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A GENDERED APPROACH TO FORCED MIGRATION GOVERNANCE IN THE ASIA PACIFIC

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Abstract
Despite persecution of refugees being in the spotlight around the world, academics and practitioners continue to debate how to address the issue. Using a feminist lens in International Relations, this paper attempts to unpack the seemingly neutral character of forced migration governance. Supported by examples from the Asia Pacific region, this paper finds that the nature of forced migration governance is highly gendered. This can be seen from how states portray and take actions towards refugees within ASEAN and the Bali Process, as these are the two main institutions governing forced migration in the region. This governance is gendered through: (1) the feminization of refugee portrayal by states' security-focused approach, and (2) the reinforcement of states' perceptions as the masculinist protectors translated into the securitization of migration. While this understanding seems to add more complexity to the issue, it further suggests that this state- and security-centric paradigm can be reconstructed by a rapprochement between feminist and International Relations scholars.

Keywords:
Forced migration governance, feminization of refugee, masculinist protector, securitization of migration

Abstrak
Kendati isu migrasi paksa telah menjadi perhatian global, debat antara akademisi dari berbagai disiplin ilmu dan praktisi terus berlanjut. Dengan menggunakan lensa feminisme dalam Hubungan Internasional, penelitian ini berusaha membongkar karakter dari tata kelola migrasi paksa yang terlihat netral. Didukung oleh temuan di kawasan Asia Pasifik, tata kelola migrasi paksa sejatinya tergenderisasi. Hal ini dapat dilihat dari penggambaran dan respons yang diambil terhadap pengungsi oleh ASEAN dan Bali Process sebagai dua institusi utama yang mengelola isu migrasi paksa di kawasan. Tata kelola yang tergenderisasi ini terlihat dari dua aspek: (1) Feminisasi terhadap penggambaran isu pengungsi dengan pendekatan keamanan, dan (2) Penguatan persepsi negara sebagai pelindung yang maskulin dengan strategi sekuritisasi migrasi. Meskipun perspektif feminisme dalam hal ini menambah kompleksitas isu migrasi paksa, perspektif ini dapat menjelaskan bagaimana paradigma yang berpusat pada keamanan dan negara dapat direkonstruksi melalui rekonsiliasi antara akademisi kajian feminis dan Hubungan Internasional.

Kata kunci:
Tata kelola migrasi paksa, feminisasi pengungsi, pelindung maskulin, sekuritisasi migrasi

> *"We are determined to save lives. Our challenge is above all moral and humanitarian. Equally, we are determined to find long-term and sustainable solutions. We will combat with all the means at our disposal the abuses and exploitation suffered by countless refugees and migrants in vulnerable situations* (Art. 10, New York Declaration for Refugees and Migrants 2015)."

INTRODUCTION

In September 2015, 193 countries declared their commitment to sharing global responsibility in addressing forced migration. This commitment, translated into the New York Declaration for Refugees and Migrants, marks the significance of global mass displacement. In the midst of prolonged conflicts in various countries, the number of people fleeing persecutions increases. The United Nations High Commissioner for Refugees (UNHCR, 2016) reported that the number of people of concern, which include internally displaced persons (IDPs), refugees, and stateless people, rose from 63.9 million in 2015 to 67.7 million in the end of 2016. From this number, only 17.2 million were granted refugee status and 125,600 of those were resettled to host countries. The rest experienced protracted refugee situations in various 'transit' areas.

The relatively low acceptance rate of refugees by host countries is linked to sociopolitical dynamics among Western societies. Jacobsen (1996) finds that asylum policies have been greatly affected by concerns of cost and benefit analysis for the government and citizens, in which more restrictive approaches are adopted due to their perception of refugees as economic burdens and security threats—apart from other minor issues, such as bureaucratic process and absorption capacity. Moreover, a fear of terrorism threats, especially after the September 11 attacks, are also reflected in the strict immigration policies of various Western destination countries, such as Australia (Hugo, 2002). More recent research suggests that the rise of populism induces negative perceptions towards refugees and migrants in general, as can be seen in Trump's inward-looking foreign policies and the Brexit phenomenon. (Inglehart & Norris, 2016).

Forced migration is one of the neglected areas within the IR discipline. According to Betts and Loescher (2011, 3), although refugee issues are a central political feature in world politics, little research has been done on this theme within IR. It has been widely acknowledged that IR has extensively discussed security and economic issues in international spheres rather than exploring non-traditional and 'low' politics issues, such as refugees. Moreover, most literature on refugee issues focuses on how destination countries perceive refugees, as has been heavily discussed by scholars, both in International Relations and migration studies. However, perspectives from sending and transit countries, in which displaced people 'wait,' lack of attention (Castles, 2010). Despite a number of attempts to comprehend the situation of asylum seekers' in Middle Eastern and African countries during their journey to Europe, the releatively fewer asylum seekers who choose to take the boats to go to Australia appear to be overlooked. (Missbach & Sinanu, 2011).

It is important to examine these regions not only because they are 'home' to a large number of displaced people but also due to the complex, difficult conditions these displaced people experience.

Hedman (2006), for instance, explores the nature of refugee movements and policies in Southeast Asia during the context of the Cold War and thereafter, with focus on geopolitics and ideological debates surrounding that context. His findings portray the complex political processes Southeast Asian countries had in handling Indochinese refugees in 1986. Decades later, despite changing political dynamics within the region, Missbach (2015) finds that refugees are in distress due to the absence of a forced migration governance. As a result, they end up in detention and detention-like situations and are labelled as 'illegal' immigrants. These findings highlight the security-focused explanation on refugee issues.

Departing from this issue, I want to examine the reality of forced migration governance in these neglected areas. Throughout this paper, I will use a feminist lens in International Relations to highlight the gendered nature of forced migration governance. This paper will proceed as follows. First, I will explain several key strategies adopted by feminism in deconstructing the realm of international politics, notably in regard to key actors and issues that are rendered 'primary' in the discipline. Forced migration is one of the global issues that is marginalized in the International Relations discipline, which mainly focuses on security and economic aspects, often characterised as "high politics." Second, I will unpack the gendered nature of two key themes in forced migration governance. This includes the feminized portrayal of refugees and masculine policies adopted by states, in which the security aspect dominates. In this section, I will highlight the role of the Association of Southeast Asian Nations (ASEAN) and the Bali Process as the two major institutions that govern forced migration flows in the Asia Pacific region.

ANALYTICAL FRAMEWORK
World Politics through Feminist Lens

Feminism in International Relations has evolved since the Third Debate, wherein epistemological concerns on the study were raised (Whitworth, 1994). Post-positivism proponents challenged the traditional-rationalist understanding of International Relations and offered alternative approaches to understanding world politics, such as critical theory, post-colonialism, and feminism. Feminist scholars specifically have criticized the study of International Relations, which they regard 'malestream' (Youngs, 2004; Peterson & Runyan, 2010). Youngs (2004), for instance, underscores how International Relations and

feminism seem to stand against each other when questioning what matters in studying interstate relations. Starting from her view that gender is essential in global politics, yet is continuously neglected by mainstream International Relations, she argues that ontological revisionism is needed in bridging disagreements between feminist and International Relations scholars.

Feminism bases its thoughts on the philosophical foundations of gender. As argued by Harding (1986), gender operates through three processes: as identity, symbolism, and structure. Gender identity works at the individual level, where a person chooses an identity based on the social constructions of sex. Gender symbolism means that gender is binary, either 'masculine' or 'feminine'. As a structure, gender refers to the asymmetric valuation of masculinity and femininity, in which the former is regarded as more valuable than the latter. According to Whitworth (1994), studying gender within the realm of International Relations means examining the complex relations, not only between women and men, but also between masculinity and femininity and their interactions within the society. These discussions enable feminist scholars to deconstruct what rationalists believe as key analytical units in international affairs, including the state as the legitimate political entity and its main interest: security. They ask questions about why certain actors and issues are deemed more important than others.

Despite the diverse strands of feminism, Hansen (2015) notes that prominent feminist theorists agree on the importance of deconstructing the nature of the state, where the division of public and private spheres—linked to the division of masculinity and femininity—can be observed. Through this process, we can understand not only that women and femininity are systematically marginalized and devalued but also how such marginalization and devaluation is accepted as 'natural' in global politics.

By employing these analytical tools, the following section will discuss the gendered nature of seemingly neutral forced migration governance in the Asia Pacific region. This is characterised by two main aspects: 1) the feminization of refugee portrayal in which refugees are generally perceived as victims and threats to national security; and 2) the masculinization of states as the protectors of their citizens through preventing and managing refugee flows in the region.

DISCUSSION
Feminized Portrayal of Refugees

At the global level, refugees are often portrayed as helpless victims of wars. During the United Nations' 70th General Assembly, world leaders mentioned refugee issues

in a sympathetic sense, using words such as 'suffering', 'humanitarian crisis', 'massacre', and 'aid' (Ma & Agrawal, 2015; *The Conversation,* n.d.). This portrayal is also strengthened by similar narrations expressed by mass media and international organizations. Refugees appear to be a commodified object that are used to stress the need to end current humanitarian conflicts. Recently, the spotlight has been placed on the Syrian and Rohingya refugee crises (The United Nations Children's Fund [UNICEF], n.d.; UNHCR, 2018). In these crises the high number of displaced people, and sometimes the horrible pictures of the crisis, are 'utilized' to gain attention and sympathy.

The constructed image of refugees as 'helpless', 'vulnerable' and 'passive' resonates with the masculinist representation of women as feminine, childlike and innocent human beings who need masculine actors to protect them (Hyndmand & Giles, 2011). The emphasis on this protection-centred discourse further place refugees in a worthless condition. As Rajaram and Grundy-Warr (2004, p. 58) note: "This picture of refugee and irregular migrant existence is simultaneously a picture of state sovereignty in a territorial world order and is perhaps a telling disruption of the false images of the refugee perpetrated by international organs such as the 1951 Convention on the Status of Refugees." This portrayal of refugees and its impacts on how state should responsed to them, as stated in the Convention, relies on gendered state-centric perception of cross-border movement and persecution experienced by refugees (Tuitt, 1996 in Rajaram & Grundy-Warr, 2004).

Hyndman and Giles (2011) contend that while refugees are genuinely perceived as feminized, helpless, and passive subjects within the context of protracted refugee situations, people on the move are generally characterized as security threats. In the context of the Asia Pacific region, where most of the countries are transit points for refugees wishing to reach Australia, the case is similar to what Hyndman and Giles find. This is proved by various actors' tendency to avoid taking the refugee issues into account. ASEAN, for example, despite being a key body in the region—although not all countries in the region are members of the ASEAN — makes no specific reference to the term 'refugee', 'asylum seeker', or 'forced migrant' in its documents, including the ASEAN Charter and ASEAN Human Rights Declaration (Wahab, 2017). This is not a surprise, however, since its member countries tend to behave indifferently towards the issue. In addition, only Cambodia and the Philippines ratified the 1951 Refugee Convention and acknowledge the term 'refugee'. As a result, refugees are mainly seen as 'illegal' and unwanted immigrants (Kneebone, 2014; Gerard & Pickering, 2013).

It is also worth noting that the organization has been heavily criticized for its inability to deal with persecution against the Rohingya people by not recognizing them as 'refugees'. ASEAN seems reluctant to put forth an effort to address the issue due to its prevailing non-interference principle. According to Joshua Kurlantzick (cited in Muslimin, 2017), a senior fellow for Southeast Asia at the Council on Foreign Relations, it was unlikely that ASEAN would reach a consensus on how to end the plight of Rohingya people. Kurlantzick said: "They aren't going to take a collective action on Myanmar, with Myanmar as one of its members…That's just the way ASEAN operates." During the 2017 ASEAN Summit, ASEAN leaders kept silent on this matter, while other security issues in the region, such as South China Sea disputes, North Korea's nuclear capacity, and terrorism issues, were intensely discussed (Gotinga, 2017).

Security interests are at the top of regional priority. Similar conditions apply to the only authority on forced migration in the region. Under the Bali Process, refugee issues are securitized as an 'irregular migration' issue, which overlaps with other crime-related issues, such as human trafficking and people smuggling. This obviously is implied by the forum's full title: The Conference on People Smuggling, Trafficking in Persons, and Related Transnational Crime, which was conducted for the first time in Bali in February 2002. According to Kneebone (2014), both the Bali Process and ASEAN avoid the use of humanitarian language to frame refugee issues in the region. Even during the Rohingya crisis in 2015, the senior meeting of the Bali Process named it "Andaman Sea Crisis Situation". The meeting avoided political affairs concerning the crisis related to Myanmar, and it highlighted trafficking threats that the crisis posed to the region, as can be seen in below quote:

> "*We acknowledge the events of May 2015, specifically the movements of mixed populations from Bangladesh and Myanmar, were in large part predictable. The movement was longstanding and in the absence of a coordinated response a crisis was likely. The discovery of graves and abandoned holding camps indicates that smuggling and trafficking networks had been in existence for some time. These smuggling networks abused and exploited migrants and refugees for monetary gain. Camps were used to confine people and keep them in appalling conditions until passage was fully paid. The movements resulted in the tragic loss of life at sea, including approximately 70 during the crisis. The larger loss of life however was due to mistreatment and disease brought on or worsened by the smugglers* (The Bali Process, 2016)."

This political stance to stay outside the humanitarian sense of forced migration issues reinforces the divided category between public and private spheres; personal and political

matters, as offered by feminist scholars (Pateman, 1988; MacKinnon, 1989). Pateman says that social contracts that are commonly understood as a protection of civil freedoms by states are created through patriarchal means. This consequently results in unequal gender relations, establishing men's political rights over women and to women's bodies. When citizens create a social contract with the government they surrender some of their rights, in order to obtain a number of public services. In return, states have right to decide which issues are 'public' enough to require the state's attention. This gendered nature of state, then, makes sense of why the separation of 'high' and 'low' politics occurs within the International Relations discipline. States choose to deal with a number of 'high' politics issues, which fall under the 'public' sphere, such as national security. On the other side, other 'low' politics issues within the 'personal' sphere, including forced migration in the humanitarian sense, are rendered irrelevant or simply unimportant.

Furthermore, this feminist deconstruction of social contract theory exhibits a notion on citizenship. Due to the state's legitimate authority to govern the society within their borders, they are also 'authorized' to specify certain requisites under which citizenship can be acquired. It then informs how states decide who deserves to be protected. The narrations of 'illegality' of refugees, repeatedly used by states, are related to this masculine logic that views people who fail to meet some legal requirements as feminine and undervalued subjects. As a result of this view, masculinist states undertake a gendered security-based strategy to prevent and manage refugee flows accordingly. Into this discussion we will turn in the following section.

States as the Masculinist Protectors

A masculinist approach adopted by the states occurs in two main strategies: the prevention and the management of refugee flows in the region. A prevention strategy is translated into the securitization of forced migration issues, which leads to the militarization of state borders. This mainly transpires in Australia as the primary destination country for refugees in the region. According to Kneebone (2014), Australia plays its strategy of exclusion in the 'level playing field'. By adopting a "stop the boats" policy, the government avoids managing 'boat people' and transfers them to offshore processing centres or other states, instead. Kneebone's findings also suggests that Australia's approach includes providing financial and military assistance to neighbouring countries—where the refugees temporarily reside.

This strategy goes hand in hand with the militarization of border control to prevent refugee influxes, not only in Australia but also in various Southeast Asian countries. This was seen during the Rohingya crisis, during which ASEAN preferred to delegate responsibility to the consultative mechanism under the Bali Process initiative—which has an official agenda to securitize human trafficking practices. Research undertaken by Cheung (2011) indicates that the Bali Process's direction leads to the criminalization of smugglers and traffickers—not the protection of refugees as 'victims'. In this system procedures regarding border control, security, law enforcement and documentation fraud are prioritised. He contends that this approach links to the hegemonic notion of illegal migration and thus, justifies the securitization of migration. This link resonates with the findings of Gerard and Pickering (2014) on refugee women's experiences in making the journey to Europe. It reveals that violence exists on multiple sites and are exacerbated by the European Union's strategy of exclusion, which tends to securitize 'illegalized travelers' who are attempting to seek refuge.

From a feminist perspective, this strategy is problematic because it captures gendered power relations and an unequal valuation of particular actions. Cheung's finding on the securitization of migration, for instance, is strengthened by Lobasz's (2009) critique of predominant states' security-based strategy to eliminate human trafficking practices, which she argues are too masculine as they focus on the security of the state and not of the people. She claims that "…state construction of human trafficking reproduces gender and racial stereotypes that discount women's agency, establish a standard for victimization that most trafficked persons cannot meet…" (Lobasz, 2009, p. 322). Therefore, even though there are measures that include protection of the victims, this securitization strategy prioritises the interests of the masculinist state.

Many feminists assert that the securitization concept is not only gender-blind, but also developed in a way that it hinders gender analysis from being taken into account (Hansen, 2000). Hansen (2000) states that victims of any violence are usually voiceless because they face difficulties in explaining what they truly experience. In a similar vein, states' strategy to apply 'standards' of becoming refugees are risky as hardships they from passing through traumatic situations presumably hamper efforts to prove their 'eligibility' to seek asylum. Another gendered approach of securitization is seen through the individualised and collectivised certain issues, which again resonates with the 'public' and 'private' division in global politics. According to Hansen (2000) a particular political practice might individualise particular threats, such as the issue of sexual violence, under

which victims are located outside of the public political realm. However, on the other hand, others are constructed as collective threats, which include unwanted cross-border migration. This understanding, henceforth, provides an explanation for how these different approaches in dealing with similar issues are socially designed and not without certain political purposes.

Turning to the management of refugee flows in the region, the police can best be described as temporary. Cheung noted that the experiences of Rohingya refugees in Bangladesh and Malaysia reflect the general situations in Southeast Asia, where governments implement migration control measures and are reluctant to offer formal durable solutions. This is due to their assertion that these countries are transit points and are non-signatories of the 1951 Refugee Convention. Missbach (2015), for example, finds that Indonesia strongly claims its position as a transit country, implying that they are not responsible for any durable solutions, especially in regard to reintegration into the local community. Therefore, Indonesia relies on *ad-hoc* policies that depend on a range of factors, including: origin of the refugees, level of emergency, political dynamics, and domestic condition. For Missbach and Sinanu (2011), the option taken by a government to not become involved in any global refugee protection regime can also be perceived as a "benign neglect" approach towards refugee issues.

Beside this indifferent response, a security-based approach takes place in a form of a 'detention' policy. In various domestic policies, detention centres are commonly used to 'detain' asylum seekers. In Indonesia, since the government lacks the legal framework to manage refugee issues, they treat these people as 'illegal immigrants' who enter the country without any proper legal documents. Thus, they are put into detention while the UNHCR processes their 'refugee' status applications (Missbach, 2015). Similar systems occur in Thailand and Malaysia as well (Rajaram & Grundy-Warr, 2004). In Australia, under the Migration Act of 1958, a mandatory detention policy is applied to migrants arriving without a visa (Department of Home Affairs of Australian Government, n.d.). This policy mostly affects asylum seekers who arrive by boats (Refugee Council of Australia, 2016). This detention policy often inflicts an "in limbo" status, and refugees often face uncertain situations because the status determination and resettlement processes usually take years (Missbach, 2015). Rajaram and Grundy-Warr (2004, p. 58) characterise this situation as "the growth of "'temporary' refugee camps along borders, detention facilities, and regimes of temporary protection."

These standards and implications reinforced by the government reveal the state-centric paradigm of forced migration governance in the region, where the state becomes the primary actor and referent object whose borders and people need to be secured. This is not a new finding, however, as the research by Rajaram & Grundy-Warr (2004) suggests that the global regime of refugee protection is also statist, the UNHCR's solutions of repatriation, reintegration, and resettlement are not exceptional, and that it restricts a particular kind of 'protection' and the rights such protection conveys. In the Asia Pacific region, ASEAN and the Bali Process — as the main state-led institutions — do not provide enough space for other non-state actors concerning the issue of refugees (Kneebone, 2014). The Bali Process, whose members are national governments across the region and intergovernmental bodies such as the UNHCR and the International Organization for Migration (IOM), is highly influenced and directed by Australia. Although civil society actors are allowed to work, they are mostly involved in humanitarian relief actions, not in the policy-making process. These actors are not given enough space to intercede because their humanitarian and charitable agendas are deemed feminine, as opposed to 'masculine' military measures employed by states (Christie, 2017).

Using the feminist lens, we can radically rethink the understanding of the state and security. This means deconstructing the naturalness of the state as the main organizer of gender relations, as has been mentioned in the previous section. Peterson (1992) contends that state acts as a bearer of gender, by which it acquires domination of masculine traits. These are inherent in all stages of state logic. As states possess legitimacy over the use of power, they can define who are the threats to their main interests and use their power to 'protect' them. In this sense, it is interesting to refer to Peterson's (1992, p. 54) idea of a "protection racket". This term implies that the attempts by states to protect their citizens against threats actually re-stimulate the threats towards themselves. This term is gendered as it reinforces the notions of masculine autonomy—enjoyed by states—and feminine dependency of the citizens. While she gives example of marriage, where it is used to protect women from male violence, a similar condition applies to the way the states securitize refugee issues in order to protect their citizens against any undesirable 'threats', such as terrorism and social disintegration. However, such perception and its implication actually induce further unwanted, irregular channels of migration and means of survival (Lobasz, 2009).

CONCLUSION

Given the complexity of forced migration issues, a security-based approach seems to dominate the governance of refugees in the Asia Pacific. Moreover, I argue that this understanding presumably prevents scholars and policymakers from adopting an effective strategy to address the issue and only further exacerbate it. Using a feminist lens, we can deconstruct the state- and security-centric paradigm, which is deemed 'normal' and 'natural' in global politics. Hence, by investigating how states portray and respond to refugee flows, we can rethink the nature of state as the existing 'main' political actor who governs international politics. Throughout this article, the hierarchical relations between femininity and masculinity are represented by the unequal position between states and refugees. These are mainly seen by the feminized portrayal of refugees as victims of wars and security threats and the masculine strategy to prevent and manage refugee flows in the Asia Pacific.

A gendered approach to forced migration enables us to adopt an alternative approach to perceiving refugee issues from a security perspective. This highlights the neglected humanitarian aspect of the issue, which is regarded as less important. By revealing previously the 'hidden' masculine faces of forced migration governance, the problematic character of the governance should not be taken for granted. For the IR discipline, this understanding would add to the conversation and debate among scholars, particularly between positivists and post-positivists. However, I argue that more conversation from both perspectives should be encouraged and regarded as a worthy scientific process leading to one purpose: a better understanding that addresses multidimensional contemporary global issues for the good of human race.

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