed in the Indian Ocean. Seafoods had to be imported. In the Caribbean the workers were fed on a diet of Canadian cod, New Brunswick sardines and herrings, and “Irish” potatoes. Native root crops such as cassava, yams, or arrowroot were hardly welcome. Another essential element of the plantation system was the constant presence of a wide range of Protestant and Roman Catholic missionaries who were willing upholders of the model, using the Bible to justify servitude while denigrating native ontologies, African or Asian ways of seeing. In Mauritius, Catholic schools dominated, acting as socializing agents, in other words, bringing the population into a Catholic culture (Teelock 2009, p. 281).

Because of their crucial role in transferring an immediately applicable model for the establishment of the plantation, loans for the purchase of machinery, markets for the raw sugar (to be refined in Dutch factories), and a ready supply of slaves, the Dutch have been called the foster parents of the Sugar Revolution which was started in the Caribbean in the mid-seventeenth century. In this way, Jamaica, Barbados, St. Kitts, Martinique, and Guadeloupe became immediate beneficiaries of Dutch enterprise as sugar cultivation created a new canescape. Under the aegis of this system, a large number of unprofitable crops (indigo, cotton, tobacco, cocoa, and coffee) were replaced by a single crop, namely, sugar. Similarly a large number of smallholdings gave way to a small number of large holdings (Davis 1973, p. 184). As the industry developed, centralization of factories became increasingly important as in the case of Cuba and Fiji. When Fiji was ceded to Britain in 1874, its first governor Sir Arthur Gordon, fresh from Trinidad and Mauritius, introduced the plantation model using Indian indentured laborers of whom 60,063 arrived between 1879 and 1916 (Lal 2006, p. 370).

It must be remembered, too, that Dutch enterprise was not restricted to the Atlantic world; the Dutch were global traders. During the seventeenth century, the Dutch East India Company was selling Indian and South Asian slaves to the Cape Colony and to factories in Indonesia and Sumatra. French traders, too, were offering services to the Caribbean while selling Indian slaves to Mauritius and Reunion (Allen 2016, p. 41). Through these global networks, the plantation model was internationalized and was boosted by two other considerations. One was the availability of African slaves initially and Asian indentured workers subsequently. To the plantation owners, Asia, like Africa, had an unlimited supply of unemployed men eager to go abroad. The second consideration was the high price for sugar in the European market. During the eighteenth century, alternative sea routes were developed between colonizers and the colonized, and this facilitated easier trading. It became safer to travel from a colony to a metropole than it was to travel among the Fijian islands or among the French colonies in the Caribbean. In the case of Fiji, the new colonizer was Australia whose Colonial Sugar Refining Company controlled its sugar industry.

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## Transition to Indentureship

The system of indentureship which flourished during the nineteenth century was a revival of an earlier indentureship which was practiced in North America from the mid-seventeenth century to the late eighteenth. Between 1660 and 1775, some



400,000 British indentured servants had been transported to the North American colonies, many to work as field laborers but not on the plantation model (Allen 2016, p. 39). Most had to work for up to 3 years after which they would be given freedom and allotments. The treatment of these indentured servants was far better than the later Asiatic indentured servants. In the immediate post-slavery era, an effort was made to revive this system through the importation of European “engagés” from Iberia, France, Malta, Ireland, and Germany. These European settlers, it was believed, would assist in maintaining an ethnic balance and provide an example of diligence to the former enslaved people. However, this experiment failed since the Europeans could not adapt to sugar cultivation in the tropical heat. Unsuccessful efforts were also made in the Caribbean to recruit free Africans from the Chesapeake Bay area of Eastern USA after the Anglo-American War of 1812 as well as former soldiers after the end of the Napoleonic Wars of 1815. It was after the failure of these experiments that Asia became the major source of labor for the Indian Ocean and the Atlantic colonies.

In the continuing search for suitable replacements, it was China, not India, which was the first target. As early as 1760, Chinese were being brought to Mauritius when, in that year, 300 Chinese laborers were brought and in 1829 another 200 were imported. However, these efforts collapsed like the simultaneous experiments in the Atlantic world (Teelock 2009, p. 320).

After that time, hundreds of Chinese came to Mauritius, but these came as traders between China and Mauritius. This trading contact increased after the British liberalized Chinese immigration in 1877. The first Chinese to arrive in the Caribbean came to Trinidad in 1806, but these did not come from China. The 200 Chinese were an assortment of Chinese who were based in Calcutta together with others who had been recruited in Penang (modern Malaysia). This experiment failed, to be restarted later on. From 1847 to 1887, around 165,000 Chinese were brought to the Caribbean (Table 1).

In the midst of this largely unregulated traffic, British and French officials sought to regularize the trade through negotiation with the Chinese government. At the Kung Convention in 1866, the parties agreed to terms based on the Indian indentured model. From this time the trade in Chinese bodies was expected to increase, but then the West Indian planters subverted this plan by purchasing their “coolies” from India

**Table 1** Chinese immigrants to the Caribbean, 1806–1924

Colony	Years	Indentured	Non-indentured
Cuba	1847–1874	126,000	
	1901–1924		17,000
French West Indies	1853–1887	2,129	
Suriname	1853–1874	2,839	
British Guiana	1853–1879	13,539	
Trinidad	1806–1866	2,984	
Jamaica	1854–1884	1,196	
British Honduras	1865	474	
Antigua	1882	128	

which incurred less costs than from Guandong or Macao (Looklai 1993, p. 48). By 1872 the Europeans were able to wring more consciousness from a weak Manchu government, but by this time the plantocracy had switched to the Indian sources. As a result a small number came to the non-Hispanic Caribbean: 2,645 to Suriname, about 2,984 to Trinidad, and 1,196 to Jamaica. British Guiana received 13,359 and Cuba 126,000. Compare this with 239,000 Indians who went to British Guiana, 147,000 to Trinidad, and just over 68,000 who went to Martinique and Guadeloupe. From the late nineteenth century, there was an exodus of Chinese from British Guiana to Trinidad and the other British Caribbean colonies because of the unfair advantages given to the Portuguese who had also come as indentured laborers. The Portuguese had shorter terms of indentureship and were afforded special facilities for trading because they were European. In the process the Chinese who were also traders had to find other havens.

The Chinese indentured experience in Cuba deserves our special attention since it was the harshest of all. Indentureship from India was better organized with tighter state controls. In the Chinese case, such controls were absent as European traders and Chinese officials conspired to extract as many Chinese as possible from a politically unstable kingdom. The voyage from China was itself most hazardous. The trip to the Caribbean took an average of 125 days compared to those from India which averaged 90 days. Out of 142,000 who left for Cuba between 1847 and 1874, as many as 16,000 died during the crossing in "rebellions, assassinations of crews, reprisals against captains, suicides and death by thirst" (Helly 1993, p. 21). The eminent Chinese historian Lyn Pann has correctly observed that "It was a very unlucky Chinese who found himself transported to Cuba" (Pan 1966, p. 67). It is no accident that the Chinese "coolie" trade has given us the word "Shanghai" and was generally referred to as the "pig trade."

In the free-for-all situation in Cuba, Chinese were indentured for unusually long periods (8–10 years in the first instance), and their subsequent freedom was blocked by the Madrid government. From 1860 those whose indentures had expired had to leave the island at their own expense or re-indenture themselves. For many who sought to claim their freedom and leave, employers regularly withheld their certificates of completion, forced them in re-indentureship, or detained them in depots (Cuba Commission 1876, pp. 77, 81).

A major disincentive to Chinese settlement in Cuba was the marked absence of women among the immigrants. From 1852 importers of Chinese labor into Cuba had agreed to ensure that at least one-fifth of each consignment were to be women. The record, however, points to the blatant disregard of this convention. Chinese migration to Latin America and the Caribbean was overwhelmingly bachelor migration. Out of 126,000 Chinese who went to Cuba between 1847 and 1874, there were about 62 women. By the 1860s when free Chinese were opting to start families in Cuba, there were 1.6 Chinese women for every thousand men (Northrup 1995, p. 75). This gender disparity created problems for the Chinese in the Caribbean and in Mauritius since there was competition between Chinese and Africans for available women. The importation of Chinese was also seen as a means of depressing wages, causing further conflict. Despite these hindrances the Chinese

contribution to Caribbean development was considerable. In Cuba they facilitated industrialization of the sugar industry. Denise Helly, an authority on the Chinese in Cuba found that:

The adaptation of the Cantonese to industrial labour was so rapid that not a single informant to the 1874 investigation mentioned the technical difficulty in carrying out the tasks in the sugar mills. (Helly 1993, p. 22)

In the Atlantic and Indian Ocean colonies to which there was Chinese migration, the Chinese filled a variety of roles: domestics, charcoal burners, laundry men, and vegetable farmers. In all of these places of migration, they played a major role in promoting retail trading in far-off rural communities to which the European merchants would not go. Generally, the Chinese tried to escape the rigors of plantation life as quickly as possible, after buying out the remaining years of servitude and assisting others to do so. The Chinese saw the neglected rural communities as their niche markets, so they went and set up shops in nooks and crannies, often taking local women as partners. The “Chinese shop” became the community center where groceries, alcohol, bread, and pudding were readily available. In this way they formed an integral part of the plantation network by supplying local workers with daily necessities prior to field labor. From the early twentieth century, they migrated from rural to urban locations, setting up larger enterprises and availing better opportunities for their children.

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## Indian Indentureship

The island of Mauritius deep in the Indian Ocean became the initial testing ground for the “great experiment” of the production of sugar by free labor (Carter 2006, p. 267). As we have seen, the British and French used the Indian model as the basis for their negotiations with the Chinese authorities, hoping to avoid the abuses of the Cuban situation. In this way Chinese indentureship in the non-Hispanic Caribbean was far less abusive than in Spanish Cuba. Being close to India, Mauritius had a long and intimate relationship with India. From the time of its possession by France in 1721, who named it “Ile de France,” the island saw a constant influx of Indian slaves, artisans, and soldiers through the activities of the French East India Company. After all, the French held a strong base at Pondicherry on India’s southeastern coast. At the beginning of the nineteenth century, just before British conquest in 1810, there were about 6,000 Indian slaves on the island together with many other free Indians, some of whom were themselves owners of slaves. The prohibitive cost of bringing skilled workers from Europe enabled Indian jewellers, shopkeepers, seamen, and sailors to be recruited on contract from 1729. Mauritius was also an exile station for Indian convicts.

British conquest in 1810 signalled a boost in sugar production as a viable alternative in the same way that the Sugar Revolution had earlier changed the Caribbean economy. The technology had been developed for the Caribbean, the

price of sugar in Europe was attractive, and there were willing Mauritian and British investors. The presence of a previously settled Indian community, derived from sugar-producing areas of Northern India, was a favorable factor. To top it all, the British government granted tariff equality with British West Indian sugar, for entering the British market in 1821. Between 1834 and 1838, a total of 25,468 Indians were contracted in India for labor in Mauritius. By 1917 when the Indian government ended the further recruitment of Indians, no less than 450,000 girmityas (agreement signers) had arrived in Mauritius. By this time too, 152,189 had gone to Natal, 60,695 to Fiji, and 4,579 to Reunion. The Indian Ocean contingent was certainly larger than the Atlantic.

The administrative model developed in Mauritius became the basis for the opening up of further indentureship, first to British Guiana in 1838, to the wider Caribbean in 1845, to Natal in 1860, and to Fiji in 1879. The same model was used by the Dutch in respect of Suriname and by the French in Reunion, Martinique, and Guadeloupe. As the system matured, there were stops and starts as the administrators sought to correct abuses pointed out by ship captains, doctors, the Anti-Slavery Society, and anti-indenture groups in India.

The initial period of indentureship did not go well. In Mauritius and in British Guiana, accommodation and health facilities were poor, contracts were not clear, and the gender disparity was atrocious. When the Calcutta agents of Sir John Gladstone (the initiator of Indo-Caribbean indentureship) asked the noble lord about the proportion of women to be sent to British Guiana, they were given the Mauritian formula. This was one woman for every ten men “for cooking and washing” (Bahadur 2014, p. 79). In 1839 the trade was stopped as reforms were pondered. In 1842, under pressure of continuing demand from the plantocracy in the Atlantic and Indian ocean colonies, the British government allowed the resumption under new government controls. Among the reorganized plans, immigration depots were set up in Calcutta, Madras, and Bombay with staff appointed to oversee the recruitment, accommodation, and dispatch of the girmityas from India. To remedy the gender imbalance, bounties were offered to migrating families, and immigration depots were also established in the receiving colonies to be presided over by a protector of immigrants. This officer replaced the stipendiary magistrate in the former slave colonies, who had been appointed to oversee the proper treatment of the former enslaved. The protector of immigrants, like the stipendiary magistrate, was drawn from the European ruling class. Most of these “protectors” showed little sympathy for the girmityas; there were few exceptions. In India contractors called “arkatias” or “maistries” were appointed to recruit potential agreement signers. Many of these arkatias used trickery to entice their targets. For example, they told rosy tales about a place called Chinidad (land of sugar) instead of Trinidad; Mauritius was Mirch Desh (country of peppers), and Suriname was Sri Ram (God’s abode). In the colonies “sirdars” (labor supervisors) were hired as intermediaries between the planters and the workers. In the colonial setting, these sirdars emerged as local overlords. Many of them opened shops near the estates and pressured their workers to patronize those places where credit could be obtained during the slack season. The one item which was abundant and cheap was rum, a product of slave and

indentured labor and the bane of family life in the Atlantic and Indian Ocean plantations. This of course provided an attractive base for North American and European temperance groups which, like the Anti-Slavery Society, was constantly seeking for new things to abolish. None of these groups attacked the plantation system, the root of the evil.

As part of the reorganization of the system, immigration agents were appointed at the ports of embarkation. In Calcutta there were two such agents located at Garden Reach on the Hooghly River, a regular point of departure. One agent was recruited for British Guiana and Natal; the other handled Fiji, Mauritius, and the Caribbean. The Bombay depot scoured the Western Ghats for the plantation colonies, and the French depot was located at Pondicherry, recruiting for the French Caribbean and Reunion. In 1882 the British closed this French station. As the nineteenth century progressed, there were frequent changes and amendments as the system matured. As Brij Lal has asserted “the patterns varied but the process remained the same” (Lal 2012, p. 44). For most of the period of indentureship, the girmitya was indentured for 5 years, on an estate to which he was allocated by the colonial administration. He then had to spend another 5 years either as a re-indentured or free person. It was only after this period of “industrial residence” that he and family were entitled to a return passage.

While the majority of the immigrants worked on sugar estates, some were indentured to other occupations such as clearing forests, cocoa, and coconut plantations and rearing animals in a system in which animal power was used up to the twentieth century. A good example of the diverse ways in which Indian indentured labor was spread out can be found in Natal. In addition to their use in sugar areas on the coast, Natal employed them as farm laborers and domestics. Some were indentured in coal mines and in the tea industry which was dependent on Indian women. After indentureship this industry collapsed (Beall 1990, p. 96). A working day consisted of 9 h except on Sundays and public holidays. Adult men, that is, those above 15, were paid a shilling a day, and women, children, and “weakly men” earned 9 pennies, three quarters of a shilling. The workers received rations for the first 6 months, rent-free dwellings in logies or barracks which offered little privacy, and free medical care. A strict legal regimen operated in which desertion and vagrancy were considered criminal offences and, in the absence of trade unions, the workers had to depend on the protector of immigrants.

Despite the efforts of the British government to keep the system under control, the planters in the colonies were constantly seeking loopholes to reduce their costs of maintaining the system. They had to pay two-thirds the cost, the other one-third coming from the tax-paying public. As aforementioned, the Indian and his family were entitled to a return fare after 10 years. Colonial administrators did their best to discourage repatriation by offering concessions. In 1869 Indians were offered 10 acres if they abandoned their right of return. In 1872 this offer was modified when the time expired Indian was offered 10 acres or an alternative of 5 pounds and 5 acres. In 1881 the offer was reduced to 5 pounds, and in 1889 the incentive of land or money was withdrawn. Five years later when it was clear that most of the Indians were opting to remain, the incentive was further reduced. The men had to contribute

**Table 2** Indentured Indians to the Caribbean, 1838–1917

Territory	Number of immigrants
British Guiana	238,909
Trinidad	147,000
Guadeloupe	42,326
Jamaica	37,027
Suriname	34,404
Martinique	25,404
French Guiana	8,500
Grenada	3,200
Belize	3,000
St. Vincent	2,472
St. Kitts	337
St. Croix	300

25% and the women 16 2/3%. In 1898 these rates were doubled (Laurence 2011, p. 42). On average about 75% of the Indians remained in the colonies (Table 2).

## Indentured Women

As we have already noted, there was a marked paucity of Chinese women in Cuba. In the case of the Southern Caribbean, the situation was better since there were Christian missionaries in South China who were actively promoting family migration. Because of this, 16.6% of Chinese who went to British Guiana were women, and 14.7% of those who went to Suriname were women. In the Indian case the disparity was lower but still inadequate for the formation of stable family life. Indian men were unwilling to cohabit with non-Indians because of their religious belief so there was intense competition for the available women. Despite repeated efforts of the Indian government to recruit women, the proportion of women rarely topped 33% until the 1890s from which time there was a gradual increase. From that time until 1917 the proportion rose to around 45%. As more and more women arrived, they joined the labor force, many as field laborers doing weeding, planting vegetables among the cane rows, carrying manure, and being paniharis (water carriers). They worked alongside the men, but at lower wages and at the end of the field day, they went home to cooking, house cleaning, and looking after children. Prior to the colonial experience, they were often victims of abuse on the ships by sailors, topazes (cleaners), and other shipmates. On the estates they were abused by sirdars, white overseers, and other persons in authority. Because of Christian prejudice, Hindu and Muslim marriages were not recognized during indentureship, so that widows could not claim their husbands' inheritance. Many a widow had to vacate the family home as the state seized and sold their properties. Of course those who had converted to Christianity did not suffer such indignity, and their children were not registered as "illegitimate" with all disadvantages inherent in that designation.

**Table 3** Indentured Indians to the Indian and Pacific Ocean, 1834–1917

Colony	Year	Number
Mauritius	1834–1917	453,000
South Africa (Natal)	1860–1911	152,189
Reunion	1860–1882	4,579
Fiji	1879–1916	60,695

Despite these odds, both Indian and Chinese women were able to creatively adapt to the new Atlantic and Pacific worlds into which they were transported. Their scarcity gave them the opportunity to choose partners, unlike the practice in their ancestral places. The Indian custom of dowry (bride price) was now irrelevant. Women could now embark on professions outside of their castes and class. Those who had dared to cross the dark waters were a cut above their peers and were the driving force behind reconstitution of their culture through maintenance of the ancestral identity in formative societies such as Mauritius, Natal, Reunion, or Suriname. They were the ones who insisted on the maintenance of the *rites de passage* for their children. On these occasions the leading singers were the women who preserved the chants and melodies transported from India. This practice continues today in the diasporic homelands. That process of personality change had in fact started in Asia, at the “coolie depots” in Guandong or Calcutta. In these collecting centers, people of all castes, regions, and religions were bundled together for long periods as they awaited the next ship. That mixing continued on the ships which did the long crossings across many seas. Misery acquainted strange bedfellows, and among the Indians a camaraderie developed, a brotherhood of the boat (*jahagi bhai/bahin*) which bonded the shipmates permanently. In the colonies these *jahagis* sought continuous contact and gave needy assistance in times of celebrations and of troubles on the plantation. Many mixed marriages took place at the depots, on board ship, and on the sugar estates. The colonial Indian after indentureship was no longer the same Indian who had earlier crossed the *kala pani* (dark waters). The experience abroad changed the Indian personality so much that most of those who were repatriated sought re-indentureship. Many were rejected by kith and kin because they had lost caste by crossing the dark waters. In India they were called “*tapuha*” island people who drank alcohol, felt superior to their Indian brother, dressed differently, and greeted with a handshake rather than the graceful clasped hands (“*namaste*”). Many of these returnees were fleeced by relatives and holy men and formed a colony in Metiabruz on the Hooghly River eagerly hoping to be re-indentured abroad. This colony was the source for many of these who were re-indentured. After 1917 this was impossible (Table 3).

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## The Movement Toward Abolition

In March of 1917, the Indian Legislative Council resolved to end the further recruitment of Indians for indentured service abroad. This decision came at the end of a long campaign waged on many fronts, to end the system. There was considerable agitation in the colonies themselves particularly in Natal, Mauritius,



and Fiji. When the benefits came, the Caribbean Indians also gained their freedom although their participation was minimal. Among the immediate causes, the demands of the First World War (1914–1918) figured prominently. Indian men were required for the theaters of war, agricultural workers were needed in India to provide food for the British army and fodder for the horses, and the threat of German submarines made oceanic movement hazardous. This was particularly noticeable for the Atlantic passage. In addition, tea planters in Assam and jute producers in Bengal renewed their clamor for more and more cheap labor. Why should Indians be exported when they were needed at home? In India itself, the major pressure group in the struggle for independence, the Indian National Congress (INC), made this issue a major item in their nationalist struggle. At the rural level in India, a folk tradition had developed highlighting the evils of indentureship. A typical song was as follows:

The arkatia came with promise and lies Oh! The suffering and the pain of the journey  
 Few were there who did not cry  
 Many preferred to die  
 We were told that were going to a land with so much gold  
 Now that we are here Oh! Our bodies are melting like gold. (Mahase 2007, p. 159)

Pamphlets were printed and distributed widely in the villages warning people about arkatias:

Don't get enmeshed in their meshes, you will repent  
 They take you overseas!  
 To Jamaica, Fiji, Damra, Mauritions  
 British Guiana Trinidad and Honduras. (Mahase 2007, p. 162)

The Anti-Slavery and Aborigines Protection Society took up the issue in Britain, adding to the other pressures from all around. As the agitation picked up during the First World War, the Colonial Office became increasingly worried that the agitation might reach the Caribbean. One intelligence report indicated that some Indians had been visiting the Caribbean gathering information which could be made public (Mahase 2007, p 241). Such information, circulated during war-time, could be useful propaganda for Germany. It was now necessary to keep the Caribbean outside of the international campaign. The abolition of the system in Natal in 1911 came about largely as a result of the leadership of Gandhi. This set the stage for further abolition. By 1917 the system had become very unpopular. The British Guiana Immigration Agent in Calcutta advised the Colonial Office in early 1917 that emigration had “not a single friend in India outside of the walls of the Emigration Agencies.” The European resident was either lukewarm or opposed to the system, and the general public had accepted the views of Andrews, Gandhi, and other campaigners. There were also caste objections to overseas travel (Mahase 2007, p. 237). In 1917 all further recruitment was stopped, and in 1920 the system was abolished.



## The Legacy of Indentureship

As we have seen, Chinese indentureship in Cuba contributed significantly to the further development of the profitable plantation system, started earlier under slavery. Chinese food became part of the Cuban diet, and Little Havana remains as a haven of Chinese activity to this day. The Lion Dance became part of the Cuban Carnival, and many Chinese fought in the 10 Years War (1868–1878) which was the first part of the Cuban Revolutionary struggle against Spain. In the British, French, and Dutch Caribbean, the Chinese opened up the rural interior areas through their vegetable gardens but more significantly through the provision of goods and services where most of the laboring population resided. Because of their thrift and industry, they established themselves in these rural communities and later moved to the urban centers as merchants whose children became part of the professional elite. The Chinese were not religious in the Indian sense but followed the principles of Confucianism and Taoism which stressed ancestor worship, filial piety, the importance of the clan and the family, and the benefits of hard work, courage, and fearlessness.

In the case of the Indians, there was a similar development of the sugar industry on the plantation model. The investors here were European and North American, and in the case of Fiji, the overlords were Australian. All of these formed part of a global cartel which wielded enormous power in parliaments and elite societies such as the West India Committee in London. European warships were always close at hand to quell workers' uprisings and to appoint a Commission of Inquiry as a sop to the dead or injured. Such Commission reports invariably placed the blame on "trouble-makers" and "ring leaders" or "Communists" after the First World War. At the ground level, the indentured workers brought prosperity to the plantation owners. In Fiji sugar replaced cotton as a viable alternative, and in Mauritius forest lands were converted into prosperous sugar estates. In the Caribbean, Indians were used to open up swamps and jungles in newly conquered colonies such as British Guiana (1810) and Trinidad (1803). These two colonies prospered, while their neighbors declined during the second half of the nineteenth century.

Indian survival and productivity in the colonies of the Old and New World can be ascribed to spiritual values which informed their physical activity. Their major religions, Hinduism and Islam, were in fact their culture. Coming from an agrarian society, this culture was based on gleanings from the natural environment which have been sacralized. The earth is Mother Earth (Dharti Mata), and the cow is Mother Cow (Gai Mata). The natural environment is therefore more than a physical space. It is, rather, a collection of sacred objects to be worshipped or to be used in worship.

The majority of the agreement signers had advanced notice that they were going to do agricultural work. Those who were not informed through official channels received information from returnees from the colonies. To encourage them into colonial agricultural production, the British allowed the Indians to carry on board a cloth handbag called the jahaji bandal (ship's belongings) in which they were allowed to carry a few items. The Muslims stored a copy of the Holy Qu'ran, and the Hindus stored a text such as the Ramayana which is a tale of exile and return of the

deity Lord Rama. These texts served as their sources of spiritual sustenance in far-off lands – such as Suriname, Natal, and Fiji. Equally important was the wide array of seeds and cuttings, fruits, and herbs which changed the geography of all the new destinations. These items of flora can be found as readily in the markets of Patna in India, Starbroek in Guyana, or Port Louis in Mauritius.

The list of items of flora which were fitted into this *jahaji bandal* is long and impressive. Among these were mango (aam), guavas (amrudh), pomegranate (anar), string bean (bodi), Indian drumstick (saijan/moringa), pumpkins (khora, khadu), loofa (jinghi), marijuana, datura, rice (chawal), sapodilla (chicu), betel nut (supari), turmeric (haldi), bitter gourd (caraillee), ginger (adhrak), curry plant (karapillay), cinnamon (dalchini), mustard (sarson), black pepper (kali mirch), onion (pyaj), cumin (geera), fennel (sauf), fenugreek (maithi), long gourd (lowki), and cloves (laung), as well as the seeds of the ashoka, bael, neem, and lotus (kumud). In the *jahaji bandal*, they brought a whole range of spinach (bhaji) seeds as well as the full panoply of Indian lentils (dhal). Some of the seeds brought, like guava and citrus, had been brought to the region before the arrival of the Indians, but India now supplied new varieties which improved the native stock.

In other trading arrangements, Indian plants were introduced. For example, the jackfruit (*A. integrifolia*), known as “cowa.” Black pepper (*Piper nigrum*) was brought from Travancore and Malabar in South India. In 1806, two nutmeg plants were brought from India to Trinidad, and those were sent to St. Vincent where they were successfully cultivated. In 1820, mature plants were sent back to Trinidad where they were soon cultivated commercially in the valleys of the Northern Range. At this time also Grenada received its nutmeg seeds from which a major industry – still in profitable existence today – was started. Similarly, through inter-botanical garden transfers, the hibiscus (*Hibiscus tiliaceus*) was brought to the colonies, becoming as prolific as the mango, a constant sight in all countries, used for daily worship, as a toothbrush, as a fodder for animals, and for the creation of pretty hedges and flower gardens. In addition, cocoa producers found, in the Poovan banana plants, imported from Mysore, an ideal shade for their young plants, as well as a delicious fruit which sold well in the market place.

The introduction of animals for the promotion of the sugar industry is perhaps as important as the flora just described. Colonial plantation owners were very concerned about snake and rat infestation of their fields. In this regard, the Indian mongoose was brought to Jamaica in 1860, Barbados in 1870, and St Lucia in 1885. From these islands, the animal was exported to sugar estates as far north as Cuba and Puerto Rico. Eventually these rodents became pests, particularly to poultry farmers who have had to take all kinds of precautionary measures to control their flock. Another useful animal brought to the colonies was the goat. Hundreds of goats were introduced as leftovers from the indenture ships. Goats and sheep were taken on board to supplement the shipboard meals for the lascars (Indian seamen) and for nonvegetarian immigrants. Some of these animals reached the colonies and were distributed among the estates, where their hardiness ensured their reproduction in the new place. As British breeders realized the potential of these ruminants for meat, milk, and hide production, they were crossed with other varieties sent to the colonies. Another animal brought on the indenture ships was the Indian zebu cattle whose

huge humps store water for use when normal sources are unavailable. These strong animals were used as replacements for estate mules which often foundered in the heavy clay soils of the plantations. During the second half of the nineteenth century, they were extensively used in the British, Dutch, and French colonies, not only for haulage but also for meat, leather, and milk.

Over time, however, poor husbandry on the estates led to a high incidence of tuberculosis causing considerable loss among the herds. A search was then made for an alternative animal which was hardier than the cattle. This search again led to India where the water buffalo (*Bos bubalis*) had been in use since around 3000 BC. In addition to being a good haulage animal, the “bhaisa” was an excellent milk producer and, at the beginning of the twentieth century, India was an exporter of over five million hides annually. The animal’s thick skin kept mites away, and they were rarely troubled by flies and screwworms, which normally wrought havoc among cattle. From 1905, water buffaloes were imported by colonial planters and, by the time of the First World War, they were being widely used on the estates. Such importation continued until 1949, by which time at least eight breeds had arrived in the colonies. Among these were the Murrah, Surti, Jaffarbadi, Mehsana, Nagpuri, Nelli, Ravi, and Bhadawaria. Over the decades these breeds were intermixed as they became popular, not only on the sugar plantations but also in the rice fields. In Trinidad, as in Venezuela, Jamaica, Colombia, and Guyana, it was found that the buffaloes thrived in grass that was high in fiber and that they were well adapted to the hot humid tropical conditions. In addition, they were much easier to break in than zebu cattle. A study published by researchers at the University of the West Indies in 2017 reported that water buffalo meat is more tender than beef from Brahma cattle of the same age, gender, and diet. The study also indicated that water buffalo milk is higher in fat than cow’s milk and has been used locally to make cottage cheese (paneer), yogurt (dahi), ghee, and sweets (barfi).

The grand finale of the faunal development was the creation of a new animal through a project of genetic selection and crossbreeding undertaken by scientists at the University of the West Indies. Led by veterinarian Dr. Steve Bennett, the team was able to produce an animal which combined the best qualities of the Indian breeds, producing an animal that gave meat, milk, leather, and haulage qualities, so that the benefits could be widespread. The new animal was called the buffalypso which was a combination of *buffalo* and *calypso*, which is Trinidad’s most popular musical genre. By 1967, production of the buffalypso was in full swing as these animals were exported to Argentina, Costa Rica, Miami, Brazil, Mexico, and Columbia where buffalypso milk was used in the making of soft cheeses, ice cream and mozzarella, queso blanco, and queso de mano. The water buffalo and its successor, the buffalypso, remain one of India’s prize contributions to the tropical world.

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## Descendants of the Immigrants

In addition to their impact on the physical environment, indentured workers were able to rise above their assigned plantation roles to become leaders in many spheres of colonial life. A sampling will be given here. Dai Ailian (1916–2006) was the granddaughter of Ah Sek (Little Pebble) who was indentured in the canefields of

central Trinidad. After his bondage, Ah Sek established a shop at a major junction which today continues to bear his name. His son Dai Yao continued the business and was able to send his daughter Dai Ailian to the capital city where she started her career as a ballet dancer in the English mode. In 1931 her mother took her to London where she perfected her art which she took back to Hong Kong. In China she revived Chinese ethnic dances, and in 1954 she was appointed principal of the Beijing Dance School where she produced signature works. During the Cultural Revolution, she was sidelined, but after Mao's death in 1976 she was reinstated, becoming Director of the Chinese National Ballet. In this capacity she popularized Chinese dance worldwide (Glasstone 2007). In a similar manner, Arthur Raymond Chung (1918–2000) arose from a rural Chinese settlement in Guyana to become an Appeal Court judge and the first President of Guyana when it became a Republic in 1970. Similarly Sir Solomon Hochoy (1905–1983) son of Chinese laborers transported first to Jamaica and later to Trinidad worked his way up in the Civil Service, becoming Trinidad's first Governor-General at that nation's Independence in 1962. There were Chinese from the colonies who travelled to China to liberate the mother land from European and Japanese occupation. Diasporic Indians also returned to join India's freedom struggle. To them Mahatma Gandhi was a major inspiration in their colonial battles. In Mauritius Sir Seewoosagur Ramgoolam, son of Indian immigrant from Bihar, India, became the first prime minister of that island upon its Independence in 1968, holding that office until his death in 1985. In a nation of considerable diversity, he was able to forge unity and to create a viable, prosperous nation. This of course was in marked contrast to the career of Dr. Cheddi Jagan who initiated the anti-colonial struggle during the Second World War. Sadly for Jagan his ascendancy during the Cold War was the cause of his exclusion from office and his imprisonment. His Marxism was like a red rag to the British and the Americans who effectively curbed his bids for high office. In 1992, with the Communist threat lessened, he returned to high office as President of Guyana, holding that office until his death in 1997.

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## Conclusion

The system of indentureship was a major movement in world history. It saw the transference of millions of laboring folk, mainly from India and China to the Atlantic and Pacific regions in a complex network of arrangements. The system was supervised from European capitals to which the profits of this lucrative trade gravitated, affording European capitalist development. The fortunes of this enterprise hardly reached the major producers of the wealth, namely, the enslaved African or the indentured Asian. These lives were influenced by factors over which they had no control. When, for example, bounty-fed beet sugar arose as a serious competitor to cane sugar, plantations in all the colonies went into decline during the late nineteenth century. As the sugar colonies picked up during the early twentieth century, the First World War interrupted the transfer of sugar and its derivatives because of the hazards of shipping on open seas. In these fluctuations, it was the working class which suffered, at the base of the plantation pyramid. To their credit, the working class

creatively survived these traumas. They had come from civilizations of ancient vintage, bringing with them a penchant for hard work, persistence in the face of adversity, close family bonding, and a deep spiritual attachment to the land as the major sustainer of life. They introduced new schools of Islam as well as Hindu philosophy and practice. As these ancestral beliefs interacted with Christianity, new syncretic forms evolved, adding to the cultural diversity of the receiving colonies. Oriental forms of music, dance, culinary practice, different forms of dress and of ways of seeing now added to the evolution of cosmopolitan societies. In this way the immigrants disproved the prediction of the English poet Laureate Rudyard Kipling that East is East and West is West and ne'er the twain shall meet. Perhaps a more appropriate conclusion can be that of Williams Shakespeare who wisely wrote that "Sweet are the uses of adversity, which like the toad, though ugly and venomous, wears yet a precious jewel on its head."

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# United Nations Migrant Workers Convention

# 92

Sheetal Sheena Sookrajowa and Antoine Pécoud

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## Abstract

The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW) is a comprehensive international human rights mechanism adopted by the United Nations in 1990 with the purpose of protecting the migrant workers and members of their families. However, as compared to other international human rights treaties, the ICMW has been less recognized by States. Till date there are only 54 States which have ratified the Convention, 13 signatories, and 131 No action. The aims of this

S. S. Sookrajowa (✉)

Department of History and Political Science, Faculty of Social Sciences and Humanities, University of Mauritius, Réduit, Mauritius

e-mail: [s.sookrajowa@uom.ac.mu](mailto:s.sookrajowa@uom.ac.mu); [sheenasookrajowa@gmail.com](mailto:sheenasookrajowa@gmail.com)

A. Pécoud

University of Paris 13, Paris, France

e-mail: [antoine.pecoud@univ-paris13.fr](mailto:antoine.pecoud@univ-paris13.fr)

chapter are therefore to provide a general assessment of the Convention and to identify the major obstacles that explain the low level of ratification. The obstacles include political will, legal barriers, economic obstacles, political obstacles, lack of awareness, public attitudes, and national sovereignty. This chapter also sheds light on the limitations of the ICMW in States which have ratified it, namely, Guatemala, Ecuador, Mexico, and Sri Lanka. Overall, the findings reveal that though these States have ratified the ICMW, they do not fully conform to its obligations as there are still legal discrepancies, lack of awareness, corruption, and poor governance. However, the ICMW remains an important and highly relevant international human rights framework to govern the transnational mobility of people.

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**Keywords**

United Nations · International human rights law · Migrant workers · Migration governance

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## Introduction

Since the early 1990s, the world has experienced an ongoing “migration crisis”, as the mobility of people – in relation to major geopolitical turbulences such as the war in the Balkans, the collapse and instability in countries of the former Soviet Union, the fall of the apartheid system in South Africa, conflicts in Africa and the Middle East, or the Arab uprisings – has been apprehended as a destabilizing process for States and societies. This has cast doubts on States’ capacity to govern migration while also fueling anti-immigrants’ feelings among host populations and exclusionary policies. Foreigners and people of foreign origin face a wide range of difficulties, such as discrimination, unemployment or deplorable living and working conditions (Weiner 1995; Castles, de Haas and Miller 2013). According to the International Organization for Migration (2017), the number of international migrants worldwide was approximately 244 million in 2015, a rise from the year 2000 estimates of 155 million people.

Adopted by the United Nations (UN) General Assembly in 1990, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW) is a major human rights treaty that addresses some of the most pressing issues in the “age of migration” (Castles et al. 2013). As one of the nine core international human rights instruments adopted between 1965 and 2006 (Office of the High Commissioner for Human Rights (OHCHR) 2018), the ICMW is designed to uphold the rights of migrant workers, whether in a regular or irregular situation. It details the way fundamental human rights – such as civil, political, economic, social, cultural rights or access to courts, and tribunals – apply to migrants and members of their families (de Guchteneire and Pécoud 2009; Pécoud 2009).

However, the ICMW is among the most forgotten treaties in international human rights law (Batistella 2009; Pécoud 2017). It suffers from a low number of State Parties, as only 54 States have ratified it, 13 have signed it, and 131 have taken no

action (OHCHR 2018). According to Taran (2009), such under-ratification is an expression of the conflict between globalization and the necessary mobility of labor across borders on the one hand and the need for protection and for a right-based approach toward the governance of migration on the other. Ruhs (2012) argues that this low ratification record shows that most governments do not consider the rights of migrants as “real” human rights that should be guaranteed by international law.

Yet, despite the diverse setbacks pertaining to its ratification, the ICMW is perhaps more significant today than it ever was, as more and more people are on the move. With an increasing number of migrants worldwide and the relative rise of human rights violations toward migrants, the ICMW represents a potentially relevant strategy to safeguard the human rights of migrants (Desmond 2017). In this context, this chapter aims at providing a general assessment of the ICMW, identifying the major obstacles that prevent its ratification, and highlighting the diverse limitations toward its full implementation.

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## Historical Background

After World War I, at the time of the 1919 Treaty of Versailles, States founded the League of Nations, with the purpose of stabilizing the relationships between countries and to prevent another devastating war. The International Labour Organization (ILO) was created on the same occasion, as a “specialized agency” whose mandate was to enhance the conditions of workers worldwide; States thus recognized that peace required not only diplomatic efforts between States but also decent living and working conditions for their populations (Hasenau 1991; Batistella 2009). Importantly, this included the protection of migrant workers, and the preamble of the draft constitution of the ILO thus mentioned “the protection of the interests of workers when employed in countries other than their own.” The ILO regularly reaffirmed this principle, notably in the 1944 Philadelphia Declaration and the 1998 Declaration on Fundamental Principles and Rights at Work. It also adopted two international conventions on migrant workers’ rights: the Migration for Employment Convention (Revised) in 1949 (ILO Convention 97) and the Migrant Workers (Supplementary Provisions) Convention in 1975 (ILO Convention 143) (ILO 2009). These treaties have however had “mixed success” with regard to ratification (Pécoud 2017, p. 25).

The human rights of migrant workers have also been a matter of concern for the UN, at least since a 1972 session of the Economic and Social Council (ECOSOC) during which the unlawful trafficking of African workers was reported and discussed. On 17 December 1979, the UN General Assembly adopted a resolution entitled “Measures to Improve the Situation and Ensure the Human Rights and Dignity of All Migratory Workers,” and a working group was set up to prepare the ICMW (Rao Penna 1993, p. 180). The working group was composed of UN member states and other institutions, like the UN Commission on Human Rights; the UN Commission for Social Development; the ILO; the UN Educational, Scientific, and Cultural Organization (UNESCO); and the World Health Organization (WHO) which also took part in the drafting of the Convention (Edelenbos 2005). The



drafting process took around 9 years, from 1980 to 1989; the working group finalized the draft in June 1990, and the ICMW was approved by the UN General Assembly on 18 December 1990. In 2003, 13 years after adoption, the ICMW entered into force after obtaining the 20 ratifications needed (de Guchteneire and Pécoud 2009). Confronted to a slow and uncertain process of ratification, a number of international organizations (IOs) and non-governmental organizations (NGOs) launched a Global Campaign for Ratification of the Convention in 1998, both at local and international levels, which contributed to subsequently raise the number of ratifications (Edelenbos 2005).

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## Content

The ICMW is designed to ensure that migrant workers benefit from the protection afforded by human rights, including civil, political, economic, social, and cultural rights. In so doing, the ICMW hinges mainly on already-existing international human rights treaties, whose application to migrant workers had not been explicitly delineated. It does also provide a number of new rights targeting migrant workers, such as the right to transfer remittances or to have access to information on the migration process (Pécoud 2017).

The ICMW (1990) is a long document, composed of 9 parts and 23 articles. Part I presents its scope and definition. Part II provides a general statement with regard to “non-discrimination with respect to rights” stipulating that State Parties should conform to the Convention by respecting the rights of all migrant workers and members of their families irrespective of the “sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.”

Part III (Articles 8–35) focuses on the “Human Rights of All Migrant Workers and Members of their Families.” This therefore also pertains to migrants in an irregular situation (Article 35). The rights include the right to leave any State, including their State of origin (Article 8); the right to life (Article 9); the right not to be exposed to torture or to cruel, inhuman or degrading treatment or punishment and not to be held in slavery or servitude or carry out forced or compulsory labour (Article 10 and 11); the right to freedom of thought, conscience and religion (Article 12); the right to hold opinions without interference and the right to freedom of expression (Article 13); the right not to be exposed to arbitrary or unlawful interference (Article 14); the right not to be indiscriminately deprived of property (Article 15); the right to liberty and security (Article 16); the right to be treated with humanity, particularly for migrants who are deprived of their liberty (Article 17); the right to equality with nationals of the receiving State before courts and tribunals (Article 18); the right not to be “held guilty of any criminal offence on account of any act or omission that did not constitute a criminal offence under national or international law at the time when the criminal offence was committed” (Article 19); the right not to be “imprisoned merely on the ground of failure to fulfil a contractual obligation” (Article 20); not to destroy any identity documents such as passport of a

migrant worker (Article 21); not to be exposed to measures of collective expulsion (Article 22); the right “to have recourse to the protection and assistance of the consular or diplomatic authorities of their State of origin. . . whenever the rights recognized in the present Convention are impaired” (Article 23); the right to recognition everywhere as a person before the law (Article 24); the right to join in trade union (Article 26); the right to social security (Article 27); the right to medical care (Article 28); the right to a name, birth registration, nationality (Article 29); the right to education of each child of migrant worker (Article 30); the right to have their culture respected (Article 31); the right for migrants to transfer their earnings upon termination of their stay and return to their country (Article 32); and the right to be informed (Article 33).

Part IV (Articles 36–56) lists the “Other Rights of Migrant Workers and Members of their Families who are Documented or in a Regular Situation.” Apart from the rights that are listed in Part III, Part IV extends more rights to migrant workers in a regular situation. These rights include the right to be fully informed by the State of origin or the State of employment on the conditions of employment and possibilities for temporary absences (Article 37 and 38); “the right to liberty of movement in the territory of the State of employment and freedom to choose their residence there” (Article 39); “the right to form associations and trade unions in the State of employment” (Article 40); the right to participate in elections in their State of origin (Article 41); the right to have equal treatment as nationals of the State of employment in terms of education, training, housing, social and health services and participation in cultural life (Article 43 and 45); the right to the unity of migrants’ families (Article 44); and the right to transfer earnings (Article 47 and 48).

Part V (Articles 57–63) addresses the rights of specific groups of migrant workers, such as frontier workers, seasonal workers, itinerant workers, project-tied workers, and self-employed workers. Part VI refers to the “Promotion of sound, equitable, humane and lawful conditions in connection with international migration of workers and members of their families,” requiring the development of appropriate policies and measures with regard to such type of migration (Article 65–71). Article 68 of the Convention also calls for the prevention and eradication of “illegal or clandestine movements and employment of migrant workers in an irregular situation.” Part VII refers to the application of the Convention. Part IX relates to the final provisions.

A key feature of the ICMW is that it incorporates a comprehensive range of human rights for undocumented migrant workers and members of their families, a category of people that had never been explicitly addressed by international human rights law. The ICMW extends beyond labor rights only (which are mentioned in ILO conventions) and includes civil/political, economic, social, and cultural rights (Böhning 1988). The inclusion of migrants in an undocumented situation has been a particularly controversial issue since adoption of the ICMW, as the extent of State’s responsibility to protect such migrants is the object of much political debates (Bosniak 1991).

Georgopoulou et al. (2017) argue that, even if the ICMW replicates to some extent with other international human rights treaties, it is important because it is the

only treaty that jointly considers three groups of rights: “entry and stay rights, health and social security rights, and access to justice.” The ICMW is thus distinct as it establishes a comprehensive standard on a particular group of people that has not been addressed specifically elsewhere. In the same vein, Grange (2017) recalls that the ICMW explicitly mentions the situation of migrant workers who are placed in detention and lists their rights in this respect (such as the right to receive visits by members of their families), whereas this issue is not even stipulated in other human rights treaties like the International Covenant on Civil and Political Rights (ICCPR).

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## Obstacles to the ICMW

State Parties to the ICMW come mainly from the Global South and are on the sending side of the migration process. For example, States that played a key role in drafting and advocating the ICMW include Mexico, Morocco, or the Philippines. By contrast, developed states – understood as those that compose the majority of States at the Organisation for Economic Cooperation and Development (OECD) – have displayed a very strong reluctance to ratify the ICMW, with the consequence that States in which important migrant populations live and work are also those that do not implement the provisions contained in the Convention. This situation is at odds with the long-standing commitment of liberal democratic States to human rights and with their traditional role as “champions” of human rights (Vucetic 2007). The fact that no European Union (EU) State has ratified the ICMW is particularly bewildering in this respect. This raises the issue of what obstacles prevent greater acceptance of the ICMW.

According to Patrick Taran (2009), who was the Coordinator of the Global Campaign for ratification from 1998 to 2002, the lack of political will is the prime hurdle to ratify the ILO and UN conventions on the rights of migrant workers. For example, in Asia, in Western countries, and in South Africa, France, or Mauritius, the lack of political will is the major cause for non-ratification (Piper 2009; Grange and d’Auchamp 2009; Crush et al. 2009; Oger 2009; Sookrajowa and Joson 2018). For de Guchteneire and Pécoud (2009), governments that display a political will to ratify the ICMW do so despite possible financial, legal, and administrative obstacles. In sum, there is evidence that governments worldwide do not see migrant workers’ rights as a political priority, which is a clear obstacle to the ICMW.

## Legal Barriers

In certain countries, domestic laws are deeply incompatible with the provisions of the ICMW: in such cases, ratification faces clear legal obstacles as States would need to substantially modify their legislation (de Guchteneire and Pécoud 2009). Yet, Nafziger and Bartel (1991) note that the provisions of the ICMW intersect with, and resemble very much to, the provisions of other human rights treaties such as the Universal Declaration of Human Rights (UDHR); the International Covenant on

Economic, Social, and Cultural Rights (ICESCR); the International Covenant on Civil and Political Rights (ICCPR); the International Convention on the Elimination of All Forms of Racial Discrimination (ICEAFRD); the Convention on the Elimination of All Forms of Discrimination Against Women (CEAFDAW); the Convention on the Rights of the Child (CRC); and the European Social Charter (ESC). This means that legal obstacles to the ICMW are likely to take place within a broader context of reluctance toward human rights. As far as migrant workers are concerned, the most evident example in this respect is the situation in the Gulf States, where important numbers of migrant workers are active and where governments display negative attitudes toward international human rights law in general (Piper 2009).

By contrast, in OECD countries with a strong ratification record of other human treaties, the legal provisions of the ICMW tend to correspond to existing legislation (Pécoud 2017). For example, Oger (2009) notes that in France, the ratification of the ICMW would be legally congruent with “minor reservations.” Touzenis (2009) also argues that the provisions of the ICMW generally conform with Italy’s domestic legislations. In a similar vein, Vanheule et al. (2005) sustain that Belgian national law is largely compatible with the Convention and that ratification by the Belgian government would rather be a matter of “high legal symbolic value” than of actual legal change.

There are nevertheless situations in which, even in Western *état de droit*, the ICMW would require important changes in domestic legislation. In Canada, Piché et al. (2009) show that, in the event of ratification, the government would have to reconsider its legal and institutional structure pertaining to the employment of low-skilled foreign workers. Likewise, in Japan, government officials noted that the ICMW contravenes with the domestic laws and the constitution, which hence explain the unwillingness of the government to ratify the Convention (Piper 2009). Similarly, in the United States of America (USA), there would be significant legal implications if the ICMW was to be ratified: even if migrant workers and members of their families are already protected under national laws and the USA Constitution, discrepancies have been noted with regard to undocumented migrants and the right of migrant workers to assume public jobs, social benefits, immigration law, and civil rights (Helton 1991).

## Economic Obstacles

Given the economic implications of labor migration, ratification of the ICMW is also a matter of a cost-benefit analysis. Reliance upon migrant labor is often associated with the low wages paid to foreign workers: by increasing their labor protection, the ICMW may therefore have an economic impact, which may fuel States’ reluctance toward this treaty. Touzenis and Sironi (2013) show that the ratification and the implementation of the ICMW involve financial and administrative costs, such as “law enforcement, for pursuit of due process and justice, for training of authorities and for public education.” Likewise, in Mauritius, as the country is already undergoing economic adversities such as unemployment and has an aging population, the former Minister of Labor affirmed that the main reason for not ratifying the Convention was due to the financial costs that the country would have to bear in terms of social welfare (Sookrajowa and

Joson 2018). This should be nuanced, however, as other studies show that the input of migrant workers through their employment and tax payment in countries of employment exceeds their costs in terms of welfare benefits (Touzenis and Sironi 2013). For example, in Mauritius, migrant workers take up jobs that locals are unwilling to do and contribute to the Mauritian export economy (Sookrajowa and Joson 2018). Rights may also enhance the productivity of workers and hence increase their economic contribution to the economy of receiving countries.

It remains however that the ICMW is at odds with the neoliberal logic according to which, particularly in Western advanced economies, migration has become a source of cheap, flexible, and often semi-legal labor. This takes place in a context that sees States combatting irregular migration while at the same time tolerating such abuses in the name of competitiveness and under employers' pressure. By contrast, the ICMW presupposes that receiving States are willing to intervene to protect labor rights. Finally, it is to be noted that the economic consequences of ratification impact differently sending and receiving countries, as destination countries tend to bear most of the costs of affording rights while origin countries have much less obligations under the ICMW (Ruhs 2012).

## Political Obstacles

The unwillingness to ratify the ICMW can be understood as merely a political or electoral obstacle: given that migrants are not citizens, they cannot vote, and governments are therefore unlikely to take measures to improve their situation. Beyond this observation, migrants' rights have important implications in terms of citizenship: traditionally, access to rights has been closely associated with citizenship or at least with a strong membership in the political community. By granting rights to all foreigners, even those in an undocumented situation, the ICMW challenges the privileges of citizenship and blurs the boundaries between insiders and outsiders. While this is deeply logical from a human rights standpoint, it is a challenge for States that echoes Hannah Arendt's classical observations on the "right to have rights" and the difficulty of conciliating the sovereign logic of the State with the universality of human rights.

This is all the more the case because the ICMW calls for a kind of political recognition of migrant workers. According to Article 42:

- (1) States Parties shall consider the establishment of procedures or institutions through which account may be taken, both in States of origin and in States of employment, of special needs, aspirations and obligations of migrant workers and members of their families and shall envisage, as appropriate, the possibility for migrant workers and members of their families to have their freely chosen representatives in those institutions.
- (2) States of employment shall facilitate, in accordance with their national legislation, the consultation or participation of migrant workers and members of their families in decisions concerning the life and administration of local communities.
- (3) Migrant workers may enjoy political rights in the State of employment if that State, in the exercise of its sovereignty, grants them such rights.

Such provisions provide migrant workers with a political status that constitutes a challenge for many receiving societies, especially those that do not recognize themselves as countries of immigration or that have racial or ethnic understandings of membership. In countries such as Malaysia or Singapore, characterized by their multiethnic nature, migration policy also serves to preserve a specific ethnic/religious equilibrium, which is why only highly skilled migrants or those who are married to a citizen are granted permanent residence status (Piper 2009). Likewise, in Mauritius, ratification of the ICMW is practically impossible at this stage due to the multiethnic composition of the country and its constitutional arrangement: since the Constitution of Mauritius already classifies the population into communities, ratification of the ICMW would disturb the demographic structure and also require a constitutional review; politicians in Mauritius have thus been very prudent in preserving the ethnic balance (Sookrajowa and Joson 2018).

### **Lack of Awareness**

Along with the obstacles mentioned above, research on the ICMW has evidenced the low awareness that surrounds this treaty (de Guchteneire and Pécoud 2009). Despite initiatives by certain IOs and a handful of NGOs, there have not been continued efforts to raise the consciousness and ratification of the Convention. Although the International Organization for Migration has a newly established department on international migration law to provide training to its member states, it does not have a full human rights mandate and lacks the capacity and legitimacy to uphold and regulate international legal standards (Pécoud 2018; Taran 2009). For example, in South Africa, France, and Germany, the lack of awareness and understanding of the ICMW is the highest current problem to ratification. The ICMW is known to very few activists, academics, and policymakers, to the extent that Convention is in practice “unknown” (Crush et al. 2009; Oger 2009; Hillman and Von Koppenfels 2009). In Italy, Touzenis (2009) shows that low awareness has led to the absence of the ICMW from the political agenda and to a total lack of funding to foster acceptance of this treaty.

### **Public Attitudes**

Taran (2009) classifies “discrimination and xenophobic hostility” toward migrants as a severe obstacle to the global governance of migration. Usually, when there are hostile attitudes such as “racist attitudes or discriminatory behaviors” by nationals toward migrant workers in destination countries, governments are reluctant to provide more rights to migrant workers as this would constitute a political risk (de Guchteneire and Pécoud 2009). In South Africa, as noted by Crush et al. (2009), the perceptions toward migrant workers are increasingly pessimistic and xenophobic, and any policy for the protection of migrants’ rights is therefore likely to be unwelcome. Similar problems exist in Europe (Beutin et al. 2006). In Italy, it was

reported that in 2004, 72% of the population display negative attitudes toward migrants by stating that “the economic situation in Italy means that we cannot take any more migrants” (Touzenis 2009). For de Guchteneire and Pécoud (2009), racism, xenophobia, and discrimination reflect the uncertain socioeconomic situation such as “unemployment, labour market deregulation, decreasing resources for social security and welfare programmes, political populism. . . globalisation and terrorism.” Whitaker and Giersch (2015, p. 1536) studied attitudes toward immigration in Africa and conclude that in countries which are more democratic; possess leading party systems; are ethnically diverse; and have greater economic development, and when the study is carried out just prior and after election, “oppositions to immigration” are higher and more probable. Tunon and Baruah (2012) maintain that public attitudes are important to be considered while designing policies for migrant workers as attitudes add to situation where there is already unequal treatment of migrant workers.

### **National Sovereignty**

Ratification of the Convention is often associated with “a loss of national sovereignty” (de Guchteneire and Pécoud 2009). However, the ICMW does not restrict the State’s sovereignty: Article 79 mentions that “Nothing in the present Convention shall affect the right of each State Party to establish the criteria governing admission of migrant workers and members of their families. Concerning other matters related to their legal situation and treatment as migrant workers and members of their families, States Parties shall be subject to the limitations set forth in the present Convention.” Oger (2009) thus sustains that even under ratification “sovereignty is maintained, as states retain monopoly on access to their territory and their labour market.” Yet, in South Africa, for example, the question of “political sovereignty” was raised as policymakers feared that the Convention would prevent the state from designing its own policies with regard to the admission of migrants (Crush et al. 2009). Moreover, once human rights treaties are in force, State Parties have to submit periodic reports on their practices and compliance with treaties and may be blamed for human rights violations. States may then be unwilling to ratify international treaties due to the “sovereignty cost” (Wotipka and Tsutsui 2008).

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### **Limitations of the ICMW**

The non-ratification of the Convention by EU countries, by traditional countries of immigration such as the USA, Canada, or Australia, as well as by major receiving States in the Global South such as South Africa, is a major and obvious limitation to the ICMW, as it is at odds with the universal nature of human rights as envisaged in the UN Charter and the UDHR. Yet, even in countries in which the Convention has been ratified, there are a number of implementation problems. This section examines the situation in four countries for which in-depth analysis is available.



Ecuador ratified the ICMW in 2002 and has since then promoted the rights of migrants in its 2008 Constitution; yet, major legal inconsistencies have been noted in terms of the implementation of the Convention: the country's 1971 migration law is still effective and determines whom to admit in the country on the basis of potential migrants' contribution to the development of the country. In 2007 and 2010, the Committee on Migrant Workers (CMW), the UN body in charge of monitoring the Convention, has addressed the disparities between Ecuador domestic legislations and the ICMW and concluded that "selectivity, control, security and sovereignty, rather than human rights" are still regulating migration policies in Ecuador. Furthermore, it has also been noted that the ICMW is barely mentioned when debating migration law and policy and is rarely taken into account when it comes to ascertaining the responsibilities of Ecuadoran authorities to protect the rights of migrants in the country. Hence, the "lack of reference suggests a lack of awareness of the ICMW in Ecuador, maybe as a consequence of the proliferation of human rights treaties ratified by Ecuador and the lack of dissemination of such treaties" (Salazar 2017, p. 201).

Another Latin American country, Guatemala, ratified the ICMW in 2003. However, it has been noted that although the government has devised new policies to conform to the provisions of the Convention to protect certain rights of migrants, the ICMW has not been fully applied by the government in general, and the developments have been rather sluggish. Initiatives concern "the detention and expulsion of migrants, regularisation of the irregular migrant population, human trafficking," but are not really in conformity with the Convention. There remain legal differences as Guatemala has not amended its migration law to be in line with the ICMW (Caron et al. 2017). It has, for instance, been observed that Guatemala organizes collective expulsion of migrants, which is incompatible with the ICMW and infringes international norms, and that there are violations of migrants' rights to legal defense. Caron et al. (2017, p. 213) thus assert that "international conventions like the ICMW can in the end become a dead letter if signatories fail to tailor the country's legislation to meet their obligations, and if they lack the will to propose, pass and implement favourable policies for its implementation. Without these measures to ensure internal compliance, the ICMW and other human rights conventions become an empty promise."

The first country to sign the ICMW, in 1991, was Mexico. Although there are progresses in the legal and policy domains, Mexico does not conform to all the obligations of the Convention. The main obstacles to fully abide by the standards of the ICMW are "corruption and impunity endemic" due to the ineffective rule of law in the country and its geographical location as a transit country for Central American irregular migrants and asylum seekers to the USA. Moreover, there is a lack of information that hampers migrants' access to rights, in a context in which transit migration comes along with a serious humanitarian crisis, particularly for women who suffer from oppressive situations. Also, Mexico does not follow the Convention as it does not safeguard child migrants, who are regularly kept in detention centers because of human and financial constraints. According to Prieto and Kuhner (2017, p. 235), there have been significant initiatives to standardize Mexico's domestic



legislations with the Convention, and new laws have been developed with regard to “the protection of refugees and asylum seekers; to prevent, punish and eradicate trafficking in persons; to promote assistance for victims of crime and human rights violations; and to guarantee access for women to a life free from violence.” The Mexican labor legislation needs to be reinforced to provide more protection to women.

In Asia, Sri Lanka ratified the Convention in 1996 but also faces serious problems in implementing it. Although Sri Lanka has established a comprehensive migration administration system over the past years, it has not yet made significant efforts to bring its domestic legislations in line with the ICMW. For example, the Constitution of Sri Lanka emphasizes the granting of certain rights to citizens only, such as the “protection against discrimination and the right of peaceful assembly, freedom of association, freedom to form and join a trade union, freedom to engage in any lawful occupation, or profession, and freedom of movement” (Wickramasekara 2017, p. 256). The country also has to cope with a difficult local context, marked by the predominance of low-skilled migration to the Gulf region and the major role by private brokers in governing these flows (Wickramasekara 2017).

In terms of the monitoring of the ICMW, Grange (2017) identifies two final challenges. Firstly, State parties do not always submit their reports to the Committee on Migrant Workers (CMW), which makes it difficult to evaluate compliance with the Convention. Second, the members of the CMW are appointed by State parties and usually occupy positions that are very much associated to their countries’ government, rather than serving “in their individual capacity” as stipulated in the Convention. Grant and Lyon (2017) further note that, as all UN human rights treaty bodies have included the rights of migrants in their mandates, there are issues of “overlapping jurisdictions,” which creates the possibility of different understandings and interpretations of international human rights law, as well as the risk of treaty bodies acting separately while dealing with the rights of migrants. Grant and Lyon also note that the CMW is not usually mentioned by treaty bodies while referring to issues related to the rights of migrants.

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## Conclusion

By recognizing the vulnerability of migrant workers and their families, and by encompassing a broad range of rights and situations, the ICMW is an all-inclusive international human rights mechanism that encompasses civil, political, social, economic rights for both regular and irregular migrants. Yet, there are major obstacles toward its ratification. These include political will, legal barriers, economic obstacles, political obstacles, lack of awareness, public attitudes, and national sovereignty.

In December 2018, the international community adopted the Global Compact for Safe, Orderly and Regular Migration, a non-binding soft law instrument that is expected to help States address the challenges of migration in a concerted and human rights-friendly manner. To a large extent, the Compact was born out of the

migration crisis in the Euro-Mediterranean region. This document hardly mentions the ICMW and does not call for its ratification: while prepared under the auspices of the UN, the Compact neglects one of the key tools developed by the UN to foster respect for migrants' rights. This is in line with ongoing discussions, at the international level, that aim at better "managing" migration and in which international human rights law is given secondary importance to the benefit of managerial and socioeconomic objectives (centered on development, border management, interstate cooperation, etc.)

This state of affair inspires mixed feelings. On the one hand, the Compact makes clear that migration is high on the political agenda, that it raises serious human rights concerns, and that it deserves a multilateral approach in which States and international organizations get involved in the search for global solutions – precisely the premises upon which the ICMW was designed in the first place. On the other hand, current efforts largely ignore the Convention: they seem to take for granted that the ICMW is unpopular among States and rejected by the governments of Western receiving countries; they favor soft law normative instruments to the detriment of international human rights law. This is yet another obstacle to the ICMW, which is not even supported by the very organization that created it.

The future of the ICMW is therefore highly uncertain. Its very existence, however, testifies to the need of alternative political approaches to migration, grounded in multilateralism, cooperation, and human rights. This is far from a new idea, as it was already expressed by the ILO a century ago, in 1919. Yet, today more than ever, the failure of State policies leads to major political and humanitarian crises – and this calls for alternatives in which, on the long run, the ICMW may prove useful.

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# The Rhetoric of Hungarian Premier Victor Orban: Inside X Outside in the Context of Immigration Crisis

# 93

Bruno Mendelski

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B. Mendelski (✉)

Institute of International Relations (IREL), University of Brasilia, Brasilia, Brazil

International Relations at Department of Economics, University of Santa Cruz do Sul, Santa Cruz do Sul, Viamão, Brazil

e-mail: [brunomendelskidesouza@gmail.com](mailto:brunomendelskidesouza@gmail.com)

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**Abstract**

This chapter analyzes the impact of the rhetoric of Hungarian premier Viktor Orban on the current wave of refugees in Hungary. Based on the theoretical assumptions of Post-structuralism in International Relations, it examined six Orban discourses in the year 2015 (the apex of the immigration crisis). Methodologically, it relies on Hansen (Security as practice: discourse analysis and the Bosnian War. Routledge, Londres, 2006) model of Discourse Analysis to investigate the process of linking and differentiation that opens space for ethnic or racist discrimination against individuals. It argues that the Hungarian premier presents the issue within a binary framework, with an *inside* × *outside* logic. Thus, Orban constructs the Hungarian *inside* as opposed to a pair of *outsiders*: the immigrants (primordial *outsider*) and the EU left-liberal elite (secondary *outsider*). To the first is given a threatening Muslim identity, while to the second it's given a religionless, borderless, and nationless identity. Both outsiders are counterpoints with the Hungarian Christian-peaceful identity. The hypothesis of this chapter is that Orban's *inside* × *outside* rhetoric reasserts the importance of the Nation State, updating to the Post-structuralist challenges of the 1990s. The common point between these periods lies in the efforts of political leaders to present themselves as protectors of the *inside* in the face of (*outside*) threats, thus legitimizing xenophobic policies towards the foreigner "other." The new element in this discussion is the affirmation of sovereignty through the questioning of the supranational power of the EU.

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**Keywords**

Hungarian identity · European immigration crisis · Xenophobia · Post structuralism in IR · Critical discourse analysis

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**Introduction**

Contemporary discussions over state identity and **xenophobia** are particularly relevant in Europe, where migration has become a major issue of interest especially since the beginning of the refugee crisis in 2015. Hungary was one of the countries that most received this population. For that reason, this chapter analyzes the impact of the Hungarian premier Viktor Orban's rhetoric on the current wave of refugees in Hungary.

Based on the theoretical assumptions of Post-structuralism in International Relations, it examined six Orban discourses of the year 2015 (at the peak of the immigration crisis). It relies methodologically on Hansen (2006) model of Discourse Analysis to investigate the process of linking and differentiation that opens space for ethnic or racist discrimination against individuals.

It argues that the Hungarian premier presents the issue within a binary framework, with an *inside* × *outside* logic. Thus, Orban constructs the Hungarian *inside* as opposed to a pair of *outsiders*: the immigrants (primordial *outsider*) and the EU

left-liberal elite (secondary *outsider*). To the first is given a threatening Muslim identity, while the second is given a religionless, borderless, and nationless identity. These two outsiders are counterpoints with the Hungarian Christian-peaceful identity. The immigrant is the primordial *outsider* because it represents the immediate and concrete danger to the loss of Hungarian sovereignty. The EU left-liberal elite are the secondary *outsider* for providing the theoretical-institutional framework that reduces the sovereign power of Hungary and consequently favors the entry of the immigrants. Besides representing distinctive ideologies, Orban in his speeches presents several times the left and the liberal doctrines as part of the same group. These ideologies have the same objectives in Orban's view: eliminate the borders, destruction of the nation state, ended with the sovereignty and marginalize Christian identity and values.

In this context, borders guarantee the separation between the internal and the external, justifying measures of exception to the foreigners and the non-adoption of some EU procedures. The hypothesis of this chapter is that the nationalist rhetoric based on the dichotomy *inside* × *outside* reasserts the importance of the Nation State, updating to the Post-structuralist challenges of the 1990s.

The common point between these periods lies in the efforts of political leaders to present themselves as protectors of the *inside* in the face of (*outside*) threats, thus legitimizing xenophobic policies towards the foreigner "other." Several Hungarian laws provide evidence to support this argument, particularly those related to the following areas: cuts in social subsidies to asylum seekers (2016), automatic detention of migrants seeking asylum (2017), and the construction of fences and the militarization of the Hungarian borders (2015–2017).

The new element in this discussion is the affirmation of **sovereignty** by questioning the supranational power of the European Union. Such position can be clearly seen in the non-adoption of the Budapest quota system proposed by the European bloc. Biased national consultations about the issue also act as domestic legitimating mechanisms. The EU placed as an outsider not only reinforces Post-structuralist observations about State's necessity on affirm its identity but also rises more uncertainty about the future of the organization.

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## Method and Theoretical Structure: Post-structuralist Discourse Analysis

The post-structuralist approach, through a careful analysis of language, aims to deconstruct the dominant discourses and the power relations contained in them (Derian 1989). It also defends that reality alone does not exist, but only representations of that, which achieve meaning from language (Shapiro 1989). Then the dominant groups, which seek to construct and universalize their worldviews, construct these representations discursively through the establishment of antagonistic identities.

In this process of constructing identities, it is essential to point out that language is both social and political configuring itself as an inherent and dynamic system of



signs that generates meaning through the simultaneous construction of identity and difference (Hansen 2006). Language is social when it allows the socialization of individuals through their creation of terms and meanings; it is political because it is a place where particular subjectivities and identities are produced and reproduced, while others are simultaneously excluded (Hansen 2006). The joint analysis of the social and political spheres in the study of language is crucial, since at the individual level personal beliefs, rather than perennial and natural ones, are textualized from a historical production of an epistemological code, which is deeply involved with other historical developments (Shapiro 1989).

Furthermore, Hansen (2006) suggests thinking identities within a dynamic process where subjects and objects are continually reaffirmed, negotiated, and redone. Campbell (1992), in turn, proposes an understanding of the state as dependent on a constant affirmation of its identity, which occurs through the demarcation of its “other” opponent. This “other” is constructed linguistically as one that is beyond state borders. Therefore, borders are the mechanism that allows and potentiates the demarcation of the “inside” and “outside,” “self” and “other,” “citizen” and “foreign” (Campbell 1992).

Working on a similar line to Campbell (1992), Walker (1993) uses these dichotomous tools to problematize the concept of state sovereignty. The author (1993) affirms that sovereignty is a trait of modern political thought, since it represents the evolution of medieval political organization: it institutionalizes the separation of two political spheres, the national and the international, the inside and the outside, and thus creates the conditions for the state to exist. This state identity dichotomous logic also permits the state to present itself as the defender of the people against the different “other” foreigners.

According to Campbell (1992), the demarcation of **borders** between territories allows the constant creation of the “self” national as opposed to the “other” foreign. These constructions tend to emerge in security discourses that are “traditionally constituted through a national self against one or more threatening others, whose identities are radically different from the self” (Hansen 2006: 6). Thus, the construction of difference, the exclusion of the different and its conversion to “otherness” are fundamental for the affirmation of the “self” and as a legitimation for the state’s existence itself (Resende 2009).

Therefore, security is an ontological necessity of the **state**: its identity requires the constant construction of external threats. Danger and insecurity constitute the state, and not only constitute their potential destroyers: the state only knows itself through their juxtaposition against the threatening other (Campbell 1992). To Walker (2006) the delimitation of the internal and the external by the borders is related to almost all the difficult issues of our time: distinctions/discriminations, inclusions/exclusions, beginnings/ends, etc.

In methodological scope, Hansen (2006) proposes a useful model to understand the relations among identities in the discourses. Her framework provides theoretical concepts and methodological tools to investigate how identities establish acts as legitimation of foreign policy actions. Initially one should identify those terms that indicate a clear construction of the other or of the self. These features are



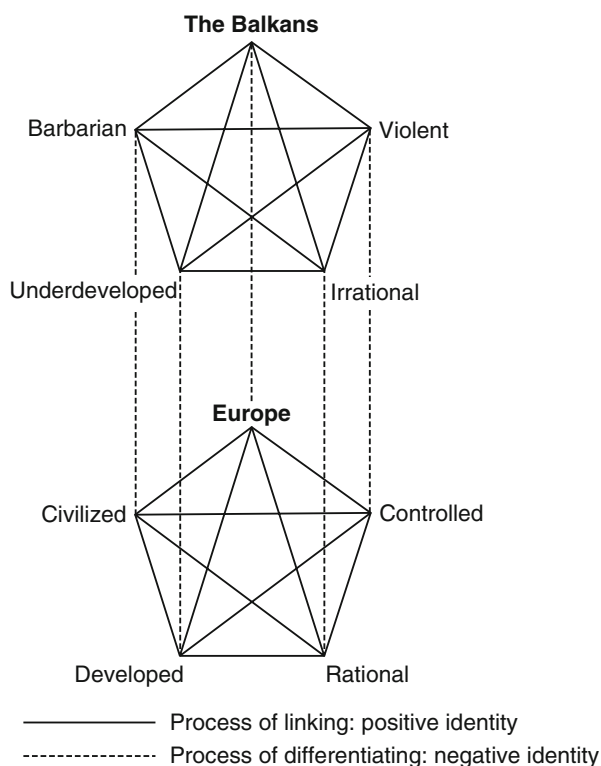
contained within the same identity, as indicated in the two pentagons of the figure below.

These identities must be deconstructed in relation to the other, so that what may appear to be a “positive” construction of the self. Building a relationship of hierarchy and position between other and self (Hansen 2006). The author (2006: 38) exemplifies its model through the identity relationship between the Balkans and Europe (Fig. 1).

Hansen’s model helps in the process of deconstructing discourses in order to indicate their dichotomous contents. Besides, the above figure evidences two fundamental points of post-structuralist thought. First, it reaffirms the view of identities as constituted in opposition to the differences. Second, it highlights the role of language as a central constructor of meanings in reality. It is only through the language construction that “things” – objects, subjects, states, living beings, and material structures – are given meaning and endowed with a particular identity (Hansen 2006: 18). Shapiro (1981: 218) adds that language is the field of social and political practice, and hence there is no objective or “true meaning” beyond the linguistic representation to which one can refer.

Hence, the **identities** pointed by the discourse are fundamental for the establishment of roles and duties, since language constructs reality and the things need an

**Fig. 1** Hansen model of linking and differentiating identities



identity to create its own meaning. Accordingly to Hansen (2006: 19) “identities are thus articulated as the reason why policies should be enacted, but they are also (re) produced through these very policy discourses: they are simultaneously (discursive) foundation and product.” Thus, the goal of post-structuralist discourse analysis is to hold that foreign policy discourses always involve a construction of responsibility, even if only implicitly applicable toward a national citizenry (Hansen 2006).

In relation to the discursive corpus analyzed in the chapter, some considerations are necessary. Orban’s speeches are available fully in English on the Hungarian government official website. Furthermore, the choice of the year 2015 for the analysis of the speeches is due to two reasons: this year marks the beginning of immigration crises and the start of Orban’s **anti-immigration policies**. Once exposed the theoretical-methodological structure of the chapter, one can proceed to investigate Viktor Orban’s rhetoric and politics about immigration in 2015.

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## **Challenging the EU and Pushing Away the *Other* Foreigner: Orban’s Politics to Immigration**

Since the beginning of the immigration crisis in 2015, Orban’s government seeks to politicize it. Ruling party since 2010, the Hungarian Civic Alliance, Fidesz (right wing), took the opportunity of the 2015 migration/refugee crisis to create new enemies aiming to mobilize popular support due its low levels of popularity (Vidra 2017). The spectacularization of politics marks its **populist** rhetoric with constant need of creating opposition between “us” and “them” by the government (Szalai and Göbl 2015; Vidra 2017). Then, Orban represents the immigrant crisis as a battle between the Muslim immigrants *outsiders* supported by EU left-liberal elite against the Hungarian Christians *insiders*.

Biased national consultations complement this process. With them Fidesz has achieved the population’s support for its anti-immigration measures and non-compliance with EU policies. Orban’s government implements three major national consultations on immigration: national consultation (April 2015), quota referendum (October 2016), and national consultation (March 2017).

In the first case, the government launched a questionnaire poll on “immigration and terrorism” complemented by a billboard campaign. Accordingly to the European Parliament (2015 online), the survey was highly misleading, biased, and unbalanced, establishing a biased and direct link between migratory phenomena and security threats. Likewise, the government increases xenophobia through manipulative propaganda campaign, with aggressive billboards urging refugees to respect the country’s laws, customs, and not to take away Hungarians jobs (Juhász et al. 2015: 6; Sereghy 2016: 230).

The second consultative measure was directed to oppose EU refugee quotas. Before the October 2016 quota referendum, Orban’s government started an intensive campaign calling for the rejection of the quota system. Large billboards featured with controversial messages such as “Did you know? The Paris terrorist attacks were carried out by immigrants” or “Did you know? Since the start of the

immigration crisis, sexual harassment of women has increased in Europe?” (Sereghy 2017: 264). Accordingly to Freedom House (2017: 15), the government disseminated xenophobic propaganda connecting asylum seekers and immigrants to acts of crime and **terrorism**.

The third national consultation titled “Let’s Stop Brussels” *Állítsuk meg Brüsszelt* was again a biased and misleading questionnaire regarding EU politics. On the subject of immigration, the second of the six questions were: “In recent times, terror attack after terror attack has taken place in Europe. Despite this fact, Brussels wants to force Hungary to allow illegal **immigrants** into the country. What do you think Hungary should do? (a) For the sake of the safety of Hungarians these people should be placed under supervision while the authorities decide their fate. (b) Allow the illegal immigrants to move freely in Hungary” (The Budapest Beacon 2017 online).

For Sereghy (2018: 312), the 2017 national consultation “was a repeated attempt to gain popular legitimation to act against European Union policies and domestic civil society supporting refugees.” The European Commission (2017b online) points out that several of the claims and allegations made in the consultation are factually incorrect or highly misleading. All these **national consultations** received the support of the overwhelming majority of the Hungarian population, allowing that Orban’s government executes a hard-line immigration policy (Hungarian Government 2015g, 2017; Human Right Watch 2017).

Hence, the Hungarian government starts the alteration of its asylum system in August 2015. The adoption of an Amendment to the Asylum, denied the asylum procedure to asylum-seekers who first pass through a list of countries the Hungarian authorities have deemed “safe,” including Serbia and Macedonia (Amnesty International 2016). The measure was criticized for hampering access to Hungary for the asylum seekers access to Hungary. Therefore, the European Commission open an infringement procedure against Hungary in the end of 2015 (European Commission – Press release 2015 online).

In addition, in July 2015, the government began to construct the first fence along the 175-km border between Hungary and Serbia. Since Croatia directed the migrants toward the Hungarian border, Budapest has started to build the second fence along the 348-km border between Hungary and Croatia (RT 2017). The new barriers proved to be efficient in reducing the flow of immigrants: the number of successful attempts to illegally border crossing fell from 391,000 in 2015 to 18,236 in 2016, and then to only 1,184 in 2017 (RT 2017). Complementarily, the government promoted the border’s militarization, employing “coercive weapons,” and restricting civil liberties of the immigrants (Freedom House 2016: 15).

The construction of the border fences has three important consequences. First, it became the symbol of the Hungarian position against the supranational quotas policy proposed by the EU (Vidra 2017). Second, these barriers represent a clear deny of the refugee’s human rights, people who are in a great vulnerable situation (Krekó and Rakt 2015). Third, the construction of fences portrays a desperate attempt by a state to secure control of its primary function: the decision about who enters and leaves. By losing the border control, the state identity is in a

great crisis, since it can no more offer security to its citizens in the face of a world of danger (Campbell 1992).

Moreover, in 2016, Orban's government approved two draconian legislative amendments: Amendment of the Asylum Government Decree and Amendment of the Asylum Act (the full content of this and the earlier amendments are available in the [Annex I](#) of this chapter). The first is in effect since April 1, 2016, and the second since June 1, 2016. As results of this new legislation, refugees are now obliged to move out from the reception center where they are accommodated, already a month after the grant of their status, and will not receive any targeted support for their integration, such as financial benefits, housing allowance, language course, etc. (The Hungarian Helsinki Committee 2016: 1). In practice, these provisions may immediately force the refugees to homelessness and destitution, constituting as a serious violation of refugee's human rights (The Hungarian Helsinki Committee 2016: 1; Amnesty International 2016).

In March 2017, the Hungarian government passed a law, which prescribes police to pushback unlawfully staying migrants who wish to seek **asylum** in Hungary across the border fence, without any legal procedure to challenge this measure. Furthermore, now all asylum-seekers must submit their application in the transit zones at the border, where they will be detained in border camps made of containers for the entire asylum procedure without no legal basis or judicial remedies (The Hungarian Helsinki Committee 2017: 1; Amnesty International 2017: 1). This law has been widely criticized by organizations such as Amnesty International and the Hungarian Helsinki Committee (Heinrich Böll Stiftung 2017). The law changing also led European Commission to open another infringement procedure against Hungary in May 2017 (European Commission – Press release 2017).

After pointing out the main anti-immigration politics of the Orban's government, one can now investigate its binary and alarming rhetoric, fundamental to build the legitimize for this measures.

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## Analysis of Orban's Speeches

### Speech of September 04, 2015

The first Orban's speech analyzed is an interview with journalist Éva Kocsis for the "programme 180 min" of the Hungarian *Kossuth* radio station. In this discourse, there is a common strategy in Orban's speech on immigration: the represent of it as a threat to the Hungarians. This alarmist tone serves Orban's purpose of constructing an environment of danger, thus justifying and legitimating not only his government but also the Hungarian state itself.

**The truth is that Europe is being threatened by massive immigration on an unprecedented scale. (...) Today we are talking about hundreds of thousands, but next year we will be talking about millions, and that will never end [our griffins].**

In this way, the immigrant as a threat provides the demand for the state to carry out its primary function: the promotion of the **security** of its citizens (Walker 1993).

The dramatic sense employed by Orban continues in the following section, where it is exposed the impossibility of coexistence between the Hungarian “us” and the “other” immigrant.

**And one morning we can wake up and realize that we are the minority on our own continent.**

(...) I personally believe in a Europe, I would like to live in a Europe, and I would like my children to live in a Europe and a Hungary that is the **continuation of an age-old tradition maintained by our parents, our grandparents and our Great-grandmothers.**

This can change: **they can occupy Hungary, something unprecedented in our history – or they can introduce communism** [our griffins].

Expressions like “one morning we can wake up and realize that we are the minority on our own continent” evidence the continuous process of constructing Hungarian state identity. Campbell (1992) adds that the threats constitute the state: it only knows who it is by confronting the threatening “other.” The author goes even further by stating that “states are never finished as entities; the tension between the demands of identity and the practices that constitute it can never be fully resolved because the performative nature of identity can never be fully revealed” (Campbell 1992: 11).

In addition, its important deconstruct Orban’s rhetoric about the **Hungarian identity**. The premier represents the Hungarian people as a homogeneous unity, but as attests Hall, “the identities connect itself with the use of the resources of history, language and culture” (2012: 108, free translation). The author (2012) adds that identities are never unified, but multiply constructed across discourses, practices, and positions that may intersect or be antagonistic. This view highlights the idealized representation of Hungarian identity in Orban’s speech. Hansen (2006) adds that the national security discourses draw its powerful political identity at the same time as it masks its specificity and its history. Thereby, the political leader constructs the security of his national community as an objective and dehistoricized demand.

The danger exacerbation in the last passage (although close to fantasy) has the important aspect of generating a fear in the Hungarian population, thus guaranteeing greater legitimacy for the use of authoritarian measures for the matter of immigration. Accordingly, to Shapiro (1989: 20) as “we live in a world in which danger is institutionalized, persons interested in relating their fears to situations of danger have become consumers of representations from institutions that have the legitimacy to produce interpretations of danger.” Hansen (2006) complements arguing that security discourses have a double dynamic: they give legitimate power to the actors who execute these policies, but they also construct these agents with a particular responsibility to do so.

Still, in this discourse, the state sovereignty acts as the legitimation for the *inside × outside*. This recourse will be recurrent in the Orban’s strategic on the demarcation of Hungarian identity versus its primordial (Muslims immigrants) and secondary *outsider* (**left-liberal EU elite**). Here, the premier makes it clear his

wish for the maintenance of the national Christian Hungarian identity to the detriment of a ‘supposed’ increase in the Muslim population in his country:

I believe we must **respect the decisions of countries that have already decided that they want to live with large Muslim communities**: the decisions of countries like France or Germany [our griffins].

We cannot criticize them – this was their decision. But we also have the right to decide whether we want to follow their example or not. I, for example – and this is my personal opinion – would advise the Hungarian people not to follow this example.

The right of states to be sovereign in their domestic decisions protects Orban’s prejudiced rhetoric against Muslim immigrants. Thus, the argument that states are sovereign to decide their internal affairs, in fact, supported the construction of a boundary between “us” **Christian** and “they” Muslims, revealing the impossibility of coexistence between the “self-internal” with the “external other.” Connolly (2002) points out that the state is the privileged place for the production of otherness since its interior represents a clearer line between internal and external. The Islamophobia is an important element in Orban’s Muslim otherness.

Historical elements of Hungarian identity supported the construct of this border. Accordingly, to Vidra (2017: 13), the Hungarian national identity has the strong element of protecting Christian Europe against the invasion of Muslims. Equally, the elements of Hungary’s Ottoman occupation (1541–1699) are still present in the country’s collective memory (Sereghy 2017: 261). The minuscule **Muslim** community in Hungary and the widespread ignorance about **Islam** among the population also contributes to anti-Muslim narratives enjoy the unconditional support of an overwhelming portion of Hungarians (Sereghy 2016: 235; Sereghy 2017: 258).

## Speech of September 05, 2015

This discourse was address by Orban at the 14th Kötöcs civil picnic (annual gathering of Fidesz and Fidesz-tied circles). In the passage below, one can observe the use of a recurring strategy in Orban’s rhetoric: the attempt to criminalize immigration through his representation as a threat to Hungary.

**Now we are inundated with countless immigrants: there is an invasion, they break down fences**, and it is clear to us all that they are not seeking refuge, and are not running for their lives [our griffins].

Recalling post-structuralist notes, the passage above indicates an Orban effort to represent immigration as a threat to Hungarians, according to the use of the terms “flood,” “numerous immigrants,” and “invasion.” In this sense, it is salutary to consider that this description (immigration as dangerous to Budapest) consists of only one of several realities about this conjuncture (Shapiro 1989). Likewise, according to Campbell (1992), the sense of danger is not given an objective, but rather associated with the interpretation of who does it.

The construction of this danger's scenario caused by immigrants, in turn, allows a stronger and more incisive action from the state in order to protect citizens from this external threat. This logic of defining the foreign "other" as a threat contributes to the state asserting its identity and its functionality. Thereby, "the state grounds its legitimacy by offering the promise of security to its citizens who, it says, would otherwise face manifold dangers" (Campbell 1992: 56). Moreover, danger scenarios favor the existence of a greater state action, strengthening the power of the groups who control it, being of their interest the representation of these realities. Therefore, Shapiro (1989) states that it is appropriate to conceive of security discourse as a type of discourse that represents structures of authority and control.

As can be seen below, the Orban's binary framework follows the logic of the "clash of civilization," with its idealized and prejudiced view of national identities. Since the other is portrayed as different and threatening, this construction acquires a schmittian view of the state, favors the **nationalism**, and encourages xenophobic feelings and actions.

(...) Hungary – and now I do not want to speak for other countries, but I would like to think that most of Europe think as we do – **must protect its ethnic and cultural composition.**

(...) Allow me to mention a conversation I had with a talented, experienced, but not very hopeful European politician, who was no longer in frontline politics, and who asked me to explain what I meant when **I said that we do not want a significant Muslim community in Hungary.**

(...) **Why can we not talk about the right of every state and every nation to decide on whom they want to live on their territory?**

In Europe, many countries have decided on this – for example the French or the British, or the Germans with regard to the Turks. I think they had the right to make this decision (...). **And we can say that we like Hungary just as it is. It is colorful and diverse enough.**

**I am convinced that Hungary has the right – and every nation has the right – to say that it does not want its country to change. (...) But we should not argue about whether a community has the right to decide if it wants to change its ethnic and cultural composition in an artificial way and at an accelerated pace.** And if Hungarians say that they do not want this, no one can force them to do so [our griffins].

The sovereignty concept is a key element in this Orban discourse. For Walker (1993), the sovereignty relates with the primordial existence of the state itself, by demarcating the boundary between **internal** and **external**. According to the author (1993), the *outside* (in this case, the Muslim immigrants) is not only the strange, foreign, and threatening; it is responsible for asserting the identity of the *inside*. At the same time, the basilar principle of international relations, the sovereign relationship between states, acts as a legitimizing element for Orban exclusionary view of the "other" Muslim immigrant. When the premier states that the decision of the countries should be respected in determining who has the right to live within its borders, he is only reaffirming the principle of borders and state sovereignty, which, together with its identity, are the pillars of its existence (Campbell 1992). This point also indicates the actuality of the post-structuralist critique on the nation-state's exclusionary character.

If in the part analyzed above, Orban focuses on the external enemy, in the following part he focuses on the internal enemy. Primordial to this is the establishment of the identities. The Hungarian Christian identity is established for operate as distinct to the Muslims refugees (primordial *outsider*), and to the left-liberal thought of the EU (secondary *outsider*), as the fragment above shows.

A liberal person who does something in order to present themselves in a good light knows full well that they are in fact a hypocrite. Please don't misunderstand me – I'm not talking now about the grand old liberals like Lajos Kossuth, Deák or Graf Lambsdorff; **but we have always thought of the modern left-liberal school of thought** – alongside which we live and which is dominant – as hypocrisy organized into a system at the individual level and at state level [our griffins].

Orban continues and articulates his language in order to represent discursively the current theme of asylum and mass migration as liberalism's crisis. Conveniently, Orban ignores the causes of the phenomenon and the role of the states in the issue, constructing a view of **reality**, which suits his interests of weakening the supranational power of EU.

(...) Earlier we have talked about identity crises among ourselves: The Christian identity crisis, or the national identity crisis. But now, Ladies and Gentlemen, **we are witnessing the liberal identity crisis**. Viewed from the right perspective, **the whole issue of asylum and mass migration, the whole problem of economic migration is nothing more than the identity crisis of liberalism**.

(...) **Of course The Good Lord will help the person who fights for good causes**, because in such times it turns out, for example, that the Hungarian constitution – adopted at a time when an immigration crisis was still nowhere to be seen – **is superbly suited to strengthening this Christian and national identity in the eyes of all and in opposition to the ruling liberal identities in Europe today** [our griffins].

In addition, he openly opposes The Hungarian Christian identity to liberal identity, his secondary *outside*. Vidra (2017) argues that traditional Hungarian narrative against Islam is different from general Western European countries, which endorsement liberal values. Specifically, “Hungarian anti-Muslimism explicitly refutes liberal values as they are considered as not being part of the Hungarian ‘nationalist semantics of self’” (Vidra 2017: 13). As Campbell (1992) remembers, the states are never ready as entities: the tension between the demands for identity and the practices that constitute it can never be fully resolved. Therefore, the premier seizes the opportunity of the **refugee crisis**, to associate its negatives aspects to the liberal identity, confronting it with the good national-Christian identity.

## Speech of October 22, 2015

Speaking at The European People's Party Congress in Madrid, **Orban** again frames his immigration discourse towards his primordial and secondary *outsiders*. About the first, he initially represents the issue as an emergency question.



I would like to congratulate Partido Popular and the Spanish Prime Minister, Mariano Rajoy for the outstanding performance of their government. Today I would like to speak about the migration crisis. This issue will determine the future of our political family. **We are in a deep trouble. The migration crisis is able to destabilize governments, countries and the whole European continent** (...).

The danger we have been facing demands open and honest speech. First of all, dear Friends, **what we have been facing is not a refugee crisis. This is a migratory movement composed of economic migrants, refugees and also foreign fighters. This is an uncontrolled and unregulated process.**

I would like to remind you that free choice of a host country is not included in the international law. I also want to underline that there is an unlimited source of supply for people, after Syria, Iraq, Pakistan, Afghanistan, Africa is now also on the move. **The dimension and the volume of the danger is well above our expectations** [our griffins].

Catastrophic terms signalized the urgency of the issue: “the migration crisis is able to destabilize governments, countries and the whole European continent,” “this is an uncontrolled and unregulated process” and “the dimension and the volume of the danger is well above our expectations.” However, as remember Campbell (1992: 1) “danger is not an objective condition. It (sic) is not a thing which exists independently of those to whom it may become a threat.” Thus, this feeling of danger allows that Hungarian state rebuild its identity as a different for this *outsider*, through its borders (Walker 1993). Furthermore, these *outsiders* are not just refugees: they are also *economic migrants* and *foreign fighters*. Orban, through this reading of reality, stresses the seriousness of the issue and better justifies his role of protector of Hungarian borders.

After, Orban seeks to define the European left as its secondary *outsider*. He establishes its main characteristics and strategically opposes it with his understanding of the true European identity. The left is religionless, borderless, and nationless, while the European tradition is based in family, **nation**, subsidiarity, and responsibility. According to Connolly (2002: 64), “an identity is established in relation to a series of differences that have become socially recognized. These differences are essential to its being.” Thereby, this confrontation of identity reinforces the post-structuralist view that language is social and political, which constantly generate meaning through a simultaneous construction of identity and difference (Hansen 2006: 15).

We cannot hide the fact that **the European left has a clear agenda. They are supportive of migration.** They actually import future leftist voters to Europe hiding behind humanism. It is an old trick but I do not understand why we have to accept it. They consider registration and protection of borders bureaucratic, nationalist and against human rights. **They have a dream about the politically constructed world society without religious traditions, without borders, without nations. They attack core values of our European identity: family, nation, subsidiarity, and responsibility.**

We are the European People’s Party – *Partie Populaire, Volkspartei, Partido Popular*, Party of the People – our responsibility is towards the people. Listen to the people. Let’s be determined, let’s defend Europe. **Do not let the leftist mess up and reconstruct Europe!** And do not let them oust the soul of Europe! **Do not let liberals and socialists take away Europe from the people!** [our griffins].

The last fragment of this speech assumes a classically dichotomous tone, pointing again the two secondary *outsiders*: the liberals and the socialists. This binary logic demonstrates a political relationship to the differences, which the “self” it seeks to fix (Connolly 2002). Vidra (2017: 13) states that Orban, besides the “Muslim other” created in the horizontal dimension, makes a further opposition in the vertical dimension between us (Hungarians) and them (EU, Western Europeans).

## Speech of November 04, 2015

In his speech in the Opening of the World Science Forum (Budapest), Orban again represents the current wave of immigration to **Europe** as a dangerous and threatening. The pejorative terminology used to describe the immigrants (“mass immigrants,” “avalanche of people,” and “invaders”) contributing to the insertion of the theme from a security perspective.

We are living in interesting – indeed, crazy – times. **Europe is under pressure from mass migration on a colossal scale.**

(...) **We must confront a flood of people pouring out** of the countries of the Middle East, and meanwhile, the depth of Africa has been set in motion

(...) **This is an uncontrolled and unregulated process**, and – now that I am speaking before the scientific community – **the most precise definition of this is “invasion”**. (...) **Our continent** is yet to appreciate the gravity of the problem: **there is a challenge to its very culture, the way of life and pattern of existence up to now**. (...) It is as if we did not yet want to see that the **Western world** is facing an unprecedented challenge which could crush and bury under itself the form of existence we have known up to now. The stakes are therefore enormous. At the same time, what is happening, what will happen and what we allow to happen to have significance far beyond the **borders of Europe or Western civilization** [our griffins].

The presentation of the theme framed by the dichotomous relationship between *inside* × *outside* allows the criminalization of immigration. The foreign identity is represented as “a challenge to our own culture, the way of life and pattern of existence so far.” As post-structuralist thought advocates, the modern state constantly needs to define the **boundaries** between the internal and the external, and traditionally it does so by constructing its identity in opposition to the identity of some foreign people or group (Waever 2002). Moreover, according to Connolly (2002), state identity operates as a pressure to allow the fullness of self-identity by marginalizing, degrading or excluding the differences on which it depends to self-specify. Thus again, the identity of the “other” immigrant not only poses a threat to national identity but also the possibility of its own existence (Campbell 1992).

The use of the dichotomous terms “Western world” and “borders of Europe or Western civilization,” indicate the traditional border-building strategy between internal and external (Shapiro 1989; Campbell 1992). Said (1995) draws attention to the European tradition of constructing Christian identity in

opposition to Islam, through binary terms such as “we” x “them,” “West” x “East,” “Christian” x “Muslims.” It is important to emphasize that the terms Muslim or Islamic are implied in the excerpt above, although are not expressly mentioned. Identity is a relational concept: It exists through something that it is not (Hansen 2006).

## Speech of November 16, 2015

Orban in this discourse at the Hungarian Parliament systematize the immigration issue at a three-point threat. First, he associates the mass immigration to terrorism rise. Talking in the wake of the deadly Paris terrorist attacks of November 13, 2015, Orban undertakes an inconsistent and prejudiced connection between terrorism and **mass immigration**.

(...) Beyond the financial and economic realities, mass migration presents three serious risks, each of which is on its own sufficient reason to hold back the flood of people. Firstly, on Friday night **we witnessed the fact that mass migration represents an exponentially increasing terror threat** – indeed today we are not even talking about the threat of terror, but the fact and reality of terror [our griffins].

Posteriorly, he relates the current immigrant crises to the rise of crime, and as a threat to the culture, the European-Hungarian way of life. Thus, the *outsider* refugee represents the classical elements of the *threatening other*, which endangers the *national inside*.

Secondly, **mass migration increases the risk of crime**. It is not PC, not politically correct, to talk about this – indeed in the Western world, this fact is publicly denied – but it is a fact for all that. **In those places in Europe with high numbers of immigrants, crime has increased significantly and public security has deteriorated. There is more theft, robbery, physical assault, grievous bodily harm, rape, and murder.** Whether we talk about them or not, these facts are still facts.

Thirdly, **mass resettlement of people arriving from other continents and cultures represents a threat to our culture, way of life, customs and traditions**. Now those who have lived in the delusion of multi-culturalism – and who have sought to force this delusion on us – can see where all this is leading [our griffins].

Likewise, since the concept of identity is relational, the Hungarian state can reconstruct its identity in opposition to the foreign other (Hansen 2006). Orban presents the Hungarian identity as peaceful, orderly, and Christian, juxtaposing it to the terrorist, criminal, and Muslim identity of the refugees. As pointed out by Hall (2012), identities emerge within the context of power relations, thus being more a product of the marking of difference and exclusion, than a sign of an identical unity.

Orban’s effort to challenge EU power focuses on building these identities. Also, he connects the national *inside* and the refugee’s *outsider* with EU supranational power.

In the light of what has happened, we must also speak about the issue of **compulsory resettlement quotas**. It is still the case that, **from somewhere outside Hungary, people want to tell us Hungarians who we should live alongside. This is what the quotas are about.**

I propose to the Honourable House that we continue **to reject the quotas and continue to insist that we ourselves should decide whom we want to let in and whom we want to live together with.** Mandatory resettlement quotas are quite simply not Europe: they are a complete contradiction of the spirit of Europe [our griffins].

Initially, the denomination of European Union as an *outside* is symptomatic with Orban's dichotomous rhetorical strategic. This binary separation between the state (*inside*) and the European Union (*outside*) is fundamental to reaffirm the national identity of Hungarian state (Walker 1993). Further, the **Hungarian state** is ontologically challenged by EU's supranational power and by the *other* Muslims refugees. The loss of Hungarian sovereignty for EU means that the state cannot exercise its basic function: the control of its borders. The second part of the fragment illustrates this point.

Nevertheless, it is necessary to construct the *others* refugees as a threat to the state, to ensure its *outside* condition and the state power:

In the light of the terrorist attacks, Brussels can no longer question Member States' right to defend themselves, **given that mandatory resettlement quotas are dangerous because they would spread terrorism across Europe** [our griffins].

The refugee's association with terrorism is the central element in this narrative. Likewise, Shapiro (1989: 13–14) remembers "representations are not descriptions of a world of facticity, but are ways of making facticity." Thereby, Orban will benefit domestically and externally on this negative representation of refugee's. Domestically, it will support his anti-immigration policies. Externally, it will act as legitimizer of his EU's challenging posture.

Orban exposes his ideas on how EU should be managing the refugee crisis at the end of this speech.

I suggest that we return from the realm of ideologies to common sense, and reconsider our European policy on the basis of four self-evident commandments.

First of all, **we must protect the external borders of the European Union**, because security begins with the protection of the borders. Secondly, **we must protect our culture, because Europe's essence lies in its spiritual and cultural identity.** Thirdly, we must protect our economic interests, because we Europeans must remain at the center of the world economy. And fourthly, **we must give the people the right to have a say in European decisions, because the European Union must be based on democratic foundations** [our griffins].

The last sentence deserves a special attention. There, Orban attacks the representative character of EU in favor of his nationalist approach. His national consultations are the mechanism for legitimizing his challenging stance to the EU.

The 2015 consultation pointed out that 80% of Hungarians think that the Brussels' policy on immigration and terrorism has failed (Hungarian Government 2017). The EU's migrant quotas were rejected for 98% of respondents in the 2016 quota referendum (Sereghy 2017). Although the low turnout (44%) making the referendum invalid, the government declared the results as "politically valid" and regarded it as a political mandate to "defend the country against the compulsory quota" (Sereghy 2017: 261).

Moreover, in the March 2017 national consultation, 90% of respondents supported the tightening of measures on immigration (Hungarian Government 2017). Orban's defiant posture to the EU and his anti-immigration policies strengthened with the Hungarian overwhelming majority supports.

### Speech of December 19, 2015

This discourse is constituted of an Orbán's interview given to the Czech daily newspaper *Lidové Noviny*. There, Orban reaffirms his nationalism and confronts it with the European liberal thought.

We have the suspicion that there is also a secret – or not openly acknowledged – importation of voters into Europe. The third problem is **the idea that the nation is seen as a source of danger**. They do not see the nation as an integral, indispensable, positive element in the evolution of European society, but as something which bears threats, because it is the hotbed of nationalism. **These groups have done everything within their power to eliminate nations.**

And the followers of these **internationalist traditions** – which are now emerging in the guise of **supranationalism** – **take the view that the ethnic foundations of European nations must be shaken since if we replace the population, the problem of the nation will change**. So in my view, the current situation has developed for several different reasons, and in this situation, the number of power groups which support immigration and regard it as a positive phenomenon is larger than expected [our griffins].

The Hungarian leader openly accuses this political view of trying to destruct the nation states. His mentions to *supranationalism* is a clear critique to EU policy in regard to the refugee crisis, which Orban sees a threat to the supposed **Hungarian homogeneity**. Orban creates new identities for the EU elite in order to strengthen his disapprobation to them:

**Europe is dealing with questions which are not insignificant – fine, gracious things: human rights, progress, same-sex marriage, tolerance and issues of a similar nature. At the same time, Europe is not dealing with the roots from which these important issues stem: Europe is disregarding its Christian traditions or traditions associated with nations.** Europe has forgotten who or what it actually is, and what the truly important things are [our griffins].

Subtly and ironically, he exposes liberal characters that can be easily opposed with conservative's ideas. Therefore, again, the premier points out two different

identities: the liberal with its defenses of human rights, progress, same-sex marriage, and tolerance versus conservative's Christian and nationalist traditions. As stated by Connolly (2002: 64), "identity requires a difference in order to be, and it converts difference into otherness in order to secure its own self-certainty."

Moving forward, Orban intensifies its efforts to de-legitimize the **liberalism** by indirectly associating it with Bolshevism and National Socialism:

Europe is an extremely fertile continent intellectually. It always has been: it has been the source of a wide range of ideas, economic, political and social teachings. Of course, amidst such an array of fertile thoughts, not only useful ones tend to emerge, but also dangerous ones. **There have been instances in Europe when this intellectual fertility brought dangerous and destructive theories to the surface, and there have been times when the people of Europe were not strong enough to control the destructive ideas which seized the continent.**

I think this is how **Bolshevism** – which is a Marxist ideology with roots in Germany – spread in a Europe which lacked the strength to protect itself. **National Socialism** also grew from the same European soil. **The idea of a Europe without nations, the idea of a United States of Europe, the gradual weakening of nations, is also an insane and dangerous idea** [our griffins].

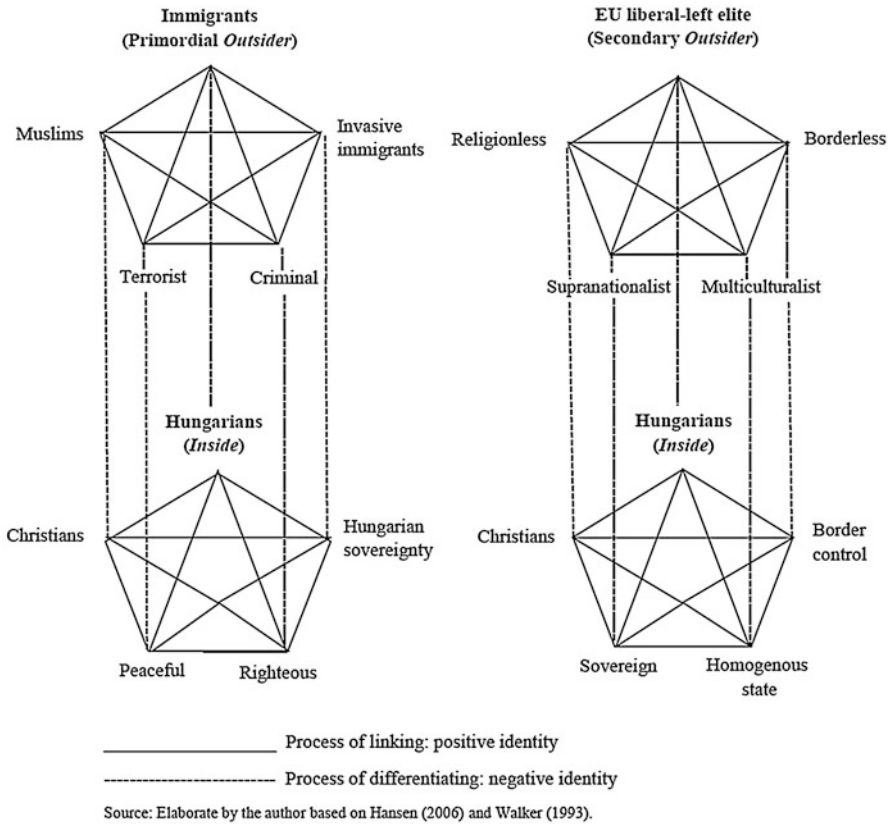
As state by Laclau (1990), the constitution of a social identity is always an act of power, since it can only affirm itself from the repression of what threatens it. Thus, the representation of a progressive liberal Europe as a dangerous idea like the Bolshevism and the National Socialism, as bizarre as it may seem, aims to link the negative feelings of these two historical experiences into European liberal.

With this rhetoric, Orban intends to domestically present himself as the "protector of the Hungarian nation" and, at the regional level, as the "defender of European nations" against immigrants and against the bureaucracy in **Brussels** (Juhász et al. 2015: 6).

## Orban's Discursive Framework on the Immigration Crisis

After analyzing Orban's discourses, one can systematize its fundamental axes. Based on Hansen (2006) processes of linking and differentiation, and Walker (1993) conception of *inside* × *outside*, the chapter present the Orban's discursive framework on the immigration crisis. The premier minister constructs the Hungarian national identity in opposition to two different *outsiders*: the primordial (immigrants) and secondary (EU liberal-left elite). As shown below in Fig. 2.

These two *outsiders* are central to Orban's efforts to reconstruct the Hungarian national identity and legitimize his power. As stated by Campbell (1992), the state's construction of "its" national identity is only possible through a simultaneous delineation of something which is different. At this point, Derrida's (1978) ideas are precious: language is a system of differential signs, and meaning, established not by the essence of a thing itself but through a series of juxtapositions, where one element is valued over its opposite. Thus, the positive *inside* depends on the negative *outsider* to operate: "peaceful" x "terrorist," "sovereign" x "multiculturalist."



**Fig. 2** Orban’s discursive framework on the immigration crisis

Nevertheless, the Hungarian case presents the specificity of constructing two simultaneous *outsiders* that expose a double capacity for differentiating Hungarian national identity. This double construct of difference occurs due to the emergence of a new outsider who challenges state sovereignty: the EU. In the context of intensification of European integration, the EU shares space with the traditional “**other**” foreign and threatening. The pro-immigration politics of EU’s liberal-left elite make it the secondary *outside*. In Orban’s vision, the EU permissiveness to the dangerous Muslims immigrants (primordial *outsider*) is also a danger coming from “outside.”

In his discursive framework, Orban places the Christian character of Hungarian identity, both in opposition to the immigrants’ Muslim aspect and to the EU’s secular-liberal element. This is the central aspect of his argument. Orban likewise combines the threat posed by the two *outsiders* in reinforcing the sovereign concept. Thereby, the sovereign guarantees the isolation of immigrants, and at the same time, moves away from EU supranational impulses. Additionally, the sovereign allows the Hungarian leader to keep his rhetoric of clash of civilizations, complemented by his critics of **multiculturalism**.

In this sense, Orbán's nationalist rhetoric distances the Hungarian *inside* by correlating its primordial and **secondary outsiders** with each other. Accordingly, to Sereghy (2018: 311), Orbán's discourse is building upon a Migration-Islamization-Terrorism nexus supported by anti-Christian, liberal elite which is seeking to undermine European nation states and the continent's Christian identity through mass illegal immigration and consequent Islamization.

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## Conclusions

The chapter pointed out that Orbán's binary and alarming rhetoric in the wake of refugee's crises were organized through the construction of two *outsiders*. The Muslims immigrants (primordial *outsider*) represent the classical threat to the homogeneous national identity sentiment. Orbán portrays the immigrants especially as Muslims, terrorists, and criminals, ignoring the wide range of immigrants, juxtaposing them with the Christian, good, and pacific Hungarians.

The mass immigration and the possibility of the Hungarian state lose the border's control put it in crisis, reaching the immigrants as the main *outsider*. The control and militarization of the Hungarian borders are examples of the Hungarian state's effort in not lose its ontological function: the power to determine and construct the foreigner.

Together with the **primordial outsider**, Orbán constructs the EU's liberal-left elite as his second *outsider*. The supranational character of EU means a new challenge for nation-state's sovereignty, driven by the current refugee crisis. Thus, the Hungarian national-state was doubly confronted by the traditional foreign other and for EU's liberal institutionality.

Thereby, Orbán astutely associates these two *outsiders*, reinforcing the Hungarian state identity. The Christian characteristic of Hungarian identity is represented as opposed to Islam (immigrants) and to religionless (EU). In addition, the EU liberal features (supranationalism and multiculturalism) are represented as dangerous for facilitating the entry of Muslim *outsiders*. This construction strengthens the basic principle of the state, challenged by the two *outsiders*: the sovereignty.

The reification of the border notion captured through the sovereign concept is the operative mechanism of these antagonist identities. The sovereign exercise allows the Hungarian state to construct a border to separate the *inside* to immigrant and EU *outsiders*. For the first, the border is physical and discouraging; to the second is affirmative and symbolic.

In addition, the establish these different identities was fundamental to build legitimize for Hungarian anti-immigration and xenophobic measures, as well as in the confrontational position with the EU. Moreover, the national consultations provided internal legitimation for these two measures. Furthermore, the open



condemnation of migration and the challenge of **EU supranational power**, supported by the construction of these identities, represent the weakening of the European liberal doctrine of **human rights**. By ignoring the EU principles and regulations, Hungarian moves away from the integrationist dynamics of EU and deepens its isolationist nationalist policy.

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## Cross-References

- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [Religion and Political Mobilization](#)
- ▶ [The Significance of Ethno-politics in Modern States and Society](#)

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## Annex I

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Termination of monthly cash allowance of free use for asylum-seekers (monthly HUF 7125 / EUR 24);

Termination of school-enrolment benefit previously provided to child asylum-seekers (Hungarian Helsinki Committee [2016](#): 1).

### Amendment of the Asylum Act (in effect from 1 June 2016)

Terminating the integration support scheme for recognized refugees and beneficiaries of subsidiary protection introduced in 2013, without replacing it with any alternative measure;

Introducing the mandatory and automatic revision of refugee status at minimum 3-year intervals following recognition or if an extradition request was issued (previously refugee status was not limited in time, yet it could be withdrawn any time);

Reducing the mandatory periodic review of the subsidiary protection status from 5- to 3-year intervals following recognition;

Reducing the maximum period of stay in open reception centers following the recognition of refugee status or subsidiary protection from 60 days to 30 days;

Decreasing the automatic eligibility period for basic health care services from 1 year to 6 months following the recognition of refugee status or subsidiary protection (Hungarian Helsinki Committee [2016](#): 1).

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# Different Legacies, Common Pressures, and Converging Institutions: The Politics of Muslim Integration in Austria and Germany

# 94

Ryosuke Amiya-Nakada

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## Abstract

Austria and Germany have shared similar nationality rules and political landscape with strong Christian Democratic parties. This would lead readers to expect similar, non-multicultural policies toward Muslim inhabitants. However, Austria has long maintained an official Muslim recognition regime, while there had been no such recognition in Germany throughout the twentieth century. How do we explain such divergence?

This chapter has two main aims. First, it investigates why Austria and Germany had different institutional arrangements incorporating Muslim

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R. Amiya-Nakada (✉)  
Tsuda University, Kodaira, Japan  
e-mail: [r.amiya-nakada@nifty.com](mailto:r.amiya-nakada@nifty.com)

inhabitants. Based on historical analysis, this chapter elucidates different contexts which surrounded respective institutional formation. This divergence is explained by different historical legacies, especially an experience of multinational empire, in the case of Austria, and an imperial nation state, as for Germany.

Recently, both regimes have shown signs of institutional changes. In Austria, traditional a-liberal incorporation regime has been criticized for its disregard for transparency and non-democratic procedures within organizations, which eventually led to the change of laws. In Germany, increasing number of Muslim inhabitants led to recognition of dual citizenship and the steps towards official recognition of Islamic religious education has been taken. The second aim of the chapter is to show the way established institutions are put under the common pressure and how they are converging.

Through these two case studies, it is shown that history matters, but common pressure pushes different incorporation regimes toward convergence in the direction of Liberal Multiculturalism.

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**Keywords**

Austria · Germany · Multiculturalism · Religious governance · Religious education

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## Introduction

### Germany and Austria: Commonalities and Differences

Germany and Austria are often categorized under common headings in many respects. It goes without saying that they share languages and many cultural elements. In terms of citizenship, they have long maintained the *jus sanguinis* (literally law of blood, meaning inheritance of citizenship from parents) principle and have been reluctant to grant nationality to immigrants. Regarding the relationship between the states and religious groups, they have not adopted a strict political separation model (like the French one) and have given a privileged position to some religious organizations.

This chapter is an attempt to analyze the relationships between the states and Muslims in these two countries. Although there are many analyses on the German case, especially in the form of contrasting the case against the French, the Austrian case is poorly covered in relevant literature. However, Austria is an interesting research subject, and various insights can be gained from its comparison to Germany in the form of a most similar case design.

For example, while liberal multiculturalism has been widely discussed, Austria is more a case of non-liberal multiculturalism. It is interesting to note that the relationship between Muslims and the state is more problematic in more liberal Germany; Austria has not experienced an intense debate over scarves like France and Germany, and culturalism vs. leading culture was inconspicuous until the end of the twentieth century, even though the Muslim proportion of the population is

high. From this contrast, we will see the complex relationship between liberalism and multiculturalism.

Behind such differences between Austria and Germany lies the legacy of the empire. Many of the problems of multiculturalism are problematic in the context of the nation-state model, but to what extent and in which way was each European country a nation-state? Which conception of the nation did the governance system of each country rely on? This chapter tries to provide new viewpoints to through case studies.

## Focus of the Chapter

In analyzing multiculturalism, many approaches have relied on the citizenship model (Brubaker 1992) (for literature review, see Rosenberger and Sauer 2008). This overlaps with the older typology of nation (Kohn 1944) and interprets citizenship rules as embodying the principle constituting a political community. Although they are useful as a heuristic, they also have some drawbacks. One is that they are static. They cannot explain the historical changes in each country regarding the provisions of granting citizenship. The other is that there is not necessarily a correlation between policies on citizenship and other policies, such as education and welfare.

The state–church relationship is another factor. This is linked to criticism that the citizenship model cannot handle the problem of the collective rights of cultural minorities well (Koopmans et al. 2005, 8). However, even in France, which is a typical example of the separation-type, we find attempts to incorporate Muslim delegates into policy processes in recent years (Laurence 2009). If the state–church relations are regarded as a fixed “type,” criticism against staticity is applicable, as well as the citizenship model. In addition, the strength of right-wing populism (Dolezal et al. 2010) and the tradition of anti-discrimination policy, etc., are used as explanatory factors in comparative research.

Although this chapter does not deny the explanatory power of these approaches, we focus on the empire as a historical factor in addition to the citizenship model and national church relations. This point was also taken up in two noteworthy recent studies. (These studies have been built on recent developments in the historical study on various empires. For historiography, see Dickinson (2008) and Leonhard and Hirschhausen (2009).) Howard (2009) tried to avoid categorization and staticization by building a citizenship policy index (CPI), paying attention to the acquisition of citizenship, mainly nationality granting. The factors that create the difference in CPI are the presence or absence of large colonies (this determines the size of human diversity) and the presence or absence of early democratization (the degree of tolerance for diversity is determined) in particular. Janoski (2010) tried to explain the magnitude of the naturalization rate as the dependent variable using the differences in the stages of colonial construction. In comparison with Howard (2009), it is characterized by a more fine-grained classification of the relationship between colony and home country. This chapter shares the perspective of these studies but emphasizes the domestic religious

governance (Koenig 2007) and the differences in empire experience that bring about the difference between Austria and Germany.

In section “Nationality and Citizenship Provision: Is *Jus Sanguinis* a Cultural “Type”?” we will first discuss nationality provisions to confirm that there is no significant difference between the two countries; however, it should also be noted that the German provision has been influenced by short-term policy needs and that the citizenship model is relative and contingent. In section “State and Religious Education in Austria and Germany,” we analyze religious education in public schools show that the difference here between the two is large (despite the similarity of the citizenship model) and that legacy of the Empire has been influential in the case of Austria. However, recent trends indicate a convergence of the two countries, and, in that sense, the “type” of each country is relative, as in the previous section.

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## Nationality and Citizenship Provision: Is *Jus Sanguinis* a Cultural “Type”?

### Germany as a Nation-State

In 1913, the Nationality Act was enacted in the Second Empire Germany. The Second Empire was the first nation-state established in Germany. The nationality law was enacted about 40 years after the Unification. This law has drawn researchers’ attention as a prime example of the ethnic and cultural understanding of nationality and citizenship in Germany. This principle is put in contrast to the civic nationality model based on birthplace (*jus soli*) (Brubaker 1992).

In both models, the nation-state attempts to unify and homogenize the people living within it, as well as to unify and consolidate the inside of the border with respect to institutions of governance (the “modern state” in a narrow sense). The French model also has the logic of inclusion and exclusion. While the residents who conform to the ideals of France regardless of their origins are said to be granted citizenship, those judged not to conform are excluded. That point becomes clear when a school excludes French-citizen students who wear religious symbols of Islam. Nevertheless, ethnic citizenship principles have been linked to the Nazi’s “blood and soil” slogan, which has been linked to backwardness and nondemocracy. Regarding West Germany after World War II, the existence of this citizenship principle was regarded as a major factor in the exclusion of foreigners.

The German Special Path (*Sonderweg*) thesis emphasizes the difference in the nature of modernization between Germany and Western Europe in the same way. The thesis has insisted that the establishment of the second imperial rule, or the “inner empire construction” in 1878 at the latest, was crucial in deciding the German special path. On the basis of this understanding, we would expect that the citizenship principle was consolidated at this stage.

Actual historical sequence does not match this expectation (Fahrmeir 1997). Citizenship provisions after 1815 were based on settlement sites, and the regulators were each *Land*. This basic structure did not change even after the unification



process throughout the 1848 Revolution. It was maintained even after the German Unification in 1871. It was the 1913 Nationality Law that changed it to the *jus sanguinis*. In other words, linking nationality provisions and regime-level characteristics, such as the nature of nationalism, is over-reading (Gosewinkel 2008).

The 1913 Law should be put into context. Fahrmeir (1997) noted that blood-powered principles are a product of Europe's imperialist atmosphere before the First World War, not a traditional characteristic of the German nationality law. Specifically, it is a product of two wide-spread European trends: the restriction of immigration from Eastern Europe and the expansion of the military power base by intensifying the draft. One motivation for the enactment of the 1913 Law was to prevent the inflow of Jews from Eastern Europe by the Land administration, which was tolerant of granting nationality. The other was to keep the loyalty of the Germans migrating to the United States and South America.

It is noteworthy that the 1913 Nationality Law and *imperialism* in the usual sense are related, but this imperialism is different from the empire experience this chapter emphasizes. Janoski (2010, 135) pointed out that Germany did not have a colony long enough to exceed the simple military occupation stage and had only about 100 black Africans on the German mainland. In other words, unlike Britain and France, Germany entered World War I without becoming a large colonial empire, which facilitated the fiction of the German nation. With a large colony, maintaining the difference between the mainland inhabitants and the colonial residents at the level of nationality and citizenship is increasingly difficult, as human interaction intensifies in terms of political and economic rationale. Even if they had had a *jus sanguinis* regulation, they would have had to somehow revise it. In contrast, Germany was able to maintain the character of a purer nation-state because it failed to become a colonial empire. (Ther (2001) pointed out similarities in the German and the Russian cases and contrasted them with the Habsburg case.)

## Acceptance of Foreign Workers in West Germany

After the Second World War, the principle of *jus sanguinis* was maintained in West Germany, which can be also explained by a specific circumstance. The division of Germany attributed an important political meaning to the citizenship provision. While East Germany stressed discontinuity with the pre-war Germany, West Germany regarded itself as a legitimate heir to the pre-war German state, which represented the German nation. Consequently, West Germany assumed a position of successor to wartime obligations and reparations and inherited various treaties. Moreover, insisting on existence as the only German state, the West German government refused to recognize East Germany and later insisted on the so-called Hallstein doctrine, which stipulated that it would not have formal diplomatic relations with countries that established formal relationships with East Germany.

In relation to this claim, it was necessary to maintain the *jus sanguinis* nationality law. This made it possible for Germany to automatically acquire West German nationality for the Germans based on the border in 1937 and their descendants.

This also allowed for granting nationality to Russian and German residents who lived in former Eastern European countries, but it directly facilitated the inflow of residents from East Germany.

Furthermore, this provision was also related to the Eastern border problem. West Germany considered the 1937 border a legitimate boundary and had not approved the Polish reign west of the Oder-Neisse Line. To claim this point, it was necessary to regard descendants of the Germans of 1937 as (potential) nationals.

Nonetheless, it was the influx of workers from outside that supported the economic growth of West Germany. Initially, the influx from East Germany became the foundation of growth, but as it became impossible with the construction of the Berlin Wall in August 1961, the West German government decided to establish a planned import of foreign workers based on bilateral treaties. They responded to the labor shortage by promoting the introduction of an immigrant labor force. Within this framework, Turkey has supplied the largest share of the immigrant labor. Based on the turbulence of the economy after the oil shock and the increase in unemployment, the planned solicitation of workers was stopped after 1973, and the influx of foreigners temporarily declined. However, many foreign workers had not returned home after a certain period of labor, and, due to the births of their family members and the second generation, they continued to live in West Germany. After the temporary decline, the total number of foreigners increased.

The increase in foreigners was a big challenge for understanding West German citizenship based on the *jus sanguinis* nationality provisions. In particular, the second generation of foreign workers was born and raised in Germany, spoke German, worked in Germany and, even if there was a symbolic bond with their nationality country, their real lives were based in the West German society. The fact that they were virtually placed in the position of second-class citizens was a big problem and has attracted attention since the 1980s.

In this context, the Muslim problems came to be treated as Turkish-minority issues rather than religion issues. Therefore, related problems were also treated in the context of the integration of foreigners. The next section gives an overview of the change in this problem.

## Policy Change Under the Red-Green Coalition

The Red-Green coalition government under Gerhard Schröder, who was elected in September 1998 as a chancellor, began reform of the nationality law, and the draft was presented in December. This draft added “birth in Germany” to the conditions for nationality acquisition, suggesting a withdrawal from *jus sanguinis*.

The opposition parties, the Christian Democrats and the Free Democrats, made an active attack. With a view to the Hessian state parliamentary election, which was Schroeder’s first state legislature election, the Christian Democrats initiated a signature campaign, which was quite unusual for the rather conservative party, and succeeded. Contrary to expectations, the Christian Democrats became the first party and took power. This defeat had direct federal political repercussions. As the

Upper House of Germany consists of the state governments, the new Red-Green federal government lost the majority in the Upper House and was forced to cooperate with the opposition just 4 months after the establishment of the federal government.

The Red-Green Coalition's legislative initiative now depended on the government of Rheinland-Palatinate, a coalition government of the Social Democratic Party and the Liberal Democrats. The Red-Green accepted the revision proposal of the Free Democrats. As for the dual-nationality provision, they had to endure setbacks. With this revision, it became necessary for immigrants to select one nationality at the age of 18. However, the introduction of birthplace principle remained. When one parent had stayed legally for more than 8 years or had acquired permission to stay indefinitely 3 years prior, their child was supposed to acquire German nationality from the time of birth.

As mentioned above, the Red-Green Coalition government implemented reforms to introduce the principle of birthplace into the nationality regulations, but the real impact was diluted by the prohibition of dual nationality. Also, as seen in the success of the campaign at the Hessian State Council, the national statue based on the traditional nation-state model was still strong.

However, after this, the discourse on immigration in Germany changed gradually but dramatically. The cause for the change in the trend was economic necessity. Although structural unemployment continued, the shortage of professional workers, such as in the IT sector, was being emphasized. In February 2000, Prime Minister Schröder unveiled the plan to introduce a green card system targeting specialized workers. Naturally, the Christian Democratic Party opposed this proposal, but the industry expressed its support. In the middle of the controversy, the North-Rhine-Westphalia election was held in March 2000. The top candidate of the Christian Democratic Party criticized this proposal and used the slogan *Kinder statt Inder* (Children instead of the Indians). Although he seemed to intend to promote education, he was forced to withdraw the statement due to criticism that the slogan was racist. The election campaign had been in close battle, but the Christian Democratic Party could not take the position of the first party and allowed the state Red-Green regime to continue. The nationality appeal had failed as an election strategy.

In addition, the Schröder government established the Immigration Law Investigation Committee in July 2000. He took advantage of a disagreement within the Christian People's Party to avoid the reoccurrence of the Hessian State Parliamentary election. He appointed liberal Rita Süßmuth of the Christian Democratic Party, who was a senior politician with the experiences of the Lower House Chair, to chair the committee in order to give it a bipartisan flavor. To counter and to collect media attention, the leader of the Lower House Parliamentary group of the Christian Democrats, Friedrich Merz, stated in October 2000 that the German leading culture (*Leitkultur*) was necessary for the social integration of immigrants. After the internal dispute among the Christian Democrats, this phrase was not taken as the official strategy. Through these two episodes, it was clear that the trend was changing and that simple non-recognition of the immigrants would not work any longer.

This was a major change from the era of the Kohl government (1982–1998), when the position of “Germany-is-not-an-immigrant-state” was staunchly

maintained. Now, the problem had changed from the acceptability of immigrants to the extent to which they accepted immigrants and how they should respond in policy terms.

In July 2001, the Süßmuth Committee issued a report. Immigrants were regarded as an essential element of economic growth, and a comprehensive policy framework that governed immigrants was presented. In November, the Cabinet passed immigration bills, which passed through Congress in March 2002 with the welcome of business circles, labor unions, churches, and NGOs. But the problem was the Upper House, the *Bundesrat*. For the passage of the bills, it was necessary to gain the assent of the state government with Christian Democratic participation. The negotiations between the federal government and the opposition state government were unfruitful. In the voting at the Upper House in March 2002, the Social Democratic representatives of the Brandenburg government, consisting of the Social Democratic Party and the Christian Democratic Party, voted for the bill without obtaining the consent of the Christian Democrats. The Social Democratic chairman declared that it approved this, but the constitutionality of the decision was questioned immediately, and the problem was postponed until after the election of the Lower House in September.

The Red-Green coalition narrowly won the election, but in December 2002, the Federal Constitutional Court invalidated the voting in the *Bundesrat*. The resubmitted government draft was rejected in June 2003, and, after the long-term negotiations in the Upper House, the new immigration law was passed in June 2004. It was a major revision. The point system, which had been the main feature since the Süßmuth report, had been eliminated.

As is shown above, under the Schröder government, important changes were made to the organizing principle of the German state. There is no doubt that historical inertia to path-dependence was in force, as is evident in the Nationality Law and Immigration Law compromise forced on the government proposals. However, the actual multiculturalization in daily lives and the economic demands from the business community acted as fundamental drivers to push the change. This example shows that it is inappropriate to view the principle of citizenship solely as a historical or cultural legacy or as a predefined regime. After the formal revision in principles, the German discourse on immigrants and nationality changed even further. In the 2008 Hessen State Parliamentary election, the Christian Democratic premier tried to situate crimes committed by the foreigners as the central issue of the electoral campaign to repeat the success in 1999, but it failed this time.

## **Austria from the Empire to the Republic**

The first citizenship provision in Austria was stipulated in the 1811 Civil Code (hereinafter Stern and Valchars 2013). It was decided that acquisition of Austrian citizenship would be based on *jus sanguinis*. Other acquisition conditions included public office, business, and continuing residence for 10 years and so on. As in Germany, nationality was conferred on a bottom-up basis in the late nineteenth

century. That is, nationality was added to the residential citizenship in municipal units (*Heimatrecht*, literally “the hometown right”) introduced in 1859.

While the Habsburg Monarchy experienced defeat against Prussia in the fight over the shape of the German nation-state in 1867 and the so-called double monarchy was broken up in 1918 due to the World War I, the Republic of Austria inherited many legal provisions from the Empire. Despite major political changes, there was no fundamental change in nationality provisions. Significant reduction of the territory should have required decisions on the belonging of many residents, but in principle, nationality was given to those who had resident citizenship in the territory of the Republic of Austria. However, as many of the Jews did not have resident citizenship, problems arose. In 1920, the citizenship decision came under the competence of the Federation, but the citizenship law of 1925 stipulated that attribution of nationality to the province citizen (*Land*) and acquisition of resident citizenship was essentially still premised. In addition, acquisition of a professorial position at an Austrian university and marriage with an Austrian male were automatic nationality acquisition requirements.

However, there were differences from Germany at this stage in the provisions concerning post-World War I settlement. It is well known that minorities’ protection provisions were paired with the self-determination principle in the construction of the post-World War I order. From a functional point of view, they were necessary compensation measures when constructing nation-states in the Central and Eastern Europe region where ethnic groups co-inhabited. In reality, however, it was the reduction of German and Hungarian territory and the emergence of massive German and Hungarian ethnic minorities in the new countries that spurred new legal provisions. For this reason, the new independent countries, such as Czechoslovakia and Poland, were required to protect ethnic minorities modeled on the so-called Polish Minority Treaty, but this provision was not included in the Versailles Convention against Germany (Mazower 2004). Regarding Austria, Section V of the Saint-Germain Treaty was the “Protection of Minorities,” and the minority protection provision of the Convention was regarded as the National Basic Law. This can be seen as the empire’s legacy, which makes a marked contrast with Germany.

Austria was annexed by Germany in 1938, and the German 1913 Nationality Law was also applied to Austria. When Austria was rebuilt in 1945, as in many other areas, the former Austrian law was resurrected. As for the nationality regulation, in principle, it was treated as if the 1925 law continued even after 1938, and Austrian nationality was granted to those who had been given nationality before the Annexation and to those who should automatically acquire nationality under the 1925 Law. However, those who had acquired the nationality of another country in the past 7 years were excluded.

Although there have been changes in naturalization requirements, etc., the outline of Austrian nationality law has not changed. Since 1985, the naturalization requirements have been tightened, and the naturalization rate has been low.

The comparison of these two cases shows that common cultural and linguistic traditions did not automatically determine nationality provisions. Rather, they were influenced by contingent contextual factors. Among them, “empire-ness”

(or “nation-state-ness”) has been a key factor. Does this difference have policy implications? We examine this point in the next section, taking the Austrian case as a prime example.

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## State and Religious Education in Austria and Germany

### Legacy of the Habsburg Empire in Austria

According to the 2001 census, there were approximately 340,000 Muslims in Austria, or about 4% of the total population. This is a fairly small proportion compared to Catholics, who accounted for about three quarters, and the non-religious population of 12%. However, it was the fourth largest group, almost equivalent to the Protestants. Among Muslims, 125,000 inhabitants have Turkish citizenship and 96,600 Bosnian. There were 96,000 Muslims with Austrian citizenship. In addition, compared to the 15 former EU countries before the expansion to the East, Austria was the third largest after France (about 8%) and the Netherlands about (4.5%). According to the aggregate figure based on the resident register as of 2009, the number further increased to more than 510,000, or 6.2% of the total population. Among the increase of 170,000 people, inflows accounted for about 70,000 people, and the remaining 100,000 people were born to Muslims who resided in Austria (Janda and Vogel 2010, 6–8). Many were Sunnis, but 5–15% were Shias, and an estimated 20–30% were Alevi. The proportion of the Alevi has been high, as many of the labor migrants from Turkey in the 1960s and 1970s were from rural areas of Central and Eastern Anatolia, where the proportion of Alevi is high (Schmidinger 2007, 242–244).

The Habsburg Empire in the second half of the long nineteenth century was a multi-ethnic empire that remained in the sea of emerging nation-states. Moreover, they had to face the various problems of modernization without abandoning the characteristic of multiethnic empire. From this situation, unique ideas and systems concerning the relationships of diverse ethnic groups and religious groups were created. Among the former are the well-known concepts of socialists such as Otto Bauer and Karl Renner (cf. Ra’anan et al. 1991; Nimmi 1999, 2005). They conceived a dual system consisting of a regionally based Federal solution for political problems and a personalized solution based on attribution to ethnic groups regarding cultural issues. The latter type of idea has influenced the inclusion of Muslim organizations, which is the subject of this chapter.

Islam was recognized as a religion by the Imperial Government in 1874. In 1781, a tolerance decree had already been promulgated, and the religious homogenization of the Catholic was over. This 1874 “Approval Law” officially recognized the Jewish, the Orthodox Church, Protestants and Muslims and allowed them the freedom to gather and practice religion. Potz (2010, 14–15), who is in charge of Religious Law at the University of Vienna, commented on the characteristics of this approval of multiple religions as follows: “Individual rights have not played any role

for a long time. The individual is subsumed in a religion as a sub-society with compulsory affiliation.” As a result, “it was better for the members of certain religious minorities than in Western Europe.”

As the Habsburg Empire occupied Bosnia and Herzegovina in 1878, the incorporation of Islam proceeded. In response to the request of the Muslim leader in the area, the Habsburg government appointed a public religious leader (*mufti*) and founded a council of four Islamic representatives with the intent to weaken the religious tie with the Ottoman Empire (Schwarz n.d.; Hunt 2002; Bair 2002, 15–16). In 1878, the first prayer place was built in Vienna, for Muslims belonging to the military (Abdel-Fattah 2004). The Bosnians, known as the emperor’s imperial guards and as elite troops, wore Islamic traditional hats (*Fezzes*), which provided an image of the “good Muslim” (Sticker 2008, 42–45; Kurier-Serie 2005, 4).

In 1908, the area was consolidated as the imperial territory. The Basic Law was promulgated in 1910, and it was officially approved to apply Islamic law between Muslims on family, marriage, and inheritance matters. However, these regulations were limited to Bosnia and Herzegovina. Therefore, to guarantee the rights of Muslims outside, the government presented the bill to the House of Lords of the Empire in 1909 (Bair 2002). The government intended to recognize Muslims as religious organizations throughout the Imperial territory. Although Islam did not fulfill the requirements for religious organizations by the Approval Law, it was deemed necessary to approve the Hanafi faction who occupied a majority in Bosnia and Herzegovina under special law. Although the bill was initially dismissed, it was approved in July 1912 (Reichsgesetzblatt, No. 159/1912).

This Islam Law (*Islamgesetz*) was unique among European countries and clearly shows the imperial nature of Austria-Hungary, in the sense that it was a political order that encompassed heterogeneous ethnic, cultural and political entities. The Habsburg dynasty, which was defeated in the German nation-state construction, had to redefine itself as a multi-ethnic empire.

This granted the Muslim sectarian community the status of “public institution,” equivalent to Catholics, etc. Now the Hanafi faction became “*privilegierte öffentliche Korporation*” (Bair 2002, 27ff.). Specifically, in addition to being able to construct praying places, burial ceremonies and religious gatherings were to be excluded from application of general assembly laws. Furthermore, this approval resulted in the right of religious education at school. According to Article 17 of the Basic Law, religious organizations were responsible for providing religious education, conducting direct supervision. The point is that the law was to approve and integrate Muslim people as a group.

Such a position was passed down even after the disintegration of the empire and the establishment of the Republic of Austria. This provision was also being carried over after World War II. (As of the end of 2016, 27 churches or religious communities and 8 registered faith communities were officially recognized, [www.bka.gv.at/religiose-bekennnisgemeinschaften](http://www.bka.gv.at/religiose-bekennnisgemeinschaften); [www.bka.gv.at/kirchen-und-religionsgemeinschaften](http://www.bka.gv.at/kirchen-und-religionsgemeinschaften).)

## Approval of the Islamic Faith Community: Successful Integration?

Other organizations aimed for official recognition as Muslim organizations after the Islam Law in 1912, but many were short-lived and not certified. (For historical overview until the establishment of the IGGiÖ is based on Hunt (2002), Potz (2005) and Bair (2002).) After the First World War, Bosnia became part of Yugoslavia, and only a few Muslims remained in Austria.

However, due to the influx of immigrants, the Muslim population has increased since the 1960s. According to the 1961 census, only about 4500 Muslim residents with Yugoslav citizenship and 200 with Turkish citizenships resided there. These had increased to 93,000 and 16,000 people, respectively, in 1971 and grew further to 126,000 and 60,000 in 1981 (Kraler and Sohler 2005, 8). Along with this, in 1962, the Bosnian intellectuals group established the Muslim Social Working Group to provide social services to Muslims in cooperation with the United Nations High Commissioner for Refugees based in Vienna. As the population of Muslims increased, they also played a role as the center of diverse groups.

The Muslim Social Working Group filed for the establishment of a Muslim sectarian community in 1971. The subsequent process was complicated, but with the support of the Bishop of Vienna and Prime Minister Bruno Kreisky, who was intending friendship with the Middle Eastern countries, the Austrian Islamic Belief Community (IGGiÖ: *Islamische Glaubens-gemeinschaft in Österreich*) was founded in 1979. This consisted of the Vienna-Muslim religious community, which was based on the Muslim Social Working Group, as well as three organizations representing Muslims in other areas. In 1988, according to the Federal Constitutional Court ruling, the limitation to the Hanafi faction, which was in accordance with the 1912 law, was deleted, and the position was changed to the representatives of all Muslims under the leadership of the faction.

Due to the existence of this legal status, some of the problems seen in other European countries have been avoided in Austria (Strobl 2007, 534–535). For example, since religious education is conducted under public supervision, there is no problem of the “Quran schools,” religious schools outside public supervision, like in Germany or Switzerland. As for the headscarf problem, the situation is different from that of France and Germany (Abid 2006; Strobl 2007). In 1995, the chairman of the IGGiÖ instructed teachers of Islamic religious education that female students must wear hijabs during class. However, confronting criticism from various sides, he withdrew it, and the wearing of hijab became optional after that.

The status of Muslims in Austria was constitutionally protected as an approved public association. As a result, Prime Minister Wolfgang Schüssel was reported to have said that the headscarf problem did not exist in Austria (*der Standard*, 26 Feb 2007, <https://derstandard.at/1976191/Gesetze-in-Europa-das-islamische-Kopftuch>), when the German Constitutional Court issued a judgment that admits headscarf regulation. The Education minister also repeated that there was no intention to ban. In 2004, students wearing scarves became a problem at the public school of Linz, but the Ministry of Education confirmed the acceptance of wearing them under the ministerial ordinance again. In addition, the hospital of Vienna approved the



wearing of scarves by Muslim women on duty, and turbans were allowed for Sikh city bus drivers, regardless of the hat-wearing rules (Abid 2006).

In the spring of 2005, then Interior Minister Liese Prokop mentioned banning the wearing of head scarves for public school teachers. However, 2 days later, a meeting with the IGGiÖ was set up, and a joint statement was announced. There, it was confirmed that freedom of religion was a constitutional right together with the right of religious practice and that it was not subject to any discussion, including wearing hijabs. The meeting also confirmed that violence against women and forced marriage were problems of tradition rather than of Islam as a religion. Further, the Interior minister clarified that she had never intended the hijab prohibition (*Gemeinsame Pressemitteilung der Bundesinnenministerin Liese Prokop und der Islamischen Glaubensgemeinschaft in Österreich*, 10 Mar 2005; Abid 2006).

Islamic method of slaughtering, which is in conflict with animal protection regulations in some countries and restricted, had been regulated by the government until 1988, but it was later certified by the Federal Constitutional Court ruling (Montadel n.d.). In the ruling, the Constitutional Court stated that the provisions of Article 63 (2) of the Treaty of Saint-Germain stipulated the scope of religious regulation by laws narrower than those of Article 15 of the National Basic Act (1867) and Article 9 of the European Convention on Human Rights. Further, only those laws which have essential meanings for human symbiosis in the state could be incorporated as “public order” and that animal protection was not such “public order” (VfGH Erkenntnis vom 17 Dec 1998, B3028/97).

Such lines are also based on political motivation. In Vienna in particular, there are many Muslim residents with immigrant backgrounds. In the 2001 Vienna City Council election, the Social Democratic Party candidate Omar Al-Rawi won 2558 votes and achieved third place in the Social Democratic Party list. Following this, the People’s Party, the Liberal Party and the Green Party also held Muslim candidates (Montadel n.d.). In addition, in the national Parliamentary elections of 2008, the Social Democratic Party also created pamphlets in Turkish and Serbian-Croatian (Mourão Permoser and Rosenberger 2010, 1473). The Communist Party began hosting the party of Ramadan (*ifibar*) in Vienna in 2002, and in 2003, the People’s Party followed suit (Abdel-Fattah 2004). In May 2003, the mayor of Vienna hosted an official banquet at City Hall, and in 2004, President Franz Fischer invited Muslim representatives to the Hofburg Palace and held a banquet. From 2006, National Assembly Chairman Andreas Khol also followed this (Eurofound 2010, 22).

As a result, the relationship between Muslims and the majority society in Austria has been relatively stable and less conflicting.

According to a survey on discrimination experiences conducted by the EU’s Basic Rights Agency, Austrian Turks have the second lowest percentage of discrimination in the past year, as low as 9%, with an average of 3.2 times on average (FRA 2009). They have the lowest experiences of being called to by the police, and they are third lowest in feeling investigated at border checkpoints due to ethnicity, following Bulgaria and Slovenia. Meanwhile, knowledge on laws and bodies that prohibit discrimination is lower than average and contrasts with Nordic countries and France. In addition, in a 2008 survey of immigrants, more than 80% of

respondents of Turkish and Bosnia–Herzegovina origins responded that they are completely or partly integrated (Ulam 2009, 21). According to a study (Dolezal et al. 2010) comparing the state of discussions on Muslims with Germany and Switzerland, there were more pragmatic discussion frames in the Austrian debate than in the other two countries. It pointed out that Muslims' own remarks were often taken up by civil society actors.

Nonetheless, Austria was not exceptionally open or tolerant. According to a survey conducted in 2005 by the Federal Ministry of Interior, while 23% had positive evaluations for Muslims, 40% had negative responses, and 37% had neutral responses (Rohe 2006, 26). However, only 14% answered that they had personally had a bad experience. Among the majority residents, although the evaluation was divided, 43% were positive as to whether integration was functioning well, while 54% held a negative opinion (Ulam 2009, 66). In addition, 51% responded that there were many foreigners who were not prepared for integration, and 22% said that most foreigners were not prepared for integration (Ulam 2009, 67). From the side of the minorities, half of the respondents who answered that they were "completely integrated" admitted that there was exclusionism (Ulam 2009, 32).

In fact, there were concrete cases of conflict. In Terfus, a city with a population of 15,000 people in the Tyrol Province, when a minaret construction plan became clear, a civil opposition movement was developed. The reason was traffic congestion and noise. Although the town did not object to the construction of the prayer place and was only concerned about the sound of Azan, it was reported that a dislike for the existence of Muslims being visible was the reason for objection (Sticker 2008, 78–80). In the end, a minaret was built, but lighting-up and Azan were forbidden.

In addition, in May 2006, referencing the results of the abovementioned survey, Minister Prokop said that 45% of Muslims did not have intentions to integrate. However, the author of the report refuted that there was no will of integration, saying that Muslims and the majority had distant attitudes and that they had reported vague anxiety. Some even questioned the quality of the survey, showing the counter-evidence that 80% were positive in integrating among the second generation (*der Standard*, 28 Mai 2006, <https://derstandard.at/2460907/Uni-Wien-Studien-zu-zweiter-Generation-80-Prozent-integrationsbereit>).

Although it became politically controversial in this context, the overall description of the relationship in the report, "peaceful but distanced parallel existence (*Nebeneinander*)" (Rohe 2006, 44) had certain relevance. In the next section, as an example of such coexistence, we take the case of religious education in public schools.

## Islamic Religious Education in Austria

Religious education is one of the most important of the specific rights obtained by becoming an authorized sectarian community (Potz 2005). Religious education is conducted in public schools in Austria. The government prepares only institutional and organizational aspects, such as facilities and salary provision, and the content of the education is determined by each sectarian organization. Specifically, each

sectarian organization is responsible for preparing guidelines and teaching materials and the approval of faculty members, and no teaching materials have been censored.

According to a 2003 survey (Khorchide 2009), 31,890 children in 1716 primary schools and 4400 students in 191 secondary schools in Austria receive Islamic religious education. This is estimated to be about half of the Muslim pupils and students. Although religious education is supposed to be compulsory, it is possible not to take classes by notification.

Faculty who implemented religious education was initially introduced from overseas by the IGGiÖ. Regarding educational content, traditional doctrinal education was central, rather than being adapted to the relationship between students and their life world (Mohr 2002). However, similar tendencies were strong in Catholic and Protestant education. The IGGiÖ's emphasis was on providing infrastructure to support life as a Muslim, and each individual was supposed to be integrated into Austrian society through participation in the Islamic community. In the survey of Muslims (Ullrich 2009, 52), only 30% answered that they were not satisfied with religious education, but just 35% answered with high appreciation.

There was an attempt to train the teachers in Austria. In 1998, the Academy of Islamic Religious Education was founded. This Academy was supposed to train religious teachers in primary education through an eight-semester program (the second semester being preparatory education in German and Arabic) (Öffentliche Sicherheit 3–4/2006, 24–25). In addition, in the winter semester of 2006, an Islamic religious education master's program for acquiring secondary-education teaching qualifications was established at the Department of Education at the University of Vienna (Islamische Religionspädagogik, <https://slw.univie.ac.at/studieren/masterstudien/islamische-religionspaedagogik-master/>). In this program, the graduates of the abovementioned Academy of Islamic Religious Education as well as related bachelor's degree holders were admitted. Over the course of 2 years, Islam-related subjects such as "Koran, the prophet's thought and action" and "Education of faith and Islam of daily life," as well as religious studies in general and subjects and methods of social pedagogy studies, were supposed to be taken.

In the 2009 winter semester, as a pilot project under the financial aid of the city of Vienna, a recurrent Imam curriculum entitled "Muslim in Europe" was also established at the university (Muslime in Europa, <https://www.postgraduatecenter.at/weiterbildungsprogramme/internationales-wirtschaft/muslime-in-europa/>). The purpose of this course was to give Imams a better understanding of Austrian political and legal realities, thereby preparing them to tackle the challenges in Austria. In addition to the pedagogy-related subjects, students were obliged to take courses such as "Law, Politics, Education in Austria" and "Islam in Europe" (oe24, 16 Nov 2009, <https://www.oe24.at/oesterreich/politik/Uni-Wien-startet-Weiterbildung-fuer-Imame/678387>). In the first year, 81 people applied for the 30 available spots, he said. Among them, women were included, and the professor in charge said that the emergence of female imam was also a matter of time (*der Standard*, 15 Oct 2009, <https://derstandard.at/1254311287171/Uni-Lehrgang-Imame-lernen-oesterreichische-Werte>).

## Challenges to the Austrian Official Recognition Regime: Transparency and Plurality

Among the problems surrounding Muslims in Austria, the most noteworthy point was the question of the nature of the Islamic representative organization.

The problem is that institutionalized incorporation of a specific group can be inconsistent with the diversity of real foreign nationals. In this respect, there was a tension with the largest population group, the Turks. Regarding Turkish residents, there were several organizations reflecting conflicts in their home country. One of them was the Turkish-Islamic Union for Cultural and Social Cooperation in Austria (ATiB), the overseas representative of the Turkish Ministry of Agriculture. The ATiB represents about 50 independent religious associations, more than half of which are civil servants of the Turkish Government Deputy Administrative Office engaged in duties. Since 1991, nearly 30 Imams have been working in Austria in 4 years change (Kroissenbrunner 2003, 195). The ATiB was appealing for improving its position in the IGGiÖ, but since the IGGiÖ Supreme Council limited representatives from individual ethnic groups to a maximum of four (one third), there was a conflict.

There was also a conflict over religious education. Under the bilateral agreement between Austria and Turkey, faculty members dispatched from the Turkish government were to be approved by the IGGiÖ. Although their academic backgrounds were high, they could not speak German fluently enough, which caused problems in classes that included many non-Turkish children. Therefore, the IGGiÖ intended to give priority to those who completed the Academy of Islamic Religious Education. From the viewpoint of the ATiB, this meant that only the ability to speak German was an asset, and only teachers with educations equivalent to theological education held in Turkey were recognized.

Meanwhile, the Islamic Federation, established in 1988, opposed the ATiB in Turkish domestic politics. The Islamic Federation was an affiliate organization of the Islamic Welfare Party. The Federation represented 26 mosques and ran a private Islamic high school in Vienna. In addition, youth organizations and women's organizations were also being constructed (Kroissenbrunner 2003).

From the beginning, a problem of internal governance has been present, as the IGGiÖ was originally created from top down and internal decision-making procedures has been untransparent. One manifestation of this is criticism of the conservative nature of the IGGiÖ. In 2006, a popular newspaper reported that Adnan-Ibrahim, the Imam of Vienna's Alshula Mosque, had praised Hamas and Hezbollah and criticized Arab leaders who did not support the Lebanese uprising. In the following year, a lecturer of the University of Vienna, Thomas Schmidinger, made a critical comment about the IGGiÖ in a reputable paper. He alleged that Adnan-Ibrahim's relationship with the Muslim Brotherhood was an open secret and that the IGGiÖ leadership, including Anas Schakfeh and Al-Rawi, was very close to Adnan-Ibrahim. He stated that the followers of the Muslim Brotherhood got the leadership of the c and monopolized the voice of Islam in Austria (*Die Presse*, 9 Jan 2007, [https://homepage.univie.ac.at/thomas.schmidinger/php/texte/pol\\_islam\\_debatte\\_scheich\\_adnan\\_ibrahim.pdf](https://homepage.univie.ac.at/thomas.schmidinger/php/texte/pol_islam_debatte_scheich_adnan_ibrahim.pdf)).

Apart from personal relationships, questions have been raised about the transparency of organizational management of the IGGiÖ. Although the IGGiÖ's key position was supposed to be elected, its effectiveness has been questioned (Schmidinger 2007, 249–250). In response to this, strict criticism has been also voiced among Muslims, for example from the Islamic Information and Document Center. Although the statute of the IGGiÖ was revised in 2008, there were calls for democratization of the organization on the grounds that the protection of minorities such as Shiites and Alevis was unsatisfactory.

With this background, the Alevi applied for official recognition as their own sectarian community in March 2009. The Ministry of Education, Culture and Arts of Jurisdiction, under the request of the IGGiÖ, dismissed this application in August. In response, the Vienna-Alevi cultural federation lodged a constitutional objection to the Constitutional Court. Prior to this application, many new religions had already begun to seek official status in recent years. Indeed, the Jehovah's Witnesses won approval as a sectarian community after a successful lawsuit at the European Court of Human Rights. The Alevi faction's application was based on this precedent. Authorities argued that under the Islamic law after the 1988 revision, approval of Islamic organizations other than the IGGiÖ was not expected.

The Constitutional Court found that the 1987 ruling deemed forcing Muslims to organize into a single sectarian community unconstitutional, but that it should not be interpreted as denying the existence of other Muslim communities. Following this ruling, the Austrian-Islamic-Alevi faith community (*Islamische Alevitische Glaubensgemeinschaft in Österreich*) was approved as a registered faith community in December 2010 (Erkenntnis vom 1 Dec 2010, B 1214–09/35). In addition, an application for status as a religious community was also allowed in May 2013 (BGBl. II Nr. 133/2013, 22 May 2013). Following this development, the Austrian-Islamic-Schiiti community (*Islamische-Schiitische Glaubensgemeinschaft in Österreich*) and the Paleo-Alevi faith community have been approved as faith communities (GZ BMUKK-12.056/0005-KA/2012; Bescheid vom 23 Aug 2013, GZ BMUKK-12.056/0006-KA/2012).

Here, we can observe a unique dynamic of the Austrian religious governance. A faction of Islam has acquired the status of accredited religions along with Catholicism, Protestantism, Greek Orthodoxy and Judaism. This system has not caused problems as long as the organizational scope of the subject of Muslims was self-evident.

Lacking in democratic selection and transparency, the past IGGiÖ leadership had still given due consideration to the Austrian established political parties and relationships with Austrian democracy. In the Graz City Council election in January 2008, the top candidate of the populist Free Democratic Party developed a campaign to criticize “excessive foreignization” and “Islamization” (Mourão Permoser and Rosenberger 2010, 1470–1471). In response to this, the IGGiÖ tried to calm the problem and persuaded the mosques not to make counter-mobilization. Further, the government began to consult the IGGiÖ as a symbolic policy partner of immigration problems, as seen in participation in the Integrated Forum in January 2008 (Mourão Permoser and Rosenberger 2010).

As the pressure of diversification and liberalization grew, however, the criteria for official recognition were disputed, which eventually has led to pluralization of the Muslim representatives. The election of the IGGiÖ chairman took place in 2010, and the Turks successfully occupied many delegates due to the mobilization by the Turkish organizations such as the ATiB. The new chairman was Fuat Sanac, a Turk. His succession itself was not surprising, as it has been expected since Schakfeh announced his intention to retire. But it is also a revelation of the competitive dynamics intensified by the democratization of the IGGiÖ. Having worked in Germany as a full-time employee of Milli Görüş, a large Turkish Islamist organization known for its critical stance against Western Values, Sanac, made remarks appreciating Milli Görüş even before his inauguration, which caused concern. The new leadership had stronger democratic legitimacy, but there was a possibility that relations with government and political parties may become difficult. This was also a problem of Islamization caused by democratization, which was also related to the position of the Welfare Party in mainland Turkey.

In 2015, a new Islam Law was enacted to fully revise the 1912 Law. The law aimed to further strengthen the Austrian Muslim by prohibiting continuous funding from abroad and training religious education leaders in Austria.

In this way, the religious governance of Austria has been relatively stable, but there is constant fluctuation in the structure of the representative organizations of Muslims that support it. Let's move on to a case in Germany that historically does not have a Muslim representative.

## **Muslims and the State in Germany: Toward "Austrification?"**

At the end of 2015, about 4.5 million Muslims lived in Germany, around 5.5% of the population, of which it was estimated that the Turks account for about half (Stichs 2016). The proportion was lower than in 2008 when they exceeded two-thirds. However, the number of residents from the Middle East, including Syria, has increased by about 500,000 in the 5 years since 2011. In the 2008 survey, the Sunnis were nearly three quarters, 13% were Alevi, and 7% were Shias (Haug et al. 2009, 97).

As already mentioned, most Muslim residents in Germany had been foreigners, and no integration policy had been adopted for a long time. However, following the change of the trend triggered by the formation of the Red-Green Coalition government, integration policies towards Muslims began to take shape in Germany as well.

In 2005, the Merkel Grand Coalition government, consisting of the Christian Democrats and the Social Democrats, replaced the Red-Green Coalition. From the party-political composition of the government, it might be possible to expect policy reversal from the former government, but there was no retrogression. Rather, the continuity came to the fore, such as with the "Integration Summit" inviting Muslim delegates under aegis of the Interior Minister Wolfgang Schäuble of the Christian Democratic Party. The summit (the German Islamic Council) was held on September 27, 2006 for the first time, and a total of four meetings were held by 2009. In 2009, the Grand Coalition was replaced by the Conservative-Liberal Coalition from the



Christian Democrats and the Free Democrats. Schäuble was succeeded by Demezier. But the conference was held once a year.

One of the background factors of policy continuity was the heightened attention to educational problems. According to the results of the 2000 PISA survey reported at the end of 2001, Germany ranked low in every subject (20th in mathematics, 21st in reading comprehension and 20th in natural science among 32 countries). Although the ranking improved in the next 2003 survey, it was evident that pupils and students with immigration background had problems. Furthermore, in 2006, it was reported that the class collapse occurred in a district of Berlin (Ito 2008).

President Christian Wulff, who took office in 2010, delivered a speech entitled “Addressing Diversity and Promoting Unity” in his first address on the day of German Unification, in which he stated that “Christianity undoubtedly belongs to Germany. There is no doubt that Judaism belongs to Germany. This is our Judaeo-Christian history, but Islam also belongs to Germany in the meantime” (Vielfalt schätzen – Zusammenhalt fördern, [http://www.bundespraesident.de/SharedDocs/Reden/DE/Christian-Wulff/Reden/2010/10/20101003\\_Rede\\_Anlage.pdf](http://www.bundespraesident.de/SharedDocs/Reden/DE/Christian-Wulff/Reden/2010/10/20101003_Rede_Anlage.pdf)). Although there was controversy over this remark, there was enormous symbolic significance that the president formally recognized Islam on the very day commemorating German Unification.

So, what is the relationship between the state and Islam in this changing trend towards integration? There are important issues, such as learning German, acquiring social value in Germany and so on (Ito 2008). Here, we focus on the relationship between religion and education, which shows clear difference from the Austrian case. Let’s look at the headscarf problem as an example.

In the beginning, when headscarves began to be problematized in France, there was no similar case in Germany; there was no concept of *Laïcité* in Germany, which prohibits bringing religion into public spaces (Tezuka 2008, 2009). In 1998, however, problems arose in Germany as to whether a teacher of public schools in Baden-Württemberg could wear scarves: students’ religious freedom might be transgressed due to the teacher’s power in the classroom. As the state did not hire this teacher, she sued the state government in an administrative trial. In 2003, the Federal Constitutional Court determined the disposition was unconstitutional. At the same time, however, the prospective legislative measures prohibiting headscarves were allowed as long as neutrality was maintained.

Because issues concerning education and religion fall within the authority of the state, the scarf problem has seen very different treatments in each state (Henkes and Kneip 2010). Among the 16 states, state law does not exist in the 5 states of former East Germany. Among the 11 states of former West Germany, provisions allowing Christian symbols while prohibiting Islamic ones were established in the 6 states where the Christian Democrats led the government. State law was also established by the two Social Democrat-led government, namely Bremen (coalition with the Christian Democratic Party) and Berlin (coalition with the Left Party), but both laws banned religious symbols in general. Furthermore, there were no laws in Schleswig-Holstein, Rheinland-Palatinate and Hamburg.

However, the state laws enacted with the Christian Democratic push led to an unexpected result. In the relevant lawsuits, most judgments found that a full ban on religious symbols, including Christian monk's clothes, was the Constitution-conforming interpretation of the laws, as the Federal Constitutional Court had requested neutrality. For this reason, the Interior Minister de Maizière said, "The more you try to drive away the symbols of other religions from public life, the greater the risk that attacks on Christian symbols in public daily life will be effective" (*FAZ.net*, 7 Mar 2010, <http://www.faz.net/aktuell/politik/inland/im-interview-thomas-de-maiziere-in-der-koalition-wird-zu-viel-herumgequatscht-1638637.html>).

As a result, the circumstances surrounding religious education have also changed, and the voice of Muslim religious education was raised by the Christian Democrats and the Free Democrats. For example, President Wulff was known to advocate official recognition of Islam by a sort of Concordat in 2007, when he was the Lower Saxony State Prime Minister (*Die Welt*, 26 Jun 2007, <https://www.welt.de/politik/article976070/Wulff-hofft-auf-Staatsvertrag-mit-Muslimen.html>). In Hessen, the Liberal Democrat Phil Hearn aimed for the introduction of Islam education by 2013 (*FAZ.net*, 31 Jul 2009, <http://www.faz.net/aktuell/rhein-main/hessen/islam-unterricht-hahn-schmueckt-sich-mit-der-integration-1577450.html>; 17 Aug 2010, <http://www.faz.net/aktuell/rhein-main/hessen/schwierige-traegersuche-hahn-unterricht-fuer-muslime-spaetestens-in-drei-jahren-11025432.html>). Throughout 2012, the conflict between the Free Democratic Party and the Christian Democratic Union continued, but at the end of the year, they decided to introduce it in the fall of 2013 (*FAZ.net*, 18 Dec 2012, <http://www.faz.net/aktuell/rhein-main/schulpolitik-weg-frei-fuer-islamischen-religionsunterricht-11997308.html>). As is already the case in the Netherlands, the conservative Christian Democrats may become an ally to Islamic religious education in order to resist the secularization of education.

In this regard, too, the organization of the Muslims was problematic. As in the Austrian case, religious organizations in Germany also occupied a special status of "public corporation." As religious matters are under the authority of the state, the recognized denominations differed according to the state, but they were almost restricted to Christianity and Judaism. From the German side, the lack of church-like organizations by Muslims had been often regarded as a cause of difficulty in incorporating them into the existing legal frameworks.

Although the Integration Summit mentioned above did not result in concrete policies, it is noteworthy that the coordinating organization of Muslims was built in the process. During the 2007 summit, the German Muslim Coordination Council (KRM) was established by the four Muslim organizations. Participating were the German-Muslim Central Assembly (*Zentralrat*), the Turkish-Islamic Union for Religious Affairs (DitiB), the Islamic Council of Islam (*Isramrat*), and the Federation of Islamic Cultural Centres. Based on this, the German-Muslim Coordination Council sought to implement religious education similar to that of Catholicism. North Rhine-Westphalia State issued a joint statement with these four organizations in February 2011 to clarify the schedule of introducing Islamic religious education (*Gemeinsame Erklärung des Koordinationsrats der Muslime und der Ministerin für Schule und Weiterbildung des Landes Nordrhein -Westfalen über den Weg zu einem*



*bekennnisorientierten Islamunterricht*, 22 Feb 2011, <https://www.gruene-hessen.de/landtag/files/2011/02/Gemeinsame-Erklaerung.pdf>).

There is no room to discuss the concrete effect of Islamic religious education, but as it is a policy within the framework of integration, it should be noted that there was a change in the discourse from the past. In some provinces, some classes similar to Islamic religious education had already been implemented as pilot projects. In North Rhine-Westphalia, the subject “Religion knowledge” (*Religionskunde*) had been established, and in Bayern, this had been implemented within the framework of supplementary education for foreigners. These two are religious education for foreigners and a part of education by mother tongue. It is evident here that German policy concerning Islam had been a kind of foreign policy. The content of the education implemented in Germany had put emphasis on the world-wide Muslim community and was not based on the idea of “Islam in Germany.”

The current policy direction is contrary. Education for Muslims in German society should be taught in German. For this purpose, the Academic Council (*Wissenschaftsrat*) recommended the establishment of religious teachers and Islamic research centers for the development of Imams at a couple of universities in 2010 (*Empfehlungen zur Weiterentwicklung von Theologien und religionsbezogenen Wissenschaften an deutschen Hochschulen*, 29 Jan 2010, <https://www.bmbf.de/files/WissenschaftsratEmpfehlung2010.pdf>). In the past, some pilot-projects were set up in several universities, such as Erlangen, Osnabrück, in cooperation with trials of religious education as mentioned above. Based on these experiences, the program of Islamic Studies was set up in Tübingen, Münster/Osnabrück in October 2010 and received a four-million-euro startup subsidy from the federal budget (*FAZ, net*, 14 Oct 2010, <http://www.faz.net/aktuell/politik/inland/hochschulen-tuebingen-und-muenster-osnabrueck-wollen-islamstudiengaenge-einfuehren-1575039.html>). It was also approved for Frankfurt/Giessen and Erlangen/Nürnberg in February 2011 (Bundesministerium für Bildung und Forschung, “Zeitgemäße Integrationspolitik: Islamische Theologie an deutschen Hochschulen,” 30 Oct 2012, <http://www.bmbf.de/de/15619.php>).

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## Conclusion: Historical Diversity Facing Common Challenges

Let’s compare the cases in Germany and Austria reviewed above and examine the meaning. First, the primary factor that brought about the difference between the two countries was the difference in historical circumstances. There can be various factors, but this chapter emphasizes the contrast between the “nation-state” and “empire” in particular. Whereas Germany aimed at the “empire” in the sense that it expands its version on the basis of the nation-state, the Habsburg monarchy, as a multi-national empire, had to include heterogeneous communities. As a result, while the German Nationality Act in 1913 was enacted to strengthen the homogeneity of citizens, the Habsburg Islam Law in 1912 institutionalized religious diversity. (In a

similar vein, Gosewinkel (2008) argued that integration of the British Empire has been based on the feudal *jus sanguinis* principle and loyalty to the Crown.)

Second, the circumstances after the World War II consolidated these differences. In Austria, not only were the Habsburg legal provisions inherited, but also the former Yugoslavian source of labor migrants, among whom the Bosnian Muslims were included. The problem of their integration was incorporated into existing church–state relations. In Germany, foreign workers are Turkish, and the image of “Muslim” is almost restricted to the Turks. For this reason, West Germany had not admitted for a long time that it was an immigrant country, and the integration of Muslims has long been a problem of foreigners.

Third, the differences in institutionalized relationships between Islam and the state also affect the direction of Muslim organizations. In Austria, there is a representative organization of Muslims, emphasizing the identity of Muslims in Austria. In Germany, however, the focus had been on the aspect of cultural and religious intergenerational transfer. The aspect of German Muslims was only recently taken up through the integration summit.

Despite these historically conditioned divergences, we can also see the similarities or converging trends. In Germany, creating Muslim representative organizations had been an important issue. Austria had been referred to as a model, and the division of German Muslim organizations, or the differences in treatment by state, were regarded as problems. In June 2013, the Hesse state government finally approved the Ahmadi faction, seemingly because the faction is reform-oriented, and the organization is Christian type (*Die Welt*, 13 Juni 2013, <https://www.welt.de/politik/deutschland/article117076904/Der-Islam-gehoert-nun-offiziell-zu-Deutschland.html>). Further, at the end of 2012, the Hamburg city-state government signed an agreement with three Islamic groups and the Alevi faction, and in January 2013, Bremen had signed a similar agreement. In Austria, however, the monopoly of representation by the IGGiÖ has been problematized in recent years. In both cases, the balance between collective group rights and internal diversity within a religion is becoming a problem.

In addition, there is a common trend to invest in teacher training and expansion of higher education for that purpose. Here you can see the intention to promote the European value order and the adaptive Muslims symbolized by the word *Euro-Islam*. However, there is still tension between the networks of Muslims with transnational extensions and the fact that they are part of public education in Germany/Austria.

Group-based religious governance is an important issue in considering multiculturalism in Europe, specifically the relationship between the state and Muslims (cf. Bader 2007). This chapter emphasized the contrast between Austria and Germany and insists that such a framework depends on concrete historical conditions.

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## Cross-References

- ▶ [Immigration Policy and Left-Right Politics in Western Europe](#)
- ▶ [Multiculturalism and Citizenship in the Netherlands](#)

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# Intended Illegal Infiltration or Compelled Migration: Debates on Settlements of Rohingya Muslims in India

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Sangit Kumar Ragi

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## Abstract

Settlement of Rohingya migrants in some parts of India has triggered schism and polarization in the Indian politics. While most of the political parties opposed to the BJP and Muslim social and cultural organizations supported the settlement of the migrants and asked the government to consider their case from humanitarian perspectives, the BJP party and other rightwing social and cultural organizations called upon the people to stage protests against it. The government at the center also opposed their settlements and publicly declared to identify and send them back to their country. From places of settlements to religion of the migrants became the subjects of debate. This chapter critically examines why the settlements of Rohingya migrants evoked so much protests and noise at national level? Secondly, were the locations of settlements a well-considered choice of the migrants or they were taken to these destinations by people this side of the border? These questions became pertinent because instead of settling in the North East provinces of India they traveled deep far into the Indian territory, comprising extreme North in Kashmir to Southern city of Hyderabad. It analyzes why Hindus were so much agitated on the issue and what it meant for the Muslims who came forward to support the settlements of Rohingyas in India.

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S. K. Ragi (✉)

Department of Political Science, Social Science Building, North Campus, University of Delhi, Delhi, India

e-mail: [sangit\\_ragi@yahoo.co.in](mailto:sangit_ragi@yahoo.co.in)

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**Keywords**

Rohingya migrants · People Democratic Party · Jammu and Kashmir · National Conference

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**Introduction**

Migration and settlements of Rohingya Muslims in India dominated the national debates for weeks in India in the month of January 2018 and continued to capture headlines with intermittence. Though the issue had been compounding for few years, it captured the national attention only after two of the Rohingya migrants filed a case in the Supreme Court against the government proclamations to deport them. It further got momentum when the nation came to know that the state of Jammu and Kashmir government had allowed the settlement of 5700 Rohingyas in Jammu and Ladakh regions. The people in Jammu, particularly Hindus, opposed such settlements, whereas the valley-centric parties like the National Conference and People Democratic Party supported this. The valley-centric parties like the PDP and the National Conference used humanitarian arguments to support their decisions. Others in the valley also joined the chorus. On the other hand, Hindus in Jammu did not like it. They resented and organized protests against the settlement of Rohingyas in the state. The resentment was because the same sets of people who were instrumental in exodus of Pandits from Kashmir valley, and did not work for their rehabilitation, were talking about now settlements of people coming from across the border.

Following this, Rohingya settlements triggered a national debate which involved not only the political parties but also academia, media, human rights activists, and other social organizations in the country. A high degree of ethnic and ideological polarization across academia, intellectuals, and political class was seen across the country. The non-BJP political formations competed against each other in support of Rohingyas' settlements. From Samajwadi Party and Bahujan Samaj Party in Uttar Pradesh to left parties, All India Trinamool Congress (AITMC) and the Indian National Congress (INC) came in defense of Rohingyas' settlements in India. All India Trinamool Congress, a major regional and ruling party in Bengal, openly contested the central government. A member of the legislative assembly of Bengal from TMC said that sheltering Rohingyas was not illegal. Mamata Banerjee also had tweeted in support of giving shelter to these migrants and opposed central government decision to deport them. She in her tweet said that she supported the appeal of the UN which said that they should be treated as persecuted humans. She further said that all comers are not terrorists (The Hindustan Times 2018). The CPI (M) not just asked the government not to deport the migrants but also take up their cause with the United Nations Human Rights Commission (UNHRC) and other international forums besides taking up the matter in bilateral talks between the two governments at the highest level (Donot Deport Them 2017). In other words, CPM wanted that the Government of India should take the initiative and use its offices to influence Myanmar government in support of Rohingyas. The Congress party accepted that the matter is very serious,

but it did not come out with a clear stand on the issue. The party asked the government to take all the parties into confidence while formulating a policy and response to Rohingyas' settlements (The Hindu 2017). But soon what it did clearly exposed the party taking a stand in favor of migrants. The party allowed its Delhi unit to make demonstration on roads in support of Rohingyas (Times Now 2017). The party also invoked humanitarian issue and argued that the Rohingyas are victims of the state repression in Burma and the Indian government should not do something like forceful deportation as that will hurt the image of the government.

The extreme response, however, came from the Muslim organizations in particular. All India Majlis-e-Ittehadul Muslimeen (AIMIM) president Asaduddin Owaisi held that "if refugees from Tibet and Sri Lanka can stay in India, why not the Rohingya Muslims from Myanmar." (The Hindu 2017) It was on expected lines. The thrust of the argument was that if Hindus persecuted elsewhere can come and settle here why not Muslims? Owaisi wanted to convey that the government policy toward the migrants is selective and discriminatory and so is the response of the majority community as there is no national outrage against the non-Muslim migrants and their settlements. In fact, Muslims in general and their organizations expressed solidarity with the migrants. They held demonstrations and submitted their memorandum to the government to take care of the interests of Rohingyas at different levels and do not deport them forcibly. At Aurangabad, in Maharashtra, they held a rally and submitted memorandum to the district magistrate. It was represented by 21 organizations, mainly the Muslims except for the Samajwadi Party (The organizations included: Numainda Council, JamiaIslamiaKashifUloom, Jama Masjid, Jamiat Ulema-e-Hind, Maharashtra Muslim Awami Committee, All India Imams Council, Khidmat-e-Hujjaj, MdQaisar Iqbal Siddiqui, Raza Academy, MIM, Samajwadi Party, Ameer MarkazUloom e Sharia, Muslim Personal Law Board, Al-Hira Educational & Welfare Society, JamiatUlemaMarathwada, Majlis-UI-Ulema, Happy To Help Foundation, Late Farhan Education & Welfare Society, Anjuman-e-KhademulMasoomin, Muslim Youth Forum Marathwada, K K Group and Azad Yuva Brigade were among the organisations that participated in the rally.). Though the settlements of Rohingyas extended to states like Delhi and Rajasthan as well, Jammu and Hyderabad settlements became the major contesting points.

Right-wing social and cultural organizations, and parties like BJP and its allies, openly opposed it. Rashtriya Swayamsevak Sangh (RSS) held that both Rohingyas and Bangladeshis are not the refugees. They are the foreigners who have illegally sneaked into India, and therefore they should be deported. The Prant Karyavah (executive head of a province) of the state Purushottam Dadhichi held that they are security threat to both the center and the state, and therefore they should not be allowed to settle (The Indian Express 2018b). Vishwa Hindu Parishad (VHP), a Hindu organization having pan-India impacts too, made demands from the government to immediately deport the migrants. It passed the resolution against the migrants and appealed to the people to boycott them socially and economically (The Indian Express 2018a). These pressures worked as the government filed



affidavit in the Supreme Court against the migrants' settlements. The party criticized the Congress and the other opposition for their stands on the issue which it depicted were driven by political considerations at best. Needless to say, the case of the two Rohingyas who had filed the case in the Supreme Court requesting the court to direct the government to stop their deportation created a national furor in which there was an explicit polarization of stands across political and ethnic lines.

As discussed, it is not only the political parties but media also carried the debates where a sharp ideological and perceptual positioning was visible. There were channels which went into to suggest that their investigation showed no links between the Rohingya migrants and the terror groups or terrorist activities. For instance, NDTV did a story which showed that only 0.25% of Rohingyas had FIR (First Information Report) against them in the state of J&K. Out of the 15 FIRs, most of them were related to minor crimes like thefts, violation of VISA rules, etc. The nature of crimes committed by them proved that they were not involved in terror activities (Rohingyas 2017). No proof of links between them and the Pakistani terrorists and Rakhine Rohingya Liberation Army was established. Quoting Inspector General of Police, Dr. S D Singh of Jammu region the report concluded that the migrants' settlers individually or in group were not involved in organized or any serious crimes (Ibid.). Obviously, the report dented the narrative of the government which claimed that Rohingyas had terror links and they are threat to the national security.

On the other hand, Zee group and News 18 group, The Republic and channels like Times Now anchored the debates against Rohingyas. The Republic debates titled like, Will pro-Rohingya Brigade Explain? Rohingya Terror Exposed, and so on. All these channels focused on three things: first how Rohingyas are involved in Hindu killings in Burma; second, how they are linked with the terrorists groups; and third, why PDP and NC do not show similar concerns toward the Hindu migrants from Kashmir and why there is secular silence against the human rights violation in Muslim countries. For the first time, Indian media got so polarized on such subjects where vertical division was clearly visible which explained their ideological positioning on such subjects.

Why has there been so much polarization on Rohingya Muslims in the country? After all there has been influx of Buddhist Chakmas and Hindus from Bangladesh. Similarly, there has been migration of population from Sri Lanka, and they have been allowed to settle in India. There have been also Afghani settlements which are primarily Muslims, and yet the government or the civil society has not made too much noise of it then why only against Rohingyas? Is it because Rohingyas are primarily Muslims by religion? In what sense of terms settlements of Rohingyas are threat to the national security? Why did Rohingya migrants who came from Burma cover such a long distance from the Far East to travel to the extreme North in Kashmir and in Hyderabad in the South? Why did they not sneak into the North-East states of India which are racially and geographically close to them? Is there any pattern of settlements? Further, is this only coincident or their selection of destinations for settlements are part of well-thought-of plan and agencies behind it? Were their migrations to Hyderabad and Jammu done because they found it safer



compared to the other states because they happened to be the Muslim-dominated places? Is there an agency which is working for their settlements in such areas in order to increase the numerical dominance of followers of Islam to alter the religious demography of the places? Further that how has the rise of violent form of global Islam increasingly shaped the mind of the common people toward the Muslims in general? These are the questions which become important to understand the Rohingya issues in India.

Rohingya Muslims are the people settled in the Rakhine state of Burma. They stay in Burma, but as per the new constitution, they are not the citizens of the state. Burmese government has snatched away the citizenship rights that they used to enjoy. Muslim constitutes nearly 8% of the total population. They are widely dispersed across the country because they are of different origins. There are Muslims from China, Malaya, India, Sri Lanka, and so on. While the Chinese and Malayan Muslims are white in complexion, the Muslims migrated from India and Sri Lanka are black in color. Further, while the Chinese Muslims are located in different parts of Northern Burma, the Muslims of Malaya origin and Indian Muslims are mostly settled in far south-east of the country, Rangoon, and its near vicinity, respectively. However, the majority of Muslims nearly 1.1 million are settled in the north-west state of Rakhine. This part of Burma once was called Arakan areas, and it borders with Bangladesh.

Burma is a Buddhist-dominated country. Buddhist population is roughly around 45 million. Muslims concentration is very high only in the Arakan or Rakhine region. There are contested accounts of History. The Muslim intellectuals and historians argue that the Muslims in Rakhine state were the original inhabitants since the eighth century in Burma. They came into contact with the Arab traders and converted themselves to Islam. (Al-Mehmood 2016) They also hold that Arakan was an independent Kingdom which became part of Burma only in the eighteenth century when the Burman king Bodapaya conquered it in 1784 and annexed the territory. Burmese nationalists, however, hold that the Arakan was part of Burma since the time immemorial. Further, Burma remained under the British occupation from 1824 when it was made to be the part of British India till it was given independence in 1948.

As the Arakan or Rakhine province was Muslim dominated, it wanted to be part of Pakistan. Buddhist nationalists confronted this, and this became a bone of contention between the two communities in subsequent years. They harbored apprehensions against them which continued even after independence. When the new government after independence came into power, it used ruthless power to suppress the possible Muslim revolts. The tension started brewing up, and in 1950 an armed insurgency was started by a section of the Muslim community named Mujahideen. However, it failed to make much impact. But this made the majority community to understand that the Muslim's loyalty is not toward Burma. It made a permanent mark of mistrust between the two communities.

In 1962, when *General Ne Win* came to power, the government took strong measures toward the extremists. The government came out with national registration cards to its citizens, and Rohingyas were given identity cards which treated them

as foreigners. It needs to be placed here for clear understanding that even in the Citizenship Act of 1948, Rohingyas were not included in the ethnic groups which were to be given citizenship. However, they did not feel so much hardship initially. The Burmese government also held that the Muslims settled in Arakan areas are the ones who were brought by the British from Bangladesh, and therefore they are illegal migrants. Advancing this argument in 1982, a new citizenship law was introduced which declared them noncitizens and thereby snatched away all the citizenry rights from them. A three level citizenship law was enacted in which Rohingyas were not recognized as one of the indigenous ethnic groups of the country. They were now supposed to provide proofs that their families lived before 1948, and they are able to speak one of the national languages. It was difficult for them as they lacked the documents of stay before 1948. As a result they overnight became foreigners. They not only were now denied the right to vote in the system but their other activities were also restricted, including some movements. They could not enter now certain professions like law and medicine and were not allowed to run their own business. They were not natural but naturalized people of Burma. It needs to be understood that the rights of citizens are not withdrawn from all the Muslims but only those who the government found after screening as foreigners settled from Bangladesh. As the crackdown on outsiders had started already in 1978, over 250,000 Rohingyas left their homes and migrated to Bangladesh who returned after UN arranged a settlement formula between Bangladesh and Myanmar.

Decades of isolation and alienation has allowed the radicalization of Muslims in the Arakan region, especially after the appearance of Wahhabi Islam on the global map (Wahabi Islam divides the world into Darul Harab and Darul Islam. Darul harb is the land which is governed by Non-Muslims whereas Darul Islam is the land which is governed by the followers of Islam. It propagates that the territory of Darul Harab must be converted into the land of Islam and all means are acceptable to it.). In 2016, Arakan Rohingya Salvation Army (ARSA) came to fore with attacks on three police posts which resulted into killing of nine police officers (BBC Asia News 2017). The army retaliated with disproportionate force resulting into killing of over 400 Rohingya Muslims. The army claimed that it killed only the ultras, whereas the Rohingyas and human rights organizations indicated that the majority of the people who were killed were the innocent civilians (Ibid BBC Asia News.). While the army and the government establishment claim that the Arakan Rohingya Salvation Army (ARSA) is primarily a terrorist group, the group justifies its organization and such actions on the ground that the government is involved in genocide of Muslims, and therefore they are left with no option but to take arms in the hands. While the Rohingya ultras justify their action on the ground that the state has been coercing them and they are being denied even the basic human rights, the state justifies its actions on the ground that they are the ultras and therefore cannot be treated with soft hands.

While there is one narrative that the ARSA has a no link with international Jihadi groups and its activities are limited to resistance to state atrocities against the Rohingyas, recent revelations have debunked this premise. The October 9, 2016, attacks by Rohingyas have revealed that the assailants had link with people in

Pakistan and Saudi Arabia where they were trained and exposed to handling weapons (<https://in.reuters.com/article/us-myanmar-rohingya/myanmars-rohingya-insurgency-has-links-to-saudi-pakistan-report-idINKBN1450Y7>). It was found that the Rohingyas who were involved in attacks were trained by Afghans in the Rakhine state for almost 2 years. The Brussels-based International Crisis Group revealed that Rohingyas have also fought for Jihads in other parts of the world (<http://www.dw.com/en/is-saudi-wahhabism-fueling-rohingya-muslim-insurgency/a-36791809>). There are also reports that they receive funds from some of the gulf countries for Jihads. The matter of fact is that the whole scenario in the Rakhine province worsened with taring of the Muslims in Guerilla warfare and formation of Harakah al-Yaqin by Atah Ullah Khan (ISI 2017). This organization further has links with other terrorist organizations in the name of Islam. Atah Ullah Khan was instrumental in issuance of Fatwa to the Rohingya Muslims to support extremist activities of Harakah al-Yaqin. This extremist organization used sophisticated weapons to attack the armed forces of Myanmar. This resulted into retaliatory violence by the armed forces in which even the common Muslims suffered heavily.

Further, in the Muslim-dominated Rakhine state, if military and Buddhists have come out openly against the Muslims, the latter also has targeted the Hindu and Buddhist populations ([https://www.washingtonpost.com/world/asia\\_pacific/we-are-going-to-kill-you-villagers-in-burma-recount-violence-by-rohingya-muslim-militants/2017/11/14/409ff59b-849d-4459-bdc7-d1ea2b5ff9a6\\_story.html?utm\\_term=.d7527703e6d9](https://www.washingtonpost.com/world/asia_pacific/we-are-going-to-kill-you-villagers-in-burma-recount-violence-by-rohingya-muslim-militants/2017/11/14/409ff59b-849d-4459-bdc7-d1ea2b5ff9a6_story.html?utm_term=.d7527703e6d9)). The report of Annie Goven filed in the Washington Post on 15 November 2017 reveals that Hindus and Buddhists also have their own terror stories to share with. There are several internally displaced people settled currently in the Western Burma who hold that they would never like to go back to their homes. They fear that Rohingyas will slit their throat and kill the entire family. Hindus also became targets of the Rohingya Muslims. On 27 September 2017, the Government of Myanmar found out mass graves of 45 dead bodies of Hindus near Fakira Bazar (Hasnat 2017). It claimed that ARSA had come to the Hindu village, gathered up around 100 of them, chased them to their fields, and finally killed them with knives (Tun 2017). One can understand the violence between the local Buddhists and the state on the one hand and Rohingya Muslims on the other, but why the Hindus were killed is still an idiom to be resolved. Is it not because the Rohingyas are also intolerant to other faiths? Even the Christians living in Burma acknowledge that it is the terror activities of the Rohingya Muslims that the state has resorted to repressive attitude (<https://learningenglish.voanews.com/a/rohingya-immigrants/4065689.html>). The stories of Hindus being killed by the Rohingya Muslims also infuriated Hindus in India.

Needless to say, in the last three decades, over 1.1 million Rohingyas have left the country. The major destinations have been Bangladesh, Malaysia, and India. Since the border of Bangladesh meets the Arakan region, the major exodus has been to Bangladesh. According to one estimate, nearly 890,000 Rohingyas have fled to Bangladesh followed by 350,000 in Pakistan, 200,000 in Saudi Arabia, 150,000 in Malaysia, and 40,000 in India. The matter of fact is that now Bangladesh, and even Malaysia, Pakistan, and Saudi Arabia have refused to welcome Rohingya

migrants. Bangladesh thinks that it cannot bear further the burden of population coming from Myanmar (Ashrq Al-Awsat 2017). This applies to other Muslim countries as well. This gives ammunition to the right-wing organizations in India to argue that when the Muslim countries are not ready to accommodate their coreligionists, why should India give them the shelter? There is a substance in this argument. Is pan-Islamism mere rhetoric for political consolidation? These questions become valid in context of idea of Muslim brotherhood dominating the Islamic ideology at moment.

The Malaysian government made several statements against the government of Myanmar, but it was not ready to accommodate the refugees. So is with other Muslim countries. For example, Turkey government issued strong statements in support of Rohingyas, but they are not ready to give space for settlement of these stateless people. Gulf countries are the richest countries in the Muslim world. They are ready to extend financial help, but they are not ready to accommodate them on their soil. It is not only in case of Burma. What happened in case of Syrian refugees are for all to see. It is finally Germany and the European countries which gave them refugee status. No Muslim country came forward to give land for their settlement and grant citizenship. The 2014 Report of Amnesty International is really shocking. The report noted that none of the countries of the Gulf Cooperation Council which included rich gulf countries accommodated even a single Syrian refugee (Dehlvi 2017a).

The religion for which they aspire to die did not come for their rescue. The argument can be made that why the people from far distant land like Myanmar should be accommodated in their countries, but the fact is that after the start of Syrian crisis, there has been mass migration of population from Syria, but there has been no helping hand from the Arab world. The Gulf Cooperation Council which comprises of several Islamic countries like Saudi Arabia, Oman, Qatar, Kuwait, Bahrain, UAE, etc. did not extend the hands of support (Dehlvi 2017b). United Nations has termed it as the biggest humanitarian crisis, but no affirmative action has come up from the world communities. While the Muslim nations such as Malaysia, Bangladesh, Indonesia, and Pakistan tried to convey their anguish over the on-going ethnic violence against the Rohingya Muslims, the Western countries remained rather reluctant. When the secretary of the USA visited Myanmar, he termed the violence against the Rohingyas as “ethnic cleansing” and indicated of applying sanctions against Burma, but they did not take any substantial stand (Reuters 2017). This was again used by the right-wing organizations and the government to argue against Rohingyas.

Further, the conditions of the non-Muslims in the Muslim countries also allowed the non-Muslims in the country to display a sense of apathy to the Rohingya cause. This was raised not only by the Hindus but also the Muslims in the country. Sultan Shahin, the founder and editor of the New Age Muslim, while participating in a news channel debate argued that why do Indian Muslim leaders and Ulemas remain silent spectators when the human rights of non-Hindus are violated in Muslim-dominated countries like Bangladesh, Pakistan, Indonesia, Malaysia, etc.? Why do Muslims of the world do not speak against the human rights violations in Islamic countries?

Do the human rights belong only to the Muslims and not to the other religious communities? This question became pertinent in light of exodus of Hindus from Pakistan and Bangladesh (The New Age 2017).

In the recent past, there have been several stories of torture and abduction of Hindu women in Pakistan which created national outrage. Unfortunately, the Muslims organizations and leaders never hit the streets for the Hindus. That is why when Muslim organizations invoked cultural, civilizational, and humanitarian arguments to defend settlements of Rohingyas in the country, there were few takers. The cultural and civilization logic emanated from the great saying that this country celebrates the ethos of *Atithi Devo Bhavah* (Guests are God). And therefore, if India denies the shelter to the persecuted communities, it would be going against its own ethos which the right-wing organizations and nationalists always boast off. The President of All India Ulema and Mashaikh Board, Syed Mohammad Ashraf Kichhouchhwi, and Syed Salman Chisti of Ajmer Dargah Sharif used this argument and demanded that the government of India must give shelter to the Rohingya Muslims (The Indian Express 2017a). But such appeals to the government did not go well with the masses. The reaction went worse when the Chief Minister of the state of J&K Mahbooba Mufti Sayed made a statement that Rohingyas are not found in terror activities, and the central government should be generous to their settlement. She said so on the floor of the legislative assembly (The Indian Express 2017b). She accepted that some madrasas are associated with Rohingyas in the valley. Hindus took serious objection to her statements as this amounted to her duplicity on the settlement as she has been opposed to any outsider to settle in the state. But the government of India rejected all such appeals and filed its reply with the Supreme Court in which it categorically stated that Rohingyas are threat to the national security (The affidavit said "...this obligation is binding only in respect which are party to the convention. Since India is not party to the said convention, or the said protocol the obligations contained therein are not applicable to India."). When Rajnath Singh, the central home minister, visited the state, he told in a press conference clearly that Rohingyas are threat to the national security (The Kashmir Horizons 2017). And further that they will be deported soon to the land from where they came in (Masih 2017). The government reiterated its stand that Rohingyas are involved in terror activities, and they have overseas links with the terrorists groups, and therefore they cannot be allowed to settle in India. Surprisingly, while the religious organizations belonging to the Muslim community supported Rohingyas on humanitarian ground, the Grand Mufti of Syria, Sheikh Ahmad Badreddin Hassoun, supported India's stand. In an interview to Indian News Channel WION, he endorsed India's stand and said that there was propaganda against the Myanmar government (<http://www.middleeasteye.net/news/syrias-grand-mufti-concurs-india-rohingya-muslims-are-security-threat-1087331340>).

Interestingly, the political parties in valley who do not welcome back Kashmiri Pandits in the valley came out enthusiastically to advance the humanitarian logic to support the stay of Rohingyas in Jammu region. This, however, infuriated the Hindus of the region who saw in it a deliberate design to alter the numerical strength of Hindus. And, therefore, Hindus of the Jammu region vehemently criticized the

state government decision to give shelter to these refugees. The question was not inappropriate as the political parties like PDP and National Conference otherwise are very sensitive on Article 35 A (Article 35 A is an article which was inserted into the Indian constitution not through constitutional amendments under Article 368 but through presidential order. It pertains to the right given to the legislature of the state of Jammu and Kashmir to decide the permanent citizen of the state.) and don't want it to be disturbed in order to perpetuate the numerical preponderance of Muslims in the valley, but they had no problems if Rohingya Muslims come from Burma and settle there in Jammu region. The coverage of the distance by the migrants from Burma to remote Jammu also raised questions. Why the migrants did not settle in the other states close to Burmese border. It is interesting that the Rohingyas settled in the state are not in the valley but in Jammu and Ladakh regions.

Hindu organizations have protested against such settlements because they fear that settlements of the Muslims would alter the demographic equations in the future, and that would have far-reaching political and cultural consequences for the Hindus. Their understanding of Islam emanates from the experience they had in the Kashmir valley where Hindus who had been there for thousands of years were forced to leave their homes and properties. For them, humanitarian call had no meaning, and therefore they wanted nothing less than eviction and deportation of Rohingyas. They fear that the refugee of today will turn out to be the mercenary of Islam tomorrow bringing turmoil for the other religionists. The massive level of radicalization of the Muslim youths across the world and rise of the cult of violent form of Islam has gone into forming this psyche among other religionists in general and Hindus in particular.

The way the global Islam has accelerated radicalization, the idea has gained ground that there is something inherent within Islam which makes it fanatic and radical and unfit therefore for a society which believes in coexistence. A numerically dominant Muslim community does not give the same cultural and civil rights to other religious and cultural communities, and therefore rising numerical strength of Islam is a threat to the pluralistic and democratic predominantly Hindu India. Already there have been chains of protests and movements by these organizations against the Bangladeshi Muslims who have got settled in different parts of India and have changed the religious and cultural geography of many states like Assam, West Bengal, Bihar, Tripura, Uttar Pradesh, and even Delhi (Both the BJP and RSS have passed resolutions several times in the past against the migrants from Bangladesh into India. And supported the demand of identifying and deportation of the migrants. But unfortunately, nothing substantial have been done to this effect despite government at the centre.).

Human rights organizations, both national and international, have come out to openly support the cause of Rohingyas. Their main arguments are that India has a long-standing tradition of giving shelters to the persecuted communities in order to save their lives. If the Rohingyas are sent back, they too will be persecuted by the hostile state apparatus in Burma. The National Human Rights Commission chaired by the former Chief Justice of the Supreme Court of India justified their stay on the ground of long tradition of giving such refuge as well as on the grounds of extended

and enlarged explanations of fundamental rights by the Supreme Court that even the noncitizens have the right to life. It observed that even though the country has not signed the Convention on Refugee of 1951 and the Protocol of 1967 on the same as yet, it has been signatory to many such conventions which seek to protect the human rights. It held that the country had so far stricken a balance between the human and humanitarian cause on the one hand and security and national interests on the other (The Times of India 2017). The Supreme Court of India led by the Chief Justice of India while hearing the petition of the two migrants, namely, Mohammad Salimullah and Mohammad Shaqir, observed that it was a huge humanitarian crisis, and the court would not ignore the humanitarian aspects in dealing with the matter, though in its same breath it held that it will balance the interests of the national security, economic interest, labor interests, and demographic considerations (NDTV 2017). Government, on the other hand, does not seem to be in mood to paying heed to the Supreme Court. The ISI angle of training the Rohingya Muslims has given food for thought to the government to investigate into larger design of Pakistan to alter the demographic characters of Jammu and other parts of the state where they have settled in. Many jurists have also objected to the intervention of the Supreme Court on the issue. They argue that Supreme Court does not have jurisdiction in this matter. The security of the state is basically the responsibility of the executive. It is the executive which examines and evaluates the magnitude of the security threat to the country immediate as well as prospective. And therefore the court has no business to enter into the domain of the executive.

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## Conclusions

Migration of population with strong ethnic orientation has larger impacts in the society in which they come and settle in. In the initial years, they don't assert their cultural and political identity and just wish to be part of the society. This is the time when they need the cooperation of the sheltering state. But with the growth of population, they not only demand more share in the cultural and political space but that becomes the issue of contestations with the indigenous communities. Down the generations they start asserting themselves for the same. India is witness to over 300 Million Bangladeshi Muslims who have altered the political and cultural geography of states like Assam, Tripura, West Bengal, Bihar, and many other states of India. Bangladeshi settlers in Assam and Bengal today have started influencing the politics and culture of the areas they have settled in. In the state of West Bengal, they pushed out the Hindus from the border areas to settle in the cities selling their lands and properties. Now no party, except for the right-wing political and social organizations, has courage to demand their repatriation to Bangladesh. In Bengal, they have gone so offensive that with their support the Muslim communities have started coercing the Hindus in many villages where they are in dominating positions. In last few years, Bengal witnessed several one-sided communal riots in which the Muslim masses aggressively attacked the Hindu processions and forced the government to issue directives to restrict their religious processions and rituals in public



space. Migrants thus are not the individuals but the part of political and cultural communities which they come from. They begin with individual rights and then go for equal rights in cultural and political space. Thus, with advance of time, they throw larger challenges to the hosting countries, and therefore there has been opposition to their settlements. This becomes all the more relevant and complex in case of India which witnessed partition in the name of religion in 1947 and continues to face Islamic extremism in many parts of the country. Opposition to the Rohingyas by the right-wing political and cultural organizations is driven by such thinking which has gathered popular strength in recent years.

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# Indonesia and ASEAN Responses on Rohingya Refugees

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Badrus Sholeh

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## Abstract

Rohingya refugees crisis have challenged ASEAN and regional institutions. Asian institution-building remains state-centric, especially covering the issues of human rights (Acharya, *Int Stud Rev* 13:12–17, 2011). In addition, humanitarian intervention meets the gap of noninterference ASEAN Way. The principle of noninterference leads to states ignoring human rights violations. More than 1.2 million Rohingya refugees live in the border of Bangladesh and Myanmar and around a hundred thousands stay at temporary shelters with a very limited facility in Indonesia, Malaysia, and Thailand. This needs urgent strategic national, regional, and international policy involving bilateral and multistate role in overcoming the crisis. This chapter examines the Indonesian foreign policy on the issue of Rohingya refugees and how the Indonesian government led the regional initiatives in overcoming the problem. This chapter is based on in-depth interviews to Rohingya refugees, governments, and policy makers in Southeast Asia

B. Sholeh (✉)

Department of International Relations, Faculty of Social and Political Sciences, Syarif Hidayatullah State Islamic University, Jakarta, Indonesia

e-mail: [badrus.sholeh@uinjkt.ac.id](mailto:badrus.sholeh@uinjkt.ac.id)

and on analyzing documents related to the issue from 2016 to 2018. It argued the ASEAN way and international pressures toward ASEAN, and Myanmar will strengthen the policy to reduce the tension of the conflict and stabilize regional security due to the refugees.

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**Keywords**

Indonesia · ASEAN · Rohingya Refugees

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## Introduction

Hundreds of thousands of Rohingya people have fled to Asian countries since 2012. From January 2014 to May 2015, 88,000 Rohingya and Bangladesh refugees took boats across the Bay of Bengal transiting Thailand to reach Malaysia and Indonesia (Ha and Htut 2016; Tan 2016). The International Organization for Migration described the condition of the refugees in Andaman Sea as “maritime ping-pong with human life.” Malaysia and Thailand government ordered their maritime forces to push back the boats toward international water (Beech 2015). They survived in Andaman Sea with lack of food and water. Some of them got stranded near Aceh beach in May 2015 and were rescued by Acehnese fishermen although Indonesian authority initially followed the policy of Thailand and Malaysia to refuse the refugee boats. Indonesian government later changed the policy welcoming the refugees. The 2015 Rohingya refugee issues tested the commitment of ASEAN on how non-interference policy deals with human rights (Tan 2016; Ullah 2016). Rohingya’s stateless status and existence of human rights violations against them can be a strong reason for the threat of regional and international security which urgently needs humanitarian intervention (Ullah 2016).

In April 2016, Acehnese fishermen rescued two boats carrying 84 Rohingya refugees. According to the law of the sea and Indonesia’s Presidential Regulation no. 125 of 2016 Concerning the Handling of Foreign Refugees, they were allowed to disembark in Indonesia (Suryono 2018). Under the regulation, Indonesian authority and people are encouraged to help, rescue, and accommodate Rohingya refugees. Indonesia coordinated with international organizations in handling the refugees. Article 2 number 1 of the regulation stated that “the handling of refugees is carried out pursuant to cooperation between the central government with the United Nations through the United Nations High Commissioner for Refugees in Indonesia and/or international organizations” (Minister of Law and Human Rights 2016). UNHCR argued that the regulation “helped mitigate that risk, as demonstrated by the lives saved by the Indonesian government’s support of the rescue, disembarkation and reception of these two recent groups” (Suryono 2018). The crisis in Rakhine State became worse after 2016. The Myanmar military (known as the Tatmadaw) began clearance operations in the aftermath of a small-scale attack to military forces by the Arakan Rohingya Salvation Army (ARSA) in October 2016 and August 2017 forced more than 700,000 Rohingya women, men, and children fled their homes in Rakhine State to Cox’s Bazar, Bangladesh (Alam 2018). There are about 921,000 Rohingya refugees (215,796 families) in Cox’s

Bazar by October 2018 with a high risk of health, security, and natural disaster (WHO 2018). Densely packed refugees in Cox's Bazar camp are at risk of diseases, community tensions, fires, domestic and sexual violence, and natural disaster like flooding and eroding (Human Rights Watch 2018).

This article examines the Indonesian foreign policy on the Rohingya refugees and how Indonesia led the effort to overcoming the challenges of the issue by managing regional meetings since the early period of Rohingya refugee influx in Southeast Asian sea. It is based on qualitative research method: observation and in-depth interviews. I conducted fieldworks in Indonesia and Thailand, interviewing refugees, government officers, civil society organizations, and scholars from 2016 to 2018. It argues Indonesia have to work more progressively along with regional states and persuading Myanmar to comprehensively solve the problem of Rohingya Muslims, not only providing supports for refugees but helping Myanmar to mediate ethno-religious conflict in Rakhine State province. UNHCR stated that Indonesia hosted some 13,840 refugees from about 49 countries as of December 2017, with half coming from Afghanistan (UNHCR 2018). In regional context, the article argues ASEAN way's approach, and international strategic pressures toward ASEAN and Myanmar will help to overcome ethno-religious conflicts in Rakhine State. In addition, the humanitarian intervention in this context will not cross over ASEAN non-interference policy. The intervention is how regional and international state and civil society have to mediate the conflicts of Rohingya in Rakhine State and comprehensively managing Rohingya refugees involving all countries.

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## Theoretical Framework

The theories of regionalism and humanitarian intervention will cover the discussion of the issue. The Rohingya refugees' case tested the regionalism of ASEAN as a unity of Southeast Asian states. ASEAN's regional institution emerged from the period of *konfrontasi* to the community-building initiatives strengthened ASEAN integration. The active global initiatives demonstrated "institutional adaptation, the construction of shared norms, and a common identity, mediated through, and, manifested in, an ASEAN way," the idea supported by liberal institutionalist and constructivist (Jones and Jenne 2016). Acharya said the integration deepened by an active engagement among track two parties such as academics, think tanks, and scholars in the region (Acharya 2011). Dealing with human rights issues, however, ASEAN community engagement is still struggling due to state-centric policy approach. Acharya argued "transnational social movements which usually champion human rights or social issues are yet to feature prominently in Asian institution-building, which remain state-centric and strongly wedded to national sovereignty" (Acharya 2011, 15). Instability in ASEAN states in the 1990s such as conflicts in Cambodia, Thailand, and Indonesia and in the 2000s when Myanmar failed to respond the rise of human rights violations against Rohingya challenged ASEAN as a solid security community (Ba 2014).

The second theory of humanitarian intervention responding the issue of Rohingya refugee in Southeast Asia will fill the gap of non-interference ASEAN way. Humanitarian intervention will be a strategic reason for regional and international institutions to support the crisis of Rohingya. Rohingya people are “susceptible to rape, torture, summary killings, confiscation and destruction of their homes and property, physical abuse, religious persecution, and forced and unpaid labor” (Ullah 2011), which forced them to search temporary safe shelters in the border of Bangladesh and paid smugglers to join the boats to get a protection in Indonesia, Thailand, and Malaysia. The ASEAN Charter respects member states’ national sovereignty; however, it is argued that “non-interference without any doubt leads to states ignoring human rights violations at the domestic level in other member state territories, and this is particularly the case with the Rohingya in Myanmar” (Kaewjullakarn 2015, 8).

Argument of ASEAN’s accessibility to protect human rights violations against its people is the establishment of AICHR (the ASEAN Intergovernmental Commission on Human Rights). The AICHR is a judicial mechanism founded under Article 14 of the ASEAN Charter to promote human rights with a decision-making based on consensus and consultation. Therefore, the way of AICHR assisted Myanmar in solving the problem of Rohingya is by having institutional discussion and informal consultation. The AICHR has a limit by the ASEAN way to respect national sovereignty of member states. Indonesian civil society groups established Indonesian Humanitarian Alliance for Myanmar, which is expected to reduce the tension in Rakhine State. However, Myanmar restricted them operating freely to deliver humanitarian aids in 2017 in Rakhine State. Humanitarian intervention, therefore, will be blocked by two aspects: non-interference principle of ASEAN and strong reason for Myanmar to protect its national sovereignty. China supported the argument of Myanmar on sovereignty right reason responding the statement of UNSC on human rights violation against Rohingya (UN 2018; Robert 2009).

Rohingya refugees should get international interests from causes to effects of the refugee influx. Causes came from the ethno-religious conflicts between Rohingya Muslims and Rakhine Buddhists. It affected to the rise of Rohingya people leaving their home. Rakhine Buddhists killed Rohingya Muslims and burned their houses. Many Rohingya overseas still plan to return to their home. The conflicts need mediation from third parties from state and civil society groups. It includes aid organizations and donors which can help on post-conflict rehabilitation and reconstruction. Myanmar kept the issue of Rohingya becoming home affairs and successfully forced ASEAN and international states not to interfere the conflicts.

ASEAN has to remind Myanmar on how ASEAN, Japan, and China helped Myanmar during the period of international pressures due to military authoritarianism and human rights violation of Myanmar government. The conflicts between Rohingya Muslims and Rakhine Buddhists need international mediation in order to prevent further political violence discriminating against Rohingya Muslims. The conflicts attracted the interests of terrorist groups which stated that they will fight against Myanmar government to protect Rohingya Muslims. This will increase regional security threats.

Karl DeRouen, Jr., argued that:

According to the U.S. Institute of Peace, external partners can provide resources, insurance, expertise, and experience supporting peace agreement implementation. Third parties, such as allies or neighboring states, can assist in ensuring that promises are kept, timetables respected, and matching commitments fulfilled. . . . A network of donors, including governments, aid organizations, and reconstruction agencies, can help pay for implementation, such as reconstruction bills. (DeRouen 2015, 164)

The Ministry of Foreign Affairs of the Republic of Indonesia is committed in managing Rohingya refugee crisis in Southeast Asia. Indonesia accommodated more than 10,000 Rohingya refugees in Aceh and joined regional ministerial meetings with Thailand, Malaysia, and Myanmar to overcome the problem of Rohingya refugees in the region. ASEAN summits also raised Rohingya refugee crisis issues as part of regional agenda to cope with. However, ASEAN and its state members prevent to interfere Myanmar as part of regional norm and value agreement on non-interference policy of ASEAN. Some scholars consider this issue challenged ASEAN due to human rights violations against Rohingya Muslims in Rakhine State.

There are three levels of Indonesia actively supporting Rohingya refugees. Firstly, in regional level, Indonesia supports regional dialogues and facilitates meetings discussing Rohingya issues. The Ministry of Foreign Affairs took an active role. It includes bilateral and multilateral meetings among ASEAN states and states outside Southeast Asia, such as Bali Process. Secondly, Indonesia coordinates among ministries of Indonesian government to manage Rohingya refugees. They are the Ministry of Foreign Affairs; Ministry of Social; Coordinating Ministry for Political, Legal and Security Affairs; and government in provincial and district levels, especially in Aceh. Lastly, Indonesian people and civil society groups are actively support Rohingya as Muslim solidarity.

After the outbreak of Rohingya in 2012, and their arrivals in neighboring countries especially Malaysia and Indonesia, Vice President Jusuf Kalla said that Indonesia will help Rohingya refugees. However, Indonesia cannot work alone. Indonesia needs a regional consensus among states in ASEAN. Numerous meetings have been made in Bali, Jakarta, Kuala Lumpur, Bangkok, Tokyo, and other cities in the Asia Pacific discussing the challenge of Rohingya refugees and asylum seekers. Vice President Jusuf Kalla argued conflicts in ASEAN state members will influence other regions, and it becomes responsibility of all states. Vice President Kalla said “these humanitarian measures were important to prevent the spread of radicalism in ASEAN. The rise of Islamic State in the Middle East was due to the radicalization of people from failed states in their region” (Channelnewsasia 2015).

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## Indonesian Policy

Indonesian civil society criticized the statement of General Moeldoko, Commander in Chief of the Indonesian Military (TNI), who said Indonesian military will prevent any refugees to enter Indonesian territory. It was on 8 May 2015, 418 Bangladeshi

and 230 Rohingya refugees, including 55 children and 62 women, got stranded in the Strait of Malacca about 20 miles from Pusong beach, East Aceh district. Two days later, 587 Rohingya refugees got stranded in the water of North Aceh district and were rescued by Acehese fishermen after finding the vessels of the refugees sinking. On 10 May 2015, Moeldoko stated: “They will not be allowed to enter Indonesian region. If they do, they may create social problems. If they have no water or food, we will help because it will then be a humanitarian problem. However, if they enter our region, it will be the TNI’s duty to safeguard the country’s territory” (Supriyadi 2015). Beka Ulung Hapsara at the Wahid Institute argued Indonesia is a great power in ASEAN and therefore Indonesian government has to lead humanitarian assistance to Rohingya refugees (Kuwado 2015). The Ministry of Foreign Affairs attempted to clarify General Moeldoko’s statement. Ministry of Foreign Affairs spokesperson, Arrmanatha Nasir, said: “the Indonesian authorities were not allowed to seize or drive away foreign vessels transporting undocumented migrants in the strait because of the implementation of a peaceful sailing principle” (*The Jakarta Post* 2015). A month after this controversial statement, President Joko Widodo replaced the position of General Moeldoko by Army chief of staff General Gatot Nurmantyo on 9 June 2015.

Nahdlatul Ulama and Muhammadiyah have urged the Indonesian government to proactively help Rohingya Muslim refugees. They said that “the Indonesian government should engage or pressure the Myanmar government in order to ensure the Rohingya’s rights. Yet to date, most of the support shown towards the Rohingya by governments and organizations has been limited to rhetoric” (Singh 2014, 13). President Joko Widodo’s foreign policy is strongly influenced by national interests and domestic political factors. It is reflected to how Minister of Foreign Affairs, Retno Marsudi, responded to Rohingya refugee issues in national and regional level.

Indonesian Ministry of Foreign Affairs responded the Rohingya refugee very carefully to prevent pulling factors for other refugees toward Indonesian territory. Minister of Foreign Affairs Retno Marsudi argued Indonesian government has to measure precisely how to accommodate Rohingya refugees under international humanitarian law. Furthermore, after active participation of Acehese fishermen helping the Rohingya boat people, and the critique from media, Indonesian government seriously helps the community. Critique also came from international community. Zeid Ra’ad al-Hussein, the United Nations’ human rights chief, criticized Indonesia, Malaysia, and Thailand “for turning away the vessels while the European Union has urged Myanmar to end the persecution of its Rohingya minority” (Xiong 2015).

After gaining the pressures, ministers of foreign affairs of Indonesia, Malaysia, and Thailand conducted an emergency meeting on 20 May 2015 in Kuala Lumpur discussing the Rohingya crisis. It was contrary to the previous position of the navies of those governments which pushed refugees’ boats away from their shores in what international human rights and aid groups characterized as “a dangerous game of human ping-pong” (Cochrane 2015). In the meeting, Indonesia and Malaysia agreed to offer shelter to 7,000 refugees and migrants temporarily. They said in a joint statement in Kuala Lumpur on 20 May 2015 that “they would offer resettlement and

repatriation, a process that would be done in a year by the support of the international community” (*The Guardian*, 20 May 2015).

Indonesian government has to manage the Rohingya asylum seekers by domestic and regional approaches. In the domestic policy, Indonesian government protects the Rohingya asylum seekers fulfilling international standard of how international state have to take care of them. In regional level, Indonesia has to deal with ASEAN, especially Malaysia, Thailand, and Myanmar, on how regional organization have to protect refugees. It tested Indonesian leadership in the region. Minister of Foreign Affairs Retno Marsudi stated that Indonesian government is committed to take care of Rohingya boat people for some period and to respect regional agreement in Southeast Asia. Minister Marsudi said: “we only provided humanitarian assistance. However, we do not want to send out a message that Indonesia has created a pull effect as it could attract refugees to come here” (Fardah 2015).

Indonesian foreign policy on Rohingya asylum seekers considered weightily on the stability of domestic politics and the responses of human rights organization, as well as political leaders. It considers *kedaulatan* (sovereignty) and *kemandirian* (autonomy), popularly called *diplomasi membumi* (diplomacy brought down to earth) (Connelly 2015). Therefore, Acehese fishermen’s actions to help Rohingya boat people stranded in the sea changed government policy to accept them, although government stated that the shelters for Rohingya and other refugees are provided temporarily until the Third World countries agree to accept them permanently (Fardah 2015).

State and civil society organizations of Indonesia have visited Myanmar negotiating with government of Myanmar to protect Rohingya and overcome conflicts between Muslim (Rohingya) and Buddhist (Rakhine). President Susilo Bambang Yudhoyono stated that he did a constructive “intervention” on the issue of Rohingya. In April 2013, President Yudhoyono visited Myanmar and talked to President Thein Sein. President Yudhoyono said: “I asked (him) to fairly overcoming conflict which affected to Rohingya ethnic group. It includes rehabilitation and humanitarian approach after the conflict, I suggested Myanmar to work with UN and OIC” (Yudhoyono 2014, 712).

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## Bali Process and Indonesian Leadership

Amitav Acharya argued that Indonesia, the largest country in Southeast Asia, has moved toward regional and global leadership role. Therefore, the way of managing Rohingya refugees tested Indonesian regional influence on democracy, security and stability. It includes to ensure the commitment of regional states on human rights and democracy in the ASEAN Charter, the ASEAN Political-Security Community, and its drive for the ASEAN Intergovernmental Commission on Human Rights (AICHR), the construction of the Bali Democracy Forum (BDF), and Indonesia’s voting in the UN Third Committee (Humanitarian, Social, Cultural Committee that deals with human rights and humanitarian issues) on Syria, Myanmar, North Korea, and Iran (Acharya 2014).

Indonesia’s foreign policy on dealing with Rohingya asylum seekers is also affected by the demands of domestic politics that as the largest Muslim country Indonesia has to



accept Rohingya asylum seekers. Foreign policy on Rohingya refugees is in line with Indonesian people expression. The decision-making of foreign policy is currently more dispersed, “there is a more diverse constituency for foreign policy, a sense of public ownership and participation in the policy making, even in post-makers during the dissemination phase to earn the support of public, to get feedback, sell the policy. So, overall the system is much more inclusive” (Acharya 2014, 13).

The problem in regional level is uneasy communication among states in ASEAN. Myanmar refused to join the meeting initiated by Indonesia and Malaysia. It is contrary to the spirit of democracy in Myanmar (Singh 2014). In addition, democratic process in Myanmar is criticized by some scholars for not regarding Rohingya people refuged to other states including Indonesia as a human rights violation. Not only Burmese State disregarded Rohingya’s citizenship state, but also Buddhist monk and community refused the existence of Rohingya in Rakhine province. Buddhist monks did rally pressuring government to force Rohingya get out of the state.

More than 723,000 Rohingya seek refuge in Bangladesh after the violence broke out in Rakhine State on 25 August 2017. The vast majority arriving Bangladesh are women, children and elderly people. More than 40 percent children are under age 12. Bangladesh government managed a strict policy against Rohingya refugees and considers more on bilateral relations between Bangladesh and Myanmar. Bangladesh government claimed that Rohingya refugee had created criminal problems in Bangladesh (Datta 2015). It also affected bilateral relations between Bangladesh and Myanmar (Pamini 2011).

Indonesia took a strategic leadership in the Bali Process and Bali Democracy Forum discussing the issue of Rohingya and making a regional agreement in managing Rohingya refugees in Southeast Asia. The meetings confirmed that refugee and asylum seekers become the common interests for more countries, how they have to cope with the problem with responsibility of all countries. The challenge is Third World countries are still reluctant to open their immigration policy. Some countries in Europe, Asia, Australia, and the USA tend to close for more immigrants. On the other hand, leaders of other countries declared to welcome refugees. Canadian Prime Minister is very popular government leader who welcome Syrian refugees to be Canadian citizens.

Further regional mechanism is conducted through the Bali Process. The dynamics of refugees are responded by regional states to making a constructive regional forum called the Bali Process. It is stated the Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime (Bali Process), including refugees and asylum seekers, is “a voluntary and non-binding process with 48 members including the United Nations High Commissioner for Refugees (UNHCR), United Nations Office on Drugs and Crime (UNODC) and the International Organization for Migration (IOM)” (“The Bali Process”).

Regional states and international organizations involved in the Bali Process managed under the Regional Support Office (RSO) facilitated the operationalization of the Regional Cooperation Framework (RCF) to decrease irregular migration and refugees in the Asia Pacific region. RSO operated under direction of the Co-Chairs of the Bali Process (Indonesia and Australia) and in consultation with UNHCR and IOM.

Bali Process was established by Indonesia and Australia in 2002. It provided a meeting forum for transit, destination, and source countries. Hassan Wirajuda, Indonesia's former minister of foreign affairs and one of the founders of the Bali Process, called for its co-chairs to step up or step aside, as a comparison between 2013 and 2016 of the Bali Process and its regional influence. In August 2013, about 50 member countries joined the Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime, and forced migration movement was acknowledged as a global challenge and threats. The number of displaced persons according to UNHCR by 2013 was 51.2 million. It grew 20% by 60 million in March 2016 (McLeod 2016).

Speaking ahead of a regional forum on people smuggling, Indonesian Foreign Minister Retno Marsudi said:

We already hosted more than 13,000 refugees and asylum seekers that have been years in Indonesia waiting to be resettle. In May 2015, we received almost 2000 coming from Bangladesh and Myanmar. Of course, there is hope for Indonesia not only to Australia but to every country to be more receptive to these migrants who have been waiting for resettlement. (Topsfield 2016)

Indonesia expected the role of Third World countries, especially from industrial countries to host and finance the refugees more openly. The burden of influx of refugees due to war and conflict is higher, and it needs to share the burden.

The Royal Thai government also confirms the importance of burden sharing on refugee crisis. Burden sharing can be a regional cooperation between state and civil society as well. Saw Khu, senior researcher of International Rescue Committee (IRC), claimed that the issue of Rohingya refugees and asylum seekers is transnational and it becomes the matters of international community. Khu said that all countries and civil society have to cope with the Rohingya refugee comprehensively by having regional meetings involving state and civil society (Khu 2016), using Karl DeRouen, Jr.'s argument on how Third World countries and foreign aid can be effective groups persuading Myanmar in giving international supports to end the conflict in Rakhine province between Rohingya Muslims and Rakhine Buddhists. However, Myanmar government refused any international intervention and pressures toward conflicts in Rakhine State. In addition, ASEAN carefully deals with the problem of Rohingya refugees leaving their home due to the conflict.

International NGOs, aid, and human rights groups criticized the finding of graveyards of Rohingya and human rights abuse and smuggling against Rohingya refugees in the border between Southern Thailand and Malaysia. Thailand joined ministerial meetings with Indonesia and Malaysia and expected to share the burden of refugee crisis, especially after 10,000 Rohingya stranded in Andaman Sea affected territorial security in Thailand, Malaysia, and Indonesia (Idiris 2015). In the ministerial meetings of ASEAN, Thailand government proposed an open border for members of ASEAN for refugees. However, ASEAN members disagreed to the proposal. Currently, refugees challenge regional political and security community among ASEAN members and the Asia Pacific region. People seek refuge due to wars in the Middle East and because religious prosecution in South Asia and Southeast

Asia is rising. On the other hand, the policy of resettlement, repatriation, and reintegration cannot fill the gap. The process of refugee and the acceptance of resettlement of refugees to Third World countries are very slow. Many refugees in Thailand still wait for more than 5 years to resettle to Third World countries. Thailand provided more Rohingya refugees than Indonesia due to availability of land routes toward Malaysia.

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## ASEAN Response

The Rohingya refugees crisis issues have impacted the Southeast Asian security since 2012. It highlighted ASEAN's lack of a legal framework to deal with refugees issues. Among ten ASEAN nations, only the Philippines and Cambodia are parties to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. ASEAN does not have an institutional mechanism dealing with Rohingya and other refugees in the region (Shivakoti 2017). This is the challenge for ASEAN member states.

Some ASEAN states concerned the refugee crisis and responded by having some regional meetings and summits between 2012 and 2016 which discussed the issues of refugees and cope with the crisis. However, the numbers of meetings did not move ASEAN efficiently to overcome the Rohingya refugees. It was an effect of regional norms and consensus constructed among ASEAN leaders, called non-interference policy. Indonesia is among few countries in Asia approaching Myanmar to transform from authoritarian to democratic country before ASEAN gave authority for Myanmar to chair ASEAN. In 2014, Myanmar hosted ASEAN Summit, and international community expected Myanmar government provide enough space to talk on the issue of Rakhine conflict and Rohingya problem. Myanmar kept the issue as internal affairs, and it was not allowed to any ASEAN Summit participants to discuss the issue.

Indonesian government became more active after getting public pressures following the upsurge of violence against Rohingya Muslims in Rakhine State in May–June 2012. Jusuf Kalla, the Chairman of Indonesia's Red Cross, visited Rohingya refugee camps in Myanmar in August 2012. President Susilo Bambang Yudhoyono appointed Jusuf Kalla as the special envoy on the Rohingya issue. President Yudhoyono said: "Mr. Kalla, with his extensive experience, can become our special envoy, so that Indonesia's solidarity and attention on the humanitarian issue of the Rohingya is accurate, does not give rise to misunderstanding for Myanmar but also helps our Rohingya brothers and sisters" (Singh 2014, 14).

The 24th ASEAN Summit in Nay Pyi Taw on May 2014 did not raise the issue of Rohingya refugee. U Aung Htoo, Deputy Director General of the Ministry of Foreign Affairs of Myanmar, said the issue of Rohingya was not raised during the foreign ministers' meeting due to ASEAN's charter calls for non-interference policy on internal affairs of member states. Vo Xuan Vinh said: "ASEAN will be put in the dilemma since Myanmar government has been unwilling to discuss the issue of the Rohingya people at ASEAN meetings after it took over the chair. In retrospect, ASEAN Foreign Minister released a statement in August 2012 on the recent developments in the Rakhine State" (Vinh 2014: 30). It becomes a great challenge

for ASEAN to reconsider international norms of human rights violations, especially ASEAN itself established human rights commission in regional level. Matthew Smith, Executive Director at the Thailand-based Fortify Rights, claimed: “ASEAN countries have never taken an active stance on regional human rights abuses and that needs to change if the region is going to grow in economic and political influence” (McLaughlin and Shin 2014).

Decha Tangseefa, Professor of Political Sciences of Thammasat University, said: “it is the notion of non-interference, until later we have the notion of constructive engagement, and then flexible engagement” (Tangseefa 2016). Non-interference policy of ASEAN affected how the meetings and summits became ineffective, especially to push Myanmar on human rights violation. Prof. Tangseefa added that “ASEAN is state based organization. You have to respect d’etat of the state, the reason of the state, which is what territory integrity” (Tangseefa 2016).

In 2015, the official meetings of foreign ministers of Indonesia, Thailand, and Malaysia resulted in an agreement which is to accommodate them before being transferred in a Third World country. This meeting is crucial to address Rohingya refugees at sea. This also became a regional solidarity among ASEAN states and community to reduce the burdens of refugee crisis. They agreed for burden sharing and burden responsibility for all ASEAN state members. They realized non-interference consensus of ASEAN affected the fact that ASEAN have no rights to pressure and persuade Myanmar. It is fully the home affairs of Myanmar. ASEAN only provide humanitarian assistantship to all Rohingya refugees and give them temporary shelters for certain period before transferring them to third parties (*Masyarakat ASEAN* 2015).

In the ASEAN ministerial meetings in Kuala Lumpur on “Transnational Crime Concerning Irregular Movement of Persons in Southeast Asia,” 2 July 2015, the establishment of the task force and the trust fund was formulated. This meeting talked about the conduct of polemic Rohingya refugees and legal immigrant. The ministerial meeting in Kuala Lumpur delivered some endorsements to save as many as 4,800 Rohingyas who became human trafficking victims (Dompert Dhuafa 2015). They were stranded in several Southeast Asian countries, such as Indonesia, Thailand, and Malaysia. Malaysia accommodated 134,175 asylum seekers and refugees with Rohingyas majority as of March 2017 (Ahmad et al. 2017, 67).

ASEAN needs a more progressive regional policy toward refugees for regional development, security, and stability. On 6 September 2016 at the 11th East Asian Summit, Chairman of the Summit declared:

We called on the Governments of all countries involved source, transit and destination to provide responses in the spirit of cooperation and collective efforts acting with humanity, compassion and in accordance with international law, and to the extent permitted by domestic law, to refugees and migrants. In this regard, we welcomed the adoption of the East Asia Summit Declaration on Strengthening Responses to Migrants in Crisis and Trafficking in Persons. (“Chairman’s Statement” 2016)

The statement however did not respond specifically to Rohingya crisis. The government of Malaysia requested the Organization of Islamic Cooperation to hold an

emergency ministerial meeting in Kuala Lumpur in January 2017 discussing the situation of Rohingya crisis. Malaysia called ASEAN to investigate atrocities committed against Rohingya Muslims and to coordinate humanitarian aid. Malaysia also requested Myanmar to have a regional informal meeting with ASEAN foreign ministers in Yangon in December 2016 responding international pressures (Shivakoti 2017). Aung San Suu Kyi during the meeting stated that Myanmar agreed to provide regular information to ASEAN members and worked with them in coordinating humanitarian aids. The Government of Myanmar allowed some media to visit Maungdaw, one of the important sites of conflicts. Suu Kyi also founded an Advisory Commission on Rakhine State chaired by Kofi Annan on 5 September 2016 (Shivakoti 2017).

The Advisory Commission investigated security sector in Rakhine State, one of urgent issues related to the crisis. The commission reported two points: Firstly, potential violent confrontations between Muslims and Buddhists communities occurred from 2012 clash. Secondly, anti-government sentiments attracted the rise of paramilitary groups, such as the Arakan Rohingya Salvation Army (ARSA) and the Arakan Army (AA) to challenge Myanmar's security. However, the commission founded that there is "alleged human rights violations carried out by the security forces have further strained relations between the authorities and the Muslim community, especially in the north," following the extensive military and police operations responding the attack on the Border Guard Police (BGP) in October 2016 (Commission 2017, 53).

Other than the factors of conflicts and wars, migration of people in Southeast Asian countries is pulled by other factors, economic growth and industrialization in the 1980s and 1990s. Professor Tangseefa stated: "Thailand is one among five tigers, Thailand, Taiwan, South Korea, Malaysia and Indonesia. They were called NIC, New Industry Countries. So in the 1990s, Thailand economy became progressive. For a lot of reason, that economic vibrant, how a lot of illegal (and legal) migrant workers from Burma" (Tangseefa 2016). The rise of migration, refugees, and trafficking pulled by new industry policy of Thailand is not prepared by national regulation on refugees. Civil society organizations responded to filling the gap by strengthening their participation to advocacy on refugees, trafficking, and migrant workers.

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## Second Track Diplomacy

Popular supports for Rohingya refugees come from second track diplomacy. Civil society organizations actively manage to overcoming refugees. In Indonesia, civil society groups criticized government not to accommodate refugees well. Indonesian Foreign Minister Retno Marsudi argues Indonesia is not a signatory state on the 1951 UN Convention which affected to passively respond to refugees. Foreign Minister Retno said Rohingya refugees are responsibility of international organizations like UNHCR and IOM. This argument raised critiques from Muslim community and civil society organizations who constantly accommodated and supported Rohingya refugees in Aceh and other cities of Indonesia.

Civil society groups managed second track diplomacy on overcoming Rohingya refugees. It covered national and regional levels. Indonesian government coordinated with civil society in Aceh in managing the camps of Rohingya. Indonesian

government tried to avoid breaking the international laws to give more spaces and burdens for civil society. Government facilitated supports under some ministries like Ministry of Social, which provided humanitarian programs coordinating with local government and civil society in Aceh. Nahdlatul Ulama and Muhammadiyah, two largest Muslim organizations with each member 60 million and 40 million, respectively, managed programs for Rohingya Muslims. They provided food, clothes, and other trainings.

Indonesian Muslim coalition also managed an important support to Myanmar. The Indonesian Humanitarian Alliance for Myanmar called the AKIM, Indonesian abbreviation of Aliansi Kemanusiaan Indonesia untuk Myanmar, was initiated by Indonesian Muslim civil society groups in early 2017. As of September 2017, 25 groups already supported the organization (Fauzia 2017).

Foreign Minister Retno Marsudi invited representatives of 11 Indonesian Muslim humanitarian groups to discuss a partnership between state and civil society to support aids to Rakhine State on 5 January 2017. Among the organizations are Muhammadiyah Aid (Muhammadiyah's humanitarian affiliate); Climate Change and Disaster Management Institution of Nahdlatul Ulama (LPBI-NU); Dompot Dhuafa; DPU Daarut Tauhiid; Rumah Zakat; LAZIS Wahdah; PKPU; Forum Zakat, BAZNAS, LAZ Al-Irsyad al-Islamiyah, and Pusat Zakat Umum; and LAZNAS LMI. The meeting resulted in the foundation of Indonesia Humanitarian Alliance for Myanmar (AKIM). AKIM developed a \$2 million humanitarian program called Humanitarian Assistance for Sustainable Community, focusing on developing schools, hospitals, and markets in Rakhine State, especially in Rathedaung, Sittwe, and Maungdaw (IPAC 2018).

In regional level, INGOs and NGOs actively work to support Rohingya and other refugees. Indonesia and Thailand are transit countries for Rohingya refugees. Thailand suffered more as Rohingya refugees use land routes toward destination country, Malaysia through Thailand. Noor Muhammad, coordinator of Rohingya refugees in Thailand, argued Rohingya people were treated very badly by Thai government. Police and immigration arrested Rohingya people, and some of them were just sold to smugglers. Muhammad claimed Thai government just attempted to get rid of Rohingya refugees. He concerned how detention centers are under international standard and some of refugees died due to the condition of detention centers (Muhammad 2016). Muhammad expected majority Muslim country of Indonesia to support Rohingya refugees and to lead ASEAN to persuade Myanmar government to provide security assistantship to Rohingya in Rakhine State.

International critical responses on human rights violations in Rakhine State gained negative signals from Rakhine activists, especially who advocated the movements against Rohingya Muslims. Burke argued: "International isolation and the lack of rule-based domestic institutions meant that Rakhine activists were cynical of the notion that any institution acts according to principles of neutral humanitarianism" (Burke 2016, 273–274). This is a consequence of international pressures and critiques to Myanmar government which allowed Buddhist militant movements to act violently against Rohingya Muslims. It is therefore the pressures using international aid and donors may be ineffective.

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## Challenge

The crisis of Rakhine State continued with some challenges. Firstly, domestic politics of Myanmar keep the crisis hard to resolve. The politics of identity affected to interfaith and inter-ethnic relations. They used to have a harmonious relation. However, relations worsen after the conflicts. Initiatives of Indonesian civil society groups attempt to mediate them to reflect current problem and how they could fix it through peaceful dialogue.

Secondly, in regional level power relations did not move the conflict into significant permanent peace. ASEAN's non-interference policy is challenged by human rights groups to consider a certain standard for regional organization dealing with human rights violations. The Rohingya human rights coalition claimed ASEAN way of non-interference policy as "a silence in crime." The reason is that member states of ASEAN tend to keep silent and avoid critical discussion in regional forums.

Thirdly, the fact-finding of UNSC took an international pressure to Myanmar and it was responded negatively by the government of Myanmar, China, and their allies. The ideas to bring the case to International Criminal Court (ICC) have double impacts. The process in national and bilateral peace initiatives will be affected.

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## Conclusion

Liberal institutionalists and constructivists argued ASEAN's transformation from the period of Cold War to the development of community integrated the regional institution resilient from global pressure (Acharya 2011). It includes the instability of the region in the 1990s in Cambodia and Indonesia and 2000s in Myanmar due to ethnic conflicts, internal wars, and human rights issues. Adaptability and accessibility of ASEAN on legal protection is challenged by rise of Rohingya refugees in Bangladesh, Indonesia, Thailand, and Malaysia.

The Indonesian foreign policy on Rohingya refugee referred to regional and international norms and values, especially respected the non-interference consensus of ASEAN. However, Indonesian government actively initiated meetings among states and established regional forum in dealing with refugees and asylum seekers including the problem of Rohingya refugees. Indonesian government is expected to take a stronger role in pushing Myanmar government on seriously solving the conflict between Rohingya Muslims and Rakhine Buddhists which is accused to discriminate against Rohingya Muslims. Minister of Foreign Affairs Retno Marsudi believed democratization of Myanmar will transform the country to handle the conflict more peacefully.

Former Minister of Foreign Affairs of the Republic of Indonesia, Hassan Wirajuda, initiated the Bali Process, co-founder with Australia in 2002. It became an active forum in Asia Pacific region discussing the challenge of refugees and asylum seekers in 2013 and 2016. The forum gave Indonesia leading country managing the problem of refugees. Indonesia also worked with Malaysia, Thailand, and Myanmar in dealing with Rohingya refugees responding the influx of Rohingya and Bangladeshi refugees in May 2015.



The Royal Thai government expected burden sharing on overcoming the Rohingya refugees with all states in Southeast Asia. Indonesian government urged Third World countries like Australia and other industrial countries to open their doors for refugees.

The challenge for refugees come from global politics. Anti-migrant views of governments and political parties in the West are rising. Some European countries managed a more stern policy against refugees. The Australian government in the latest decade tended to close their door for refugees, although it agreed to sign a coalition agreement to receive 1,000 number of Syrian refugees. Indonesian government expected Australia to open more for Rohingya and Bangladeshi refugees and change “return the boat” policy toward refugees.

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## Part X

# Cultural Celebration and Resistance

## Part Introduction

As cultures interact and change in complex ways, communities also respond in multiple fashions, depending on particular circumstances at the time and interests of groups concerned or powerful elements within those groups. People may mobilize to resist external cultural domination in a variety of ways or even celebrate either diversity or one's own identity as a way of affirming one's place in the modern world.

In many societies, celebration of identity takes place simultaneously with cultural resistance. Sereana Naepi and Sam Manuela examine how Pacific cultures and people are framed in the media and how the constructed public stereotypes can be countered through cultural resistance. Two ways in which many Pacific peoples celebrate and reproduce their identities are through kava ceremonies and associated cultural and cosmological discourses as Apo Aporosa examines and through cultural preservation by museums as Tarisi Vunidilo observes.

Artistic expressions are also significant in expressing and reproducing identity. This is the theme of the chapter by Murtala Murtala, Alfira O'Sullivan, and Paul Mason as they weave together the relationship between artistic expressions and ethnocultural identity by using the case study of Acehnese body percussions in Indonesia. The use of films as an artistic form of cultural expression, celebration, and resistance in politically repressive environments can be powerful and transformative. This is the case in South Africa where ethnic films were used to critique apartheid while at the same time celebrate black culture, as Gaioonisa Paleker and Bart Barendregt discuss in their chapter.

Celebration of multiculturalism is seen as a counterforce to racial demarcation and anti-immigrant policies. Many modern states are framing their national identity around multiculturalism and common citizenship, a theme which Igor Boog discusses in the case of the Netherlands.

Steven Ratuva



# Rewriting the World: Pacific People, Media, and Cultural Resistance **97**

Sereana Naepi and Sam Manuela

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## Abstract

This chapter explores how media is used both to create and resist hegemonic constructions of identity. Using Pacific peoples as an example, this chapter explores how media continues to portray colonial understandings of Pacific peoples and how Pacific peoples rewrite these hegemonic understandings using the same media that constructs them. This chapter considers various forms of media including poetry, film, blogs, online newspapers, and social media and how each is utilized to resist mainstream understandings of the Pacific.

## Keywords

Pacific · Media · Identity · Resistance

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S. Naepi (✉)  
Thompson Rivers University, Kamloops, Canada  
e-mail: [sepatterson@tru.ca](mailto:sepatterson@tru.ca)

S. Manuela  
University of Auckland, Auckland, New Zealand  
e-mail: [s.manuela@auckland.ac.nz](mailto:s.manuela@auckland.ac.nz)

## Introduction

Media as a communication tool has the power to both resist and create hegemonic narratives about who people are. Media is used to tell stories about individuals and communities; these stories are then consumed and can be used to define an individual or community of people. When a single story is told of people over and over again, that story becomes them (Adichie 2009); it therefore becomes imperative that these stories are resisted through retelling or rewriting. Currently rewriting the world is seen as a social justice moment. When we write from the perspective of those unable to pass in the world, we diversify the narrative of this world (Ahmed 2012, 2017; Naepi 2018); we begin to tell multiple stories of the same people and communities, thereby resisting the hegemonic ideology. This resistance is necessary as those with more political power have used their power to not only oppress others but to also rewrite “the other.” Pacific peoples experienced a rewriting of their ontological and epistemological understandings of this world as part of the colonial project (Hau’ofa 1994; Jolly 2007). The colonial project defined Pacific peoples in relation to Europeans and found Pacific peoples as lacking in some way (Jolly 2007). From the very moment of European encounter, Pacific peoples have had to work to define themselves on their own terms as colonial powers used, and others continue to use media to define the Pacific and Pacific peoples with single stories.

Media provides gateways for the construction and deconstruction of hegemonic ideologies. A simple exercise to show the hegemonic construction of Pacific peoples is to read the front page of a newspaper in Aotearoa New Zealand. The single story that is told of Pacific peoples on the front page of the newspaper is that we play sport, we provide entertainment (consumption of Pacific peoples), we are underachievers in education, or the Pacific is a tourist destination. However, it is possible to resist these hegemonic constructions, and hegemony is not permanent. When hegemonic ideas are resisted and challenged, we create space for the hegemonic idea to be shifted or moved toward a more nuanced understanding of what it means to be Pacific. We begin to create a diverse narrative of being Pacific with multiple stories. This chapter records current hegemonic ideologies of “being Pacific” and how these are currently challenged through the use of alternative media sources.

Pacific peoples in this chapter refer to both Pacific people located within the Pacific region and Pacific people who have migrated outside of the Pacific region. The Pacific region refers to Samoa, American Samoa, Tonga, Cook Islands, Niue, Tokelau, Fiji, Rotuma, Solomon Islands, Vanuatu, New Caledonia, Papua New Guinea, Kiribati, Tuvalu, Palau, Marshall Islands, Federated States of Micronesia, Wallis and Futuna, Hawaii, French Polynesia, and Rapanui. As such the identities of Pacific peoples are complex, multifaceted, and dynamic. There is no agreed-upon definition of what it means to be a Pacific person, as Pacific identities can be as diverse as the nations that fill the Pacific Ocean and as dynamic as the currents that flow within it. While it is important to recognize the uniqueness each nation brings to the Pacific, there are common threads of connection that speak toward a broader collective identity. These include an emphasis on family, spirituality, and views of

the self as an integral part of a wider collective. In essence, the Pacific self is relational and defined in terms of relationships with people and places.

This chapter will map how media has played a role in the “writing” of Pacific ethnicities and how Pacific peoples have used media to resist hegemonic portrayals of Pacific peoples. First this chapter will explore the role of media in the development of identity with a specific focus on Pacific identity formation. Second, we will examine how Pacific people have been established as a people whose bodies and ancestral heritage can be consumed through the use of the dusky maiden, noble savage, and Disney’s *Moana* (2017). Third we will consider how mainstream media has constructed the Pacific as an empty space for Western audiences to escape to. Throughout this chapter we will explore how Pacific peoples use media to resist hegemonic ideologies of Pacific people in an effort to establish and reinforce a Pacific identity that affirms Pacific peoples view of themselves. It is only possible to tell this story of media misrepresentation and re-storying because of Pacific people’s own use of media to resist hegemonic constructions of the Pacific, and we wish to acknowledge the Pacific people who record our stories in order to ensure the world can see us.

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## Identity Development and the Media

Lived experiences of identity formation for Pacific peoples have been likened to that of a journey with many ups and downs, and the formation and development of what it means to be a Pacific person develops through a series of challenges to the self, when the self becomes distinct in varying social spaces, when physical differences belie cultural differences, and when challenges from the biased assumptions of non-Pacific others force one to define their self in relation to others both Pacific and non-Pacific. Before exploring the role of media in the formation of Pacific identities, a theoretical discussion of Pacific identities that has informed contemporary, colonial, and indigenous views of Pacific identity development is necessary. This will serve a basis on which to discuss the way media can influence Pacific identity development.

Drawing on psychology, ethnic identity has been understood from a developmental framework. Early theories on identity development have drawn on Erikson’s (1968) model of ego identity development, which posits that questions about who one is become more salient during adolescence. Identity development would occur over time as one observed and reflected on their own values, interests, and identifications, eventually reaching an *achieved identity status* which is based on a unified understanding of oneself. Marcia (1980) extended upon this and posed identity formation via a process of exploring identity issues and committing to an identity, both of which when considered together suggest four identity statuses. Phinney and Ong (2007) articulate these statuses in relation to ethnic identity where one could (a) not have a clear concept of their ethnic identity (*ethnic identity diffusion*), which could lead to (b) a commitment to an ethnic identity without having explored its content or meaning (*ethnic identity foreclosure*), or (c) engaging in a period of exploration of what it means to be a member of their ethnic group (*moratorium*),

finally leading to (d) having a clear idea of what their ethnicity means to them and being committed to that ethnicity (*ethnic identity achievement*).

While ethnic identity development offers explanations of how one can come to understand their ethnic self, it does little to explain what ethnic identity consists of and the meanings it has for individuals. Ethnic identity has been understood from a social identity theory framework (Tajfel and Turner 1986) which posits that ethnic identity can be derived from one's self-perceived membership with a group, together with emotional significance attached to that group. Extending upon social identities, Phinney and Ong (2007) proposed ethnic identity as a construct consisting of self-identification with an ethnic group, a sense of belonging to that ethnic group, positive/negative attitudes toward the group, and involvement in practices associated with an ethnic group. Essential to Phinney's conceptualization of ethnic identities is how it is marked by its multidimensional and dynamic nature as indicated by discourses relating to ethnic identity development.

Psychological research on ethnic identity highlights two broad perspectives – one relating to the content of ethnic identity and the other on its development. Yip (2014) suggests these two perspectives have grown in parallel with each other. Within this broad narrative, some Pacific theorists have attempted to define what it means to be a Pacific person and how one comes to developing that self-consciousness. Anae (1998) examines identity through her personal journey in her study of Samoan identity. Her research draws parallels with Phinney and Ong's (2007) articulation of ethnic identity development but furthers this perspective by offering how ethnic identity is developed in contexts that provide content for what it means to be Samoan. For instance, Anae discusses interactions with family, church members, and non-Pacific people that challenged an individual's sense of self. Some of these challenges included the role of language as a marker of identity, discrimination in increasingly diverse contexts, and changing social networks. From Anae's perspective, a secure identity is one in which the sense of self as Samoan is persistent and in which one has found a resolution between internal and external conflicts of what it means to be Samoan. In a similar vein, Tiatita's (1998) early work positions Pacific peoples at the interface between two cultural worlds, where their involvement in one could be seen as denial of the other. Mila-Schaaf (2010) provides a description of polycultural capital for Pacific peoples in which experiences in diverse social settings are marked by feelings of inclusion, exclusion, similarities, and differences and provide an accumulation of cultural resources that allows people to engage with identities in relation to the contexts they are in. For instance, Pacific peoples would behave and react in particular ways to counter negative social narratives they perceived were being expressed by their non-Pacific peers. With a focus on the contents of Pacific identities, Manuela and Sibley (2013, 2015) put emphasis on family, relationships with society, a sense of belonging, positive attitudes toward Pacific others, the embeddedness of religiosity and spirituality, and engagement with one's culture. In relation to this, Pacific ethnic identity development is seen as influenced by relationships in various levels of New Zealand society. These perspectives of Pacific ethnic identities also speak of sociohistorical contexts, experiences of discrimination, responses to stereotypes, celebrations of self, and affirmations of the self with similar others.

When viewed against this backdrop of ethnic Pacific identity development, the role of media in identity formation becomes quite complex. In this sense, media can serve a dual role. In one sense, media can be a broad social influence from which one can gain information about what it means to be Pacific as one explores one's Pacific identity. In addition, the media's representation of Pacific peoples also creates, constructs, and defines the content of Pacific ethnic and cultural identities. However, the content of these ethnic meanings differs as a function of who produces Pacific media representations: Pacific or non-Pacific. As will be shown in this chapter, non-Pacific people often produce media narratives and imageries that reinforce Pacific peoples as consumable objects, whereas Pacific peoples tend to produce media imageries that tell complex stories of who we are and what can be used to reinforce strong positive Pacific identities.

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## Consuming the Pacific

The Pacific is often framed as a place and people to be consumed by the western gaze and western experience (Naepi 2016, 2018). This is evident in centuries old depictions of Pacific people as dusky maidens and noble savages right through to this contemporary moment in the Disney movie *Moana* where Pacific ancestors are depicted in multi-million-dollar films in order to advance profits by corporations.

### Dusky Maidens

The dusky maiden refers to a centuries old practice of “sexualizing and eroticizing the Polynesian female form through titillating visual representations of bare-breasted, nubile Polynesian wāhine (women), which functioned as soft porn for art connoisseurs” (Tamaira 2010, p.1). More recently the dusky maiden has developed to be a “simultaneous portrayal of Polynesian women as sexually receptive as well as distant and dangerous (as signified by the tattoos inscribed on their bodies), served to intensify rather than curb their exotic and erotic appeal in the Western imagination” (Tamaira 2010, p. 11). This problematic positioning of Pacific women continues. In a contemporary example, Netflix's popular series, *The Crown*, Prince Philip is seduced by Pacific women while on tour. In the scene, Pacific women are dancing and beckoning to him over a fire, and he is then led away by a dancer with a knowing smile. The dusky maiden trope is designed to remove agency and power from Pacific women by presenting them as vulnerable maidens for men's consumption as opposed to the genealogical descendants of powerful goddesses (Tamaira 2010). Naepi (2018) argued that this portrayal of Pacific women as consumable objects can be counteracted by building a more complex understanding of Pacific women, one that is built from Pacific people's own understandings of the world.

This movement toward developing a more nuanced understanding of Pacific women is not only important for how the rest of the world sees Pacific people but also for providing alternatives that allow Pacific peoples to resist internalizing these

problematic images (Jolly 2007). Poetry is one media device that is being used by Pacific women to dispel the myth of the dusky maiden. Pacific female poets such as Konai Thaman, Karlo Mila, Tusiata Avia, Courtney Sina Meredith, Teresia Teaiwa, and Katerina Teaiwa continue to share poetry that calls into question the hegemonic understanding of Pacific women as dusky maidens. Some Pacific women poets such as Selina Tusitala Marsh's *Statued (stat you?) Traditions* (1997) directly refer and critique the dusky maiden trope so that it becomes possible to reimagine Pacific women from a place of strength. Karlo Mila's poetry (below) speaks to Pasifika (people of Pacific ancestry in Aotearoa New Zealand) efforts to relocate themselves within the ancient beat of Pacific women, to find the grace and ease of movement that their grandmothers had. This poem of loss and reconnection is an important insight into how Pacific women experience the world outside of the hegemonic understanding of Pacific women. Pacific dance is not something that is done to allure (white) men away from their faithful wives and into the arms of a Pacific maiden (the narrative in *The Crown*). Pacific dance is something that reconnects us with our ancestors. Poetry is a form of media that gives Pacific women the opportunity to rewrite the world from Pacific perspectives disrupting and resisting the dangerous dusky maiden trope.

On joining Pasifika  
 When I first met you  
 we were learning to siva  
 wearing lavalava tied in awkward knots  
 our work clothes carefully folded away  
 both of us  
 learning a new dance  
 both of us  
 finding a different way to move  
 through life  
 We have hustled and bustled  
 and power-walked well  
 somehow  
 sacrificing the grace  
 and ease of movement  
 our grandmothers held in their hands  
 When we met  
 both of us  
 were trying to remember  
 that earlier beat  
 Both of us trying to reclaim  
 a new dance from old memories  
 both us standing shyly  
 in the back-row  
 trying to siva in our sports socks  
 both of us searching for a rhythm  
 we'd never quite  
 been able to find  
 within ourselves  
 All of us trying to find time  
 to ta'olunga



to meke  
to tamule  
to siva  
into our truest selves.  
(Mila 2005)

If we consider these two depictions of Pacific women next to each other, it is possible to see how different media sources can reinforce Pacific identities. Pacific produced media creates media that resists hegemonic ideologies of Pacific women and instead ensures that all the complexities of being Pacific are explored.

## Noble Savages

Pacific masculinities have been constructed through the lens of “the other.” The construction of Pacific masculinities can be tied back to the “world historical processes of colonialism, Christian conversion, market penetration and urbanisation” (Biersack 2016, p.198). Of particular importance in the construction of Pacific masculinities is the noble savage trope. The noble savage construction can be tied back to European desire to experience a “state of nature” that can be found within the South Pacific. It is a complex idea which both celebrates Pacific peoples in a state of nature (Campbell 1980) and suggests that when Pacific people engage in civilization, they become ignoble as they are tainted by the modern world usually due to their “simple” nature (Taylor 2008). While Campbell (1980) noted that it is the tourism industry keeping the idea of the noble savage alive, it is possible to see the same narratives within mainstream media today. The narrative of the noble savage which began during early colonization of the Pacific continues to impact on how Pacific men are portrayed today. The concept of the noble savage and Pacific masculinities can be seen within sports.

Pacific influence in sports is growing. Prominent Pacific names can be found in NFL with the likes of Troy Polamalu, sports entertainment with Dwayne “The Rock” Johnson, and in both Rugby Union and Rugby League codes internationally, particularly New Zealand and Australia. Perhaps rearticulating the noble savage trope in a contemporary age, Pacific men are seen to be displaying their raw and “savage” prowess on the sporting field. The increasing representation of Pacific men in rugby and league focus on the “natural athlete” stereotype and the “white flight” narrative (Cleaver and Napier 2018) – a movement of white players away from rugby because of the size and physicality of Pacific players. This positions white athletes as victims of the supposed natural athleticism of Pacific athletes, thus requiring the regulation of Pacific athletes in media narratives. The stereotype of the naturally gifted Pacific athletes is often paired with language that emphasizes their physicality and simultaneously downplaying their intelligence. Commentary on white athletes highlights their intellect, decisiveness, and leadership prowess, while Pacific athletes are generally spoken about in terms of their strength, power, and speed (Stevenson 2015). This is a common trope of athletes of color relative to their white counterparts (Gane-McCalla 2009; Eastman and

Billings 2001). Similarly, decisions of Samoan rugby player, rugby league player, and boxer, Sonny Bill Williams, were met with derision by media outlets, where he was simultaneously praised for his physical prowess but chided about his personal agency (Meagher 2017). The same media regularly reinforces the idea that Pacific nations could not possibly participate in rugby tournaments most recently citing that Pacific men would not return from high-paying European teams to play for their own national teams (Napier 2018). In this narrative, Pacific players who are noble in the game of rugby (as the media acknowledges their natural ability) are seen as unable to resist the corruption of the civilized dollar; their natural athleticism has become a source of greed in the face of capitalism. The media also points to governance issues using the “corruption” of one Pacific nation as an excuse to exclude all Pacific nations, suggesting that Pacific peoples are not capable of managing themselves.

In spite of the mainstream media’s belief that the “noble savage” will be corrupted by the dollar, it has been proven otherwise. In the lead up to the 2017 Rugby League World Cup, Taumalolo announced that he would be representing Tonga’s national team, Mate Ma’a Tonga. In New Zealand, the media were swift to characterize him as traitorous, having turned his back on New Zealand despite Taumalolo doing what the media now argues Pacific people will not do, which is give up a more lucrative contract to represent their home countries. Perhaps even more disheartening was how the mainstream media portrayed Taumalolo. The interplay between ethnic and national identities for Pacific peoples in the context of sport-related media places Pacific identities between competing patriotic loyalties, where they can be either New Zealand or Pacific, but not both. It is from this that competing narratives were developed – one by mainstream media that positioned Taumalolo as the anti-villain – one who displays heroic attributes in their quest for a goal but with questionable means on how to get there. According to media portrayals, it was admirable for Taumalolo to want to represent Tonga, but a slap in the face to New Zealand for doing so and perhaps an unwise decision for his future possibilities of national representation. This highlights an expectation by New Zealand media to see Pacific athletes as New Zealanders and New Zealanders only. It creates a sense that identity for Pacific peoples means surrendering their sense of Pacific-ness to the New Zealand national identity. However, their Pacific-ness is not viewed in terms of their culture, identities, and relationships with others but in terms of an essentialist physicality – the noble savage’s place is on the sports field. There are of course examples of Pacific athletes that have challenged this idea, showing how one can be both Pacific and New Zealander, such as Tana Umaga leading the All Blacks in haka, a role usually reserved for the indigenous Maori or tagata whenua (Teaiwa and Mallon 2005). When Pacific athletes exhibit any sense of personal agency, this runs counter to the narrative New Zealand media has produced, and the response is one of questioning loyalty to a New Zealand national identity – the “noble savage” has become morally corrupt. It is then when their Pacific cultural and ethnic identity becomes a centrally defining aspect of the narrative but in a way that is disruptive to NZ’s sporting goals.

Furthermore, Taumalolo was not the only target of negative media portrayals, but so too were Tongan fans. Media representations of Tongan rugby league fans presented an unruly, violent crowd, situating their place in South Auckland suburbs and highlighting the number of arrests made (South Auckland population has a high proportion of Pacific peoples and is stereotyped as a high-crime area). This presented three stories that all relate to Pacific identities as presented in media: one playing stereotypes of the Pacific criminal (McCann 2017) one in which Pacific success is tainted with problematic and antisocial behavior (“Tongan supporters well behaved despite 21 fans arrested” 2017). In instances where mainstream media outlets centered the Pacific voice, this was also shaped by dominant narratives. Centering of Pacific voices was a response to negative reactions by Pacific peoples of the unfair portrayals of Pacific players and fans who did not view themselves as the problematic images the media produced but as passionate and proud fans (New Zealand Herald 2017). While this could be seen as an attempt to challenge their own narratives, in essence it relied on them to provide a platform for the Pacific voice.

New Zealand media’s portrayal of the noble Pacific athlete and its construction of their identity presents a misunderstanding of what and how Pacific identities inform sporting endeavors and thus how they could be presented in media. Pacific productions and accounts of Mate Ma’a Tonga’s 2017 Rugby League World Cup campaign painted an image in which ethnic and cultural values were fully embedded in the teams approach to the tournament. Coconet TV’s summary of the 2017 Rugby League World Cup highlighted that these culture and ethnic behaviors were written as part of the normative behavior:

The Tongan team played their cards well in this tournament. They came in quietly and got down to the job of training and getting the basics right. Catch the ball and finish the sets. Off the field, they went to church, sang songs, ate well, and kept a humble camp. When tensions amongst Tongan and Samoan fans looked to spill over, they were on your facebook page telling their fans to calm down and increase the peace. The fans loved them, and they in turn played for their fans. All up, they had the perfect build up to this tournament and the results of good on field and off field training, became apparent on game days, where they muscled and then moonwalked themselves to the semi finals. (Kosokoso 2017)

In one paragraph, this excerpt highlights how a normative positioning of Pacific cultural values provides the construction of the Pacific athlete as a whole person – cultural, spiritual, professional, successful, and with a focus on relationships. This piece also referred to the problematic white gaze upon Mate Ma’a Tonga, acknowledging the problematic portrayal of Taumalolo’s agency, but not making the traitor narrative central, instead turning the narrative back on to mainstream media. “This is in no small part to the “defectors” (Taumalolo and co) who made themselves available to Mate Ma’a Tonga, earning the evil eyes of David Kidwell and the Kiwi team” (Kosokoso, *ibid*). This act of resistance both challenged the white narrative and asserted the Pacific narrative as one of equal and positive competition.

## Consuming Our Ancestors

Disney's *Moana* is a contemporary example of how Pacific peoples and their cultures are understood to be something that can be consumed. Disney a multi-billion-dollar media giant profited off the depiction of Pacific ancestral imageries. Disney utilized ancestral stories of Māui to create a Disney princess story that centered on a Pacific girl's journey across the Pacific with the demigod Māui to save her people. Disney profited immensely from this retelling of Pacific navigational stories and its inclusion of Māui as a sidekick. Disney's *Moana* was the second-highest Thanksgiving debut in America (after *Frozen*) making 81.1 million over the Thanksgiving holiday (Reuters 2016). Disney alludes to the significance of Māui in his song *You're Welcome*:

Hey, what has two thumbs and pulled up the sky  
 When you were waddling yay high? This guy  
 When the nights got cold, who you stole you fire from down below?  
 You're looking at him, yo!  
 Oh, also I lassoed the sun, you're welcome  
 To stretch your days and bring you fun  
 Also, I harnessed the breeze, you're welcome  
 To fill your sails and shake your trees...  
 ... Well, come to think of it,  
 Kid, honestly, I can go on and on  
 I can explain every natural phenomenon  
 The tide, the grass, the ground  
 Oh, that was just Māui messing around  
 I killed an eel, I buried its guts  
 Sprouted a tree now you've got coconuts.

Māui's exploits throughout the Pacific were designed to upset the universe the Gods had created to benefit themselves and instead shift the universe to benefit all of humankind (Luomala 1986). The inclusion of these deeds in Māui's song shows that Disney is aware and understands the significance of Māui to Pacific peoples.

In order to understand the significance of Disney choosing to represent and profit off Māui on film, it is important to understand who Māui is to Pacific people. Māui is a Pacific ancestor who has been characterized as a trickster or demigod. Māui is found throughout the Pacific (Luomala 1986; Howe 2006). Tonga has three Māui, the youngest of which is Māui Kisikisi, son of Māui 'Atalanga, son of Māui Motu'a (old Māui) (Mila 2016). In Samoa Māui is Ti'iti'i son of Talaga and brings fire from the underworld (Mila 2016). These may sound myth-like to people today, but they refer to stories of a Pacific ancestor. Mila (2016) outlines that many people consider that the hook Māui uses in so many stories to fish up islands refers to a set of constellations that were used to navigate to islands. Mila explains that:

All over Oceania we have named stars, cities, giant stone sculptures, landmarks, beaches, and islands after him. Our stories about Māui helped us make sense for centuries of morals, mortality, land, death, power, fire, mana, authority – and who and what you can be in this

world, regardless of birth. He has featured in story, symbol and song. He is both demigod and ancestor. (Mila 2016, n.p)

However, this inclusion of Pacific ancestral tales within a Disney film was not without some controversy. The problem was how Disney portrayed Māui; he went from a powerful ancestor to a:

pot-bellied, barrel-chested man-baby, with eyes too close together, pupils perfectly aligned with his widespread nostrils in nice savage symmetry. . . . . an oafish, neckless wonder with large lips and an ooga-booga mask-like mouth. Our great hero has more in common with the cartoon fare of the hunchback of Notre Dame, more affinity with the Beast than any Beauty. (Mila 2016, n.p)

Mila (2016) outlines how despite Disney's protests that they were representing Pacific people on film, at the end of the day, they had created a Pacific male archetype that Pacific people did not identify with. Diaz slammed *Moana* as:

Disney's 21st century imagineering of primitivist desire for noble savagery, now dressed up in a story of a would-be anti-heroine; a brave and amazing navigatress/princess (lets call her Moana 1) in synergistic touch with the power of nature, in particular with the ocean (Moana 2), in the company of a buffoonish, but ultimately lovable caricature (Disney Maui) of an actual pan-Polynesian demigod and revered ancestor (Maui the Real). . . . .The sad fact is, Disney is a capitalist culture-vulture that cannibalizes and then spits (or shits) out other people's cultural traditions and birthrights, a domain into which it has no real business sticking its nose, especially in such seemingly sensitive, but actually crassly commercialized ways. (2016, n.p)

Disney's portrayal of Māui and the Pacific is problematic because of the audience reach they have (Teaiwa 2016), they are able to create a hegemonic understanding of the Pacific and Pacific peoples. In spite of this, Pacific peoples were able to use online media outlets to protest this depiction of Pacific peoples and their ancestors (as shown above). It is clear that people are engaged in these alternative readings of Moana beyond a high-grossing film for Disney as shown in the YouTube video *Beyond Disney's Moana: In the Spirit of Maui* which has over 7000 views (Iron Lion 2016).

However, not all Pacific peoples used online media to resist Disney's representation of Pacific peoples in Moana. Thompsen (2016) argued that Moana could be good for Pacific peoples. Thompsen's central argument was that Moana was a story of female empowerment that provides a counternarrative to the patriarchy which was installed during colonization. Thompsen notes that:

I feel comfortable riding Moana's wave, because she makes space for us Pacific Islanders in global discussions. As adults, academics, activists, parents, aunts, uncles – we have the job now to reshape those spaces into something future Pacific generations will feel capable of claiming as their own. (2016, n.p)

Thompsen's view seems to be reinforced within the comment sections of his online piece in e-tangata (a Sunday online magazine for Māori and Pacific

peoples) where Pacific people from around the globe share that they too felt that *Moana* gave them at least one character in mainstream media that they could identify with.

The online debate of *Moana* among the Pacific community shows how media can be used to inspire complex discussions on identity and how we understand ourselves. The media gives us a platform to consider how we wish to be understood by the outside world and to also resist or agree with the depictions of our own people. This shows that not all hegemonic understandings of Pacific people can be considered just good or bad but that we should have a more nuanced discussion about what makes a depiction “good” or “bad” and if we see ourselves within this construction.

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## Populating the Pacific

The Pacific is often used as both a physical place for filming and as a plot device in film and television. Fiji serves as an example of how Hollywood both uses and frames the Pacific. Many movies have been shot in Fiji from *Mr. Robinson Crusoe* (1932), a film about a man living on an abandoned island; numerous reincarnations of *The Blue Lagoon* (1979, 1992), a film about castaways lost in the Pacific; to *Castaway* (2000), a film about a single castaway lost in the Pacific. What these films have in common is that Fiji provides the backdrop of uninhabited islands for Westerners to be lost in. This is taken even further in television where *Survivor* has filmed multiple seasons (four seasons) with plans to make Fiji its permanent filming home (Ross 2017). *Survivor* is a reality TV show predicated on the idea that American must survive being “abandoned” on uninhabited islands. In *The Truman Show* (1998), Truman famously talks about escaping from his manufactured life by fleeing to Fiji; in one particular scene when he is asked where Fiji is, he replies “FIJI, You can’t get any further away before you start coming back.” Fiji is understood to be a remote location where he can escape his life. This referencing of Fiji as a distant and remote place to escape trouble is common in Hollywood films and television.

In comparison feature films created by Pacific people show the Pacific as not only inhabited but also as a place from which life’s lessons can be learned. *Three Wise Cousins* (2016) written, produced, and directed by Samoan filmmaker Stallone Vaiaoga-Ioasa tells the story of a New Zealand-raised Pacific male returning to Samoa to learn how to become a “real islander” in order to win a girl’s heart. The theme is about the main character who learns from his cousins about the importance of putting family first while also tackling the difficult and complex issue of being Pacific when raised elsewhere. *Three Wise Cousins* is one of the few feature films created by Pacific people about Pacific people, and Vaiaoga-Ioasa said the best thing for him apart from the box office results was “the real impact is just the feedback that it’s cool to be an Islander” (Tapaleao 2016). This reflection shows the impact of creating Pacific films that reflect the Pacific, not as “islands in the far sea” (Hau’ofa 1994) but as islands with people, traditions, and knowledge.

## Conclusion

Although this chapter has outlined very specific examples of Pacific peoples responding to negative portrayals of Pacific peoples, it is important to note that there is a significant amount of media out there that is by Pacific for Pacific and that honors the diversity within the Pacific. These include *Truths She Wrote* (a blog about successful Pacific women), *The Coconet* (a website that uses multimedia to connect Pacific peoples to their heritage through language, history, stories, etc.), and *Fresh* (a television show dedicated to Pacific-oriented pop culture). The media is a powerful tool for defining people, but as Pacific peoples in New Zealand have experienced, the media is also powerful as a tool to resist these definitions.

## Cross-References

- ▶ [Faamatai: A Globalized Pacific Identity](#)
- ▶ [Kava and Ethno-cultural Identity in Oceania](#)
- ▶ [Media and Stereotypes](#)
- ▶ [Nuclear Testing and Racism in the Pacific Islands](#)
- ▶ [Race and Racism: Some Salient Issues](#)
- ▶ [Racism and Stereotypes](#)

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# Kava and Ethno-cultural Identity in Oceania **98**

S. Apo Aporosa

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## Abstract

Garibaldi and Turner (Ecol Soc 9:1, 5, 2004) explain the role that particular plants play in facilitating the shared ancestry, practices, and social experience of an ethnicity. This can include spiritual connections, cultural expression and practice, ceremony, exchange, linguistic reflection, socialization, and medicinal and/or dietary systems. They term these plants “cultural keystone species” and icons of identity, plants that if removed would cause some disruptions to the cultural practices and identity of an ethnic group. Undoubtedly, kava (*Piper methysticum*) is the cultural keystone species for many Oceanic and Pacific peoples, a “differentiating element of common culture” (Zagefka, Ethnicity, concepts of. In: Smith AD, Hou X, Stone J, Dennis R, Rizova P (eds) The Wiley Blackwell

S. A. Aporosa (✉)

Te Huataki Waiora: Faculty of Health, Sport and Human Performance, University of Waikato, Hamilton, Waikato, New Zealand

e-mail: [apo.aporosa@waikato.ac.nz](mailto:apo.aporosa@waikato.ac.nz)

encyclopedia of race, ethnicity, and nationalism. West Wiley, Sussex, pp 761–763, 2016) informing their ethno-cultural identity. That influence is also extending to new non-Pacific Island user groups who have embraced elements of kava ethno-cultural identity in what has been termed diasporic identity formation in reverse. This chapter will discuss kava with specific reference to ethnic positionality in Fiji while recognizing the tensions from inside and outside the region that support and threaten the continuance of the kava drinking tradition.

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**Keywords**

Identity · Kava · Yaqona · Fiji · Oceanic Pacific cultural identifiers · Evangelical

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## Introduction

Garibaldi and Turner (2004, p. 1, 5) explain the role that particular plants play in facilitating the shared ancestry, practices, and social experience of an ethnicity. This can include spiritual connections, cultural expression and practice, ceremony, exchange, linguistic reflection, socialization, and medicinal and/or dietary systems. They term these plants “cultural keystone species” and icons of identity, plants that if removed would cause some disruptions to the cultural practices and identity of an ethnic group. Undoubtedly, *kava* (*Piper methysticum*) is the cultural keystone species for many Oceanic and Pacific peoples, a “differentiating element of common culture” (Zagefka 2016, p. 761) informing their ethno-cultural identity. That influence is also extending to new non-Pacific Island user groups who have embraced elements of *kava* ethno-cultural identity in what has been termed *diasporic identity formation in reverse*. This chapter will discuss *kava* with specific reference to ethnic positionality in Fiji while recognizing the tensions from inside and outside the region that support and threaten the continuance of the *kava* drinking tradition.

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## Origination of Kava in Oceania

The *kava* plant, of the genus *Piper methysticum*, is found across much of tropical Oceania. Growing several meters tall and with six to eight thick noded stems and heart-shaped leaves extending from a central basal stump, *kava*'s importance is reflected in the traditional narratives of Pacific Oceanic people groups from Papua New Guinea in the west to Hawaii in the east (Lebot et al. 1992, p. 121). Lindstrom (2004) explains that although there is some variation in these narratives, they contain a common theme of regeneration and fertility empowered by local ancestral spirits and gods, with these recited “to legitimate contemporary behavioural patterns and understandings” (p. 12).

Botanical, linguistic, and genetic evidence suggests that the *kava* plant was originally found by the Austronesian Lapita culture in northern Vanuatu around 3000 years ago (Lebot et al. 1992). That “finding” has led to other narratives. For

instance, this tropical shrub is asexual – without seeds and requiring manual propagation – which has led to its status becoming a “plant of the gods,” believed to have been nurtured by the gods until the arrival of those first Austronesians in Vanuatu. This link with the gods is argued to imbue *kava* with *mana* (or spiritual power) (Aporosa 2014). *Mana* is also believed to give *kava* its medicinal efficacy, which includes mild anesthetic, analgesic, and anti-inflammatory properties and antifungal, amebicidal, anticonvulsant, antimicrobial, anticancer, and anxiolytic activity (Lebot and Cabalion 1988; Lim 2016).

Vanuatuan anthropologist Kirk Huffman (2012), reflecting on the spread of *kava* from Vanuatu, has observed: “Well cut and wrapped fresh *kava* branches can be planted after sea voyages of up to two weeks. . . . Thus, we can attribute the entire distribution of drinkable *kava* across the Pacific to the earlier maritime explorers of the region, long before the late arrival of European explorers” (p. 25). In their Eastern Polynesian anthropologically focused text, Kirch and Green (2001) agree with Huffman’s thesis: “we can be certain it [*kava*] was introduced from the West. Most probably, this occurred with or just after the initial Lapita settlement of Fiji-Tonga-Samoa region” (p. 256). It is speculated that early trading by Lapita peoples also introduced *kava* to areas west of Vanuatu, including selected regions of Papua New Guinea (Lebot et al. 1992).

Although trade is cited as a significant reason for *kava*’s distribution across the Pacific, Lebot et al. (1992) also cite the role of “traditional exchange . . . [which] links people with their gods and ancestral spirits” (p. 120). That union between *kava* and traditional spiritualism and *mana* suggests that early traders, who frequently negotiated dangerous stretches of open water, would have carried *kava* with them for protection while also having an item of spiritual significance on hand to offer to, and acknowledge, those they met en route and to forge trading alliances (Lebot et al. 1992, p. 142). That connection with gods and ancestral spirits is believed to have been enhanced through the consumption of *kava* beverage (Lebot et al. 1992).

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## Kava Preparation, Effect, and Oceanic Identity

Kava is made by steeping the crushed green or dried roots of the *kava* plant in water to make a slightly peppery earthy flavored drink (Fig. 1). In Vanuatu and the *kava* using regions to the west, *kava* is mixed with less water and therefore is stronger in concentration than typically prepared in Fiji and the islands to the east (Aporosa 2014). Active properties within *kava*, called kavalactones, dull receptors in the central nervous system leading to a slight numbing and slowing in the response time in the muscles, limbs, and brain creating a relaxed, peaceful, lethargic feeling (Aporosa 2011, 2017). This does not lead to marked euphoria or hallucination, as *kava* “intoxication” includes a clear mindedness, which facilitates quality conversation and decision-making (Aporosa and Tomlinson 2014).

Lebot et al. (1992) report that *kava* “plays a unique role in the social life of many Pacific societies. . . . [as part of] asserting their cultural identity” (p. 198). Pacific and Social Science researchers have reported widely on the link between identity and

**Fig. 1** Contemporary kava mixing using cloth ‘mixing bag’. (Source: Payson 2008, p. 122)



*kava* use across Oceania (Aporosa 2014, pp. 35–44). This includes selected areas of Papua New Guinea, notably in the Middle Fly District, where the Gogodala people continue to use *kava* today (Crawford 1981) together with the islanders of Pohnpei in the Federated States of Micronesia. Balick and Lee (2009) report that both the plant and the drink made from it play a critical role in “defining Pohnpeian cultural identity” (p. 165).

Kava in Vanuatu is described as important to outworking *kastom*, being a “symbol of national identity” (Young 1995, p. 61). Finau et al. (2002) also highlight *kava* use in Tonga through which “Tongan’s have maintained their cultural identity” (p. 59). Fehoko (2014) adds that *kava* consumption venues act as sites of cultural continuance in which values, language, traditions, and beliefs are “reinforced. . . thus reaffirming their Tongan identity” (p. 91; also see Matthias 2014). In Samoa, *kava* is considered “an important cultural symbol and a traditional sign of hospitality” (Minahan 2012, p. 279). Tengan (2008) tells an alternate story, an account of the impact of missionization, colonization, and cultural loss in Hawaii. This has now being addressed through a reengagement with *kava* as part of reestablishing traditional knowledge and enhancing identity. Anthropologist Dr. Nancy Pollock (1995) summarizes the importance of *kava* to ethno-cultural identity across Oceania: “In Tonga, Samoa, Futuna, Fiji and Pohnpei kava usage persists as an ‘external symbol’ of both current and past ideologies” (p. 2). Pollock’s reference to Fiji provides the focal point for this chapter, the cultural keystone role that *yaqona* (*kava*) plays in Fijian ethnicity and identity both in Fiji and the Fijian diasporic communities.

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## Yaqona (Kava) and National Ethno-cultural Identity in Fiji

*Yaqona* (more commonly known as *kava*), when coupled with its associated rituals and practices, is commonly recognized as a potent symbol of Fijian ethno-cultural identity (Aporosa 2008). Fijians colloquially refer to *kava* as *grog* (Geraghty 1996), although when spoken of in more formal discussion, both *yaqona* and particularly *wainivanua* (or “water of the *vanua*”) are used. To explain this connection, and

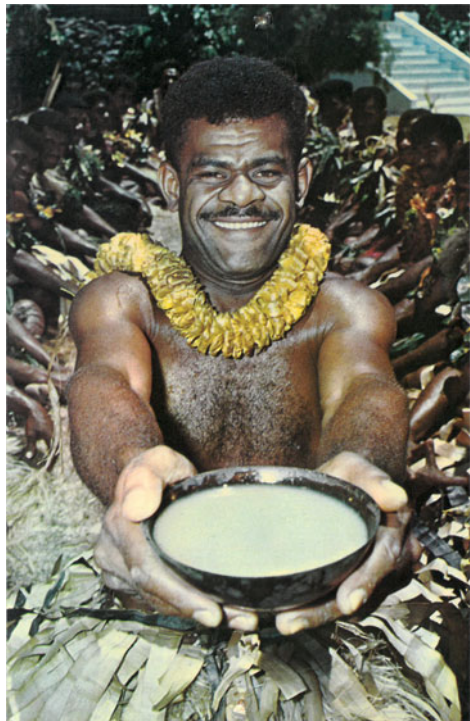
particularly the linguistic significance of the word *wainivanua* in more detail, Ravuvu (1983) states:

Vanua literally means land, but also refers to the social and cultural aspects of the physical environment identified with a social group. On the social plane it includes people and how they are socially structured and relate to one another. On the cultural plane it embodies the values, beliefs and the common ways of doing things. (p. 76)

Therefore, when combining understandings of *vanua* with the word *wainivanua*, this “infers an ingestible representation of the land, people and culture . . . which is deeply rooted in their sense of identity and customary practices” (Aporosa 2014, p. 68). Once prepared, *yaqona* (the descriptor that will predominantly be used in this chapter when referring to *kava* in Fiji) becomes a sacred and living entity that both embodies *mana* and has the ability to enhance a person’s *mana* (Turner 1986; Tomlinson 2004).

In most villages across Fiji, when the working day ends, men, and occasionally women, sit cross-legged at the *tanoa* (*yaqona* bowl) to discuss the day and plans for the next, along with the latest news or gossip (Aporosa 2008). *Yaqona*’s expression of Fijian-ness, and as an embedded symbol of ethno-cultural identity, has led to icons such as the *tanoa* and the preparation and/or serving of *yaqona* frequently being drawn on as a symbol of Fiji (Fig. 2). For instance, the *tanoa* is depicted on the Fijian one-cent piece

**Fig. 2** Postcard: Fijian serving *yaqona*. (Unknown producer)



(Fig. 3) and also comprises the logo and trophy for the annual *Ratu Sukuna Bowl* and interservices (police vs. army) rugby competition (Fig. 4) (Dean and Ritova 1988).

According to Ratuva (2007, pp. 92–99) and Vakabua (2007, p. 103), the drinking of *yaqona* demonstrates, externalizes, and personifies “Fijian-ness” and the Fijian way. Such notions are demonstrated through the union of the *tanoa* with *Ratu Sir Lalabalavu Sukuna* (1888–1958), a Fijian chief, decorated soldier (French Foreign Legion), statesman, and Oxford University scholar who many argue personifies the “ideal Fijian” (Scarr 1980; Lal 1985). By uniting one of Fiji’s most revered leaders with the *tanoa* – and vicariously *wainivanua* carried in the *tanoa* – to represent the logo and trophy for the annual *Ratu Sukuna Bowl* interservices rugby competition (see Fig. 4), this provides a potent metaphoric symbol of “Fijian-ness” and authority, reinforced through inferred power associated with Fiji’s military and police who compete for the *Ratu Sukuna Bowl*. More overt references can be seen within Tourism Fiji advertising and on postcards and prepaid telecards (see Figs. 5, 6, and 7).

**Fig. 3** Fijian one-cent piece.  
(Source: Government of Fiji 2006)



**Fig. 4** Polo shirt logo: Ratu Sukuna Bowl. (Source: Republic of Fiji Military Forces 2009)

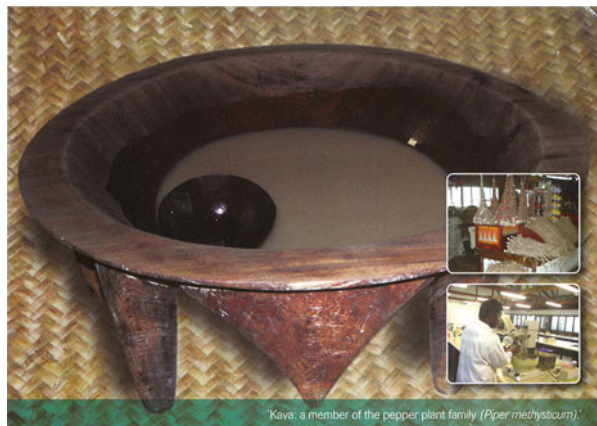




**Fig. 5** Postcard: iTaukei serving yaqona. (Source: Siers, J., c1979, author of Fiji in color)



**Fig. 6** Postcard: tanoa (yaqona bowl) and images of sale, export, and research. (Source: University of the South Pacific, undated)



## Yaqona (Kava) and Other Symbols of Collectivism

Symbols and icons are an important part of defining collectivist identities (Linnekin 1990). Hamrin-Dahl (2013) goes further, suggesting that collectivism through Pacific Islanders' use of traditional objects, icons, and practices in the postcolonial

**Fig. 7** Telecard: Fijian mixing yaqona. (Source: Fiji Posts and Telecommunications Limited 1994)



**Fig. 8** Official seal of Western Samoa



period affirms a construct of identity in contrast with the European “other.” She states that in contemporary Hawaii and Samoa, the *kava* bowl has now been adopted as a “national symbol” of postcolonial identity and sovereignty (ibid., 2013, p. 32). In addition to a *kava* bowl, the official Seal of American Samoa (Fig. 8) includes a *fue* (fly switch), another object of traditional significance to a number of Oceanic Pacific ethnicities. Other Pacific icons include the *taro* plant, coconut palm, *frangipani* flower, and *kava*.

## Fijian-ness, Yaqona, and Government

The Fijian Government also acknowledges the importance of *yaqona* to ethno-cultural identity, supported by the *Institute of iTaukei Language and Culture (iTL&C)* who are tasked with “preserving iTaukei [indigenous Fijian] identity” (Ministry of Information, 2010, p. 1). In an article discussing the work of the *Institute*, a large photograph of two Fijian’s dressed in traditional costume mixing



*yaqona* is included, clearly linking the practice with the stated objective of preserving cultural identity. Drawing on a number of scholars, former *litL&C* researcher Sekove Degei (2007) remarked: “To the Fijians, *yaqona* is a link to the past, a tradition so inextricably woven into the fabric of culture, that life and social processes would be unimaginable without it. Although the use of kava is common among other people groups in the South Pacific, for the Fijian, *yaqona* is clearly linked to concepts of identity” (p. 3).

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## What Do Fijians Say About *Yaqona*

In 2014, Fijian school teachers were interviewed about their *yaqona* use and questioned as to whether restrictions on nightly *yaqona* use were necessary to limit *kava* hangover aimed at improving teaching ability (Aporosa 2014). A school principal objected strongly to the idea of *yaqona* prohibition stating: “No one can stop us from drinking *yaqona*. People might try to stop us but they can’t because it is part of our culture” (p. 153). A teacher agreed, arguing that “*Yaqona* is the cornerstone of our culture” (p. 151). Yet another teacher responded, “People can encourage us to stop [drinking *yaqona*], but this is about our culture, *itovo* [custom, manner], the *vanua*” (p. 159), inferring *yaqona*’s significance to cultural practice and as an ingestible representation of the land, people and culture.

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## *Yaqona* and Ethno-cultural Identity in Diaspora

As Fijians and other Oceanic *kava* using peoples have migrated, they have taken their *yaqona/kava* drinking practices with them. That use of *yaqona/kava* in diaspora acts as a “visible means of affirming and demonstrating their Pasifika-ness,” playing a key role in maintaining connectedness to one and the other in both their new and old “homelands” and to assert their ethno-cultural identity (Aporosa 2015, p. 62). Some of that diasporic *kava* use has also influenced the opening of contemporary *kava* outlets modeled on café’s and alcohol-styled bars to cater for non-Pacific *kava* users (Wolinski 2018). However, of greater interest is a growing cohort of non-Pacific *kava* users who are joining Pacific diasporic *kava* using groups and embracing aspects of Oceanic ethno-cultural *kava* identity and practice. This has been termed *diasporic identity formation in reverse* and is interpreted by Pacific peoples as affirming the significance of their “cultural keystone specie” and icon of identity which further entrenches ethno-cultural *kava*-related identity (Aporosa 2015).

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## Critics of “*Yaqona* as a Symbol of Cultural Identity”

Overwhelmingly the literature and ethnographic evidence presented points to *yaqona/kava* as a significant ethno-cultural identifier in Pacific Oceania and particularly Fiji. Although there is a sector within Fiji who criticizes the overuse of

*yaqona*, asserting that this negatively impacts on productivity (Baba 1996; Kava 2002; Singh 2007; Rawalai 2014; for counterargument, see Kumar and Aporosa 2018), this has not led to a rejection of this cultural keystone species and its related practices in any significant manner. However, more recently Fiji has seen a small but increasing number argue that *yaqona* is not part of their identity or ethno-cultural expression. Most of these critics tend to belong to evangelical Christian denominations such as the *All Nations*, *New Methodist*, and *Assemblies of God Churches* (Aporosa 2014, pp. 154–157). Countering this message are the older denominations such as the *Wesleyan* and *Catholic Churches* who mostly continue to support *yaqona* use and practice. Ryle (2010) points out: “Pacific theologians have even related the kava ceremony to the Christian Eucharist, . . . [paralleling this with] themes of self-sacrifice, leadership and service” (p. 20). The Samoan Catholic Church, for instance, identifies “Jesus Christ as a Heavenly Kava Root at Bethlehem” (Taofinu’u 1973, p. 2).

Samoan Wesleyan Methodists believe that *kava* has a redemptive significance in the same manner as the Blood of Christ (Fa’asi’i 1993, p. 62). In the case of Fiji, Toren (1988, p. 709) also sees a likeness between images of Christ’s *Last Supper* with the *yaqona* circle. She advances that Leonardo da Vinci’s tapestry of *The Last Supper* “evokes the image of a group of clan chiefs [drinking *yaqona*] with the paramount chief [Jesus] at their centre.” The tapestry image and symbolism, Toren argues, is “a material manifestation of ‘the Fijian way’” (p. 696), thereby epitomizing “Fijian-ness” (see also Ryle 2010, pp. 23–5).

What then has influenced Fijians from the newer Pentecostal Christian denominations to deny the link between *yaqona* and their identity? This appears to have its roots in the pre-colonial use of *yaqona* as a conduit for communication between traditional priests and their ancestral gods (Turner 1986; Lebot et al. 1997; Linnekin 1997). *New Methodist* Church co-founder Reverend Atu Vulaono has declared that *yaqona* “is a hold-over from pre-Christian religion and not from God” (Titus 2009; also see Vulaono 2001). He has stipulated that *yaqona* is the “drink of Satan,” used to disrupt Fijian lifeways (Fiji Times 2008a, p. 2, b, p. 2). The idea that *kava* is the “drink of Satan” has become one of Vulaono’s signature messages (FBC 2017) and has been adopted by other Pentecostal Churches aimed at eliminating the consumption of *yaqona* in Fiji (Aporosa 2014).

While some view the criticism of *yaqona* by Pentecostal Christians as an opportunity for lighthearted joking, what has been more revealing are comments that Vulaono has rejected his culture. In the minds of many, Vulaono has forfeited his identity and cultural standing, not because he has ceased *yaqona* consumption but because he believes *yaqona* is the drink of and instrument of Satan (Aporosa 2014, p. 153). This connection to the devil is considered a threat to what *yaqona* symbolizes, an ingestible manifestation of the *vanua* and an icon that demonstrates Fijian-ness and therefore Fijian identity.

The Biblical reference often cited by Pentecostal preachers to support their anti-*yaqona* message is “Therefore, if anyone is in Christ, he is a new creation; the old has gone, the new has come!” (NIV 2011: 2 Corinthians 5:17). With many of the practices associated with *yaqona* having their foundations in the precontact pre-

Christian era, neo-Christian denominations frequently categorize *yaqona* as belonging to “the old.” Additionally *the old* can also include selected *meke* (traditional dance) and the use of *tabua* (whale’s teeth) and *yaqona* as part of marriage negotiation (Ravuvu 1983, p. 46). In contrast, “the new” is deemed to be an abandonment of “the old” traditional ways, with members of these new Pentecostal denominations encouraged to embrace alternative forms of cultural expression such as the giving of boxes of soap instead of *tabua* and the consumption of orange juice as a replacement for *yaqona*, in marriage negotiations.

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## Fundamental Questions as to the Role of *Yaqona*

For many, *yaqona*’s link to *mana* and the *vanua* prevents it from being substituted with other offerings, items some argue represent “plastic protocols.” This is particularly the case in solemn ceremonies such as the ethno-culturally based restorative justice process of *matanigasau* (Ratuva 2002; Cretton 2005). In these apology ceremonies, parties meet, present, and mix *yaqona* and discuss the issues that led to conflict or relational breakdown and seek resolution. As *yaqona* is seen as an ingestible manifestation of the *vanua*, the apology ceremonies, with its sharing of *yaqona*, symbolically demonstrates the reuniting of the *vanua*, a process that many argue would lack efficacy with orange juice – or the Pentecostal substitute that has no connection to the *vanua*. This not only has the potential for the loss of traditional knowledge and cultural identity but also has the likelihood to disrupt sociocultural harmony.

Twenty-five years ago, the UNESCO reported that “the loss of culture,” or cultural identity, is at “the heart of our . . . social problems” (Teasdale and Teasdale 1992a, p. 1). This they argued was not limited to indigenous cultures but also the “dominant societies of the west, who have moved so far along the road of capitalism, with its emphasis on competition, the consumption of goods and services, and the exploitation of the world’s non-renewable resources, that they too are losing their deepest roots” which in turn has seriously impacted sociocultural stability. The UNESCO report concluded that “Culturally appropriate teaching and learning is integral” to sociocultural stability, a process and goal that is reliant upon depth of ethno-cultural identity (Teasdale and Teasdale 1992b, p. 70). Thaman (1992) concurs, arguing that a lack of understanding of one’s personal culture is a factor in the breakdown of sociocultural values (see also Rao and Walton 2004).

Regardless that a strong divide exists between Fijians who argue that *yaqona* does and does not comprise or reflect their identity, Dalton et al. (2001) initiate valuable commentary which brings clarity to this implied impasse. They draw on Community Psychology’s Ecological Levels (also known as systems theory) and state that “Individuals, societies, and the layers of relationships between them are interdependent” (p. 13). Newman and Newman (2011) add:

Systems theories take the position that the whole is more than the sum of its parts. . . Any system – whether it is a cell, an organ, an individual, a family, or a corporation – is composed of interdependent elements that share some common goals, interrelated functions,

boundaries, and an identity. The system cannot be wholly understood by identifying each of its component parts. The process and relationships of those parts make for a larger, coherent entity. The language system for example, is more than the capacity to make vocal utterances, use grammar, and acquire vocabulary. It is the coordination of these elements in a useful way in a context of shared meaning. Similarly, a family system is more than the sum of the characteristics and components of the individual members. (p. 50)

As Newman and Newman (2011) note, system theory includes identity. Therefore the identity of the majority “cannot be . . . [altered or subverted, by the personal opinions of] its component parts.” It is the majority that dictate the “context of shared meaning” or, in the case of this chapter, ethno-cultural identity. As such, assertions that “*yaqona* is not part of some Fijians’ identity,” whether imagined or hoped for, do not alter *yaqona*’s fundamental link with ethno-cultural identity for the majority of Fijians, a union also found throughout other Oceanic Pacific *kava* using societies in both original and diasporic locations.

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## Conclusion

This chapter has examined *yaqona/kava* as an ingestible representation, manifestation, and embedded symbol of ethno-cultural identity in Oceania and in particular Fiji. This chapter has demonstrated that *yaqona/kava* not only plays a critical role in Fijian ethno-cultural identity but has also been adopted by selected non-Pacific peoples to enhance their own notions of self. However, this in turn has raised questions as to why some believe this iconic symbol and ritual drink does not comprise their identity in the same way. Reasons argued against *yaqona* include impacts to productivity and anti-*yaqona* rhetoric stemming from inside Fiji from the newer neo-Christian fundamentalist Churches with their foundations outside of the country. This tension however is not considered sufficient to limit *yaqona/kava* in Fiji or Oceania in general, owing to the depth of observance and practice. In summing up, while some may dispute and wish to undermine the significance of *yaqona/kava* as the dominant symbol of ethno-cultural identity – such as asserting that “*yaqona* is not part of my identity” – this simply reflects a minority opinion.

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## Cross-References

- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [Faamatai: A Globalized Pacific Identity](#)
- ▶ [Museums and Identity: Celebrating Diversity in an Ethnically Diverse World](#)

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# Museums and Identity: Celebrating Diversity in an Ethnically Diverse World

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Tarisi Vunidilo

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## Abstract

Issues of national identity are the subject of much discussion and debate, particularly in the fields of social and cultural studies. Museums lie at the center of these debates – their collections, and the presentation and interpretation of these collections, being inextricably linked to national identity. This chapter reviews these current debates within the social and cultural spheres, and locates museums within them. Its purpose is to develop a deeper understanding of the ways in which museums negotiate and construct meanings of national identity.

Over the past few decades, relationships between museums and ethnic societies, including indigenous people have changed dramatically for the better. Communities have demanded a bigger voice in how their cultural heritage, in both tangible and intangible forms, is curated and represented in museums. These

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T. Vunidilo (✉)

Department of Anthropology, University of Hawaii-Hilo, Hilo, HI, USA

e-mail: [tarisiv@hawaii.edu](mailto:tarisiv@hawaii.edu)



changes have led to increased collaborations between museums and source communities. Such collaborative work, among other things, has revealed diversity in the way people experience and understand their cultural heritage. Changing relationships have also given rise to new museum ethics that recognizes this diversity and reflects greater respect for people's cultural and human rights.

Museums as educational and cultural institutions started as places of learning for learned people. This changed over time as the role of museums increasingly focused on community groups showcasing *ethnic identity* of people. With history as the main focus of such institutions, museums were seen as *institutions that celebrated ethnic identity* of its visitors and stakeholders.

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**Keywords**

Museums · Ethnic identity · Tangible heritage · Intangible heritage · Source communities

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**Abbreviations**

ICOM	International Council of Museums
MAA	Museum of Archaeology and Anthropology
MOA	Museum of Anthropology
NMAI	National Museum of the American Indian
PCAP	Pacific Collections Access Project
PIMA	Pacific Islands Museums Association

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**Introduction**

Museums are important institutions in any society. They are repositories for knowledge and objects of value in many nations. Some view museums as a place for finding solace, healing, cultural reflection, and inspiration. Others compare museums to schools and view them as educational institutions where one can learn about their past, culture, and tradition. Some view museums as keepers of the past, since museums manage artifacts that previously were used by a group of people, many of whom have passed on. They believe that their elders have left behind a legacy for the new generation to carry on the culture and tradition of a people. Even though museums may be compared with other institutions, such as schools, it has been argued that museums can provide services to the community that other institutions cannot (Karp 1992, p. 5).

In recent times, culturally specific museums have been developed because the point of view reflected by traditional museums was perceived as excluding the experiences of certain cultural and ethnic groups. Mainstream museums were also perceived as places where objects associated with the histories of these groups were not being collected, and where the broad or specific stories of these groups were not being told through exhibits. Some key questions that remain to be asked are: Are these specialty museums no longer necessary today, as some have contended? Are they just jostling for political influence or expressing outdated identity politics?

Such questions do not reflect how much influence these museums have had on the museum world in recent decades.

All museums around the world today strive to be relevant to their communities, to be places of community, and to be organizations where scholarship and inspiration take place. Culturally specific museums set the example in how to achieve these goals. In fact, they have shown how programs that serve the community can be placed at the center of the museum model – so much so that many museums today, including natural history museums, have developed successful public programs that highlight a particular cultural group in the community.

In bad economic times, most museums are vulnerable. Culturally specific museums can weather this challenge if they remain relevant to their communities and reflect broader themes of universal human experience, provided they have prudent leadership. As long as these institutions think carefully about their mission, they will continue to play a vital part in expressing the ultimate museum experience. In a society that values diverse viewpoints, they can make an especially important contribution.

Some case studies that I will be discussing will feature situations in Africa, Canada, France, Singapore, England, and the United States where museums have become significant mediums for ethnic identity in a diverse world. It is imperative that we learn from these examples that showcase the diversity of their collections and connect with the diverse ethnic communities that they serve. Ethnic identity is all the more important today as it provides a safe space for migrants, refugees, and tourists, who are looking for a place of belonging.

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## Understanding Museums

According to the Oxford English Dictionary (2015), “a museum is a building where objects of historical, scientific, artistic or cultural interest are stored and exhibited” (Oxford Dictionary Online 2015). The International Council of Museums (ICOM) defines the museum as “a non-profit, permanent institution in the service of society and its development, open to the public, which acquired, conserves, researches, communicates and exhibits the *tangible and intangible heritage* of humanity and its environment for the purposes of education, study and enjoyment” (ICOM website 2015). Tangible heritage are physical manifestations of culture that a person can touch and feel. Intangible, on the other hand, are invisible to the naked eye, however can be heard, sung, spoken, and felt through emotions. Museums are places where objects are meant to invoke associations to trigger memories and to generate questions (Healey 1994, p. 34). Some view museums as keepers of the past.

*Musaeum* was traditionally defined as the place where muses dwell (Findlen 2000, p. 164). Whitlin (1949, p. 1) believed the word “museum” to have originated in ancient Greece. The Museum of Alexandria is believed to be the world’s first museum (Genoway and Andrei 2008, p. 13). It was built in the third century BCE by Ptolemy Soter (Butler 2007, p. 17). Prior to the building of this museum, temples were built and dedicated to the nine goddesses and used by *muses* or learned men

and women that studied the ancient Greek philosophies. Later museums have become known as the houses of knowledge (Findlen 2000, p. 164). Greek author Timon of Phlius wrote about the muses:

[I]n the populous land of Egypt, they breed a race of bookish scribblers who spend their whole lives pecking away in the cages of the Muses (Findlen 2000, p. 164).

The main features of museums in ancient times involved worship of gods and goddesses and the temple was viewed as the place of worship and a knowledge bank. As museums became known as houses of knowledge, the reputation of learned men and women soared and the muses, as they were known then, were on an equal level to philosophers. Access to these places was only for the elite. As time passed, the collections varied and included collections of astronomical and surgical instruments, and hides of rare animals which led to the development of the zoology field of study. Alcohol was manufactured and used to preserve animals. Some collectors began developing records and lists, which were exchanged among collectors. As travel became popular among the nobles, they also wanted to develop their own collections that reflected their interests and knowledge of the world. Overall, most of these muses and collectors were interested in the formation of the human race and classes of humankind. The classification of people had begun, in particular, in the categorizing of those who are powerful over those who are not. There was also a quest for knowledge and the studies of the animal kingdom, of minerals, and of astronomy added value to their search for knowledge. The result of such quests was the formation of museums in many parts of the ancient world.

The museum was also connected to the Great Library of Alexandria. This museum began the process of collecting astronomical and surgical instruments, as well as elephant tusks and hides of rare animals (Whitlin 1949, p. 1). According to Genoway and Andrei (2008), collections that began in the museum in Alexandria were scientific collections. As time went by, other types of artifacts were collected and added to the existing ones. Elements of sacred temples and of an educational institution seem to have been combined in the Greek schools of Philosophy. These museums became the source of inspiration for the development of museums in the beginning of the Renaissance (Lee 1997).

Strabo, the Greek geographer and historian of *Amaseia*, mentioned that the museum was part of the royal palace. There was also a large house where learned men (mostly philosophers) would gather with their leader, a priest, who was also in charge of the museum. Such priests were appointed by the King and later, priests' appointments were made by Caesar (Genoway and Andrei 2008, p. 15). Philosophers utilized museum spaces as their place of intellectual research and debate. As a result, the study of philosophy was regarded as a service to the Muses (Whitlin 1949, p. 1). The significance placed on Alexandria as the birthplace of museums has made the British Museum and the Louvre, among others, feel that they all share the same ancestry, and therefore they are referred to as the latter day Alexandrian mouseion (Butler 2007, p. 18).

Ernst (2000, p. 18) mentioned that the *musaeum* was an epistemological structure that encompassed a variety of ideas, images, and institutions. He further added that the museum was a text, occupying a position in the field somewhere between *bibliotheca*, *thesaurus*, *studio*, *galleria*, and *theatrum*. The muses focused a lot of their time and energy on developing new philosophies that related to life in the ancient world. In contrast, the role of postmodern museums is to teach museum users how to cope with information in museums. Museums became known as the inventory of the world (ibid).

There are many types of museums. Art museums offer a visual experience to their viewers, while museums of cultural and natural history produce exhibitions with more narrative content. In terms of museum classification in the United States, there are six types of museums and they are: museums of art, historical museums, anthropological museums, natural history museums, technological museums, and commercial museums (Conn 2010, p. 8). Museums are not free from political implications, as communities will always attempt to have a say on how the museum is run and what exhibitions they show (Karp 1992, p. 2).

Museums help people understand the world by using objects and ideas to interpret the past and present and to explore the future (Museum Australia Constitution 2002). According to Parman (2006), museums are themselves a part of history; they are living institutions that must continually cope with the present and imagine how to prepare for the future. Museums become the link between the past and the present. Key museum activities are collecting, preserving, studying, interpreting, and exhibiting (Karp 1992, p. 3).

From an indigenous perspective, museums are western institutions. The word “museum” has classical origins. In its Greek form, *mouseion*, it meant “seat of the muses” and designated a philosophical institution or a place of contemplation (Lewis 2012). Museums in the third century were only for the elite, where one could only visit the museum based on their status and educational background. Through time, museums began to open their doors to other members of society. The word “museum” was revived in fifteenth-century Europe to describe the collection of Lorenzo de’ Medici in Florence, but the term conveyed the concept of comprehensiveness rather than denoting a building. This was in the 1700s where, for instance, in Europe, learned societies were establishing themselves in regional towns rather than in major cities where the elite were based. Museums were moving away from having private collections to developing exhibitions for the public to view. The first public museum was at the University of Oxford, which opened its doors to the public to visit and view its collection (ibid).

In the 1950s, left wing writers on museums took a critical approach and supported the idea that museums could be perceived as instruments of the elite that are used to assert class-based claims to interpret and control high culture (Karp 1992, p. 9). Through time and with new forms of museum studies and new ways of collecting, a move toward the new museum was developed. There has been international research and debate around the roles of museums, collections, and repatriation that is critical to this research (Nafziger and Nicgoski 2009; Rukundwa and van Aarde 2007).

The role and status of museums are often taken for granted; however, at the same time, museums were seen to be dominant features of our cultural landscape as they

frame our most basic assumptions about the past and about ourselves (Marstine 2008, p. 1). In comparison with other heritage-led institutions such as libraries and archives, museums are versatile (Bouquet 2012, p. 3). They are versatile because museums are able to be adaptable to political and cultural changes in society and declare themselves as active players in the construction of meaning. Art historians such as McClellan (1999) support this by saying that museums have great flexibility and have been metamorphosing continually since their founding (Marstine 2008, p. 22). The new museum theory identifies four archetypes of museums: shrine, market-driven industry, colonizing space, and post-museum (Marstine 2008, p. x).

Museums were also viewed as a place where artifacts were rescued in times of distress. For example, in the case of the British Museum, it has in its possession artifacts taken from its former colonies under the guise of being rescued during turbulent political turmoil. For instance, the Elgin Marbles that originally belonged to Greece have now become part of the British heritage. Britain inherited democracy from ancient Athens, and universalization of the democratic ideals was then used as basis for colonization and domination of colonized people (Marstine 2008, p. 2).

Education was a fundamental factor influencing the way museums were built and what audiences could partake in the delivery of exhibitions. Elitism was another factor, where only individuals of high rank were privileged to view exhibitions and take part in the research and what took place behind the scenes. Between 1825 and 1925, there was a rapid increase in the number of museums in the United States (Genoways and Andrei 2008, p. 9). Marstine (2008, p. 3) said that museums have grown exponentially in number, size, and variety, and more people go to museums than ever before.

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## Modern Museums

Today, museums vary in their origin, discipline, scale, governance, structure, collections, sources of funding, endowment, staffing, facilities, and community setting (Weil 2002, p. 5). There are many types of museums. Some are privately owned, while others are publicly funded. There are also science museums, while others are based on art, ethnology, and history (Genoways and Andrei 2008, p. 10). The origin of museums goes back to the ancient times, where artifacts were kept for educational and religious purposes.

Museums in modern times are increasing in numbers and they vary in size, types, and narratives (Macdonald 1996, p. 1). In the twenty-first century, the term “museum” and its meaning has been debated. One such debate is questioning whether the focus of museums is collections or people. Modern museums are more inclined to satisfy the need of visitors, all the more so if they have to pay to enter and to ensure that programs and activities in the museum satisfy the needs of these museum visitors. Another debate is whether funding is paramount in order to provide a service, compared to the past where the learning from the objects was the priority. Museums, then, should be accessible places for encounters for everyone (Butler 2015). The narrow meaning is of a particular building or institution, but now museums are looked upon as a “potent social metaphor and as a means whereby

societies represent their relationship to their own history and to that of other cultures” (ibid). Museums today are more than just buildings; however, Dana (in Genoways and Andrei 2008, p. 137) is critical of new museums which are so focused on their sheer size and architecture that they remain isolated from their communities.

Museums today are frequently seen on the news and also in the ever-expanding literature on museology. As mentioned earlier – that the number of museums has increased in an unprecedented rate – museums are also diversifying in form and content. Some museums are tackling controversial subjects, for example, the Holocaust Memorial Museum in Washington DC; the Museum of Famine, Ireland, and exhibitions on colonialism, warfare, gender, and on sexuality (Macdonald 1996, p. 1). They have also opened themselves up to diverse communities and exhibiting collections that would not have been thought of before, for instance, the Canadian *Fluffs and Feathers* exhibition (ibid).

Overall, the past is always the concern of museums (Lumley 1988). In the 1900s, technological advancement has greatly influenced museum experiences and programs that are offered to museum visitors. More emphasis is given to sound, electronic buttons, and experiential exhibitions that enable visitors to be physically engaged in activities. Macdonald (1996, p. 2) noted that museums are using new media and new techniques of creativity. Some museum critics compare these museums to theme parks, deviating from how traditional museums should be. In New Zealand, one example is the newly built five-storey Museum of New Zealand Te Papa Tongarewa, located in Wellington. It has a lot of interactive machines for its visitors and its galleries are in no way close to its predecessor, the Museum of New Zealand (previously located on Buckle Street), which had a much more traditional feel (ibid).

Museums today are also used to celebrate political events that celebrate certain cultures. For instance, the Holocaust Museum in Germany is a museum dedicated to the effects of the two World Wars that devastated the Jewish population under the leadership of Adolf Hitler. History, in this case, is used as a political resource whereby national identities are constructed and forms of power and privilege are justified and celebrated (Lumley, p. 1988). In the United Kingdom, the development of heritage museums has increased over the years. Even though the British Museum was founded in 1753 and is one of the oldest and greatest public-funded museums, it is one of the museums that have contributed to the development of new museums around the United Kingdom. Many smaller museums pay tribute to the British Museum for setting standards and leading the way in the field of museology. Over the years, museum developments are proceeding at different rates, bringing with them the demand for professionalism and training (Wilson 2002, p. 2).

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## Ethnicity and Museums

Ethnic identity can best be understood through an examination of its linguist origins. The term ethnic has Latin and Greek origins – *ethnicus* and *ethnikas* both meaning nation. It has been used historically to refer to people as heathens. Ethos, in Greek, means custom, disposition, or trait (Trimble and Dickson 2005). Ethnicas and ethos

taken together therefore can mean a band of people (nation) living together who share and acknowledge common customs (Isajiw 1974). The second part of identity has Latin origins and is derived from the word *identitas*; the word is formed from the word *idem*, meaning same. This means that the term is used to express the notion of sameness, likeness, and oneness. More precisely, identity means “the sameness of a person or thing at all times in all circumstances; the condition or fact that a person or thing is itself and not something else” (Simpson and Weiner 1989, p. 620). Combining the definitions and interpretations of identity and ethnicity, it can be concluded that they mean, or at minimum imply, the sameness of a band or nation of people who share common customs, traditions, historical experiences, and, in some cases, geographical residence. At one level of the interpretation, the combined definition is sufficient to capture the manner in which the identity is generally conceptualized and used to understand ethno-cultural influences. At another level, identity is almost the same as ethnicity, prompting sociologists like Herbert Gans (2003) to suggest that identity is no longer a useful term. Additionally, due to the increasing popularity, identity has become a cliché and therefore more and more difficult to understand (Gleason 1996).

Definitions of ethnic identity vary according to the underlying theory embraced by researchers’ and scholars’ intent on resolving its conceptual meanings. The fact that there is no widely agreed upon definition of ethnic identity is indicative of the confusion surrounding the topic. Typically, ethnic identity is an affiliative construct, where an individual is viewed by themselves and by others as belonging to a particular ethnic or cultural group (Bentley 1987). An individual can choose to associate with a group especially if other choices are available (i.e., the person is of mixed ethnic or racial heritage). Affiliation can be influenced by racial, natal, symbolic, and cultural factors (Cheung 1993). Racial factors involve the use of physiognomic and physical characteristics; natal factors refer to “homeland” (ancestral home) or origins of individuals, their parents, and kin; and symbolic factors include those factors that typify or exemplify an ethnic group (e.g., holidays, foods, clothing, artifacts, etc.). Symbolic ethnic identity usually implies that individuals construct their identity; however, to some extent, the cultural elements of the ethnic or racial group have a modest influence on their behavior (Nafziger 1993).

One identifies with a particular ethnic group and continues to have a sense of belonging which involves one’s perceptions, way of thinking, feelings, and behavior. Individuals then are labeled through classifying and naming of people. Once this notion of “self-concept” is solidified through socialization, one tends to look at material things to identify their origin and for people around them. Our relationships with people and things was part of life therefore societies create “material culture” that are tangible evidence of one’s connection to their land and communities.

The relationship between ethnicity and museums is relatively complex and can be outlined in six ways. (1) Firstly, they build and invokes memories and strengthen love for the motherland of its citizens; (2) secondly, it enriches and renews the sense of national union and unity; (3) thirdly, they make people appreciate and enhance their cultural appreciation from a culture that has been inherited from their ancestors; (4) fourthly, museums introduces culture, natural wealth, and others to its people;



(5) fifthly, museums become key players in the tourism industry of a nation; and (6) lastly, museums help contribute actively to government's technological and annual development plans. I will discuss these six areas below:

## **Museums and Ethnic Memories**

It is best to reflect on human memories, and how we, as individuals or as a social group, tribe, or society, attempt to keep our memory and history alive for the sake of our future generations. This is something that can be done in the confines of our homes (through our family heirlooms, photo albums, etc.) or done publicly, through physical spaces and proper buildings that one must enter to view displays that evoke memories and allow the viewer to learn about their history (Crane 2000, p. 1). Memory is not a passive process as it evokes emotions and desires, either positive or negative, and is also driven by a desire to remember or forget. One way of solidifying memories is through creation of forms of representation, in objects that we touch and see (ibid). Museums then have become storehouses, a repository of memory, and the location of the collections that form the basis of cultural or national identity (Crane 2000, p. 4). Ernst (2000, p. 17) supports this position, that "all museums are storehouses or containers of cultural heritage. They all participate in a universal adherence to preservation of memories." Museums have become places where memories are forged in physical form to prevent the natural erosion of memory, both personal and collective (Crane 2000, p. 9).

## **Museums and Social Connections**

Some museums have developed an arrangement called "shared ownership" between artifacts and source communities. For example, at the Waikato Museum of Art and History in New Zealand, they developed a unique museum program known as "Cultural Days." A brain-child of the then Museum Director, Ms. Kate Vusoniwailala, such days were meant to showcase museum objects and cultures of ethnic communities that live in Hamilton City and represented in the Waikato District. Museum curators and education officers worked collaboratively with selected community members to deliver enriching exhibition openings and cultural programs that made ethnic community members "feel at home." In 2008, the museum won a national award with recognition by the Human Rights Commission New Zealand Diversity Action Program Award.

The museum was recognized based on how they promote cultural diversity including the award-winning exhibition "Rare View," which focused on Hamilton's Somali community; Keeping Faith, a major community exhibition on different religions in the Waikato; Qui Tutto Bene, which featured Italian New Zealanders; and Te Atairangikaahu, the Soaring Hawk of the Dawn, which showcased official photographs of the Maori Queen's tangi (funeral) as well as a standing exhibition on Tainui.



## Museum and Cultural Appreciation

Museums have a long history that responds to the human natures of collecting and keeping memories alive. Before the modern era, some individuals spent their time and resources collecting artifacts of interest. Through time, some interested individuals have worked in groups to achieve their goal of collecting. Museums have now become institutions that preserve and interpret artifacts that are important to a group of people or for the human race. Museums started collecting in ancient and medieval times and continue to do so today. In medieval times, storehouses, royal treasure troves, and curiosity cabinets began the process of museum development (Simpson 1997). The Enlightenment and Romantic thinkers added historical values to economic, scientific, and aesthetic values of objects, and this prompted the construction of museums for the preservation of the past. In modern times, historical museums and heritage museums have expanded tremendously and scholars are now focused on the way the past has been interpreted for the present and for national audiences (Crane 2000, p. 4). Museums, then, have become more than cultural institutions and showplaces of objects. They have become sites of interaction between personal and collective identities and between memories and history (Crane 2000, p. 12). Hagen (born in 1876), who was a Professor of Entomology at the Museum of Comparative Zoology at Harvard University (1867–1893), noted that temples were used in the past to house artifacts that were collected from travels around the world. For example, Alexander the Great gave the horns of the Scythic bulls, which were exceedingly rare, to the temple of Delphi. Similarly, the horn of the steer from Macedonia was presented by King Philip to the temple of Hercules (Genoways and Andrei 2008, p. 40). Over time, these temples became repositories of such artifacts; however, the methods of how items were kept and their associated maintenance have been a subject of interest. Many artifacts, most of them from the natural sciences, were lost and destroyed. Preservation, as a result, through time became apparently important, and scientists began to develop ways of ensuring that they last long and can be enjoyed over many years (ibid).

## Museum and Cultural Wealth

Museums though (to some researchers) have plundered to create their collections from a Eurocentric perspective. Marstine (2006, p. 14) highlighted that many claims to have had a benevolent motivation, which was to salvage objects that could not be protected by the source communities. The focus of such collecting was more for the wealth and status of the collector, the museum, and the state. It is thus important to identify the key motivating factor for collecting in the first place. In the case of New Zealand, the Auckland Museum has shifted this thinking from the collector to the source community. It has embarked on a 3-year project called the Pacific Collections Access project (PCAP). The museum has shifted its focus to the community as the source of “cultural wealth” that will enhance its current collection and relevant information. For the last 2 years, the museum has successfully

collaborated with “Indigenous knowledge holders” from the Cook Islands, French Polynesia, Fiji, Hawaii, and Kiribati.

## **Museum and Cultural Tourism**

Recent research has classified museums within the same groupings of theme parks and entertainment centers. Such museums have moved away from their traditional form to a more inclusive, modern way of enticing their visitors who are viewed as customers as they are required to pay for many services within the museum. Some museums employ full-time grant-writers to request funding from philanthropists and businesses to continue to meet the economic demands of their museum. With high turnover of exhibitions and museum programs, associated costs have pushed museums to make money, some through paid exhibitions, cafeterias, museum shops, and other paid events. Museums within this category are managed like a business and funders expect profits to be made at the end of every year. Cultural and ethnic artifacts become commodities to generate profit. Marstine (2006, p. 11) highlights how museums today have become part of a market-driven industry. Most museums need funding to operate and the work of museum directors, trustees, development officers, and even curators involves financial decision-making. As a result, many museums have become more open to economic realities and have adopted business models to generate adequate revenues (Marstine 2006, p. 12).

## **Museum Technology and Education**

Another debate regarding collections is whether museums need a collection to make it a museum. It is indeed true that collections make a museum; however, with new technologies being used in museums today, some are challenging the notion that museums still need museum objects to qualify as a museum. Conn (2010) challenged the known museum reality that collections created museums. In this book, Conn demonstrated that museums are no longer seen as houses of objects but seen as places of knowledge, a place of reflection between culture and politics. Objects, according to Conn, have begun to lose their centrality within the museum. Education officers are hired within the museum to create experiences within the museum. Films and moving images have taken over the focus on objects (ibid).

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## **Museum and Celebration of Identity**

Museums were originally sites of mass-control, wherein the dominant group collects, organizes, and displays the culture of the minority. However, today they became the venues for the minority groups’ identity formation and function as contact zones for both groups. Museums and arts are presenting identity to unite rather than divide. Curators and practitioners of the arts share a renewed focus on

how culture and heritage shape who we are. In the United States, for example, a vibrant mix of the arts, natural history, and history museums contribute to the increasing numbers of ethnic museums around the country. In the last 40 years, there has been an increase in culture-specific museums such as the Museum of the American Indian in Washington DC, Arab American National Museum in Michigan, Japanese American National Museum in Los Angeles, and the Contemporary Jewish Museum in San Francisco.

In the case of Fiji, the Fiji Museum provides a common space for exhibiting diverse cultural artifacts representing indigenous Fijians (iTaukei), Indo-Fijians, European, Chinese, and Pacific Islanders. Given the history of Fiji's ethnic strife, the Fiji Museum through its exhibitions and programs has provided a common space for interethnic representation. For the last 2 years, the Fiji Museum has seen an increase in the number of visitors, most of whom were local. The bimonthly Fiji Museum open day, is an opportunity to showcase cultural symbolisms and celebrate cultural diversity. The themes in the past included the culture and experiences of the Giritiyas (Indians that came to Fiji since 1879 to work on sugarcane plantations), as well as iTaukei culture and other cultures.

Another museum dedicated to cultural diversity is the Asian Civilizations Museum, the only museum in Singapore dedicated to exhibiting artifacts and collections representing different regions of Asia including China, Southeast Asia, South Asia, and West Asia/Islamic. The museum, located on the bank of the Singapore River, is where you can learn about Asia's history and cultures. With Singapore's multicultural history, this museum in particular showcases the migrations and conquests of leaders and kings thousands of years ago. The museum is also relevant to present generation where its rotating contemporary exhibitions meet the needs of its visitors. The Museum organizes monthly events targeting families to visit the museum and participate in its programs that showcases Asian culture through music, dance, drama, and artistic expressions. Highlight events include the Asian Culture and Music Series that focuses on the celebration of Indonesian culture under the Children's Season for this year. Children of Indonesian descent, now living in Singapore, can get the chance of reconnecting with their history and culture through public performances such as outdoor events hosted by the Asian Civilization Museum.

The Apartheid Museum in South Africa opened in 2001 and is acknowledged as the preeminent museum in the world dealing with twentieth-century South Africa, at the heart of which is the apartheid story. The museum is the first of its kind, illustrates the rise and fall of apartheid. An architectural consortium, comprising several leading architectural firms, conceptualized the design of the building on a seven-hectare stand. The museum is a superb example of design, space, and landscape, offering the international community a unique South African experience (Apartheid Museum 2018). The exhibits have been assembled and organized by a multi-disciplinary team of curators, filmmakers, historians, and designers. They include provocative film footage, photographs, text panels, and artifacts, illustrating the events and human stories that are part of the epic apartheid saga. A series of 22 individual exhibition areas take the visitor through a dramatic emotional journey

that tells a story of a state-sanctioned system based on racial discrimination and the struggle of the majority to overthrow this tyranny. The museum is a beacon of hope showing the world how South Africa is coming to terms with its oppressive past and working toward a future that all South Africans can call their own. It is also a place of healing for many families.

In the United States, the Skirball is the oldest Jewish museum in the country, established in Cincinnati in 1913 and then transferred to Los Angeles in 1972. One of the key features of such museums is that they are created by immigrant or minority groups to trace their history, demonstrate their sufferings, and celebrate their triumphs, ending with an assertive embrace of their identities. This has been the traditional narrative shaping recent museums devoted to such groups as American Indians, Japanese-Americans, and African-Americans. The Smithsonian Museum followed the same path when it built 11 museums and galleries on the National Mall and 6 other museums. It has the African American Museum, African Art Museum, American Art Museum, and the American Indian Museum.

The National Museum of the American Indian (NMAI) looks after one of the world's most expansive collections of native objects, photographs, and media, covering the entire Western Hemisphere from the Arctic Circle to Tierra del Fuego. The museum's sweeping curvilinear architecture, its indigenous landscaping, and its exhibitions, all designed in collaboration with tribes and communities, combine to give visitors from around the world the sense and spirit of Native America. Architecture in this case becomes a prominent language of showcasing the ethnic identity of the indigenous American Indians. Education is the best tool to inform individuals or groups of people on the history of your host nation. One way the NMAI have done this is through the usual museum exhibitions and community programs. Another way they have done so is through digital media and online teaching. The content of the lessons is from the indigenous community members' perspectives and aims at informing students and teachers alike on an important and difficult part of US history.

Vancouver's Museum of Anthropology (MOA) was founded in 1949 in the basement of the Main Library at the University of British Columbia. Today, Canada's largest teaching museum is located in a spectacular building overlooking mountains and sea – its collections, exhibitions, and programs are renowned for giving access and insight into the cultures of indigenous peoples around the world. The Pacific collection component was collected between 1895 and 1923. Frank Burnett, a Canadian writer and traveler of Scottish descent, was the founding collector, and his deep interest in the Pacific brought over 200 Fijian artifacts to MOA. He not only collected artifacts from the Pacific, but also from indigenous communities within Canada, including two most important Musqueam house posts, which were acquired and donated by the UBC class of 1927 (Shelton 2007). Indigenous house posts at the MOA reconnect indigenous visitors and tourists alike, to celebrate their heritage through public art such as carvings.

From the Pacific to Asia, from Africa to the Americas, the permanent collection area presents 3,500 works geographically without partitions. The juxtaposition of

these works encourages original dialog between the cultures of four continents. The museum holds ten or temporary exhibits per year, which are characterized by the diversity of approaches and fields of exploration. Designed by French or foreign figures from various backgrounds, the exhibits present works from the museum's collections, as well as prestigious loans from international institutions and private collections. Three hundred thousand works from Africa, Asia, Oceania, and the Americas make up the collection which the museum aims to conserve, document, and enrich. The collection housed by the muse du quai Branly-Jacques Chirac is extremely diverse, both in terms of its regions (Africa, Asia Oceania, and Americas) and its contents (photographs, textiles, sculptures, masks, etc.). The collection is the result of a history which extends from the Neolithic age via the kings of France to the explorers and great ethnologists of the twentieth century.

Apart from source communities visiting the Quai Branly Museum, the museum also invites performing artists, who are represented by the vast collections to be part of its program, showcasing their talents but also sharing their culture in a live setting. This is an Australian Aboriginal group from Australia "Crossing Roper Bar" performing in the museum space on November 10, 2012.

The Museum of Archaeology and Anthropology (MAA) is one of the nine museums at the University of Cambridge. The University's collections are a world-class resource for researchers, students, and members of the public. Cambridge has the country's highest concentration of internationally important collections outside of London (MAA website 2018). The MAA at the University of Cambridge holds world-class collections of art and artifacts from many parts of Oceania, Africa, Asia, and the Americas. These ethnographic objects include masks, canoes, and sculptures, some collected during the voyages of Captain Cook to the Pacific, others assembled by Cambridge fieldworkers from the late nineteenth century onwards. The museum also displays archaeological discoveries, ranging from the very earliest hominid tools excavated by Louis Leakey from Olduvai Gorge in eastern Africa, through to early South American textiles, to Roman and Anglo-Saxon finds from various parts of Britain (Elliott and Thomas 2011). The founding collection at the MAA was from Fiji.

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## Concluding Remarks

There are so many benefits of the roles museums in supporting positive ethnic identity of individuals in communities. This chapter has enabled us to define museums from ancient times to today. Changes are inevitable, and definitely, roles of museums have changed over time and types of museums have increased as well. Museums have to remain relevant to its stakeholders and visitors. One common denominator that remained unchanged is the role of collections and artifacts. These are definitely the physical manifestations of the cultures that they represent. These are the cultural markers and ethnic

identifiers of people from around the world. Such objects have become embodiments of unity and empowerment for those that needs emotional strengthening and ethnic affirmations.

From this chapter, we can identify six key areas that highlights the role of museums and their role in ethnic identity: (1) firstly, they build and strengthen love for the motherland of its citizens; (2) secondly, it enriches and renews the sense of national union and unity; (3) thirdly, they make people appreciate and enhance their cultural appreciation from a culture that has been inherited from their ancestors; (4) fourthly, museums introduces culture, natural wealth, and others to its people; (5) fifthly, museums become key players in the tourism industry of a nation; and (6) lastly, museums help contribute actively to any the government's annual development plans.

Museums indeed have the ability to celebrate diversity. Museum collections and exhibitions bridge connections to a universal community. Museums that focus on identity need to include not only diversity and individuality, but universal connections. The challenge for museums is not to see one way or the other, but both at the same time. While nineteenth- and early twentieth-century public museums have been implicated in many nation–state's inculcating agenda, debate exists as to whether contemporary museum persists in such a role. Using the case studies from Canada, England, France, Singapore, South Africa, and the United States, this chapter argues that museums continue to be instrumental in the evolution of national identities. While much has been written on the roles of museums in curatorial content and program delivery, others have been largely writing on museum's architectural or design elements. The MOA Museum in Canada and the National Museum of American Indian possess architectural designs that signify indigenous knowledge and architecture. This chapter draws on a historical framework to examine the Museum's approach to the representation of Australian history. In doing so, it highlights the role of the nation–state and cultural institutions in the construction of national identities, which is particularly relevant in the wake of studies demonstrating visitors' trust in museums as objective institutions.

In order to explore the extent to which museums can go beyond expressing and influencing people's individual and communal identities, this chapter has demonstrated that ethnic identities can be celebrated in heritage locations such as museums. Many museums in metropolitan areas comprise of international quality collections of art, history, and natural history. Many cities also suffer from some of the worst levels of health, poverty, and educational attainment; however, within the context of these contrasts and of the interaction of diverse local, class, and religious identities, the museum service has tried to achieve its various objectives which is to make "high culture" widely accessible, providing a recreational and educational facility for local people, expressing civic pride, and promoting cultural tourism. This chapter has proven both the impact of these factors on selected case-study museums and their attempts to influence the identities of their visitors and to contribute to the creation of a more just society.

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# Artistic Expressions and Ethno-cultural Identity: A Case Study of Acehese Body Percussion in Indonesia

# 100

Murtala Murtala, Alfira O'Sullivan, and Paul H. Mason

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## Abstract

As the processes of globalization bring diverse ethnic groups from within and across national borders into contact, translocal communities of practice increasingly sustain previously localized visual and performance arts. How do connections between artistic expression and ethno-cultural identity become constructed and contested in this context? In this chapter, we consider Acehese body percussion as a case study to examine artistic expression and ethno-cultural identity. The centrifugal forces of globalization have brought Acehese body percussion into contact with new student populations and put this genre on display for naïve audiences in foreign performance spaces. Acehese artist-

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M. Murtala · A. O'Sullivan

Suara Indonesia Dance Troupe, Sydney, NSW, Australia

P. H. Mason (✉)

School of Social Sciences, Monash University, Clayton, VIC, Australia

Department of Anthropology, Macquarie University, North Ryde, NSW, Australia

e-mail: [paul.mason@monash.edu](mailto:paul.mason@monash.edu)

teachers have mobilized their art to capitalize upon these shifts but simultaneously found themselves needing to develop effective responses to resist cultural appropriation and assert their authority over this unique genre of body percussion. While it can be argued that no performance genre is truly fixed, stable, and bounded, the desire to maintain a coherent association to ethno-cultural identity impacts on the aesthetic features of an art as well as the politicized discourses surrounding integrity, authenticity, and creativity. Acehese body percussion is a particularly compelling case example to consider given Aceh's 30-year conflict with the central Indonesian government as well as the political turn of events following the tragic tsunami on December 26, 2004. The maintenance of some semblance of purity in a performance genre is important to those who trade in the export of their culturally orchestrated skills, but even more important to a people whose sense of collective identity has been bolstered by external threats.

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**Keywords**

Aceh · Body percussion · Globalization · Ethno-cultural identity · Artistic expression · Creativity · Performance art

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**Introduction**

The opening ceremony to the 2018 Asian Games in Indonesia featured 1600 Jakartan high school students performing seated body percussion in striking unison. Highly coordinated patterns of movement rippled across 18 rows of dancers for over 4 min. Dynamic costume changes added to the visual splendor. Samples of traditional tunes backed by electronic music energized both dancers and crowd.

Choreographed by Indonesian singer and dancer, Denny Malik, the performance wowed audience members. The unity displayed in this performance genre has often been put on stage at national and international events to demonstrate the diverse cultures of Indonesia in harmony with one another. These artistic expressions of Indonesian identity, however, disguise the unsavory historical circumstances and political agendas impacting upon subnational, ethno-cultural identity across the archipelago. Denny Malik, for example, is not Acehese. Moreover, the foundational work of Acehese choreographers in teaching seated body-percussion to school students in Jakarta went unmentioned in media reporting about the opening ceremony.

The movement sequences of this crowd-pleasing dance performance had first been taught to Jakartan high school students by Acehese choreographers who had descended upon their nation's capital to escape civil conflict and seek better employment. They taught a collection of coastal Acehese dances known by diverse names, but which came to be branded as "Saman" in Jakarta. While Saman became the umbrella term for all Acehese dance, it is actually the name of a men's dance from the Gayo people in the mountainous area of the Aceh highlands. Originally used to spread Islam in Aceh, the sitting body-percussion dances have become popular as secular performance and entertainment all over Indonesia, especially Jakarta, and

overseas. Stripped of their histories and significance, symbols can become depoliticized markers of a hybrid identity (Lo 2000: 168). Long-standing historical tensions between Aceh and the central Indonesian government, however, have not left national representations of Acehnese body percussion uncontested. Ethno-cultural identity is strongly asserted by Acehnese artists who teach and perform unique and impressive genres of body percussion.

In this chapter, we examine the seated body-percussion dances of Aceh and how artistic expressions of ethno-cultural identity come to be constructed, experienced, mobilized, transmitted, appropriated, contested, misconstrued, and politicized. Saman, put forward by the Indonesian Government for listing on UNESCO's World Heritage List, was eventually inscribed in 2011 on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding. This political act raised the profile of Acehnese dance nationally and internationally, but also misrepresented the diversity of coastal and highland Acehnese dance and heritage. Furthermore, subsuming Acehnese dance into a larger nationalistic project brushed aside historical political tensions between the Acehnese people and the Indonesian government. The history of the dances, their names, philosophy, and meaning have all been disrupted as a consequence of increasing the number of stakeholders involved in these shifting discourses.

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## Branding Culture

In the words of Jonathan Haynes, "Names conceal as well as reveal" (2007: 106). For example, the title of "Bollywood" covers up the production of Indian films in languages other than Hindi such as Tamil, Bengali, and Punjabi (*ibid.*). Similarly, the name "Nollywood" covers up the diversity of film productions in Nigeria (*ibid.*). With regard to Saman, Indonesian authority figures have sought to promote the ideology of "unity in diversity" and have grouped together the multitude of sitting dances from around Aceh under one title. "Saman" has become a metonym for multiple different sitting dances found throughout Aceh that have come to be recognized abroad as Indonesian.

Acehnese dance first started to appear in Jakarta in the 1960s when President Sukarno was still in power. During this time, nationalist symbols were established by taking local culture from various provinces to represent a "National culture" for the nation in order to forge a collective Indonesian identity (Hughes-Freeland 2008: 55–56). The Indonesian government in Jakarta requested the Acehnese government provide dance troupes to perform Acehnese dances at official events and for visiting overseas officials who stayed at the Presidential Istana (palace). Other dance troupes from different provinces were also asked to perform. At this point in time, Acehnese dances in Jakarta were not taught yet in schools and very rarely performed by non-Acehnese people.

When Suharto's regime began in 1966, dance troupes from Aceh—troupes who had previously visited Jakarta to perform Acehnese dances at official State events—commenced performances at nonofficial events where they were more accessible to the Indonesian public. In 1974, the Acehnese government brought the Saman Gayo

arts team to Jakarta for the opening of Taman Mini Indah Park Indonesia. Tari Saman was simultaneously broadcast on TVRI, the Indonesian national TV station. The Tari Saman group from the Gayo highlands were subsequently asked to come back to Jakarta to perform at various official events. The 1974 performance, broadcast nationally, prompted the Indonesian public outside Aceh to consider all Acehese sitting dances under the label of “Saman.”

During 1970–1975, after the official opening of Taman Mini Indonesia Indah, Acehese dance was still only practiced within the sphere of the Acehese community. These communities then started to teach *sanggar* (dance troupes) around Jakarta. According to Marzuki, one of the first teachers of Acehese dance in Jakarta, training and practice of Acehese dances was initiated during this time by the Taman Iskandar Muda Acehese community group as well as pockets of the Acehese community in Jakarta. By the 1980s, there were a number of Acehese dance groups around, and Taman Mini also started their own *sanggar*. Non-Acehese people also started to participate in training in both sitting and standing Acehese body percussion dances.

Indonesia’s national motto was “Unity in Diversity” as proclaimed at the time of independence. As part of a nation and character building policy, arts education and activities were implemented into national pedagogical programs. In Jakarta during the 1990s, the Ford Foundation supported an Arts Appreciation Program, which introduced dances into schools in order to teach traditional forms of dance from different regions of Indonesia. Acehese sitting dances were the most popular and easiest to learn. Schools started to have dance competitions instead of basketball or football teams. Having a winning Acehese dance group became the pride of a school and community. Regional artistic representations that conformed to the nation building project were co-opted for the aims of the policy and offered a positive feedback for certain local arts. The nation building policy to promote *puncak daerah* (local peaks of cultural excellence) favored some performance genres over others. Versions of Acehese sitting dance were taught at high schools, undergraduate courses at Indonesian Arts Institutes, and extracurricular programs in various *sanggar*. Through this association, Saman became recognized by a national pedagogy and integrated into national events. The integration of *Saman* into the opening ceremony of the 2018 Asian games is an example of, to borrow the words of Hughes-Freeland, how “dance becomes both implicated in, and is also constitutive of, the embodied and imagined community of the nation state” (2008: 17).

Civil conflict was occurring in Aceh at the same time that Acehese dances were becoming popular in Jakarta. Indeed, the spread of Acehese dance around the country was catalyzed by civil war and conflict. In the history of Aceh, its people, and cultures have always been a distinctive group, not only were they linguistically and socially different, the Acehese considered themselves an independent polity (Reid 2004: 303). Aceh’s efforts against the Dutch saw them active in the Indonesian struggle for independence. However, the relationship between Aceh and the central government has always been complex and broken promises by the central government caused two rebellions to ignite against them. The first time was in 1953; the Darul Islam rebellion which was lead by Daud Bereueh declared Aceh as part of the

Negeri Islam Indonesia (Sulaiman 2006: 130) and for Aceh to become autonomous within a Federal Islamic Indonesian State (Reid 2004: 302).

The second rebellion had most effect on the spread of Acehese sitting dances outside Aceh. Hasan di Tiro proclaimed Aceh's independence from Indonesia on the December 4, 1976 (Sulaiman 2006: 135). The exploitation of Aceh's natural resources, their separate identity as a people, as well as the second rebellion being an extension of the continuity of Daud Beureuh's rebellion in the 1950s, were factors that are believed to have contributed to the second rebellion and conflict in Aceh (Reid 2006: 13). Edward Aspinall argues that a separate Acehese identity, detached from Indonesia, was assisted by the long-standing abuses by the Indonesian military during the Darul Islam rebellion (2006: 149–176). Di Tiro in his speeches also claimed that the subversion of Aceh's history is to blame for the lack of Aceh's own national identity (Sulaiman 2006: 135). The conflict between the Acehese Freedom movement (*Gerakan Aceh Merdeka*) otherwise known as GAM and the Indonesian government's military forces began in 1976 and lasted almost 30 years. In the early stages, many leaders of the separatist movement were killed, imprisoned, or exiled (Robinson 1998: 127–157), including Hasan di Tiro who fled to Sweden and led GAM in exile.

During the DOM (Daerah Operasi Militar) or Military Operations Zone in Aceh (1990–1998) (Aspinall 2009: 88), Jakarta not only sent dance troupes to Aceh but also performed Acehese arts within Indonesia as well as abroad. Some Acehese artists feel that this was one of the cultural maneuvers of Indonesia to outdo and outsmart Aceh on a cultural level, by claiming Acehese dances as “Indonesian” which endorsed the situation of control over the province.

During the conflict in Aceh, the military imposed curfews (Kartomi 2006: 88), so that many activities and events held at night, such as performances and parties, came to an end. This included the practice and performance of traditional Acehese art forms (traditional dances were practiced at night, starting from *Isya* night time prayers until *Fajr* or *Subuh* dawn prayers). The only groups that were able to continue performing were subsidized *sanggar* in government-sanctioned performances. Conflict came to an end on the August 15, 2005, after the devastating tsunami of 2004, and a Memorandum of Understanding was signed in Helsinki Finland between the Republic of Indonesia and GAM. Aceh was given the name Nanggroe Aceh Darussalam, with special autonomy status, and the freedom to choose and run its own government (Reid 2006: 317). Both GAM and the central government realized that a ceasefire was necessary for Aceh, in particular Banda Aceh, if the region was to recover.

During conflict in Aceh, it was difficult for dancers or trainers to get work, or perform, and hence many artists moved to the capital city and other cities in Indonesia to continue their art, especially Jakarta. Artists, such as Yusri Saleh and Mohammed Taufik, made decisions concerning their artistic careers and chose to move to Jakarta to develop their talents and art in the capital city where they were able to express their “Aceh-ness” by performing and practicing sitting dances through teaching at schools and various *sanggar*.

The move from rural Aceh to urban Jakarta led Acehese teachers to make aesthetic changes to the dances in order to adapt them to local context. The most

prominent change was that Acehese body percussion went from being a private practice (such as Acehese sitting dances in the mosques and private spaces of Aceh) into an organized cultural expression on stage (such as Acehese sitting dances performed at festivals in Jakarta). This shift away from private spaces opened Acehese body percussion out to public audiences. When a cultural practice shifts from private to public viewing, it “moves from mere self-representation to ‘representation for someone’” (Lewis 1992: 3). As a consequence, visual aesthetics became a valued feature of Acehese body percussion performances in Indonesia. Sitting dances in Jakarta became restructured to create a more visually intricate and aesthetically attractive performance genre, yet simplified in terms of the significance and devotional elements intended as supplications to God.

Driven by economic concerns, teachers marketed their product in a manner that maintained the interest of their clientele, which for the most part was Junior and Senior High schools. After all, subsistence comes before existential concerns. While non-Acehese Indonesians may have attributed the name Saman as a collective umbrella term for Acehese sitting dances, many Acehese artists propagated the trend, even though they were aware of Saman’s specificity. Just as the term “Nollywood” is simple to recall and implies a space alongside the of Hollywood and Bollywood in the international film industry (Haynes 2007), so too did the term “Saman” serve instrumental purposes in marketing and popularizing Acehese dance, securing paid employment for Acehese choreographers, and maintaining a steady flow of student clientele.

In what might be considered an effort to reclaim or reassert their authority over these ethno-cultural, artistic expressions, Acehese artists popularizing seated body percussion in Jakarta have created a new term to categorize these dances, “Ratoh Jaroe” as the distinctive Jakartan style of Acehese sitting dance. These dances use songs from a collection of coastal Acehese dances including Likok Pulo, Rateb Meusekat, Ratoh Bantai, and Ratoh Duek. Teachers like Yusri Saleh and Mohammad Taufik claim that these dances are urban as they have changed in style, movement, vocals, and the *rapai* drum musical accompaniment. Discriminating, labeling, and categorizing markers of difference is a political act, one that defines and asserts boundaries between groups and reinforces in-group/out-group dynamics (Mason 2013). That the label “Ratoh Jaroe” has been respected by Indonesian journalists reporting on the opening ceremony to the 2018 Asian games might be taken as a good sign, but only time will tell if these labels will loop back and accentuate the differences between rural and urban forms of Acehese dance and eventually perhaps even serve to crystallize the aesthetic markers of difference between these two forms.

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## Participating in the Dance

Collective participation in Acehese sitting dances allows people to recognize themselves as, to repurpose the words of Michael Jackson, “members of a community, of a common body” (Jackson 1983: 338). The sense of solidarity is strong. Performing

seated body-percussion in unison with others fills dancers with a strong feeling of belonging within a group and through shared action allows the group to feel like a community. Not only is the sense of togetherness strong and deeply experienced, this sensation can be achieved relatively quickly. Large groups in rank and file can learn these dances reasonably easily, because choreographed, multimodal, and self-referencing methods of teaching (see Mason 2017) allow rapid transmission of the genre. Becoming unanchored from its original social setting allowed Acehnese body percussion to become an autonomous performance genre, which allowed it to become contested as either an artistic expression of ethno-cultural or national identity.

During seated body-percussion performances, dancers sit close to one another, shoulder-to-shoulder, and knee-to-knee. Dancers form one or more lines and articulate movements together as a group. They rely on each other to coordinate carefully choreographed complex sequences. Each individual dancer has a responsibility to the next dancer sitting in the row to ensure the pace and rhythms are in time, even when rhythms are intertwined between the dancers, to create a sense of unification performing as one body as opposed to individual dancers with different roles. Margaret Kartomi refers to artists who primarily perform as dancers but use their body as the instrument to create rhythms and vocals while performing body movements as “dancer-musicians” (2004: 1). This self-accompanied dimension (see Mason 2014) of body percussion demands concentration and physical investment on behalf of the performers and provides them a strong sense of ownership over the performance.

Elite performers undertake intense training in order to perfect the technicalities of intricate sequences of movement. Movements might be synchronized in unison or in harmony, i.e., all members of a performance group will perform the same movements at the same time, or two or three complementary choreographies will be split across every second or third dancer in a row. Movements must be perfected and memorized. Teachers might use slightly divergent methods of teaching and emphasize different performative aesthetics. Teachers may also sculpt student interpretations by sharing knowledge, philosophy, and anecdotes about dance. To better understand the specifics of Acehnese body percussion, we will describe three Acehnese sitting dances in the next section.

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### Three Acehnese Dances

In this section, we discuss the history development and performance styles of three genres of Acehnese sitting dances: Ratéb Meusekat, Likok Pulo, and Saman. We explore the important differences in movement, song, and history in Ratéb Meusekat, Likok Pulo, and Saman. Ratéb Meusekat is a women’s sitting dance from the West and Southern regions of Aceh. Likok Pulo is originally a men’s dance from the Pulo Aceh community. Saman is a men’s dance from the Gayo people in the mountainous area in the Aceh highlands. Likok Pulo and Ratéb Meusekat have songs that tell stories, which show Shia’ influenced rituals still in practice. These three sitting dance genres all involve rhythms being made by beating on the chest,

thighs, and floor, clapping, clicking of the fingers, and singing simultaneously. The characteristics of the body percussion seen in these dances and the accompanying songs about Hasan and Husain also point to a strong Shia' influence. Hitting and beating of oneself is reminiscent of the Shia' practice of self-flagellation during the day of Ashura (Mason 2016), which is believed by many in Aceh to be the origin of how the body percussion that is prevalent in Acehnese sitting dances started. Various movements and lyrics of the Acehnese sitting dance songs are full of the symbols of the Battle of Karbala: in Acehnese, "tumbok tumbok droe" meaning to beat oneself as a reflection of the mourning for Husain. The strong relationship to the history of Shia' in Aceh, especially in the distinctive percussive beating on the body, make the seated body-percussion a unique artistic expression of ethno-cultural identity.

With the advent of Islam in Indonesia in the thirteenth century, the Islamic Shia' tradition entered together with Sufism (Barorah 1976: 6) via India and Persia. The Shia' influence can be seen through local rituals and practices still prevalent in some provinces in Sumatra. There are many genres of dance, music, and arts that are influenced by Sufi expressions of Shia' traditions throughout Indonesia; the Tabuik festival of the Minangkabau people of West Sumatra and the Tabot festival of Bengkulu (Mason 2016). The Shia' influenced rituals shows the prevalence of cultural exchanges that occurred between locals, Arab travellers, traders, Sepoy Indians and Europeans. Interestingly, many Shia' practices still exist even though Indonesian Muslims are predominantly Sunni (Kartomi 1986: 141).

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## Ratéb Meusekat

Ratéb Meusekat dances were developed in Meudang Ara Rumoh Baro in South West Aceh. Ratéb comes from Arabic. Its etymology is from the word "ratib," meaning "to stand firm." In practical terms, ratéb appears as a form of worship based upon a number of particular prayer readings, which are performed as a religious exercise together making secular rhythms accompanied by singing (Hurgronje 1895: 159). The solo singer and the group take turns in singing sacred songs while performing body percussion kneeling, like the creed, the names of God, or praises to God and his messenger. The positioning of the hands varies from the chest and in front of the shoulder as well as hands being put out straight in front with palms facing to the audience. The hands also beat the thighs and floor and there is clapping, and also clicking of the fingers. Identical patterns are made in the air with hands and neck and heads going the same way or opposite to the next person. There may be pairs of odd-numbered performers creating one pattern, for instance, with their torso bent forward closer to the ground, and the even-paired numbers are sitting up (Kartomi 2004: 38). These movements are continuous for one song and then change when the next song starts.

The origins of the dance, as well as the name has a number of different sources; one theory, is that its name derived from "Maskawahi" – the name of a philosopher from Iraq, the Islamic Scholar (Ulema) Ibnu Maskawahi. Though this is believed by some to be legend, Maskawahi met Acehnese pilgrim Teuku Muhammad Taib in



Bagdad in the seventeenth century (Kartomi 2006: 97–98) taught religion and arts in the form of what was believed to be the beginnings of Ratéb Meusekat, which he then brought back these teachings to the kingdom of Kuta Bate, in the southern district of Blang Pidie (present day region of the Aceh Barat Daya) where he became the religious leader of a school, teaching female students from all ages from surrounding villages in Rumoh Baro, later changing its name to Desa Medang.

The word “meusekat” may come from seukat which in Arabic means “to pray” or the word sakat meaning “quiet.” According to Snouk Hurgronje, ratébi syèhs coerced their dancers to over stress the words of the ratéb poems which carried the creed and names of God, because deliberate mistakes were considered by many people to be unforgivable (khafr) (Hurgronje 1906: 60). In some cases, the words of the creed, the names of God, or alternative words like Hu, which mean “He the Lord,” and many others, have been replaced with sounds that hold no meaning; so it is difficult to know or remember the original sources.

The spread of Ratéb Meusekat throughout West Aceh is believed to have been led by the daughter of Teungku Abdurrahim (aka Habib Seunagan) who came from Nagan Raya and taught the movements, while its poems or ratéb were created by Teungku Chik in Kala: an ulema (Islamic clerical scholar) in Seunangan. The content and unique characteristics of his poems consisted of adoration and praise to God and adoration of the Prophet Muhammad.

At first, Ratéb Meusekat was practiced in the pesantren, Islamic boarding schools, as an extra activity for students or santri (religious scholars) after learning and preaching (pengajian) or a religious lesson at night was over, as a form of entertainment in the space and grounds of the pesantren. However, after the santri completed their education from the boarding school, they also taught and spread this art in the heart of the community as dakwah, or a tool to promote Islam.

Originally, this dance was specifically performed and watched only by groups of women, but in its present development, this dance may be viewed by groups of men also. These dancers used traditional Acehnese clothing; cloth (selendang) that is crossed over the chest, with the ends tucked into a gold belt, over a long-sleeved blouse. The blouse is either white, silver, red, yellow or gold, and black, which are colors that are associated with the cardinal directional concepts of space which encompass Animist-Hindu-Buddhist associations, with certain colors also being influenced by Perso-Arabic arts like green (Kartomi 2004: 9). The dancers cover their heads with a head scarf called a jilbab with pants and a colorful songket, which is a woven Acehnese cloth type skirt over the pants. Today, the range in colors varies from pink, green, purple, blue, red to mention a few. The dance is performed by 9–15 female dancers and 2 singers, called aneuk syahè in Acehnese, who sit to the right of the dancers. The syèh who sits in the middle of the dancers and an apet syèh next to or two to three dancers down the line. Over time, the dance became more broadly imitated and became a regular activity for many people.

Kartomi notes Ratéb Meusekat was on the verge of extinction in the 1960s as men started to be prohibited to watch it because of traditional custom (adat). Even though women still performed it (as documented by Hasanuddin Daud) in 1961 in Betung village (Kartomi 2006: 98), it wasn't until 1972 that Ratéb Mesuekat had a revival.

This was due to a female choreographer Ibu Cut Asiah who went to Betung village to study Ratéb Meusekat from elderly women and brought it back to Melaboh to create new choreography and revived this art form. In the 1970s, the Ministry of Education and Culture had asked the people of Blang Pidie to identify local artistic genres and Ratéb Meusekat was not included initially perhaps because of adat (traditional custom) restricting men to not be exposed to it anymore, so the Ministry were ignorant of its existence at the time. According to Kartomi, the revival was so successful that later male dancers also appropriated this art form and performed it for national events, election campaigns, or tours (Kartomi 2006: 98).

Ratéb Meusekat is promoted on major religious days like Id al-Fithr (after the fasting month of Ramadhan) and Id al-Adha (remembrance of the sacrifice of Ibrahim) (Kartomi 2006: 98) and important national days, wedding celebrations, and other occasions as a form of entertainment that carries the values of religion within it.

#### Song Content in Ratéb Meusekat.

I will translate two songs from Ratéb Meusekat to show (1) advice for the community and (2) Shia' influence in the content of the following songs.

(1) Nyawong geu tanyoe didalam badan

/The soul inside our body/

Barang pinjaman siat tuhan bri

/is just an object lent to us from God/

Oh troh bak wate kagecok pulang

/when its time it will be returned/

Nyawong lam badan tuhan pe ce bre

/the soul that God will split away from our body/

Beingat-ingat wahe e tuboh

/remember, remember your body/

oh leh pajan troh nyawong geuhila

/one day your soul could be taken from you/

oh aleh uroe-oh aleh malam

/it could be day, it could be night/

nyawong lam badan tuhan pecebre

/the soul that God will split away from your body/

(2) Lon Bu lon Burak meunari-Burak menari/

(I'm offering a song about) a dancing flying horse, a dancing flying horse/

Lon a lon ateuh rueng gunung-ateuh rung gunung/

/On top of the back of the mountains, on top of the back of the mountains/

Lon bak lon bak cabeung bungong-bak cabeng bungong/

(I'm offering a song about) a flower sprig, a flower sprig

Lon a lon aneuk leue ku a-aneuk leue' kua/

(I'm offering a song about) a baby nightingale, a baby nightingale/

These songs are evident of the religious purposes of the dance. The first song warns the community about the concept of soul in Acehnese "nyawong," and that it can easily be taken back from God any time of day or night. The second song is symbolic of the Burak bird-like chariot of angels believed to have picked up the remains of Hasan and Husain and bring them to heaven. This shows the Shia'

influence brought to Sumatra from earlier Sepoy Indians (Kartomi 1986: 145). At the beginning and end of the dance, there is always a Muslim greeting for the audience, Salam mualaikum: "Peace upon you."

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## Likok Pulo

Likok means "body movement" and even though it can describe body movement in many forms of sitting dances, it is the Likok Pulo genre of sitting dances from Aceh that has adopted the term "likok" in the title of this particular art form. It is believed that this was not the original name of this dance and that it came about when it was performed outside of the village where it originated. In this dance, movements are made in harmony with the rhythms of the songs and rapa'i percussion instrument. Because it exists in Pulau Aceh, this art form is called Likok Pulo Aceh, abbreviated and known more widely as Likok Pulo. It originates and has its roots in Ule Paya village on Pulau Beras. This island is one of a cluster of islands located in the area of Aceh Besar or the Greater Aceh Regency, Aceh Islands Municipality. The capital city of this area is Lampuyang. This art form appears to be the only one of its kind from this cluster of islands (Hasanuddin 1995: 5). Likok Pulo is believed to be created by Sheikh Amat Badron, an Ulema (Islamic clerical scholar) from the Middle East who was adrift at sea and cast ashore on Beras Island (Ibid.: 6). The time of his arrival is unknown. This Ulema settled on Pulau Beras and taught the religion of Islam. At the time Sheikh Amat Badron arrived, the people there already followed Islam. However, in general, they were still heavily influenced by their earlier pre-Islamic animistic or Hindu-Buddhist cultural mores (Ibid.: 6).

To deepen their awareness of the religion, Sheikh Amat Badron used alternative forms of art which could be enjoyed by the community and became a medium for the study of Islam. Songs were gradually inserted into these rapa'i performances and rapa'i procession songs, which were remembrance chants to God (zikir) or stories of the Prophet Mohammad. Gradually, rapa'i practices and performances were moved into the Meunasah (small religious schools often attached to the mosque) and after practices the men would pray together (Ibid.: 6). Activities like this invited the attention of the wider community, a process through which Sheikh Amat Badron added members until it was made into a regular religious practice. It was an activity that was performed additional to religious prayer, seen as an "extra" activity to do for practicing Muslims. This new art form attracted many people, which saw rapa'i players and groups developing with new movements in neighboring villages. Consequently, new syèh leading new dance groups also appeared (Ibid.: 7).

Likok Pulo is performed by men in a seated row (all these movements are performed while sitting on the heels) with accompanying rhythmic music created by two rapa'i drums. The rapa'i players traditionally were positioned sitting behind the dancers on the left hand side. However, since Likok Pulo has moved to the arena of entertainment, the accompanying rapa'i players sit to the left hand side of the dancers in a row so they can see the dancers. The vocals are started by a syèh, who is seated in the middle of the other dancers. The other dancers then join in the singing,

the rapa'i player also sings the panton (verse) similar to the role of the aneuk syahè in Ratéb Meusekat. It is believed that traditionally the role of the syèh functioned as a leader who gave reproof and advice for the community and messages, which would be reiterated by the aneuk syahè playing the rapa'i (Hasanuddin 1995: 12).

Rhythms are made by clapping, beating of the chest, ground, and thighs, and clapping an odd-numbered partner, while the even-numbered partners are doing the same but in a bent torso position while the odd-numbered partners are sitting upright on their heels. Observing this male sitting dance, it is considered more masculine than the Ratéb Meusekat, not just because it is performed by males but also because the head movements are far more exaggerated than that of the female dances. There are 12–16 dancers sitting in a row with the aneuk syahè who sit behind.

Likok Pulo encompasses roles that are all needed to make the dance complete, these are the dancers, the songs that are sung by the syèh and the rapa'i drummers. The syèh sits in the middle of the dancers and gives the queue to start or end a movement. Traditionally, he was responsible for the successful result or failure of the performance.

There are two types of Likok Pulo forms of performance: tunang which are competitions between groups or the usual noncompetitive performance consisting of one group performing Likok Pulo. Tunang (which literally means betrothal) is believed to be a form of performance passed down by tradition because most of the groups from surrounding villages were able to perform Likok Pulo. Hence, this art form often became a competition between one group and another and could include as many as four competing groups at a time (Hasanuddin 1995: 15). This tunang was enacted among the coastal Acehnese community. A tunang is usually carried over a whole night. It would begin after the 'Issa night prayer and finished on observing the Subuh (predawn) prayer. The tunang was set-up on a spacious open field. The spectators were segregated by gender. Usually, the women sat behind the hosts, while the men sat next to the opponents. In the tunang, the selection of the winner was decided by a team which includes the previous winners among the Likok Pulo syèhs and well-known members of the community (Ibid.: 15).

Competition is staged by seating participants in straight lines, with the first group facing their opponents. The host group begins to perform their movements, making movements with the rhythms of prepared songs, while a group of opponents try to mirror their movements. If they are successful in copying these movements, points can be obtained by that group and vice-versa. After three or four movements are presented by the host group, the other group can have their turn to show what they can do. If there are four groups competing at the same time, they would take it turns to compete, the two groups not competing would sit as the audience while they wait their turn (Ibid.: 15).

Currently, Likok Pulo competitions outside this Acehnese art practice are performed by just one group as entertainment at events like weddings, festivals, organization events, parties, and religious and national holidays, in a similar manner to Ratéb Meusekat. In addition, Likok Pulo has become considered an indispensable component of formal occasions like official welcoming ceremonies and national reception nights. At occasions like this, the positions of dancers are arranged as appropriate for the occasion; so too the timing of the performance, the chosen dances, and the melodies that are presented to the audience.

The following is an example of a song that is an example of the commemoration of Hasan and Husain reflecting Shia' influence:

Dengo lon kisah Hasan ngon Husen  
 /Listen to my story (about) Hasan and Husain/  
 Yang puteh licen aso sirugaaaa  
 (who are) as white as the heavens/  
 Hasan ngon husen cuco dinabiii  
 /Hasan and Husain, the grandchildren of The Prophet/  
 Aneuk tuan siti, Fatima Dora  
 /The children of Fatima Dora/

Originally, the costumes which were worn by the Likok Pulo dancers were very simple, that is, they just wore ordinary tops and pants and everyday sarongs. As it developed, the Likok Pulo costume became more attractive for competitions: using long-sleeved shirts with embroidered gold patterns, long black pants with embroidery around the ankles, woven Acehese sarongs (songket) with a belt and head cloth. The colors of the tops would alternate between the odd- and even-numbered dancers, so alternating two colors only. Today Likok Pulo dancers wear different colours, often encompassing more than one colour in the tops. This dance is now also performed by female dancers.

The two different coloured costumes adorned by every odd-numbered dancer is shown here, the two different colours worn here help emphasise the patterns, created with the torso bent down and upright- the 'cyclic spatial formation' concept of central-point in a circle (Kartomi 2004: 27).

The dancers set about creating 'waves' with their arms and torso, formations aimed at resembling the ocean. This is another example of 'cyclic spatial formation' (Kartomi 2004: 27) as the dancers move down toward the ground, then sit on their heels with their toes facing the floor, then they go up on high knees. We can also see the Sufi influence in that the dancers portraying the natural environment and the ocean, perhaps here, symbolising God as the ocean, an entity that is always there and never gone (Al-Attas 1963: 25–26).

## Saman

"Saman" is believed to have originated from Sheikh Saman, an Ulema who spread Islam in the Gayo region, using native folkloric games (Pok-ane) as a method for spreading and planting its teachings (Kesuma 1992: 5).

The Saman dance, or what is also known informally as the 'thousand hands' dance, is a traditional highly-esteemed art of the Gayo and the Lokop region (Eastern Aceh), Blang Kejeren (in Gayo Lues Regency), and parts of Central Aceh. The poetic language used is a mixture of Gayonese and Arabic. It conveys dakwah messages, romantic poems, poems that ridicule, and advice for the community. There are two types of Saman that can be found in two areas, Gayo and Lokop. Saman Gayo was developed in Southeast Aceh, Gayo Lues, Bener Meriah, and

Central Aceh. Saman Lokop was developed in the Eastern Aceh Regency. The difference between the two can only be known by their dialects and the traditional style and colors of the Gayo kerrawang costume, the special costume for Saman which is worn by men who perform this art form. When Saman entered into the arena of national and international entertainment, the dance started to be called Saman Gayo, perhaps to reiterate the origins of Saman.

Saman is usually performed to celebrate important customary events and also performed on major religious and national days. Apart from that, this dance appears at formal events like the visit of a well-known personality or the opening of a festival, or to rejoice the end of a rice harvest (Kesuma 1992: 9). The most fundamental aim of the Saman performance is to strengthen the feeling of solidarity (Serinen) between one dancer to the next in the Saman group and also between one Saman group and the other in competition style (*jalu*) (Kesuma 1992: 19).

This dance has very dynamic, mystical, powerful movement and involves cooperation between dancers who are solid and able to produce very fast movements that demand a lot of energy. The basic element of such movement is body percussion, which is brought about by hand movements that slap the thighs and chest, and vocals sung by individuals or groups that are able to create a sacred and mystical atmosphere. The force behind the beauty of Saman combines elements of literature through the song, elegant art through the costumes and precision of movements through the body percussion, all accomplished without variations in formations like other developments of sittings dances. Saman is performed in one line and has not changed. Traditionally, Saman had become a part of life that could not be separated from the community; young men known to not yet feel “fulfilled” if they could not perform Saman. Elements of mysticism were known to be adopted by the religious people of Gayo within its own culture.

Technically, Saman is difficult to learn because of the complex movements, the language, as well as the costumes used in practice, restricting the dance’s development. This dance is still studied and performed by the Gayo people, whether it is by those of the Gayo Lues in the highlands, (the Lokop areas in Eastern Aceh), Blangkejeren (Southeast Aceh), parts of Central Aceh, university students, or Gayo communities outside these areas, like Banda Aceh, Jakarta, or Yogyakarta. However, in Banda Aceh, there are a number of sanggars run by university students that have begun to compete with the Saman dance, such as: IAIN Ar-raniry and Unsyiah Law Faculty against MAN II (Madrasah Aliyah Negeri) (religious high schools) in Banda Aceh. The Governor’s Sanggar Cut Nyak Dhien Meuligo has also been teaching and performing Saman as well. The teaching of Saman outside these Gayo communities only began around 5 years ago in Banda Aceh.

Saman is highly spectacular because of its dramatic movements, supported by very unique vocals addressing the audience. The Saman performance is split into four segments and is known to generate a response from the audience at each pause. Traditionally, Saman had to be performed as a *jalu* (competition) between two or more groups from the different villages which carried-over a day and night; even on occasion over a number of days and nights known as *roa lao-roa ingi* (Kesuma 1992: 16). The selection of the winner was decided by a jury that was made up of well-

known people from the local community who understood the meanings embedded in the movements, authentic local customs, as well as religion. The different Saman groups were performed by a total of 15–25 male dancers.

In Saman, the performance is led by a *pengangkat* (Ibid.: 10) who is placed in the middle of the dancers (similar to the position of the *syèh* in *Ratéb Meusekat* and *Likok Pulo*). He determines the dance movements, the volume of the reverberating pitch, the songs or *syair*, and those that rebute the enemy opponent if played in the *jalu* form. The *pengangkat* is assisted by two *pengapit* (like assistants) (Ibid.: 10) which are to his left and right, whose job it is to help the *pengangkat* with the dance moves or singing. There are two dancers who sit farthest to the left and right called the *penupang* or also called *penamat kerpe jejerun* (holders of the *jejerun* (a type of grass found in Gayo) grass who take on the role of the dancers to maintain the whole dance position so that it is perfectly straight and tight. Furthermore, other dancers called *penyepit* represent the dancers that support the dance or dance moves, as directed by the *pengangkat*.

*Pesalaman* (greetings) is made up of a *rengum* (Ibid.: 14–15) or group murmur to begin. The sounds of the initial murmur are not clear. However, essentially they are praises and magnifications of Allah. After *regum* immediately enters the *salam*, with the traditional Islamic greeting of “Assalamualaikum” (Peace upon you) to the audience, proper honor to the specific sides, and a request for permission to play Saman as expected courtesy and etiquette (Ibid.: 14–15).

*Ulu Ni Lagu* is the movement that follows the greeting (Ibid.:14–15). It marks the first main movement after “Assalamualaikum.” In this section, the movements are variations between hand movements, clapping the chest, and moving the body and head, but are still in a slow tempo, during which the *pengangkat* sings a vocal solo. At this moment, the movements enter fast tempo, where the *pengangkat* with a high-pitched voice (called *seek*) gives the order to his fellow dancers in the row that they will soon enter the fast paced movements. *Lagu-lagu* are the movements in Saman. This section shows the richness of the moves of Saman. It represents the pinnacle of the Saman (Ibid.: 14) dance moves. Dancers move fast, being interspersed together with vocals, called *redet*. After the climax of the fast movement follows the slowing down of the movement and a return to the initial recitation of poems from the *pengangkat*.

After the climax of fast movements, the pace slows down and the dancers are given an opportunity to catch breath. This transition is called “to ease,” or *Uak Ni Kemuh* (Kesuma 1992:14). When the condition of the dancers has returned to normal, the *pengangkat* will give commands for other movements. When the fast movements peak and reach a climax, the vocals stop and only the movements are seen and the percussive beats on the body and hands are heard.

The last part of the dance, *Anak Lagu Penutup*, involves simple movements. The dominant aspects are the poems, the parting words, pardons to the audience, and other particular aspects. In the *tunggal Saman* genre, there may be time constraints, and it can be adapted so that it is possible a few parts can be cut-out (Kesuma 1992: 16). Saman is not accompanied by any musical instruments; music is created by dancers by clapping hands, slapping of the chest and slapping on the lower thighs (before the knees), alternating raising of hands above the shoulders. Apart from *rengum*, songs



that are used for the Saman dance aren't rigid; how the song or rhythm change depends on the location, time, and situation of the performance (ibid.: 15).

The styles of costume and accessories worn by the Saman dancers have identifiable colors and motifs making them special and specific to Gayo. The clothes worn by Saman dancers are believed to be clearly distinctive between Saman and other Acehese sitting dances. Bulang teleng or bulang kerawang is a head-wrap decoration using tajuk kepies – a type of aromatic leaf (Ibid.: 58). Because this plant is now rare, it has been replaced with the pandan leaf. Special tops fitted to the body are worn called baju pokok, also known as baju kantong (Kesuma 1992: 60). The colors worn by Saman dancers from Gayo are yellow or gold, red, green, white embroidered onto black cloth. This is another example of colors associated with the cardinal directional concepts of space which encompass Animist-Hindu-Buddhist associations.

The dancers also wear long pants called suel naru which are made of black cloth and have ruje rino patterns and also encompass kerawang patterns specific to Gayo. For the sarong worn just over the pants, the material is called upuh pawak also pawak kerawang, this is the sarong worn from the waist to the knees. The dancers wear ikotni rongok or rongok which is a yellow handkerchief tied around the neck. It is folded in a triangle shape and also one is tied around the right wrist with its point of the triangle towards the fingers (Kesuma 1992: 60–61).

The lyrics in Saman are in the Gayo language. The following is an extract from the many songs in the dance. The time of the song is unknown; however, the song was likely made after Saman's popularity exceeded to national and international level, so as to let people know where Saman came from. Again, it shows the pride of the Gayo culture and Saman being part of it:

Tari Saman menurut sejarah  
 /The Saman dance according to history/  
 sara tukang tetah alim ulama  
 /was introduced by an ulema/  
 gerale Syeh Saman ari tanoh Mekah  
 /his name was Syeh Saman from Mecca/  
 Sire tuger rempah ngemang agama  
 /trading spices as he spread religion/  
 Sawah ku Gayo Islam berkembang  
 /when he got to Gayo, Islam flourished/  
 Ku sibebujang tengah berlagu  
 /to the young people who are singing/  
 Engone betepok bertebah runcang  
 /you can see by the beat on your chest/  
 I one i timang redet urum baju  
 /there the rules of song and clothes (costume) are made/  
 Ayone agama kutari Saman  
 /entered (also) religion into the Saman dance/  
 Gerak ite tahan kati semperne  
 /we have perfected the dance until its perfect/  
 Pok pok ane gerale pemulon  
 /the first naming of the dance started as "Pok ambe-ambe"/  
 Renye itukeren kerna wae gure



/after it was changed to something more beautiful/  
 Gerakni Saman menganung arti  
 /The movements of Saman full of meaning/  
 Katas kutuyuh kuen kukiri  
 /up to down, right to left/  
 Tebah kudede tepok jejari  
 /beating the chest, clicking of the fingers/  
 Sifet pahlawan membela diri  
 /characteristics of heroic defence/

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## Transformation and Change

Tracing the development of these art forms outside Aceh, it becomes clear that they have been modified and transformed to different degrees. Saman was performed at Pekan Kebudayaan Aceh ke II (the Second Acehese Cultural Expo in 1972) and the formal opening of Taman Mini Indah Indonesia Theme Park in 1974. Saman became one of the art forms that frequently represented Aceh: raising it to a national level, as well as gaining international acclaim. In the 1980s, almost all the villages in the Blangkejeren district had a Saman group. This fostered a sense of pride in the community, especially when the group was able to perform in different areas and even overseas (for example, at the Kias festival in America 1990 and 1991). Saman, as an Acehese sitting dance, was elevated and performed at the national and international levels, and its name became famous across the general population of Indonesia; to the extent that every sitting dance from Aceh is always called “Saman” now, even though occasionally these performances are not in fact Saman dances from Gayo.

There have been some changes, in that apart from the jalu form, Saman is now performed in a “tunggal” (literally meaning solo – not solo dancer, but just meaning without opponents). For the wider non-Gayo community, this dance performance is more popular, because it is often promoted outside its original region, such as promoted in the capital Jakarta. Saman is used as an entertaining dance form, used to celebrate grand occasions. This form of performance is used to fill-out various programs, performed for 8 or 10 min with a total of 10–12 dancers. Despite these modifications, Saman remains well known by the Gayo people and coastal Acehese, because it’s original form has been preserved. The dance is still performed by groups of men and is not performed by women.

In contrast, the performance and gender of dancers in the two other forms discussed here has changed more dramatically. In the beginning, Likok Pulo was performed by groups of 12–16 men. In its development outside Pulau Aceh, however, there were changes in the position of performers and men were replaced with women. This transformation then became one of the factors that caused Likok Pulo to develop rapidly outside Pulau Aceh, and now these performances are danced by women. Ratéb Meusekat was revived by Ibu Cut Asiah who went to Betung to learn Ratéb Meusekat (Kartomi 2004). Today, there are more women who perform Acehese sitting dances not only in Indonesia but overseas. We agree with Kartomi

(2004) who finds that women have been the key to the revival, preservation, and spread of sitting dancers even if the teachers have often been men.

At first, a Likok Pulo performance which was performed by women was given the name “Likok Inong” (Inong meaning female or woman in Acehese), but this name was lost and is not recognized anymore. Nowadays, there are often Likok Pulo competitions between young people in different villages. The Likok Pulo dance has developed further and now includes women whose movements vary slightly to that of the men’s. Likok Pulo is relatively easy to learn because its movements are not fixed compositions and can be developed in different directions, though artists who are interested in preserving its original form are worried for the loss of its distinctive features and characteristics. At one point during the early development of this dance, it almost became classified as an extinct art form which had only occurred after planting or harvesting rice fields. In the 1980s, this dance saw a resurgence, however, and was also performed at the national level.

After these events, Likok Pulo became a source of pride to the Pulau Beras community, because it had raised the profile of the Island. Many sanggars taught this dance – primarily sanggars outside of Pulau Aceh, like in Banda Aceh, North Aceh, and even sanggars in Jakarta too – which were maintained by Acehese dancers or choreographers.

Thus, the shape of Likok Pulo started to shift and develop, and its quality was raised by new arrangements and improvements on movement, tempo, rhythm, dynamics, poetic elements, and also performance costumes. However, in Pulau Aceh itself, Likok Pulo did not develop and experienced a decline at most of the sanggars that had once taught this dance, sanggars outside of Pulau Aceh were being invited more frequently to represent the dance.

In Aceh, Rateb Meusekat is still performed by girls in schools and *sanggar* with little change to its traditional form in song and movement. In Jakarta, students and dancers have adopted the gendered characteristic of Rateb Meusekat (a dance only performed by women) but have combined dances from both boys coastal and girls coastal dances. It has become popular to use the term, “Ratoh Jaroe” referring to Jakarta style sitting dances as seen at the opening of the Asian Games. Acehese teachers such as Yuri Saleh and Mohammad Taufik have also come to realize that it is their style of urbanized sitting dances that have become popular and for too long the name Saman has been accredited in both media and among communities, most probably leading to its world heritage listing by UNESCO.

One difference between the Ratéb Meusekat and Likok Pulo is that the Likok Pulo performance is accompanied by rapa’i as opposed to Ratéb Meusekat, which does not use music accompaniment. Saman is also not accompanied by the rapa’i and only uses the hitting of the body and hands to create rhythms. Another difference with the Saman is that in the Saman dance performance they use the Gayo language but the Ratéb Meusekat and Likok Pulo dance songs are sung in Acehese.

Moreover, Saman does not possess a musical instrument accompaniment, and the songs in the Saman are sung by one of the dancers who also joins the dancing (pengangkat-as mentioned above in the analysis of Saman). He becomes singer and dancer at the same time. On the other hand, in the Ratéb Meusekat the aneuk syahè,

or singer does not follow the dancer, the aneuk syahè is only for singing the songs and carries the verse (pantun). In Jakarta, sitting dancers were made famous by Marzuki Hasan. Commonly known as Pak Uki, he is the one who popularized its movements within Jakarta and overseas. And nowadays, teachers like Yusri Saleh and Mohammad are also responsible for the widespread popularity of these dancers especially among junior and senior students in schools.

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## Conclusion

Hughes-Freeland observes that “dance became a legitimate object of study when globally it was being removed from its socially embedded conditions of practice” (2008: 12). In the context of globalization, artistic expression has to be understood within permeable and shifting locales. Acehnese artist-teachers in Jakarta have demonstrated unique perspectives and responses to the processes of globalization. They are aware that they may not be able to wholly control what happens to their art once it has been passed on, and they attempt to deliberately manipulate and sustain the social worlds that lend prestige to their art. In negotiating the transmission of an embodied art form, artists sometimes struggle to maintain authority and to control the shape and form of the art they teach. From person to person, and school to school, embodied art forms can be represented differently according to the skills of individuals, the influences of key practitioners, and the tendencies of a group. A constant interplay exists between the changes in individual representations and socially shared representations. In the “lived and representational” (Hughes-Freeland 2008: 22) world of translocal embodied arts, if ethno-cultural identity and artistic expressions are to be understood, then observations of the interaction between artist-teachers and performer-students should be captured and contextualized in the social environments where training takes place, within the demands of the cultural locale, and the framing of the historical moment.

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## Cross-References

► [Ethno-cultural Symbolism and Group Identity](#)

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# Ethnic Film in South Africa: History, Meaning, and Change

# 101

Gairoonisa Paleker

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## Abstract

This chapter provides a discussion of ethnic films in South Africa by tracing the historical development of “national” and “ethnic” cinema in the context of apartheid where creative and financial control of filmmaking was controlled by the state and white individuals who acted as surrogates of the state. The chapter interrogates the extent to which the “ethnic film” category can be applied to film productions that represented an inauthentic African worldview, culture, and tradition. It further argues that the categories of national and ethnic have shifted since the democratic elections of 1994 and in the post-1994, context and sectors of the Afrikaans-language film industry have now moved to the margins in what can be described as an “inward migration.” In the process, these films have become decentered and detached from the “national” industry and are now the new “ethnic” cinema in South Africa.

## Keywords

South Africa · Afrikaans films · Black film industry · Cultural nationalism

G. Paleker (✉)

Department of Historical and Heritage Studies, University of Pretoria, Pretoria, South Africa

e-mail: [nisa.paleker@up.ac.za](mailto:nisa.paleker@up.ac.za)

## Introduction

Implicit in any discussion of “ethnic” cinema is the binary between a “national” and “ethnic” (other) cinema. In two of the globally dominant commercial film industries, Hollywood and Bollywood, “national” cinema can best be described as White Anglo-Saxon Protestant (WASP) and Hindu nationalist, respectively. Films produced outside the dominant industry, especially from different regions, linguistic, and cultural groups, are juxtaposed as ethnic/regional cinemas. In the South African context, ethnic and national cinemas have been historically contingent categories as defined firstly by apartheid and secondly by the end of political apartheid post-1994. Since 1994 both categories of national and ethnic cinema have been upended to the extent that the core of both has shifted as political power and a concomitant dislocation of political power has shifted.

Gary Keller’s review essay of a series of books on ethnic cinema published in the early 1990s summarizes the shift in scholarship on ethnic cinema (Keller 1995). Keller describes this shift as a move away from considerations of representations of ethnic groups to considerations of control of production and finance. The “image of” approach in film scholarship, particularly focused on Hollywood cinema, tended to focus on what Stuart Hall has described as “positions of enunciation” where ethnic minority groups as subjects of films were spoken on behalf of, rather than speaking on their own behalf (Hall 1989). These “image of” approaches looked at “dominant regimes of representation” (Hall 1989:71) and the ways in which ethnic minority groups were positioned, framed, and bespoken.

The shift in the early 1990s took a more nuanced approach that distinguished between two categories of ethnic cinema: ethnic cinema produced within the commercial industry and independently produced ethnic cinema. The latter category considers ethnic participation beyond acting and technical support and looks instead at control of finance and production. From this vantage point, analyses of technique, themes, and genres acquire new meanings consonant with a shift in the position of enunciation. On the basis of these shifts in scholarly approaches to ethnic cinema, the term ethnic cinema itself is in transition.

Discussions and definitions of ethnic cinema are shaped by larger debates on ethnicity which, in turn, are shaped by resurgent and, frequently, aggressive identity politics as evident in locales as diverse as Johannesburg, Paris, and Poland, to name a few. Recent affirmations of ethnic identities allude to essentialist definitions, ignoring the hybrid, shifting, and dynamic nature of ethnicities. In the South African context, the ethnic binary that takes center stage in national debates is between whiteness and blackness where each is conceived as homogenous states of being. This binary excludes black people who fall within the apartheid racial categories of Colored and Indian. The exclusionary nature of black and white identity politics in South Africa has led to frequent eruptions of what could be called “Colored anger” – as opposed to “Black anger.” At the core of this anger is a sense of “agrievedness” that the Coloured community is marginalized and denied access to resources and state services in the post-1994 dispensation. The discourse of the rainbow nation which flowed from the first democratic elections in 1994 and the witness-bearing of

the South African Truth and Reconciliation Commission (TRC) has thus all but unraveled in the fabric of contemporary South African society.

More importantly though, shifts in meanings of ethnic cinema in the South African context are contingent on politics and power in a much more direct way than through identity politics. In the recent past, as part of the rainbow nation discourse, the narrowly conceived national cinema of the apartheid years has been displaced by an emerging inclusive definition of national cinema. Accompanying this shift has been a withdrawal of elements of Afrikaans cinema to the margins of a national cinema which could be argued to constitute the new “ethnic cinema” of South Africa. Most typically, this involved Afrikaans cinema produced as part of an entrenched Afrikaner nationalism vying for political and cultural space in a dramatically reorganized polity and society. These shifts in conceptualizing South African cinema and ethnic cinema have been largely due to the changed political order heralded by the democratic, inclusive elections of 1994 which for the first time opened up opportunities for black creative, financial, and production control in a manner inconceivable in the apartheid past.

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## **South African “National” and “Ethnic” Cinemas: Historical Overview**

Any attempt to understand the historical and contemporary composition and content of the South African film industry needs to pay attention to the role of the state. Furthermore, contemporary South African film has been distinctly shaped by a historical context characterized by racism, oppression, denial, and violence; cinematic language, techniques, narratives, and themes are only now beginning to emerge from the shadow of apartheid.

The shadow of apartheid also effectively insulated the South African film industry, both “national” and “ethnic,” from the world in terms of audiences as well as growth and development in tune with global cinematic trends. More pertinently, South African film was isolated from the continent. Cinema in South Africa, due in large part to the ideological motivations behind films produced in the country, had historically been viewed with suspicion by the rest of the continent. Key historic moments which witnessed continent-wide meetings, resolutions, and agreements are characterized by the exclusion of a South African presence. The Algiers Charter on African Cinema (1972), the Niamey Manifesto of African Filmmakers (1982), and the Final Communiqué of the First Frontline Film Festival and Workshop (Harare 1990) have been some historical attempts by African filmmakers to crystallize and formulate continental resolutions and declarations with regard to film. South Africa was not represented in any of these gatherings except for the presence of ANC delegates at the Harare festival (Bakari and Cham 1992). African filmmakers have however tried to make provision for individual South African filmmakers not ideologically aligned to the apartheid state. The Pan African Federation of Filmmakers (FEPACI) whose membership consisted of different African national film bodies rather than individual filmmakers made an exception for individuals

from an “occupied country such as South Africa or from a colonised country such as Mozambique” (Diawara 1992:40).

State intervention in South African film remains firmly entrenched, though revitalized and reconceptualized since 1994. The early development of cinema in South Africa is inextricably linked to the “building of white identity” within a national paradigm especially from 1910 onward when South Africa attained Union status (Maingard 2007:4). The articulation of a national identity and what constituted nationhood, through the medium of film, was later closely linked to Afrikaner nationalist aspirations which received state support from 1948 onward when the National Party came into power. The first formal route of state intervention was by means of a state subsidy introduced in 1956 by the apartheid National Party (NP) government (Tomaselli 1989; Paleker 2010). The general election of 1953 resulted in a far more decisive victory for the NP than was the case in the 1948 elections. This assured the NP government a greater degree of political confidence than it previously had to entrench and more confidently enact policies that were consonant with Afrikaner ideologies of racial differences, the place of Afrikaners and Afrikaner culture vis a vis both English and black South Africans. As Beinart (2001) comments, the dominant preoccupation of the nationalists in these early years of rule was more on the formulation and clarification of ethnic Afrikaner nationhood and identity. State intervention in film production at this point should be understood from twin perspectives: firstly, the specter of foreign domination and, secondly, the need to clarify and consolidate ethnic Afrikaner nationhood and power. Implicit in both imperatives was a full recognition of the potential of film as a propaganda and pedagogic tool.

The foreign domination (British and US productions) of the local film industry served not only to marginalize local producers, but importantly also it led to an increased diminishing of government’s role in the production industry due to the increasing use of foreign co-production that accompanied this new phase of the local industry. The Motion Picture Producers Association which was established in 1956, exclusively white but comprising both English- and Afrikaans-speaking filmmakers, was a direct outcome of the apartheid government’s desire to negotiate with industry. Jamie Uys, Afrikaner filmmaker, was its first chairperson and was to play a crucial role in subsequent years not only in the film industry generally but more specifically as “advisor” and unofficial ideologue of the National Party government (Tomaselli 1989: 32).

The state subsidy was paid on the basis of box office receipts. A number of conditions were attached to the subsidy at this point of its existence. Firstly, subsidy could only be claimed for 35 mm films. Secondly, this subsidy would be in the form of a refund of the entertainment tax paid for exhibition, and the amount to be refunded would not exceed £10,000 or 50% of the total production costs which could include the costs of printing six copies of the film. Thirdly, only South African films were eligible for funding. South African for the government meant that 75% of salaries and wages had to be paid to South African citizens and the production company as well as all partners had to be registered as South African companies for tax purposes. Fourthly, the condition was that payments would only be made on a half-yearly basis and claims had to be submitted by the end of June and December of



each year. Fifthly, films had to be registered with the Department of Trade and Industry immediately after release. Applications for the registration of a film had to be accompanied by audited statements where the auditor had to certify that three-quarters of salaries had indeed been paid to South African citizens (see Tomaselli 1989; Paleker 2010). These application documents also needed to include an audited statement of the entertainment tax paid along with copies of daily returns from the exhibitors.

Due to the failure of film producers to notify the Department timeously of the amounts they would be claiming, a further set of conditions were applied from the 1960s onward. These included firstly the submission from producers of a report indicating their plans for the coming 6 months. This report had to indicate the names of films to be produced, estimated costs, and expected date of release. Secondly, producers also had to indicate the total amounts to be claimed at the end of each financial year.

In the late 1960s, the percentage of subsidy paid for ethnic Afrikaans-language films was increased from 44% to 55%, and in order for a film to qualify for this increased subsidy, 90% of the dialogue had to be in Afrikaans. This increase was an attempt to boost the production of Afrikaans-language films which were believed to be disadvantaged in terms of subsidy payments. But more importantly according to Nationalist MPs like J.A. van Tonder, the Afrikaans language, especially in bilingual films, was depicted as “being subservient to English, as being the language of ridiculous ‘backvelders’ (or country bumpkins). Such films earn a great deal more in state subsidies, while purely unilingual Afrikaans films, with a cultural value. . . will receive little or no subsidy. . .” (Tomaselli 1989: 34). This attempt to encourage the Afrikaans industry coincided with the South African National Life Insurance Company (SANLAM) takeover of 20th Century Fox’s South African interests (for an in-depth study of Afrikaner capital, see, e.g., Dan O’Meara, *Volkskapitalsime* 1983). This meant an effective dominance of the production, distribution, and exhibition industries by Afrikaner capital. The next amendment to the subsidy was introduced in 1973 where the formula for subsidy payments was changed to read net box office earnings instead of gross box office earnings.

The films that were produced as part of this subsidy ranged in genre from action, romance, and drama to explicitly ideological films that furthered Afrikaner nationalist interests. One of the most popular genres within the Afrikaans-language industry was the filmic adaption of what is known as the *plaasroman* or farm novel. Land in general and the farm in particular occupied preeminent place in this genre as the origin of the *volk* or Afrikaner folk. The farm (land) was the space that was conquered by Afrikaner pioneers who went on to tame, civilize, and make it productive. It is the idyllic home and legacy where right of tenure is considered inalienable (van Coller and van Jaarsveld 2018). Contestations around land are currently a national debate with the ANC recently approving land expropriation without compensation, though government still has to adopt this as policy. Land therefore continues to be a central issue in political, economic, and cultural life, and particular discourses around land have filtered through to recent Afrikaans-language films such as *Treurgrond* (lit. mourning ground 2015).

The historical commitment of the apartheid government to developing a national film industry, within the ideological framing of the South African nation as exclusively white, was informed in no small measure by the anti-apartheid struggle. For example, in the aftermath of the Sharpeville massacre on 21 March 1960, there was a flurry of communication between various Native Affairs Commissioners. In the massacre, 69 people were killed, and many more wounded when police opened fire on the crowd participating in the anti-pass campaign organized by the Pan Africanist Congress (PAC). This was followed by the declaration of a state of emergency and the banning of the ANC and PAC. A further and immediate consequence of Sharpeville was international censure and disinvestment (Beinart 2001: 166–167). The necessity for a national film industry which could be used not only to mitigate the immediate backlash of Sharpeville but also to create positive propaganda, especially among Africans, was a pressing need. In view of this, considerable attention was given to attempts to “fight subversive propaganda with positive propaganda” as directed by the Chief Bantu Affairs Commissioner to all Commissioners in the Transkei Territories, dated March 1963 (Pretoria Archives, KAB1/BUT 88). This sentiment was accompanied by further suggestions to all Commissioners for the Transkei Territories to actively engage with local African leaders. The Commissioners were to hold regular meetings with “tribal authorities” as well as to “buttress the prestige of local leaders” and to give prominence to historical heroes and make “full use of Bantu superstition.” Film was identified as an important component of these propaganda efforts.

In 1972 a state subsidy known as the B-Scheme was introduced by the apartheid state for the production of films in ethnic African languages. White entrepreneurs who were not filmmakers were at the forefront of successfully lobbying the apartheid government for the introduction of this second subsidy. This was a separate subsidy to the one that was introduced in 1956 and which was reformulated and amended at various times throughout the years with increasing amounts of money being set aside annually for the production of films. This general subsidy was predominantly for the production of “white” films in either English or Afrikaans though there were films such as *Dingaka* (1964) which were produced as part of this subsidy. With the majority of state funds being diverted to the production of English- and Afrikaans-language films, the production of African-language films was severely neglected and hence the introduction of a separate subsidy.

The B-Scheme film subsidy, from its inception, paid a maximum of R45 000, increased to R77 000 in 1977 and R80 000 in 1981 (Tomaselli 1989: 40). Comparatively, in 1981 a white film could earn up to R1.2 million in subsidy funding. The only criteria, as stated previously, for the state subsidy was firstly 75% of the actors had to be African and, secondly, three-quarters of the dialogue had to be in an African language. The state did not vet any scripts, and the final arbiter was the Censor Board. The subsidy was paid out on the basis of number of tickets sold. This meant that indirectly, the subsidy was controlled by the exhibitor and producers were assured of immediate income which could be considerable in cases of low-budget productions. The 1977 amendment as mentioned earlier included not only the increase in subsidy funding but importantly also films that were rented to mine

compounds were now eligible for subsidy funding, and the period during which a film could qualify for subsidy had been reduced from 4 to 3 years from the date of first release (*SA Film Weekly*, 1977: 1).

Both the A- and B-Scheme subsidies were amended in 1977 as a result of a Commission of Inquiry instituted to investigate both subsidies. With regard to the "Bantu Film Industry" as reported in the *SA Film Weekly*, "the Board deems the existence of an independent Bantu film industry justified and in fact necessary, and concludes that this industry requires greater financial and technical assistance than is extended to it at present" (*SA Film Weekly* 1977: 2).

The differential subsidy paid for "white" as opposed to "black films" was in keeping with the political and concomitant economic ideology of "separate development." According to this, the apartheid government saw no need to expend vast resources on Africans who were not South African "citizens." This kind of expenditure needed to come from each of the ethnic homelands to which Africans belonged. The Bantu Investment Corporation (BIC) as a possible funding agency for "black" films became one possible avenue of funding African-language films.

The BIC was established in 1959 as part of the broader plan of "separate development" which in economic terms partly meant not only the decentralization of labor-intensive industry to the border areas of the homelands but also the financing of entrepreneurs within the homelands itself. Through financial assistance to approved individuals, the BIC aimed to promote not only the economic development (strictly along apartheid policies) of the homelands but also to stimulate a "Bantu film industry of their own" (Tomaselli 1989: 59). The BIC, according to the report in the *SA Film Weekly*, provided a sum of R500 000 toward the establishment of a Filmbank which was set up to finance film production. By 1977 eight films had been produced and five cinemas built in "Bantu" areas through funding from the Filmbank (*SA Film Weekly* 1977: 2).

The Promotion of Bantu Self-Government Act of 1959 established a total of ten "Bantu Homelands" along ethnic lines. Of these Transkei was the first to receive self-government with the 1963 Transkei Constitution Act which created a legislative assembly. Transkei became "independent" in 1976. Anticipating black political dissent and protest, the homelands were projected to absorb narrowly defined ethnic nationalism rather than a broader South African nationalism. Beinart argues that "A central tenet of apartheid was to divert the ambitions of the African educated classes from major cities so that they would help guide the journey towards separate development" (Beinart 1994: 208). Within the framework of ethnic Bantustan ideology, Africans in "white" South Africa were aliens whose proper place was within the geopolitical boundaries of the various reserve areas that were now being prepared for "statehood" under South African tutelage. Given this, any form of discrimination could rightly be argued to be on the basis of nationality rather than race, color, or ethnicity. Furthermore, as regards film, each Bantustan could theoretically develop its own "national" industry, thus obviating the necessity to incorporate "black" films into a "white" national industry.

Two interrelated consequences of separate development and ethnic Bantustan ideology were firstly the entrenchment of ethnic identities and divisions which

would find violent expression in the early 1990s in KwaZulu/Natal. This is perhaps most obvious in the case of KwaZulu and Zulu nationalism as typified by the Inkatha Freedom Party. Mangosuthu Buthelezi, as leader of the KwaZulu homeland and Inkatha, refused independence, arguing instead an ideology not remarkably different to that of the National Party. Aiming for "reform" of apartheid from within, Buthelezi supported development along ethnic and regional decentralization. This in turn would earn him support not only from the South African government but also, importantly, from capitalists as well as foreign governments (see, e.g., Lowe 1991).

Secondly, separate development created ethnically based "systems of support, patronage, resource distribution and means of coercion and control" (Lowe 1991: 195). The creation of a class of petty bourgeoisie, the co-optation of local chiefs, and class of homelands bureaucrats furthered the aim of separate development. The nationalist government gave active support to the creation of an African homeland middle class through loans and grants to help establish capitalists and traders. This was given further impetus by the departure of white traders with established businesses in the homeland areas.

The threat of cultural hybridity and racial miscegenation was a preeminent preoccupation within this framework of separate development. The Bantustans were conceived not only as separate political and national entities but, importantly, also as separate cultural entities. This total separation meant not only separation from white (Afrikaner) South Africa and culture but also complete separation between various African ethnic groups. Nixon argues that apartheid in one sense was akin to cultural stasis because apartheid ideological conception of African ethnic culture and identity did not allow for dynamic change, interchange, and exchange but instead sought to fossilize this within the different boundaries of the homelands, and numerous devices were employed to ensure this fossilization (Nixon 1994: 5).

Many of the white filmmakers working in the "black" film industry assumed surrogate roles for the apartheid state in that many B-Scheme films either implicitly or explicitly supported this ideology of separate development. The "black film industry" was made up of white men, most of whom came from non-film backgrounds. The "chairperson" of this loosely organized industry was in construction blasting, and while working on special effects for two Afrikaner filmmakers, he saw African migrant workers watching imported films while tuned in to what was then known as Radio Bantu, a collection of radio stations broadcasting in some of the major indigenous African languages. Tonie van der Merwe saw this as an entrepreneurial opportunity and together with several others successfully lobbied the apartheid government for a separate subsidy for films in indigenous African languages. The state did not set any specific criteria apart from those of language and cast mentioned earlier. With the subsidy paid on the basis of box office returns, the films that were produced as part of this subsidy were largely profit driven. In the absence of formal theatres for African audiences in urban centers, the thousands of films that were produced as part of this subsidy were screened on the mobile circuit, which was essentially a panel van with a projector that toured the rural areas and homeland towns screening in makeshift theatres which were mainly school, church, and community halls. This created multiple opportunities for fraud; audience numbers

were inflated for purposes of claiming maximum subsidy, and one film with several titles in some of the indigenous languages could be submitted multiple times for subsidy claims.

This fraudulent practice was not the only problem. Part of the problem according to van der Merwe was that the “black film industry” became too big.

When I had a meeting once a month with the government because I’m the chairman (of the Association for Black Film Producers), they say, hey you guys are making too many movies, there’s no money in this industry, you have to calm down you have to cut down and I go back to my people and I say listen, they say you must make less movies there’s not enough budget money and I have to set an example and make less. I make probably the least movies of everybody. And they didn’t even worry about it they just went on and produced like a factory. And the government officials were corrupt. They took bribes, they took presents, they took money and those people, a few companies involved, their claims went through like. . . record time they got their checks, in record time and obviously the signs was there. . . (Personal interview, see Paleker 2010)

The signs van der Merwe speaks of were obvious both in terms of the corruption involved and also in terms of the quality of films produced. As Tomaselli argues, the subsidy system by its very nature did not support film as art. This was especially true for the B-Scheme films where, as van der Merwe points out, people were churning out movies at a rate of 12 per month.

.. we wanted to create a certain, a bit of standards because some people really made total rubbish. They took the film, load a camera magazine and it runs for 11 minutes and they shoot a scene for 11 minutes long and then they change the magazine and they shoot it like a show on a stage, that kind of movies which was very bad, I think for the industry. . . . Unfortunately, some producers. . . the quality did increase and improve with the higher subsidy, but most of them kept to this really bad movies to make maximum profit. If they made 10 or 12 movies a month, that’s not uncommon. I think most of those returns was ‘jipoed’ (creatively manipulated) like that, so it was purely, purely. . . nothing to do about the art, or the film industry, it was purely about financial gain. We said let’s submit a script, look at the script first before you pass it. Some people didn’t even shoot with a script. The script was on a cigarette box, then they shoot like that. (Personal interview)

A major player in the “black” film industry was Heyns Films which was identified as a front company for the Department of Information in the revelations which emerged around the Information Scandal in 1978–1979. From the mid-1970s, the Department of Information under the leadership of Minister Connie Mulder and Secretary Eschel Rhoodie instituted a number of secret projects broadly aimed at combating the “world-wide psychological and propaganda onslaught against South Africa” (Rees and Day 1980: 190). The mass media was a vital part of their strategy which included bankrolling election campaigns in the United States and United Kingdom. Film did not escape these enterprising men, and monies were set aside to, firstly, build cinemas for African audiences and, secondly, produce films for Africans. The plan was not only to control the types of films that were distributed and exhibited to black people but also administer the production of films.

The Department of Information argued that African people were major consumers of foreign films and their exposure to American cinema was creating a strong sense of identification with Hollywood heroes. The Department actively sought to counteract this Americanizing influence through the creation of local superheroes such as *Joe Bullet* (1974), who would be portrayed against their “ethnic background.” This would improve not only the quality of films for Africans but simultaneously support the government ideology of separate ethnic development (Tomaselli 1989; Paleker 2011a). Film was seen as an ideal medium through which African cultural identity could be fostered. “. . . the rationalisation was that black films were essentially there to give people a cultural identity and to take their attention off other things” (Interview with filmmaker David Bensusan, Paleker 2011); the other things being the political situation in the country. This limitation to culture and tradition was strictly adhered to by most white filmmakers and even by black directors such as Simon Sabela who argued for portraying “actual life” in order to educate and inform people about those things that need to be “preserved – the traditions that are beautiful” (Deane 1978: 162). Admittedly, Sabela had no creative control over the content of the films which he directed or in which he acted, other than ensuring a degree of cultural authenticity. Sabela was one of the very few Africans directing films, for Heyns Films, as part of the B-Scheme subsidy. As an African though, he could not directly access the subsidy and worked for Heyns Films. Apart from directing, he also starred in many of the films such as *uDeliwe* (*Deliwe* 1974), *iKati Elimnyama* (*The Black Cat* 1975), and *The Advocate* (1978).

The films that were produced as part of this “black industry” were largely of the *skiet, skop en donner* (shoot, kick, and beat up) genre, drama, romance, and suspense centered on white conceptions of African traditions, spirituality, and witchcraft. Apart from a handful of films that attempted to subvert and offer oppositional readings of apartheid policies (*My Country My Hat* 1983 and *Mapantsula* 1989 among others), most B-films propagated various apartheid policies in theme and narrative. These, however, were also historically contingent and shifting as apartheid reinvented itself. In the 1970s, for example, a prominent theme was the “return to the homeland.” Within these films, the hero (and a limited number of heroines) was afforded the opportunity to come to “white” South Africa, but to ensure success, they had to return to their ethnic homelands. A variation on this was the “crime doesn’t pay” morality film in which the city in urban South Africa is represented as a corrupting influence on African people whose self-actualization could best be achieved only in their ethnic homelands. As apartheid readjusted itself to increasing African urbanization in the 1980s, so too did many B-films which now represented African success in urban, “white” South Africa. (For analyses of many of these films, see Paleker 2011a, 2011b.)

Ethnic African cinema under apartheid rule in South Africa was conceived within the ideological, political, economic, and racist imperatives of the apartheid state. Black African people had limited opportunities to creatively control the stories that were told on their behalf. African traditions, symbols, culture, and values were appropriated and reflected back to African audiences through the prism of apartheid ideologies. In view of this, the African “ethnic cinema” that was created was constructed rather differently to what this means in ethnicity scholarship.



## The New “Ethnic Film”

Since 1994 and the coming to power of a majority black government under the rule of the ANC, state intervention and support continues, albeit differently formulated and more broadly inclusive. One of the first tasks undertaken by the newly established Ministry of Arts, Culture, Science and Technology in 1995 (since then two separate departments for Arts and Culture and Science and Technology have been created) was to undertake an extensive audit of the state of the South African film industry, with a view to restructuring it entirely.

The new ANC government under the auspices of this new Ministry first commissioned a substantial report on the state of the industry before introducing new mechanisms of state support for the industry. The Film Development Strategy which was compiled and published in 1996 made provision for the establishment of the National Film and Video Foundation. The NFVF was established by an act of parliament, namely, the National Film and Video Foundation Act of 1997 (Botha 2003: 182). The NFVF functions as an agency of the Department of Arts and Culture and is the primary state funding mechanism for the South African film industry. The Foundation’s mission and vision is to “work with all stakeholders to support the development and promotion of the South Africa film industry and hopes to create an industry that represents our nation’s aspirations and celebrates our diversity through the values of creativity, freedom of expression, entrepreneurship, equitable redress, and collaboration” ([www.nfvf.org.za](http://www.nfvf.org.za)).

The Foundation is thus the official “face” of the South African film industry post-1994. The Foundation, along with industry, represents the South African film industry at international events and festivals. It assists emerging and established filmmakers with financing (limited as it is), sourcing additional funds and with co-financing agreements. In the latter regard, the NFVF has established co-financing agreements with, among others, the United Kingdom, France, Canada, Australia, Ireland, and Germany. Co-financing agreements are of two types; one type is exclusively financial with creative control residing with either signatory to the agreement, and the other type of agreement is based on shared financing and creative control. Other state agencies and departments that fund film include the Department of Trade and Industry and the Industrial Development Corporation. The South African Revenue Service (SARS) also offers tax incentives on income derived from film for both local and co-financed productions.

Despite this, the South African state is by no means the biggest funder of film. Private industry and capital are significant investors in the film industry. Afrikaner capital continues to be a significant role-player in funding. One of these is Naspers, a multinational entertainment and communications company, founded in 1915 as *Nasionale Pers* (National Press). It is the biggest media conglomerate in South Africa and has enjoyed a mutually beneficial relationship with the former apartheid government. Its subsidiaries M-Net and kykNET, pay-to-view channels, are significant funders of local productions. kykNET (kyk is Afrikaans for watch/view) has emerged as one of the biggest funders of recent Afrikaans-language films such as

*Treurgrond* (2015), *Modder en Bloed* (*Blood and Glory* 2016), *Vaselinetjie* (2017), and *Stroomop* (Upstream 2018).

Furthermore, kykNET is the biggest funder, along with Afrikaner cultural organization ATKV (Afrikaans Language and Culture Association), of the Afrikaans-language film festival, Silwerskermfees (lit. Silver Screen Festival), which was first hosted in 2010. The festival is a showcase for short films funded by kykNET. The festival screens both English and Afrikaans films, features, shorts, and documentaries, but it remains foremost a platform for showcasing emerging young filmmakers producing Afrikaans-language films ([www.kyknet.dstv.com](http://www.kyknet.dstv.com)). Endeavors such as these by kykNET can be read against the backdrop of ethnic angst about the erosion of Afrikaner culture and language, as well as against dwindling audience numbers for Afrikaans films.

A 2015 study of ticket purchasing behavior among young Afrikaner audiences (Jordaan et al. 2015) provides useful information as a point of departure for further studies. The study, conducted among young Afrikaner respondents based at an Afrikaans-language university (North West University in Potchefstroom) and Afrikaans school-goers, found that young Afrikaner women were the largest demographic sector attending cinema screenings of Afrikaans films. Among these respondents, the most popular genres were romantic comedies, romance dramas, and action films. The study found that the factors impacting young Afrikaner film-goers' viewing choices could be ranked from the most important to the least important, these being "proudly Afrikaans", quality facilities, marketing, production credentials and quality film" (Jordan et al. 2015: 198). The findings and recommendations offered by this study suggest a real concern for cultivating a future generation of Afrikaans-language film audience. Recommendations made by these authors range from cinemas offering targeted loyalty incentives to Afrikaans audiences to marketing efforts concentrating on communicating "a message that emphasizes the fact that these films are written by Afrikaans speaking people, tell Afrikaans stories that relate to Afrikaans culture and ultimately contribute to and support the Afrikaans film industry" (Jordaan et al. 2015: 201). What is evident from this is the historical continuity in the deployment of film for propagating Afrikaner cultural nationalism and an ethnic Afrikaner identity. From the 1930s to the present, Afrikaans-language film has served very specific political, cultural, and national interests and not merely or only through the use of the Afrikaans language.

More recent Afrikaans-language films have reprised a number of favorite tropes of historical Afrikaner nationalist cinema; English-Afrikaner tensions, the significance of farm and platteland (rural countryside) to Afrikaner identity, the pioneering and survival instinct of the Afrikaner, and the centrality of faith to Afrikaner identity are among the most important tropes that have been reclaimed by Afrikaans films. *Modder en Bloed* (Else 2016) is a period drama set in the midst of the South African War of 1899–1902 and represents the Boer-Brit struggle. This struggle is represented at the macro and micro level. At the macro level is the war, with a group of Afrikaner prisoners of war held on the island of St. Helena. At the micro level is a battle of wits and wills between the Afrikaner prisoners and their British warders which takes the form of a rugby match between the two groups. A historical irony is the manner in



which the sport of rugby, globalized through British imperialism, has evolved into a central signifier of Afrikaner masculinity and Afrikaner leisure time. This film is similar to the 2001 Bollywood historical sports-drama, *Lagaan*, in which cricket features as the marker of honor, survival, and self-hood.

Films such as *Treurgrond* (Roodt 2015), *Platteland* (*Countryside*, Else 2011), and *Pretville* (*Funville*, Korsten 2012) all have as central themes the idea of space and home as significant to Afrikaner identity. Broodryk's (2016) analysis of these films suggests that these films represent Afrikaner nostalgia (for the "good old days" when Afrikaners were firmly rooted in space and time as in *Platteland*), Afrikaner triumphalism (despite political displacement the Afrikaner survival instinct is so strong that Afrikaners can pioneer new places of belonging whether it is in Canada or Australia as in *Pretville*), and Afrikaner victimhood as expressed in *Treurgrond*. The latter film has generated significant controversy not only due to the presence of Steve Hofmeyr (an Afrikaner entertainer and self-identified volk activist) as the protagonist but also in part for entrenching the discourse of "white (Boer) genocide" (Broodryk 2016: 70). The film deals with two contentious issues, namely, land (appropriation) and farm murders; the latter issue has led to the emergence of the white genocide discourse propagated by Afrikaner civil rights organization AfriForum and others.

Films such as *Faan se Trein* (*Faan's Train* 2014), *Saak van Geloof* (*A Case of Faith* 2011), *Roepman* (*Stargazer* 2011), and *Suiderkruis* (*Southern Cross* 2015) cover a range of genres but have as a central theme the importance of Christian belief and faith in the daily life of the Afrikaner (Joynt and Broodryk 2018). In these films, the church and faith are central to Afrikaner survival, redemption, and self-actualization. The idea of redemption through church and faith is important for another reason, as a counter and spiritual palliative for the guilt felt by many Afrikaners (and English speakers) for either direct participation and/or complicity in the atrocities of apartheid, despite the rejection of this guilt by some very conservative Afrikaners. Dan Roodt, the Director of PRAAG (Pro-Afrikaans Action Group), rejects the idea of Afrikaner guilt and would have Afrikaners forget the painstaking excavations and exculpations of the Truth and Reconciliation Commission as outright propaganda that distorted pre-1994 history. For Roodt, forgetting is the necessary precursor to reclaim history unblemished by the TRC revelations (Broodryk 2016: 65). Films such as *Platteland* serve this purpose well in the recreation of 1950s platteland South Africa with an insular Afrikaner community seemingly isolated from the turmoil of the 1950s with forced removals, population registrations, and civil disobedience campaigns. Likewise, films such as *Treurgrond* propagate the idea that without political interference, black and white lived, and can continue to live, in communal harmony on the farm and platteland.

Considering what have been identified as central "markers of Afrikaner identity: 'the presence of the Afrikaans language; the desire and love for land (as epitomised in the farm); a pervasive sense (and accompanying narrative) of survival; a strong sense of family; a sense of political conservatism; and a dominant religious position occupied by Christianity, especially in its Calvinist form'" (Combrink in Broodryk 2016: 64), these films represent virtually all of these to varying degrees. And by virtue of the presence of these thematic and narrative elements, these films have been

central to entrenching a very specific form of Afrikaner identity and cultural nationalism.

These films can also be read as representing what van der Westhuizen calls an “inward migration,” a “wielding of ethnicity (Afrikanerhood) to withdraw from shared national spaces” (van der Westhuizen 2016: 2). In the absence (loss) of the white (Afrikaner) nation-state, alternative spaces (territorial – albeit much reduced such as Orania and Kleinfontein which are exclusive Afrikaner settlements – cultural and celluloid spaces) have become new ethnic sites of enunciation. The aim of this inward migration is community and cultural preservation in service of carving out autonomy in a changed political landscape. This inward migration is by no means shared by all Afrikaners. In fact the majority of Afrikaners have failed to take up the offer to move to the Afrikaans-only settlements at Orania and Kleinfontein, many opting instead to remain in suburbs that are becoming increasing multicultural, if not integrated.

As with the broader community, the Afrikaans-language film industry is likewise bifurcated with many filmmakers self-consciously situating themselves as part of the larger national industry with others choosing to remain within a distinctly “ethnic” industry. One of the ways in which Afrikaners have tried to step outside a cultural nationalist enclave is through strategic “alliances,” in film, with especially the Colored Afrikaans-speaking community. These “alliances” translate as narratives that create shared celluloid spaces for Afrikaner and Colored. Films such as *Vaselinetjie* (2017) draw on the historically undeniable reality of miscegenation, much in the tenor of earlier films such as *Fiela se Kind* (*Fiela's Child* 1988). *Vaselinetjie*, the nickname of the protagonist, is a white girl raised by her Coloured grandparents until she is placed in a white orphanage due to cruel teasing from the Coloured children in the village where she grew up. The film is an adaptation of a novel of the same name, and it deals with issues such as belonging and identity in a society in which identity touchstones have been dislocated. More importantly, as with *Fiela's Child*, the film conveys the idea of a shared heritage between Afrikaner and Coloured, with heritage conceived very narrowly and predominantly in terms of the Afrikaans language.

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## Conclusion

Ethnic cinema in South Africa, as ethnic cinema more globally, is in a state of flux. In the South Africa context, the meaning, composition, and structure of ethnic cinema have changed dramatically in the last 100 years or so. Since the period of Union in 1910 and into the 1950s when under apartheid rule, a “national” cinema was supported by the National Party government through the establishment of a state subsidy until the early 1990s; ethnic cinema was conceived as a parallel industry to the “national” white industry. This parallel industry was also created by means of a state subsidy introduced in 1972 for the production of films in indigenous African

languages. This ethnic, parallel cinema was primarily a white entrepreneurial enterprise in which African cultural symbols, traditions, and values were appropriated by white men and reflected back to African audiences.

The “black film industry” that developed as a result of the B-Scheme subsidy cannot be considered indigenously African in character despite the presence of many Africans working within it, primarily as actors but some also as technical crew members and even a few as directors. This is mainly due to the fact that African people had little power to control production or exhibition of these films. At best, this “black film industry” was a group of white men exploiting an untapped market of African audiences, though there were some exceptions to this also. The “black film industry” was not, however, the outcome of a deliberate intention on the part of the apartheid state to develop a parallel industry but rather the unintended outcome of the B-Scheme. This did not mean that the apartheid state did not see the propaganda and pedagogic value of this industry, but as it has become historically evident, it exploited this opportunity to maximize political profit through various forms of intervention. This self-conscious identity of a black film industry then originated organically from among some of the white people who were involved in producing, distributing, and exhibiting films for African audiences.

Since 1994 the South African film industry has been radically restructured to open up creative and financial opportunities for black people. In keeping with its political objective of fostering a broadly inclusive South African nation-state, the ANC government established state mechanisms to fund, support, and nurture a “national” film industry that reflects the multicultural and multiracial composition of South African society. These mechanisms include a National Film and Video Foundation which is an agency of the national Department of Arts and Culture, the Department of Trade and Industry, the Industrial Development Corporation, and the South African Revenue Services.

But state funding is one component and still minor (given the developmental priorities of the SA state) compared to private capital investment in the film industry. In this regard, Afrikaner private capital continues to play a significant role with Naspers, through its subsidiaries M-Net and kykNET, providing significant funding to established and emerging filmmakers. kykNET in particular is at the forefront of growing and nurturing the Afrikaans-language film industry. It does this through direct financing as well as sponsoring the Silwerskermfees to showcase Afrikaans-language films.

In post-1994 South Africa, the binary of “national” and “ethnic” cinemas has shifted significantly with sectors of the Afrikaans-language industry now occupying the marginal “ethnic” space previously occupied by films for African audiences. This shift has been less the result of a “push” and more a conscious withdrawal or “inward migration” by sectors of Afrikaner society. The film productions emerging from this new ethnic cinema display many of the tropes and discourses of earlier Afrikaner nationalist cinema which supports the idea of Afrikaner aspirations channelled into cultural rather than political nationalism.

## Cross-References

- ▶ [Ethno-cultural Symbolism and Group Identity](#)
- ▶ [Historical Memory and Ethnic Myths](#)
- ▶ [State Hegemony and Ethnicity: Fiji's Problematic Colonial Past](#)

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# Multiculturalism and Citizenship in the Netherlands

# 102

Igor Boog

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## Abstract

In this chapter, it is argued that to understand the current debates about cultural diversity in the Netherlands, several historical developments have to be taken into account. One development is the contradictory conception of the nation-state, which includes inclusive as well as exclusive criteria for national belonging. Another development is the changing pattern of migration, resulting in an increase of cultural diversity in Dutch society. Finally, the debates take place in the context of the human rights revolution since World War II, in which historical hierarchies are being challenged by emphasizing social equality on various grounds, including ethnic background, gender, and sexual orientation. Part of this human rights revolution is the ideology of multiculturalism, which generally stresses liberal values including social cohesion and national belonging, and social equality of all groups in society. The most defining aspect of multiculturalism is the recognition of cultural or religious distinctiveness of ethnic and

I. Boog (✉)

Institute of Cultural Anthropology and Development Sociology, Leiden University, Leiden,  
The Netherlands

e-mail: [i.boog@fsw.leidenuniv.nl](mailto:i.boog@fsw.leidenuniv.nl)

cultural groups in society, which is considered to be essential to achieve social cohesion and social equality. In the 1990s and 2000s, this recognition was increasingly criticized in the Netherlands, with mostly right-wing politicians considering certain norms and values of immigrants, especially Muslims, to be incompatible with the norms and values of Dutch natives. In the 2000s, Dutch parliament debated several proposals to prohibit certain cultural or religious expressions of Muslims in the Netherlands, despite the Dutch interpretation of freedom of religion. Currently, this culturalization of citizenship is still evident, mostly from views and statements of right-wing populist and ultra-orthodox Christian politicians.

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**Keywords**

Citizenship · Multicultural citizenship · Multiculturalism · National belonging · Social equality

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## **Introduction: Multiculturalism and Multicultural Citizenship**

Diversity in society has become an almost inescapable topic in public, political, and scientific debates in the Netherlands and other Western European countries. These debates often concern cultural and ethnic diversity resulting from immigration since World War II. A central topic in these debates is the cultural distinctiveness of immigrants: whether certain practices, norms, and values of immigrants are compatible with the norms and values of the immigrant receiving societies, a question that in the last three decades has been increasingly asked about Muslim immigrants.

An example is the debate about whether Muslim immigrants should be allowed to wear a headscarf in school or at work. Another example is the discussion whether multiple citizenship and transnational ties of immigrants undermine their loyalty to the nation-state. In more general terms, the relevance of cultural boundaries of national belonging is increasingly being discussed. Scholars in the Netherlands refer to this process as a culturalization of citizenship, “in which emotions, feelings, norms and values, symbols and traditions (including religion) come to play a pivotal role in defining what can be expected of a Dutch citizen” (Duyvendak 2011: 81).

These debates are accompanied by changing discussions, attitudes, policies, and regulations regarding social equality. Since the 1960s, the Netherlands and many other countries developed a wide range of equality policies and antidiscrimination legislation, following United Nations conventions such as the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) which came into force in 1969. Scientific studies and political debates increasingly paid attention to the questions of how to prevent discrimination of and achieve social equality for citizens with various group characteristics, including those with a migrant background.

A key concept in the contemporary debates about cultural and ethnic diversity is “multiculturalism.” This concept, in use since the 1960s (Kymlicka 2012: 5), refers

to specific responses – policies or ideologies – to diversity in society. While there are many different interpretations of this concept, there are three aspects or values that are considered fundamental by most proponents of multiculturalism. These aspects include national belonging (or social cohesion), social equality, and the *recognition* of cultural distinctiveness. The importance attached to specifically these values indicates that most proponents of multiculturalism advocate a specific *liberal* form of multiculturalism (Kymlicka 2012, 2014; Modood 2010).

These three aspects are closely related to fundamental debates on citizenship and are therefore by some authors referred to as dimensions of “multicultural citizenship” (Boog 2014; Modood 2010). The first aspect is the importance that is attached to social cohesion and national belonging in society. The question here is whether citizens of various ethnic and cultural backgrounds are recognized as full members of the national group. In diversity debates, it is questioned, for example, whether “integration” of immigrant citizens is possible while simultaneously respecting (elements of) their cultural or religious distinctiveness. This relates to a fundamental issue in debates on citizenship, as the concept of citizenship in modern nation-states always “entails a tension between inclusion and exclusion” of individuals (Bloemraad et al. 2008: 155).

The second aspect of multiculturalism is the importance attached to non-discrimination principles that concern social equality of the various groups in society, not only on grounds of race or ethnic background but also on grounds such as gender and sexual orientation. This, of course, relates to the fact that legal citizenship in Western countries entails the right to equality, which is expressed in regulations and policies regarding equal treatment and nondiscrimination.

These first two aspects are closely related to the third and most defining aspect of multiculturalism, which is the recognition of cultural distinctiveness of the various groups in society. Proponents of multiculturalism argue that this recognition of cultural distinctions, but also of other distinctions such as gender and sexual orientation, is essential to achieve social cohesion and equality (Parekh 2000). An important reason for this recognition is, according to these authors, that the state and other institutions may strive for “neutrality” and being “difference-blind” but are always susceptible to an explicit or implicit bias towards the majority group.

These aspects and their interrelationships are discussed in more depth in the next sections. The primary focus in this chapter is on the multiculturalism debates in the Netherlands. Before the discussions of these debates below, analytical perspectives will be provided on the concepts used. This chapter is largely based on research carried out in the period 2010–2014, and on courses on “race” and diversity taught between 2015 and 2018 at Leiden University. For a more extensive discussion of the issues covered in this chapter, see Boog (2014).

It is important to note that various terms are and have been used in the Netherlands to describe immigrants and Dutch citizens of various origins. In this chapter, the terms “native Dutch” and “immigrants” or “immigrants and their descendants” will be used. Of course, in practice, many so-called “native Dutch” are also descendants of immigrants. In this chapter, however, following similar definitions in use by Statistics Netherlands (CBS) and in the policies and debates that will be discussed,

the term native is taken to mean that both parents are born in the Netherlands, while the term immigrant indicates that at least one parent was born outside the Netherlands.

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## Perspectives on National Belonging

Individuals who possess the legal status of a nation-state's citizenship legally belong to this nation-state's national group. However, citizens of this nation-state can still disagree about who of their fellow citizens *fully* belongs to their national group, disagreements that potentially have negative effects on social cohesion. An example is the use of the term "foreigners" to describe immigrants and their descendants, even those who have full legal citizenship. Furthermore, in the Netherlands and other Western European countries, discussions about national identity that have flared up since the 2000s show that some citizens are of the opinion that fellow citizens who have a certain immigrant background cannot be fully part of their national group. An example is the use of arguments in which it is claimed that a certain national identity is essentially "Judeo-Christian," a claim that excludes Muslim citizens from being accepted as a full member of the national group.

Importantly, these views on national belonging are also expressed in terms of citizen rights. As will become clear in the next sections, citizens can disagree in their views on to what extent certain citizen rights, such as freedom of religion, should be upheld equally for both "natives" and naturalized immigrants and their descendants.

These disagreements about who fully belongs to the national group illustrate that views on belonging are socially constructed and therefore dynamic. In other words, to understand the issues of national belonging and social cohesion as an aspect of responses to immigration and the resulting cultural diversity in a nation-state, the nation itself should be studied as a social construct. (On social construction, see, for example, Brubaker 2004; Vera 2006.)

Categories such as the nation, ethnicity and race are social constructs that are being reproduced (and thus also changed) by individuals in daily life (Brubaker 2004; Anderson 1991). Research has shown that individuals and groups categorize themselves and others as part of such categories, a process that is often referred to as social categorization (Tajfel 1981). The daily reproduction of these categories or groups includes the maintenance of group boundaries (Barth 1969) and negotiations about the importance of these boundaries, or criteria, for belonging to a certain group.

These social categorizations do not just provide labels for groups. They also have cultural and emotional dimensions, often called stereotypes: expectations and perceptions regarding the norms and behavior of individuals who are categorized as member of a certain group. Research has shown that individuals tend to favor their own group over other groups, and that they tend to overestimate both the differences between groups and the homogeneity of groups they do not belong to as well (Brubaker 2004).

Importantly, the process of categorization is an intervention; it has effects on people's lives. These interventions can be useful; categories are essential tools to



bring order in social life. But it is also clear that categorization and stereotyping can have unwanted effects, such as discrimination (discussed in the next section), identity conflicts, and a lower sense of belonging (Huyhn et al. 2011). More generally, categories can serve, and are constructed, to justify and maintain social hierarchies. History provides an abundance of examples, such as denying women voting rights and the use of racial categories to justify colonialism.

Categories have a history of (social) construction, as they are socially being reproduced and changed. Understanding the history of a category is important when analyzing its contemporary uses. Thus, aspects of contemporary Western European discussions and policies regarding multiculturalism and national belonging can be traced back to the “contradictory 19th-century conception of the modern nation-state” (Stolcke 1995: 12). Two criteria for national belonging were, and still are, influential in this conception. One stressing the free choice of individuals to live together as citizens in a nation-state, and the other stressing the importance of all citizens sharing a common ethnic or cultural heritage. The first criterion is inclusive, while the second is an example of an exclusive boundary as it does deny full membership of citizens with a different ethnic or cultural background. In studies of nationalism, a similar distinction is often made between inclusive “civic nationalism” and exclusive “ethnic nationalism” (see Bakke 2000 for a discussion).

Several scholars have analyzed the connection between ethnic nationalism and racism, both constructing exclusive boundaries by invoking ideas about common ethnic or racial origins and heritage (Balibar and Wallerstein 1991; Lentin 2004). These ideas about ethnic and racial origins of the nation, a clear example of which is twentieth century Nazism, were influential in the nineteenth century formation of modern nation-states and can be traced back to imperialist colonialism (Arendt 1951; Foucault 1980).

While ideas about race and social equality have changed considerably since World War II, the idea that a nation is defined by a common cultural heritage of its citizens – an exclusive boundary – is very much alive in contemporary debates about multiculturalism and national belonging in Western Europe. Culture, norms, and values of immigrants and their descendants are considered by some to be incompatible with those of the immigrant receiving societies. The above mentioned claim about the “Judeo-Christian” essence of (Western European) national identities is a clear example. The contemporary use of such ideas to exclude citizens with a (certain) migration background from being accepted as full members the national group has been compared to the nineteenth century mix of ethnic nationalism and racism. While some authors argue that the contemporary rhetoric of exclusion is to an important extent different from “traditional racism” (e.g., Stolcke 1995), others stress the similarities and the continuity of racism and argue that the category “culture” is replacing the category “race” in reifications of differences between human groups (e.g., Lentin 2000, also see Visweswaran 1998).

The contemporary emphasis on the cultural distinctiveness of immigrants in Western Europe is reflected in debates about the integration of immigrants and their descendants. The concept of integration essentially refers to the process of change elicited by migration to a different society. This process consists of various

aspects, including changes in immigrants' educational status and their position in the labor market, and more complex issues such as immigrants' social relationships with "natives," discrimination, and real or perceived differences between their norms and values and those of "natives" (Erdal and Oeppen 2013). Governments in Western Europe have developed integration policies, for example, to further equal treatment and equal opportunities for immigrants and their descendants (Penninx 2005). However, in recent years, integration policies in several European countries have been amended to also include knowledge of norms and values of the receiving society.

The cultural distinctiveness of immigrants has also been linked to their loyalty to the nation-state. Some authors argue that immigrants' transnational ties and multiple citizenship can lead to multiple loyalties immigrants might have to their ethnic groups and countries of origin, and that such loyalties can undermine or conflict with their loyalty to the nation-state (e.g., Huntington 2004). However, as other authors point out, every citizen has multiple loyalties (for example to their multinational employer, their family) which can potentially conflict with his or her loyalty to the nation-state. As Baron (2009: 1040) suggests, this clash of loyalties does not differ from "the usual conflict of commitments that characterize politics." Importantly, when the accusation of conflicting loyalties is exclusively directed at immigrants, it creates an exclusive boundary, denying that immigrants can be full members of the national group.

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## National Belonging in the Netherlands: Policies and Debates

As mentioned in the section "[Introduction](#)," contemporary discussions about multiculturalism started after World War II. This is certainly the case in the Netherlands. While the Netherlands has always been an immigration country, relatively few immigrants settled in the Netherlands between 1850 and 1940. Their number and ethnic and cultural diversity increased again after 1945, as a result of decolonization, the recruitment of labor migrants and their subsequent family reunification in the 1970s and 1980s, and, mostly since the 1980s, asylum migration (Lucassen and Lucassen 2011).

The percentage of "individuals with a migration background," a term used by Statistics Netherlands (CBS) to designate individuals of whom at least one parent has been born outside the Netherlands, increased from 9% of the Dutch population in 1972 to 22.6% in 2017. This percentage includes "individuals with a non-Western migration background" (12.7% of the Dutch population in 2017): those of whom at least one parent was born in Turkey or on the continents of Africa, South America, or Asia (excluding Japan and former colony Indonesia) (CBS Statline). Part of these non-Western immigrants are Muslims, mainly originating from Turkey and Morocco, who constituted around 5% of the Dutch population in 2015 ("De religieuze kaart van Nederland, 2010–2015," CBS 2016).

Since the 1980s, the debates about immigrants and cultural diversity in the Netherlands have become increasingly politicized. In this period, both the national

and local governments have developed policies designed to integrate immigrants and their descendants, policies that address national belonging, multiple citizenship, social equality, and cultural distinctiveness. Key developments and changes in these debates and policies will be discussed below (national belonging and multiple citizenship) and in the following sections (social equality and cultural distinctiveness).

Before 1980, the Dutch government did not see the need to develop structural policies for immigrant integration. Immigrants from former Dutch colonies were seen as repatriates, and the presence of individuals who since the 1950s came to the Netherlands as labor immigrants – guest workers as they were called then – was seen as temporary. This changed in the 1970s, when it became clear that many labor immigrants wanted to remain in the Netherlands. The national government developed its first integration policy, known as the Ethnic Minorities Policy. The goals of this policy were not limited to equality and participation of immigrants but also included sociocultural emancipation which was considered necessary for the improvement of their socioeconomic position and which could prevent identity conflicts (Penninx 2005). In the late 1980s and the 1990s, this policy was increasingly criticized for including the goal of sociocultural emancipation, and critics called for the focus to be limited to the socioeconomic position of immigrants and their descendants. Consequently, in 1994, the government presented a new national integration policy with “civic integration” as the main goal. It stressed the obligation of all citizens, including immigrants, to learn the Dutch language and acquire basic knowledge of Dutch society.

The debates and political discourse changed again around the year 2000. Several authors and politicians claimed that the integration of immigrants had failed. More specifically, they argued that the social cohesion of Dutch society was being threatened because certain norms and values of immigrants and their descendants, especially those of Muslims, are not compatible with those of the “native” Dutch. After the year 2000, these ideas were combined in a political discourse by right-wing populist politician Pim Fortuyn, and important parts of this discourse were appropriated by other political parties (Penninx 2005; Prins 2004). The culturalization of citizenship became mainstream, a process, already referred to in the introduction of this chapter, “in which emotions, feelings, norms and values, symbols and traditions (including religion) come to play a pivotal role in defining what can be expected of a Dutch citizen” (Duyvendak 2011: 81). In other words, exclusive boundaries for national belonging were once again stressed, by emphasizing the idea that the Dutch nation is defined by a common cultural heritage.

In the policy document that outlined the once again revised national integration policy in 2003, the government problematized the social and cultural distance between Dutch natives and immigrants and their descendants. The government stressed the importance of not just learning the Dutch language but “basic Dutch norms” as well (Tweede Kamer 2003–2004, Brief Integratiebeleid Nieuwe Stijl, 29,203, nr. 1). Furthermore, to strengthen social cohesion, several politicians thought it necessary to focus on Dutch national identity. Especially politicians on the right of the political spectrum argued that Dutch norms and values had to be protected by

recognizing that there is one fundamental Dutch national identity, which is, according to some of those politicians, essentially based on Christian, Jewish, or humanist values. In this context, a national canon of Dutch history was compiled, which became part of school curricula in 2010. The use of this canon has been criticized, however, because it limits the debate on interpretations of Dutch history. Although the authors of the canon have stressed that national identity is a dynamic social construction (WRR 2007), it “just gives one story about what the Netherlands is” (Kremer 2013: 10).

In the same period, the use of the term *allochthon* was debated, a term used to describe Dutch citizens of whom at least one parent was born outside the Netherlands. This term means “other” or “not from here,” and in 2004, several members of Parliament argued that the term was increasingly used to suggest that those who are designated as such do not fully belong in Dutch society. Since then, several municipalities and Statistics Netherlands (CBS) have decided to stop using the term. However, some politicians on the right of the political spectrum proposed instead to extend the definition and the use of the term. They argued that immigrants’ grandchildren, of whom both parents are born in the Netherlands, should also be designated as *allochthon*, thereby trying to make the criteria for national belonging more exclusive.

The culturalization of Dutch citizenship is also evident from debates on the issue of multiple citizenship. While settled immigrants were provided with easier access to Dutch citizenship in the 1980s and the requirement that applicants for Dutch citizenship renounce their original citizenship was abolished in 1991, Dutch citizenship laws became more restrictive after 1997. Politicians on the right of the political spectrum then doubted the commitment to the Netherlands of immigrants who retained their original citizenship. Once again, immigrants who applied for naturalization officially had to renounce their original citizenship, unless this was impossible, for example, when their countries of origin did not allow such renunciation. In the 2000s, Dutch politicians who opposed multiple citizenship considered it to be a possible symptom of failed integration, which could undermine an immigrants’ loyalty to the nation-state. Interestingly, these debates were mainly focused on Muslim immigrants who held multiple citizenship, indicating that their ethnic, cultural, or religious backgrounds were also assumed to undermine their loyalty to the nation-state (De Hart 2005). Currently (as of 2018), the Dutch government still requires applicants for citizenship to renounce their original citizenship, despite studies by government advisory bodies that denied clear relationships between multiple citizenship on the one hand and integration and loyalty to the nation-state on the other (WRR 2007; ACVZ 2008).

Finally, scholars have shown that the discussions about radicalization and terrorism in the last few decades can contribute to negative views of Muslims and a culturalization of citizenship in general. Such discussions have led to a “popular assumption that Islam is to ‘blame’ for the violence of individuals” and to a binary view of Muslims being either radical or moderate (Brown 2018). This binary view is an example of a singular and therefore misleading view of identity, which can lead to further polarization (Sen 2006).

In recent years, the Dutch governments have in their policy documents on integration mostly focused on “civic integration.” The latest policy document published in 2018, for example, mostly stresses the importance of learning the Dutch language and participation on the labor market. However, the culturalization of citizenship is still evident from political and public debates. Politicians representing the PVV (the right-wing populist Party for Freedom), led by parliamentarian Geert Wilders, claim that Islam is a threat to Dutch society, and the SGP (ultra-orthodox Protestant Reformed Political Party) wants to limit manifestations of “cultures and religions that do not belong in Dutch society” (SGP Electoral program of 2012). Furthermore, various statements by Thierry Baudet, leader of the FvD (the right-wing populist Forum for Democracy), suggest that he has an exclusive, ethnic nationalist conception of Dutch national belonging. In an interview in 2015, for example, he said that he wanted Europe to remain “predominantly white and culturally as it is” (Radio AmsterdamFM, September 17, 2015), and in an election meeting on March 8, 2017, he claimed that “our elite is busy diluting [Dutch society] homeopathically” by allowing immigrants and refugees to settle in the Dutch nation-state.

As mentioned above, the culturalization of citizenship is not just evident from such claims by right-wing populist or ultra-orthodox politicians. Since the early 2000s, politicians representing other parties have appropriated parts of the culturalization discourse. Stef Blok, as Minister of Foreign Affairs, claimed in the summer of 2018 that he didn’t know of any peaceful multiethnic, multicultural society. To some, this came as a surprise, as Blok, member of the VVD (the right-wing liberal People’s Party for Freedom and Democracy), currently the largest party in Dutch parliament and part of the government coalition, chaired a parliamentary research committee that in 2004 concluded that the process of integration of “many immigrants has been fully or at least partially successful” (Blok Commission 2004: 105).

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## Perspectives on Social Equality

After World War II, and partly in reaction to it, attitudes regarding social equality changed, as part of what has been described as a human rights revolution (Kymlicka 2012). UNESCO started initiatives aiming at condemning racism by educating people about scientific insights concerning “race.” In 1965, the United Nations adopted the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). After the ICERD came into force in 1969, many countries, including the Netherlands, developed a wide range of equality policies and anti-discrimination legislation. The concept of “race” was increasingly seen as a social construction rather than as a biological reality. This was reflected in equality policies and legislation, in which the race concept is generally used as a legal term that refers to distinctions made in social life on the basis of *perceived* group characteristics, including skin color and ethnic background.

The debates about multiculturalism that started in the 1960s can also be seen as part of this human rights revolution. Proponents of (liberal) multiculturalism stress the importance of social equality of the various groups in society, not only on grounds of race or ethnic background but also on grounds such as gender and sexual orientation (Kymlicka 2012; Modood 2010). The connection between the issues of national belonging and social equality is clear; discrimination of citizens on the basis of their race, ethnicity, gender, or other for citizenship irrelevant group characteristics implies that these individuals are not being accepted as full citizens or equal members of the national group.

To understand the debates about equality policies, it is important to distinguish between two types of equality: formal equality and substantive equality of opportunity. Formal equality refers to the ideal that all persons should be treated equally in equal circumstances, a principle that is laid down in the law of many countries. In the Netherlands, for example, Article 1 of the Constitution stipulates that “All persons in the Netherlands shall be treated equally in equal circumstances. Discrimination on the grounds of religion, belief, political opinion, race, or sex, or on any ground whatsoever shall not be permitted.” However, the act of equal treatment does not guarantee equality of opportunity, as the latter also requires equal starting conditions. Unequal starting conditions can be the result of historical processes of discrimination, resulting in disadvantages for certain groups. They can also be the result of processes that are still current, such as the recruiting of new employees through informal social networks to which certain groups do not have equal access – a practice known as nepotism. The concept of equality that includes measures to overcome such limitations and to level the playing field is known as substantive equality of opportunity. These measures are referred to as positive action or affirmative action, and more recently, “diversity policies” (cf. Ahmed 2007).

In Western European countries, including the Netherlands, various policies and regulations have been developed to achieve both formal equality and substantive equality of opportunity for all citizens. Specific attention has been and still is paid to disadvantaged groups, including women and migrants with diverse ethnic and cultural backgrounds. These efforts include policies designed to assist immigrant integration, positive action, diversity policies, and measures and regulations to combat and prevent prejudice and discrimination.

Discrimination is the most widely discussed obstacle to social equality. It refers to behavior, actions, policies, or structures which in a specific context might result in a relative disadvantage for members of groups whose group characteristics are irrelevant in that context. As such, discrimination, in a legal sense, can be defined as a prohibited form of unequal treatment. Despite the above mentioned human rights revolution after World War II, empirical studies indicate that discrimination is still prevalent and persistent, even in countries where there is strong support for the principle of formal equality (Bobo and Fox 2003; Pager and Shepherd 2008; Havinga 2002; Andriessen et al. 2012).

Several sets of scientific theories address this persistence. (For a more extensive discussion of some of these theories, see Bobo and Fox 2003.) One set of theories is based on research which indicates that discriminatory behavior is not confined to individuals who have an explicit ideology that can be used to justify inequality or

discrimination, such as racism or sexism. Unequal treatment is a consequence of social categorization and accompanying stereotypes and prejudice. As described in the previous section, individuals tend to overestimate the differences between social categories and underestimate the differences between individuals within their own social category. This leads to bias which implies, "reacting to a person on the basis of perceived membership in a single human category, ignoring other category memberships and other personal attributes" and can be described as, "a narrow, potentially erroneous reaction, compared with individuated impressions formed from personal details" (Fiske 2002: 123). Biases underlie stereotypes, prejudice, ethnocentrism, discrimination, and unequal treatment in general.

Another set of theories explains discrimination as a consequence of conflicting group interests, where bias originates when people perceive a threat to their own group. This threat can emerge when in the perception of "natives" their jobs are being taken by immigrants, or that traditional values are threatened (Fiske 2002: 127). Moreover, dominant groups among whose members these biases originate, "develop and propagate ideologies that maintain and even legitimize their higher social status" (Bobo and Fox 2003: 323), such as racism and sexism.

Bobo and Fox (2003) also discuss how members of majority groups can oppose equality policies on grounds of fairness or individualism, and not because of racist or sexist ideas. Some people, for example, oppose positive action because they think it implies reverse discrimination or because they think the government should not interfere in issues of inequality and discrimination.

The persistence of discrimination can also be explained by the accumulation of its effects (Pager and Shepherd 2008: 199) and the fact that it is maintained by feedback effects between social domains (Reskin 2012: 31). A disadvantage in one domain, for example, the level of prosperity of the neighborhood one lives in, can lead to relative disadvantages in other domains, such as education, which in its turn leads to a lower level of income. Moreover, relatively high unemployment rates in a specific group can lead to the negative stereotype that its members are unwilling to work. Discrimination then occurs when, on the basis of this stereotype, employers refrain from employing members of this group. This implies a self-fulfilling prophecy and an accumulation of disadvantage. Such self-fulfilling prophecies show that inequality itself can cause and maintain discrimination and consequently, inequality.

Another reason for the limited effectiveness of the equal treatment principle is that it does not directly address the problem of unequal opportunities. Because of this, in various countries, measures for positive action (or affirmative action, as similar measures are called in the United States) have been introduced. These measures include outreach efforts, for example, by advertising a vacancy in such a way that it reaches all groups in society, instead of exclusively using informal networks to recruit employees. Other such measures are used to give preference to a member of a disadvantaged group in application procedures, usually under the condition that his or her qualifications are at least equal to those of other qualified candidates. In recent years, similar policies aimed at leveling the playing field and creating equal opportunities (in equal circumstances) are often referred to as "diversity policies" (Ahmed 2007).



## Social Equality in the Netherlands: Policies and Debates

Considering the extent of the Dutch equality policies and regulations, the Netherlands has been called “Europe’s champion of anti-discrimination policy” (Joppke 2007: 260). And indeed, the Netherlands has developed a wide range of such policies, with the backing of wide political support across the political spectrum (Blok Commission 2004).

Following the Dutch acceptance of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, see above), in 1971, the Dutch Penal Code was adapted to include specific provisions against racial discrimination. In 1983, Article 1 of the Dutch Constitution was adapted to include the prohibition of discrimination. This chapter was elaborated in more detail in the Equal Treatment Act (ETA) of 1994, by which various forms of discrimination in various social domains were prohibited. The regulations that have been developed did not only concern social equality of ethnic and cultural minorities but also social equality on grounds such as gender, sexual orientation, age, and disability.

Apart from the development of legislation, since the 1980s, equality policies have been developed by the national and local governments and by various organizations as well. As mentioned in the previous section, one of the goals of the national integration policy in the 1980s was social equality, and discrimination was considered to be a main obstacle to integration. To prevent (by creating awareness) and combat discrimination, codes of conduct in organizations have been established in various sectors, and the national government adopted a law in 2010 that requires all municipalities to provide their residents with access to a local office that is able to handle complaints of discrimination.

In addition, the Dutch government, municipalities, and organizations have implemented a limited range of measures for positive action. Between 1994 and 2003, for example, organizations were obliged to publicly monitor the representation of ethnic minorities among their employees. However, one of the most widely discussed of these measures is preferential treatment, which is legally allowed for women, ethnic minorities, and the disabled. This means that preference can be given to an applicant (for example, for a job or a promotion) who belongs to one of these groups but only when it is clear that this group is in a disadvantaged position in the specific application procedure and only when the applicants’ qualifications are at least equal to those of other qualified candidates. These measures for positive action have been and still are controversial. Many employers doubt the beneficial effects and considered preferential treatment to be unfair. Members of ethnic minority groups fear the risk of stigmatization; they did not want to be known as the employee who got the job because of his or her ethnic background (Glastra et al. 1998; Schaafsma 2006). Since the early 2000s, no nationwide measures for positive action have been implemented. However, some organizations have developed the so-called “diversity policies” with the same goals: actively promoting the representation of various groups in organizations, to further the ideal of social equality (cf. Ahmed 2007).



Despite this development of legislation and policies, the problem of inequality is persistent. While statistics show that immigrants and their descendants are making clear progress in education and on the labor market, their unemployment rate remains disproportionately high. Research indicates that this is at least partly caused by discrimination (Andriessen et al. 2012). Apart from the explanations for the persistence of discrimination discussed in the first part of this section, research in the Netherlands has shown that the effectiveness of the existing antidiscrimination legislation is limited (Havinga 2002). One reason is that the enforcement of this legislation depends principally on individuals who feel discriminated against to take action. However, victims of discrimination are sometimes reluctant to step forward for fear of escalation or retaliation (cf. Sechrist et al. 2004). Research also shows that some individuals do not recognize or do not want to admit that they are being discriminated against (Andriessen et al. 2007; Crosby et al. 2003), or, instead of lodging a complaint, they adapt their behavior to avoid further discrimination (Andriessen et al. 2007).

The difficulty in overcoming inequality and discrimination is just one of the indications that the integration of immigrants and their descendants is a process that takes time. The fact that integration is a process was clearly recognized by the already mentioned research committee established by the Dutch parliament to investigate the effects of the national integration policies in the beginning of the 2000s. In its findings, published in 2004, the socioeconomic progress of immigrants and their descendants was recognized, and it was concluded that the integration of “many immigrants has been fully or at least partially successful” (Blok Commission 2004: 105). However, those politicians who claimed that integration had failed (see above), criticized the commission for not paying enough attention to the alleged problematic norms and values of (specifically Muslim) immigrants (Duyvendak and Scholten 2012).

The mainstreaming of the culturalization of citizenship around the year 2000 appears not to have had much direct effect on the wide political support for antidiscrimination efforts. Only a few right-wing populist politicians, including Fortuyn and Wilders, have called for the abolition of Article 1 of the Constitution, essentially because they claimed that they were prevented from criticizing Islam by the principle of equal treatment (as reported in the Dutch daily “De Volkskrant” on February 9, 2002, and March 21, 2006). On the other hand, proponents of multiculturalism would argue that the culturalization of citizenship can hinder social equality, for example, by causing bias and discrimination (see above). In the next section, the culturalization of citizenship will be discussed in more detail.

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## Perspectives on Cultural Distinctiveness

The contemporary debates about multiculturalism that started in the 1960s are grounded in the above described human rights revolution after World War II (Kymlicka 2012). The most defining aspect of contemporary multiculturalism is the recognition of (cultural) distinctiveness of the various groups in society. Without

this recognition, proponents of multiculturalism argue, it is not possible to achieve social cohesion and social equality for all groups in society (Parekh 2000). A Muslim citizen, for example, might not be accepted as a full member of the national group when it is claimed that the national group is defined by a “Judeo-Christian” heritage. Furthermore, when a citizen is denied employment because she is wearing an Islamic headscarf, a cultural and religious distinction, this can amount to discrimination. In short, while organizations and institutions, including the state, may strive for neutrality and being “difference-blind,” they are always susceptible to an explicit or implicit bias towards the majority group. Opponents of multiculturalism, however, argue that the recognition of cultural distinctiveness can hinder immigrants’ integration or warn that a formal recognition is incompatible with the neutrality of the state.

Contemporary debates on cultural distinctiveness, in the Netherlands but also in other Western European countries, primarily concern religious practices, norms, and values of Muslim immigrants and their descendants (Maliëpaard and Phalet 2012). Therefore, the discussion of the regulations, debates, and views on this subject in Dutch society will focus on the perceived incompatibility between Dutch norms and values and the norms and values embraced by Muslim immigrants.

The most discussed argument against multiculturalism is that the recognition of cultural (or religious) distinctiveness hinders immigrant integration. Opponents of multiculturalism claim that this recognition does not incentivize immigrants and their descendants to learn the language of the host country or to develop interethnic contacts (e.g., Koopmans et al. 2005), that it prevents them from developing a sense of national belonging (e.g., Barry 2002) or that it can undermine their loyalty to the nation-state (see above). Furthermore, multiculturalism is seen as incompatible with the ideal of social equality, as it can lead to the preservation of certain immigrants’ norms and values which encourage the unequal treatment of women or individuals who do not identify as heterosexual. More generally, it is argued that recognition of cultural distinctiveness can lead to an emphasis of differences and even to a reification of cultural or religious groups, which can result in segregation, conflicts, and discrimination (e.g., Barry 2002).

However, other authors have pointed out that it is often unclear how these opponents define “multiculturalism” (Kymlicka 2012, 2014; Pakulski and Markowski 2014). In the Netherlands, for example, opponents have criticized policies which they label “multicultural,” even though these policies clearly did not fit the qualification (Duyvendak and Scholten 2012). The criticism of opponents often appears to be directed at a caricaturish model of multiculturalism (Kymlicka 2012) which does not imply the *recognition* of cultural distinctiveness but rather the *preservation* of cultural identities. Most multicultural policies can, however, be characterized as *liberal*, implying *recognition* of cultural distinctiveness (Kymlicka 2014). Where an emphasis on the *preservation* of cultural identities can understandably lead to concerns about essentializing identities, obstacles to integration, and a process of segregation (for a discussion, see Kymlicka 2014), the *recognition* of cultural distinctiveness does not preclude cultural change or the adherence to legal principles of equal treatment and is necessary to achieve social cohesion and citizen

equality, as the examples in the beginning of this section illustrate. In the overview of the political debates in the Netherlands below, the meaning and possible implementation of the *recognition* of cultural or religious distinctiveness will be discussed in more detail.

Debates about multiculturalism do not only suffer unclear definitions or the use of caricaturish models. They are also mostly theoretical and hypothetical. So far, there seems to be no strong empirical evidence for the hypothesis that multicultural policies hinder the process of social and political inclusion and political engagement of immigrants (Wright and Bloemraad 2012). This is not surprising, as the process of immigrant integration is influenced by a wide range of factors, government policies being just one element among many. This situation complicates empirical comparisons between the effects of policies which are multicultural and policies which are not.

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## Cultural Distinctiveness in the Netherlands: Policies and Debates

As mentioned, the debates on multiculturalism in the Netherlands have in the last decades increasingly concentrated on cultural and religious practices of Muslim immigrants and their descendants. Proponents of multiculturalism argue for a combination of social equality and recognition of cultural and religious distinctiveness, while opponents of multiculturalism often argue for prohibiting certain religious practices or manifestations.

These debates take place in a legal context: both freedom of religion and freedom of education are enshrined in the Dutch Constitution. Where freedom of religion implies the legal protection of the observance of religious practices and expressions of religious convictions, the Dutch principle of freedom of education guarantees denominational schools the same funding conditions, rights, and duties as public secular schools. The latter freedom is an example of the Dutch system of neutrality of the state in religious affairs, or, in other words, church-state relations. In this system, anyone is allowed to express his or her religious identity in the public sphere, and every citizen enjoys equal rights to obtain state support for religious and cultural activities (Shadid and Van Koningsveld 1995). Therefore, it can be argued that the Dutch state neutrality implies formal recognition of religious and cultural distinctiveness.

As discussed in the above section about national belonging, the cultural or religious distinctiveness of immigrants and their descendants was not seen as an obstacle to integration in the first national integration policies the Dutch government devised in the 1980s. Rather, sociocultural emancipation was considered to have positive effects on the integration process. Much later, in the debates about the perceived failure of multiculturalism that started in the 1990s, it has been claimed that the integration policies of the 1980s had failed because these policies emphasized the importance of the *preservation* of the cultural identities of immigrants, resulting in segregation and unsurmountable differences between groups with conflicting norms and values. However, this criticism is not correct. The national

integration policies in the 1980s were based on the assumption that the *recognition* of cultural identities is necessary to achieve social cohesion and social equality (cf. Duyvendak and Scholten 2012; Vink 2007). Moreover, these integration policies were implemented in a context of Dutch pillarization, a development between the 1900s and 1970s in which secular and religious groups established their own institutions, including political parties and schools, with the support of the national government (Duyvendak and Scholten 2011).

Thus, a process started in which existing rights, such as the freedom of religion and freedom of education, were extended to religious and cultural immigrant groups. Where, for example, Dutch Christians had the right to build churches and Christian schools with government support, Dutch Muslims obtained equal rights to build mosques and Muslim schools. In collective labor agreements, provisions were included to give Muslim employees the right to ask and receive for paid leave to observe the two main Islamic holidays, similar to long standing provisions regarding Christian holidays (Shadid and Van Koningsveld 2008). This focus on sociocultural emancipation was increasingly criticized during the 1990s, and the Dutch government shifted the focus to “civic integration” in the new integration policy of 1994. The debates continued, however, with opponents of the recognition of cultural and religious distinctiveness of immigrants arguing that this recognition would hinder the integration process.

The political debates entered a new phase around the year 2000, as described above. Opponents of the recognition of cultural distinctiveness argued that immigrant integration and multiculturalism had failed and claimed that the norms and values of the Dutch “natives” are incompatible with norms and values of immigrants and their descendants, especially those of Muslims. These arguments became part of a political discourse that was appropriated by several politicians and political parties across the political spectrum. Members of parliament frequently debated religious practices, norms, and values of Muslim immigrants and their descendants, including the Islamic headscarf, ritual slaughter, and the refusal of some Muslims to shake hands with individuals of another gender. Some parliamentarians, for example, argued that the principle of state neutrality implies that public officials in certain functions should not display their religious affiliation (Lettinga and Saharso 2012). Still, the majority of parliament members were of the opinion that a prohibition of wearing an Islamic headscarf by employees and pupils in public schools was not warranted by the principle of state neutrality. However, this discussion did lead in 2007 to the prohibition of displaying religious, political, or other affiliations for police officers. The latter prohibition has in recent years once again become subject of discussion, in the context of policies that have been implemented to increase diversity in the police force.

The debates did not only concern interpretations of state neutrality but also the norm of gender equality. The Islamic headscarf was increasingly being discussed in terms of Islamic norms and values and whether these conflict with the emancipation of women. Those who considered the headscarf as a symbol of unequal treatment of women often assume that Muslim women do not have a free choice in whether or not to wear it and therefore argued that it should be banned. Others, however, argued that

emancipation is the way to gender equality and not a ban on religious dress (Lettinga and Saharso 2012).

The political debates in the Netherlands about the cultural and religious distinctiveness of Muslim immigrants and their descendants appear to have peaked in the years 2004–2006. Since then, this issue is barely mentioned in the Dutch governments' policy documents on immigrant integration. In its policy document on integration published in 2011, the government stressed that the right of freedom of religion also applies for Muslim citizens, and, as mentioned, the most recent integration policy document, published in 2018, mostly focuses on civic integration and participation in society. (For a more extensive analysis of Dutch political and public views on the issue of religious distinctiveness, see Boog 2014.)

This does not mean, however, that there is consensus about the issue. As of 2018, some politicians continue arguing that cultural or religious manifestations and expressions of Muslim citizens do not belong in Dutch society. Most of these politicians represent one of two political parties: the PVV (right-wing populist Party for Freedom) led by parliamentarian Geert Wilders and the SGP (ultra-orthodox Protestant Reformed Political Party). Currently (as of 2018), these parties have respectively 20 and 3 seats in the Dutch parliament, out of 150 total seats. The PVV claims that Islam is a threat to Dutch society and calls for the ban of various religious expressions, including the Quran and the building of mosques (PVV, electoral program of 2012). The SGP also wants to ban the construction of mosques and wants to limit "cultures and religions that do not belong in Dutch society" (SGP, electoral program of 2012). These proposals are clearly incompatible with the rights of freedom of religion, but also with the non-discrimination principles in the Dutch law, as these parties do not propose similar bans on expressions of other religions.

While the FvD (Forum for Democracy, two seats in Dutch parliament), the other right-wing populist party in Dutch Parliament, appears to respect these rights, it does argue that the norms and values of Muslim immigrants and their descendants conflict with core values in the Dutch society, as is evident from the official views published on the FvD-website. Moreover, as discussed in the section on national belonging, statements by FvD-leader Baudet suggest that he has an exclusive, ethnic nationalist conception of Dutch national belonging.

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## Conclusion

In this chapter, it is argued that to understand the current debates about cultural and ethnic diversity in the Netherlands (and other Western European countries), several historical developments have to be taken into account. One relevant development is that of the conception of the nation-state in Western Europe since the nineteenth century. This conception is contradictory as it includes inclusive – civic – as well as exclusive – ethnic or cultural – criteria for national belonging (Stolcke 1995). Another development is the changing pattern of migration since World War II. While The Netherlands has always been an immigration country, relatively few immigrants settled in the Netherlands between 1850 and 1940. Their number and

ethnic and cultural diversity grew again after 1945, increasing diversity in Dutch society. And importantly, the diversity debates take place in the context of a developing human rights revolution that started after World War II (Kymlicka 2012). In this revolution, historical hierarchies are being challenged by ideologies of social equality and nondiscrimination, and policies and regulations have been and still are being developed to achieve social equality on grounds such as gender, ethnic background, and sexual orientation.

A central topic in contemporary diversity debates is the cultural and religious distinctiveness of immigrants and their descendants; whether certain practices, norms and values of immigrants are compatible with the norms and values of the immigrant receiving societies, a question that in the last three decades has been increasingly asked about Muslim immigrants. In other words, the relevance of cultural – more exclusive – boundaries of national belonging is increasingly being discussed. Scholars in the Netherlands refer to this process as a culturalization of citizenship, “in which emotions, feelings, norms and values, symbols and traditions (including religion) come to play a pivotal role in defining what can be expected of a Dutch citizen” (Duyvendak 2011: 81).

A key concept in these debates is multiculturalism, a concept that refers to specific responses to diversity in society that are grounded in the aforementioned human rights revolution. While many interpretations of this concept are in use, most proponents agree on three fundamental values or aspects that emphasize the liberal character of multiculturalism: national belonging or social cohesion, social equality, and the *recognition* of cultural or religious distinctiveness. These values are closely related to fundamental debates on citizenship, as they refer to citizen rights such as the right of equal treatment and the right of freedom of religion, and also to the issue of the tension between inclusion and exclusion that the concept of citizenship entails (cf. Bloemraad et al. 2008).

In the Netherlands, the first national policies for the integration of immigrants and their descendants were developed and implemented in the 1980s. The goals of these policies included participation in society and social equality. The policy goal of social equality for immigrants and their descendants was and is part of a larger development of policies and regulations to achieve social equality on grounds that include ethnic background, gender, sexual orientation, age, and disability. To this end, the Dutch Constitution was amended, provisions have been included in penal and civil law, and various policy measures have been implemented, including codes of conduct in organizations and a nationwide system of offices that can handle discrimination complaints.

Apart from social equality, the Dutch integration policies of the 1980s were also meant to achieve sociocultural emancipation of the culturally diverse groups of immigrants and their descendants. This was considered necessary to achieve social cohesion and social equality. Thus, existing rights, such as the freedom of religion and freedom of education, were extended to religious and cultural immigrant groups. Where, for example, Dutch Christians had the right to build churches and Christian schools with government support, Dutch Muslims obtained equal rights to build

mosques and Muslim schools. Furthermore, given the legal nondiscrimination principles and the Dutch interpretation of freedom of religion, it was clear that the unequal treatment of, for example, an employee because she is wearing an Islamic headscarf, would in most cases amount to discrimination.

However, the political debates about the sociocultural emancipation of immigrants and their descendants, and especially of Muslims, became heavily politicized in the 1990s and 2000s. Despite the fact that the process of socioeconomic integration of immigrants and their descendants was successfully progressing (as statistics clearly showed), politicians on the right of the political spectrum claimed that integration was failing. Their argument was that the goals of social equality and social cohesion were threatened by the cultural and religious distinctiveness of immigrants. More specifically, they argued that certain norms and values of Muslim citizens were incompatible with those in Dutch society. Right-wing populist politician Pim Fortuyn combined these ideas in a political discourse, parts of which were appropriated by other political parties in the 2000s.

Religious practices, norms, and values of Muslim immigrants and descendants were frequently debated in Dutch parliament. While the antidiscrimination efforts continued to enjoy wide political support, parliamentarians did debate possibilities to prohibit certain Islamic practices, including the wearing of the headscarf. Some politicians, mostly on the right of the political spectrum, considered the Islamic headscarf to be a symbol of unequal treatment of women and therefore argued that it should be prohibited. Others argued, however, that emancipation, and not a ban on religious dress, is the way to gender equality. Moreover, a prohibition of religious expressions such as the Islamic headscarf would in many cases violate the Dutch interpretation of freedom of religion.

These discussions appeared to have peaked in the years 2004 and 2006. Recently (as of 2018), the Dutch government mostly focuses on civic integration of immigrants and their descendants: participation in society and learning the Dutch language. However, the culturalization of citizenship is still evident from public debates and from the views and statements of various politicians. The right-wing populist PVV and the ultra-orthodox SGP still want to ban Islamic expressions and manifestations from Dutch society, and statements by FvD-leader Thierry Baudet suggest clearly that he has an exclusive, ethnic nationalist conception of Dutch national belonging.

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## Cross-References

- ▶ [Immigration Policy and Left-Right Politics in Western Europe](#)
- ▶ [Race and Racism: Some Salient Issues](#)

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# Correction to: Diaspora and Ethnic Contestation in Guyana

Ralph Premdas and Bishnu Ragoonath

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The co-author name has been inadvertently retained as “Ragoonath” and the same has been updated now as “Ragoonath” in the chapter.

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