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CRG Presentation
25-27 November

Surviving Gender:

An Investigation of Gender Based Violence Rehabilitation Programs in 1971 Urban Bengali Refugee Communities

Refugee women occupy a contradictory position within partition history. On one hand, they are hyper-visible as the 'chief sufferers' of gendered violence, including mass rapes and abductions, that accompanied and followed the partition of India. On the other hand, as soon as the focus shifts from the extraordinary and traumatic events of partition to the mundane and prolonged affair of rehabilitation, women all but disappear from the archives of the state. -Uditi Sen 2018, 201.

Preoccupied with the basic needs of refugees, i.e., food, shelter and first-aid, the (Indian) governmental assistance program, though substantial, cannot cope with the multi – faceted organizational and financial needs described in the foregoing pages. Nor can it be expected to take care of relief payments to the substantial number of artists, writers, journalists, scientists and similar categories of refugees who have found asylum in India. They have depended thus far on the help of their Indian colleagues. Some of them face starvation. -New York Times, July 4, 1971.

We were about to embark upon a new programme of economic advance, when from across our frontiers we had a new kind of invasion: not of armed men, but of a vast influx of helpless terror-stricken men, women and children from East Bengal-some wounded, some ill and all hungry. More than 9 million people have come in the last six months, and they continue to pour in. Has there been a greater migration in history?-Extract from Prime Minister Indira Gandhi's address at the Moscow University:

Introduction

As the world currently faces the highest rates of displacement in recorded history (UNHCR 2018 1), India has stood out as a prominent host (UNHCR 2018 2). As one of the most prominent refugee communities, ten million Bengali refugees fled to India during the independence struggle of Bangladesh in 1971. During this time, and as one of the worst war crimes in the region's history, approximately four hundred thousand Bengali women were systematically sexually assaulted by the Pakistani military in what has been termed as

“genocidal rape” (Hossen 2014). Although much has been said about the women who survived these atrocities and returned to their places of origin in Bangladesh, most notably Yasmin Saikia’s (2011) *Women, War, and the Making of Bangladesh: Remembering 1971*, very little research has specifically focussed on those who chose to stay on in West Bengal after the 1971 conflict ended.

In response to their needs, and to reach these survivors of this extreme form of Gender-Based Violence (GBV), the Indian government paired aid with rehabilitation in the form of food rations, medicine for venereal disease, and in some cases, access to abortion (Nakatani 2000). This response was based on the fact that gender-based violence (GBV) has come to be categorized as a public health issue (Krantz 2002) and GBV awareness was on the rise with state actors simultaneous to the conflict. As the *Towards Equality* report was published in 1974, it outlined the many ways in which the state needed to begin addressing and supporting both the health and wellness of women throughout the country in a more concerted manner.

Adding to this, definition of GBV remain expansive. In the realm of public policy, Gender-Based Violence (GBV) may be defined as both “direct violence”, which includes “trafficking human beings, slavery, sexual exploitation, sexual violence, child forced marriages, female genital mutilation (FGM), honor killings” as well as “indirect violence”, which includes “institutional or structural violence, such as inequalities, discrimination, and attitudes of normalization of violence against women.” (European Institute for Gender Equality 2018). In this context today, GBV prevention in refugee communities remains the top priority for the UNHCR in India for 2018-2019 (UNHCR 2018 2). However, in 1971 definitions of gender-based violence remained more broad, focusing more on health than any other aspect of women’s lives. In spite of this, the 1979 Convention on the Elimination of All Forms of Discrimination

against Women (CEDAW) emerged as an important milestone in recognizing a few of the many other forms of GBV that women face (Convention 1979). Given this complex background, this larger aims of project seeks to first, uncover how governmental efforts eased or ignored the suffering of refugee women survivors of GBV following the 1971 crisis, and second, to assess how those who the Indian state failed to reach became domestic laborers, sex workers, and lived with urban-based kin, in order to create their own forms of resilience and survival. This goals causes other obvious question to arise regarding how suffering itself was visibilized or overlooked, particularly based on gender essentialism as well as what the object of policymaking was based upon.

As I am yet to being my ethnography, I am immersing myself in the existing literature and using my analytic questions from my refugee law and policy background to analyze whether and how questions of refugee rehabilitation, empowerment, governmental initiatives are pertinent to the South Asian context. I am interested in questions from refugee policy that can help us better understand rehabilitation in postcolonial South Asia while also asking in what ways refugee studies have completely ignored experiences of South Asia, and in particular, South Asian women, while claiming universality and global knowledge.

As such, this presentation will first present an overview of the existing literature and second analyze refugee rehabilitation policies within the question of gender in order to better understand, not only the South Asian refugee protection regime, but also to critically examine the ways in which humanitarianism continues to engage with women who are also refugees. Thus, I will be asking more questions than answering them in order to guide the future goals of this research. As a preliminary finding, the research presented in this presentation builds on the notion that gender is not only a compounding factor of intersectional oppression, but it is a

quality that can oftentimes invisibilize needs that are specific to women. Srimati Basu (2015) argues that “forms of structural violence (tied to race, ethnicity, or class) compound the gendered effects (178). Given this consensus, and drawing upon Banerjee’s (2009) research on the nexus of refugee status and gender, a finding and preliminary conclusion from the secondary literature and policy analysis demonstrate that one’s status as a refugee remains an even more impactful and compounding factor that has not yet been appropriately addressed by international refugee law nor policy initiatives. It is upon this nexus that this research fixates in order to better understand the notion of resilience, being largely internalized within individuals and communities, in conjunction with rehabilitation, which is defined in terms of external organizations or governments providing a form of relief. These actors extend through scales of the state government to the national government as well as faith-based, local, and international NGOs. Overall, I seek to problematize the figure of the woman refugee and the exceptionalization of women refugees by asserting the need for the intersectionalization of remedies that can operate upon and within the multiple identities of women refugees.

Limitations

This research is limited in several key ways. First, given the time limitations imposed on this stage of research, the qualitative research remains ongoing. In response this study will continue to incorporate perspectives, data, and interviews to more accurately describe the ongoing situation in order to make a meaningful assessment in the coming months. Additionally, I intend to take the feedback, ideas, and suggestions here and directly incorporate them into the ongoing process of data collection.

Second, although this study aims to be as intersectional as possible, there are many limitations in terms of the depth of analysis in the realms of religion and caste. Instead, this

research deals with those that on the first look are from a "desirable religion" according to the state, but even then face discrimination on the basis of being refugees. Additionally, conflicts between Pakistan and India often enable the state to make caricatures of Muslim men specifically using the sufferings of refugee women. In this way, one's religion and gender intersect in impactful ways concerning gender and displacement.

In spite of this, the scope of the study uses well-established methods in the refugee studies field to use displacement as the first tool for defining the parameters of the study. I then combine this parameter with gendered experiences to investigate the unique problem of gender-based violence amongst refugee communities. Because those at the heart of this study are domestic laborers and sex workers, those in a higher class remain inherently excluded. Similarly, because this research focuses on the years after 1971, it also discounts those who were able to leave earlier due to their economic status. Because this study's focus remains stringently defined, at this stage, comprehensive examinations of how caste and religion impacted these experiences remain superficial.

Third, this research remains inherently one-sided as, due to restrictions on my grant, the archives of Bangladesh and the experiences of those who returned or remained are absent. As I was barred from leaving the country for this particular research project through the regulations of the Fulbright-Nehru grant, I was, and am, unable to travel to Bangladesh to discuss the methods and policies that the new Bangladeshi government used to address the needs of those who remained and those who returned. This presents a meaningful line of inquiry for future research, but outside of the scope of this particular project, one that I hope to pursue in graduate school.

Fourth, because this research analyzes gender-based difference in access to rehabilitation and relief service, there is a chance that it could stray into sex-based essentialism. Gender/sex distinctions remain incredibly slippery with lengthy discourses attached to both. To avoid either essentializing or oversimplifying, this research takes Judith Butler's broad and constructive approach to definitions of gender, while still noting that one's gender identity can be cyclically constructive, shaping experiences and identities.¹

Thesis

Thus, the first core argument of this research shows that the very category of refugee compounds the violence and oppression already inherent within society. That is to say, that factors such as caste, class, religion, and most notably, gender become severely compounded within the state of being displaced. Showing Agambin's state of exception, wherein refugees represent the most bare space within which to study governmentality, the literature and case studies in this research take Agambin's assertions further by arguing that it becomes the most clear space to study the intertwining of displacement and gender. The second argument draws upon long-established discourses in the history and study of gender, most notably Judith Butler's (1990) *Gender Trouble* and will follow current trends in Science and Technology Studies as well as the Anthropology and History of Medicine. It will do so in order to assert that current definitions of a refugee remain predicated upon the body, experiences, and traits of male refugees and male displacement, leaving legal professionals and policymakers to construct initiatives that address a one-sided experience.

Together, these arguments point to a long-felt reality within the refugee protection regime: neither legal systems nor policymakers have learned how to adequately address gender

¹ Gender can be simplistically defined as follows: "'gender' denotes women and men depending on social factors (social role, position, behaviour or identity)." (Stanford 2017). For more information on debates within gender studies, see: Butler 1999, MacKinnon 1989, Jenkins 2016, Haslanger 1995.

within the category of refugee. Although India is not a signatory, it is important to mention that the refugee convention itself has grappled with and failed to provide for women, queer, and non-binary refugees, who often fall into the most broad, a-morphous, and easily avoidable category of “social group” for protection. Adding to this, caste remains a prominent means through which to marginalize refugee women. These actors, such as state governments and local and international NGOs thus struggle to reach those who are both refugees and survivors of GBV.

Secondary Literature

The secondary literature on gender and partition in South Asia grapples with what gender is in a South Asia context, reconstructs the lived experiences of refugees during these periods, and more closely examines the legal strictures that governed and continue to govern those who belong, and those who do not. This section will present an analysis of the current historical literature discussing the category of refugee in West Bengal, and will then contextualize this within research on gender and displacement in South Asia today. Taken together, this literature demonstrates that there is a gap between how forced migrants and women are addressed in South Asia refugee studies that point to a larger problem in conceptualizing women as refugees.

As a touchstone in the history of partition in West Bengal, Joya Chatterji’s work sheds much light on the ways in which the newly-formed state government of West Bengal reacted to the displacement caused by Partition. She outlines “whether the refugees were, as frequently assumed, passive victims of political events over which they had no control or, in fact, active agents in their own rehabilitation.” (2007, 3). Second, she demarcates the ways in which a refugee’s experience became defined by their caste, class, religion, gender, and marriage status.

In regards to her first argument, Chatterji demonstrates how refugees who subverted the state and were freed to rely on their own resources, kinship ties, skills, and knowhow fared the best, concluding that they “were not pawns or passive victims, but rather active and thinking agents in their own rehabilitation.” (122). In this way, Chatterji’s argument strays into interestingly anti-governmental connotations for the refugee regime, arguing that dispersal programs and rehabilitation often did more harm than good. She writes that “refugees did best in places where they had settled on their own accord; they did best of all in precisely those tracts from which the government wanted to eject them, whether by forced or by blandishment.” (140). Although her research underscores something fundamentally contrary to the ways in which refugees are conceptualized by the international humanitarian regime, they are also based upon the male body and the experiences of men who had greater access to land plots, employment, and education.

Second, Chatterji shows how distinction in class or caste allowed both Hindu and Muslim Bengalis to move with greater or lesser ease across the border. Her work is rife with examples of poorer groups who left only when they faced direct and severe violence. Although is well-known in the literature on forced migration, depending on one’s class, migrants faced a variety of different challenges, Chatterji’s work demonstrates how “it was almost as if the larger partition of Bengal had sparked off an endless series of lesser partitions” in terms of caste, class, gender, religion, and geography (320). These factors directly determined how an individual experienced or survived partition. However, much research is still needed to parse out the ways in which one’s gender specifically impacted the experience of the aftermath of forced migration.

Building on Chatterji, Uditi Sen’s argument is centered around two main tenets. First, she asks who deserves rights, care, and rehabilitation and second, how refugees of different

backgrounds sought to secure these rights through their limited, albeit different, means. Sen directly builds on Chatterji's arguments by showing how the success or failure of certain refugee colonies remained contingent upon political connections, education, and some amount of self-funding for success. She adds that performativity became a critical avenue for accessing resources as refugees had to present themselves as hard workers and of upright morals. When combined with studies that have highlighted the performativity of gender, this trend becomes particularly interesting. That is to say that the women described by Basu and other gender theorists often directly defied performativity in order to gain access to expanded rights. However, when lacking citizenship, and therefore the protection of belonging, Sen's argument seems to point to the notion that refugee women deployed their essentialized and expected gendered characteristics in order to gain privileges and rights. One such example occurs when Sen recounts how women living in the Deshbandhu refugee colony deployed essentialized characteristics of their gender, such as hospitality to convince local officials to grant them their demands. She recounts how when Dr. Katju, then Governor of West Bengal, visited the Bijoygarh refugee colony, women and girls sang traditional songs, decorated his car with garlands, and served him with traditional cuisine. She writes that "the governor was extremely impressed by the refugees' commitment towards preserving their cultural heritage, despite poverty." (190). By deploying their typified and gendered role as transmitters and guardians of culture, these refugee women achieved their own political goals, as the governor then took steps towards the legitimization of this colony..

Sen goes so far as to write that "the self-sufficient refugee who scorned government charity and rehabilitated himself is a carefully constructed cultural identity." (196). Yet, what happens when this "he" is changed to a "she"? In many of the cases with which my research

remains interested, these women often sought out work at the margins of society as sex workers and domestic laborers, providing for themselves and surviving. However, as Banerjee (2010) noted, it is important to emphasize the violence that is prevalent in these margins of society where many refugee women sought out work. In terms of safety and humanity, CSWs are stigmatized, routinely harrassed, and in some cases face ongoing sexual assault by police officers. Thus, there is something to be said about women who do seek out work in the margins because of gender, in terms of what they faced in such spaces.

Finally, just as in the previous texts, gender plays a role in Zamindar's inquiries as domicile, marriage, and kinship ties became essential and defining traits that could lead to the deportation or acceptance of an individual into India or Pakistan. In this context, she argues that women often had little choice in determining their own citizenship status. She writes that, "by making domicile a condition of citizenship, the new Indian citizenship laws were not unique in subjecting the citizenship of women to fathers and husbands." (107). Because the citizenship status of wives were often legally determined by the husband, this left women without the ability to express "autonomous citizenship." (107). Paradoxically, Zamindar also describes the many instances in the lives of civilians and civil servants alike when a wife fled to the opposite country and refused to return, causing the Indian state to classify their spouses as disloyal or doubtful. In these ways, women sometimes misbehaved outside of these legal classifications, determining their husbands' legal status through their own choices and agency by leaving their country-of-origin and refusing to return. Zamindar's research thus concludes the historical overview presented in this piece.

In focussing on the situation in West Bengal today, Srimati Basu's focuses on gender in India through the lens of marriage, divorce, and disputes bring to the fore the ways in which

refugee women require access to these remedies. Using mediation documents and court proceedings, she investigates how the private manifestations of feminist and anti-feminist ideologies have tangled in the public spaces of the law. Although she articulates what gender means for a Bengali woman from multiple religious and class backgrounds, the experiences of migrant or refugee women are surprisingly absent and leave lingering questions. For example, as much of Basu's writings focus on marriage, which remains particularly prescient to questions of belonging and access for refugee women whose legal status is often made or unmade by their marital status, she does not mention whether these women might have access to mediation or legal proceedings. Although the goal of situating "women as empowered agents in control of their narratives and transforming legal authority" remains an essential motivation for those studying women as refugees, they do not make an appearance in her text (4). Questions of access to divorce courts, mediation, and overall core remedies for the many symptoms of GBV for refugee women are a large gap in Basu's writings. As such, her section on the elaboracy of achieving justice in marital rape cases highlights a problem long at the core of refugee protection regimes: how to provide resources for other forms of gender-based violence such as domestic violence and marital rape in situations of layered violence and limited resources? In her examples of Kolkata women seeking restitution under the law, questions arise about what those who are not qualified as citizens might do in order to seek remediation, justice, and bodily safety.

However, one of Basu's theoretical explorations remains essential to addressing the experiences of refugee women and incorporating them more directly into policy. Sexual violence, specifically different forms of rape, constitute Basu's argument on the difficulty of

proving and inhabiting the form of victimhood that might lead to justice. Basu outlines the central theoretical discourses about the meanings of sexual violence. She writes that:

Is it self-evident that a penis is an instrument of torture and violence, or is it enabled as such in cultures that assign particular valences to the gendered body? (...) Helliwell argues that the terms of rape are not *biologically determined*, but rather that *cultural* constructions of gender difference, in particular ideas of “sexual polarity” in which societal “disparities of power and status” are attributed to bodily difference, construct the power to violate through rape. (...) Rape cases accordingly constitute scripts that dictate *through their actions* gender-power dimorphism and sexuality as central to subjectivity. (160).

Basu goes on to argue that these dynamics become inscribed upon women’s bodies, demonstrating “the power of rape to wound” (161). These discourses are central to this research as they further contextualize the deeper meanings of sexual violence, moving it from an interpersonal act of torture and violence to a larger lens with which to study contested power dynamics and gender. She matches this power with the resilience and resistance of survivors and other women standing in solidarity. She gives the example of fifteen middle-aged women demonstrating naked in front of Indian armed forces’ headquarters in Manipur after the rape and murder of Manorama Devi. This example shows the solidarity and resilience inherent within communities and survivors in order to assert that victimhood is a dynamic and complex state of being. She summarizes this by writing that “feminist struggles to theorize sexual agency and sexual victimization, equality and difference, are deeply, contradictorily embedded in such legalities.” (163).

Basu’s investigations of remuneration, mediation, performativity, and the intersection of gender and law remain an essential foundation for investigating those with additional compounding factors encounter access to justice.

As one of the only scholarly sources that directly addresses women in displacement, Paul Banerjee’s *Borders, Histories, Existences: Gender and Beyond* (2010) addresses those

who the protection regime overlooked and describes the ongoing challenges that women refugees at the border and in urban settings face. Banerjee's research on sex-workers in Kolkata, or commercial sex workers (CSW) remains critical due to both the descriptions of the lives of these women and in determining the nature and consequences of these experiences. She writes that in one case, a woman chose to become a CSW because "she felt that, in the lower echelons, a woman's body is constantly abused in the labour market, so why not use her body to help herself?" (176). She further demonstrates how these CSWs can remain personally and politically disenfranchised as they lack the power of "decision-making about condom usage" with clients and partners. They also were denied the right to vote due to their inability to establish their residence, in spite of forty years of living in Kolkata (178). This complex balance of agency and suffering are one of the most critical tensions at the heart of her account and ongoing legal attempts to address the demands of these women. Banerjee traces this nexus, of being both a migrant and a women, showing how sex work can intertwine as one of the natural results of these inherently violent border systems. She writes that no amount of humanitarian legislation can prevent this intersection because "one has to realise that it is not merely a question of more or less governance but a continuance of erosion of women's physical, economic, and social security by the patriarchal model of national security that holds sway in the border areas." (113).

Case Study: Policy

The policies and programs available to refugee women are often buried within NGOs, regionalization, and the minds of lawyers, to which many refugee women have little to no access. As the case of 1971 demonstrates, the need for medical resources for survivors of sexual assault and violence, jobs or training programs, and legal recourse or mediation was severe during this period. Yet, policies of refugee rehabilitation show stagnation in addressing these

critical needs, even fifty years on. This section will present a cursory review of rehabilitation policy in West Bengal following 1971 followed by a brief discussion of national policy discussions regarding refugee rehabilitation offered to women.

In West Bengal, one of the main means that the state government used to address the demands of refugees was through land reform. As Nakatani (2001) outlined, much of the policy that addressed the refugees of 1971 was a remnant from the turbulent years after Partition. He writes that “the measures taken for refugees from East Pakistan were broadly divided into ‘relief’ and ‘rehabilitation’ . For relief work, transit camps were set up by the government of West Bengal where food and shelter were provided to newcomers until they moved to rehabilitation sites. (...) In urban areas, refugees received loans for land purchase, housing, small trade and business. In addition, the opportunities for education and technical and vocational training were offered.” (81). Nakatani goes on to show how the government sponsored refugee and squatter colonies throughout the state. However, Nakatani’s research fails to distinguish between 1947 policies and initiatives that touched the lives of those who came in 1971. Additionally, he focuses primarily on land initiatives and resettlement in the outer parganas; programs to which most unmarried women did not have access. As Sen highlighted, widows were often considered by state actors as “unrehabitable” and unmarried women were pushed to other states for rehabilitation altogether. (239). Thus, although Nikatani outlines some of the resources available to refugees, as well as this community’s reaction to these programs, the lack of resources and remedies available to women remains stark in comparison with the able-bodied man.

A striking example of this can be seen in a policy brief from the Refugee Relief and Rehabilitation Department in Kolkata from 1988. The report details how the Government of

India approved “the regularisation of 607 displaced person Squatters’ Colonies set up during the period from 1-1-51 to 25-3-71.” (1). This regularization specifically focussed on providing for “agriculturalist families” who were settled on an average of three acres. Because land acquisition and reform comprised the heart of refugee rehabilitation during this period in West Bengal, the framing of who received these plots became central to how the state government conceptualized of the refugee. Focussing on these land distributions became such a key solution both because of the nature of urban displacement as well as the unified struggle that refugees presented in the form of squatter colonies. As X writes, “in Kolkata, the absence of satisfactory places for settlement not only led the refugees to occupy and recycle certain public spaces, such as railway platforms, parks and garden houses (Kaviraj 1997:104), but also instigated the reclamation of land from water bodies and the cultivation of low lying marshlands.” (8). However, this document does not show any evidence that women who found themselves outside of any typified gendered categories could access these vital resources directly.

Cursory research through the legal and policy literature has come up empty in terms of concrete programs specifically targeting the varied needs addressed by rehabilitation and for women refugees who arrived during 1971. Much of the policy that does exist either addresses refugees or women, but appears to struggle to do both. For example, in a governmental training packet titled “ Gender/Empowerment of Women”, describes a migrant or refugee as a women in a “difficult situation”, along with women engaged in sex work and victims of domestic violence (Ojha no date, 219). This again demonstrates, the lack of an ability from a policy perspective, to address one who is both a woman and a refugee in a meaningful capacity. The document goes on to describe remedies for women refugees in terms of “protection and assistance” (266). By framing these remedies in terms of vague promises of “protection”, this training initiative falls

into the category of infantilization rather than specific programs. Following this, the document goes on to assert that labor tasks change in displacement scenarios and protection becomes essential for women and girls. As opposed to describing how women can be supported in rehabilitation, this manual describes ways to protect.

Adding to this, national policy documents refer to the need to create lasting institutional mechanisms that protect and foster goals regarding gender equity, while focussing on refugee women nested only through larger policy directives. Meanwhile, the state government remains equally silent about any specific policy initiatives or measures undertaken to provide relief for these women. The main areas that are highlighted in governmental information packets focus specifically on the role of refugee beneficiaries in land reforms. However, as aforementioned, this particular remedy remained focussed on male bodies and experiences in order to provide relief.

Analysis

As these policies have shown, the category of the refugee woman is one that should be problematized, challenged, and parsed out with greater alacrity as women who are also migrants have yet to be engaged with in a meaningful way. The figure of the refugee woman has endured through policies, discussions, and conceptualization of statelessness, yet this figure requires a greater focus because these women carry with them a host of different identities and experiences. For example, the figure of the refugee woman is often characterized as migrating with and on behalf of her family, yet 1971, and before in 1947, showed a high number of refugee women who were single, divorced, or widowed. These women often fell outside of rehabilitation schemes altogether and were either encouraged to marry or were shunted to regions outside of West Bengal due to their perceived irregularity.

This becomes particularly important because in attempts to target the needs of women who have been displaced, policy has fallen behind, failing to address women who are refugees and also encountering many of the forms of GBV that women encounter on a daily basis. As the policies demonstrated, governmental assistance is comfortable in reaching migrants, conceptualized as inherently able-bodied and male, but struggles to provide assistance, resources, and protection to women. When the compounding factors of class, ethnicity, caste, and sexual orientation comprise a woman's identity, this thickens the barriers to her receiving meaningful assistance.

Finally, a Delhi-based NGO recently argued that refugee women often face higher rates of disease, sexual exploitation, and domestic violence (MAPS 2019). In spite of this “due to the fear of stigma and inability to access the available State mechanisms for redress” women and girls remain in untenable situations. Their programming calls for an increase in funding for literacy programs, legal information pamphlets in the languages of refugees, individual and group counselling, and training programs. These clear pathways forward are a good place to start for governmental policies aiming to better assist the innate resilience of women refugees.

Conclusion

In sum, in spite of a wealth of local advocates and refugee women themselves demanding programs and policies that more clearly address their intersectional experiences, policy has lagged behind. Adding to this, legal discourses and academic literature have failed to meaningfully parse out the ways in which intersectionality can be used to address someone who is both a woman and a refugee. As women carry many shifting and complex identities and experiences, those aspects often become marginalized in the face of a displacement situation as performativity, socially constructed roles, and immediate needs to priority to achieve relief.

References

- Banerjee, P. (2010). *Borders, Histories, Existences: Gender and beyond*. New Delhi: Sage Publications.
- Banerjee, P., and Chaudhury, A. (2011). *Women in Indian Borderlands*. London: Sage Publications.
- Basu, S. (2015). *The Trouble With Marriage: Feminists confront law and violence in India*. Berkeley: University of California Press.
- Chatterji, J. (2007). *Spoils of Partition: Bengal and India, 1947-1967*. Cambridge, UK: Cambridge University Press.
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). (1979). *OHCHR*. Retrieved from: <https://www.ohchr.org/documents/professionalinterest/cedaw.pdf>
- Butler, J. (1990). Performative Acts and Gender Constitution, in *Performing Feminisms*. S-E. Case (ed.), Baltimore: John Hopkins University.
- .(1993). *Bodies that Matter*. London: Routledge.
- .(1999) *Gender Trouble*. London: Routledge, 2nd edition.
- Government of West Bengal. (1988). Sub: Regularisation and distribution of agricultural land to individual D.P. Squatters' in approved post – 50 Squatters' Colonies. *Refugee Relief and Rehabilitation Department*, No. 3903(17) – Rehab/DS/205/88.
- Ojha, V. N. No date. *Gender/ Empowerment of Women*. Government of India. Retrieved from: http://persmin.gov.in/otraining/UNDPProject/undp_modules/Gender-EmpowermentOfWomenDLM.pdf
- Haslanger, S. (1995). Ontology and Social Construction. *Philosophical Topics*, 23: 95–125.

- . (2000a). Feminism in Metaphysics: Negotiating the Natural, in *Feminism in Philosophy*, M. Fricker, and J. Hornsby (eds.), Cambridge: Cambridge University Press.
- Jenkins, K. (2016). Amelioration and Inclusion: Gender Identity and the Concept of Woman, in *Ethics*, 126: 394–421.
- Mandal, M. (2011). *Settling the Unsettled: A study of partition refugees in West Bengal*. Delhi: Manohar Publishers and Distributors.
- Migration and Asylum Project. (2019). Programmes: Legal awareness on SGBV. *Migration and Asylum Project*, Women and Girls in Conflict. Retrieved from: <https://www.migrationandasylumproject.org/women-girls-in-conflict>
- Rapaport, E. (2002). Generalizing Gender: Reason and Essence in the Legal Thought of Catharine MacKinnon, in *A Mind of One's Own: Feminist Essays on Reason and Objectivity*, L. M. Antony and C. E. Witt (eds.), Boulder, CO: Westview Press, 2nd edition.
- Sen, U. (2018). *Citizen Refugee: Forging the Indian Nation After Partition*. Cambridge, UK: Cambridge University Press.
- Stanford Encyclopedia of Philosophy. (2017). Feminist Perspectives on Sex and Gender. *Stanford Encyclopedia of Philosophy*.
- Zamindar, F. Y.. (2010). *The Long Partition and the Making of Modern South Asia: Refugees, boundaries, histories*. New York: Columbia University Press.

