Gender Sensitivity Narratives and Gendered Refugee Dichotomies in Secular Modernity

Discourse Analysis of the Sixth Dutch Reporting Procedure to CEDAW

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Abstract

Literature reveals that women are granted refugee status relatively more often than men. However, women have simultaneously been pointed towards as particularly disadvantaged within migration matters by academics, politicians and NGOs. Consequently, gender sensitivity narratives solely focus on migrant women's suffering. Stereotypical representation and harmful practices are indicated as their main issues, and the ways in which these issues are addressed provide insights in underlying gendered and cultural-religious assumptions. In order to critically analyze gender sensitivity narratives on migration in the Netherlands, this thesis studies the influence of the gendered "good/bad" refugee dichotomy on such assumptions by means of critical discourse analysis of the sixth Dutch reporting procedure to CEDAW.

It is argued that gender sensitivity narratives are constructed on the interface of discussing representations and reinforcing particular representations itself. This is the case because the narratives construct a discursive division between "gender at home" as full of emancipation, progress and human rights and "gender abroad" as an issue of cultural problems and backwardness. Through this construction, rescue narratives in which migrant women are represented as victims of their culture are reinforced. This rescue narrative is highly related to cultural-religious assumptions and the assumed link between women's rights and secularism, or Secular Modernity. Moreover, the "victim frame" is in line with gendered assumptions about "good/bad" refugees. All in all, gender sensitivity narratives are not completely sensitive but rather are informed by and reinforce secular assumptions about gender and cultural-religious stereotypes that form the "good/bad" refugee dichotomy.

Keywords: gender, migration, gender sensitivity, secularism, CEDAW, the Netherlands

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1. Introduction

The topic of gender and migration has received increasing attention from academics, non-governmental organizations (NGOs) and international organizations since the 1970s.[1] Adopting a "gender lens" is one of the many ways to study forced migration.[2] Gender analysis of migration reveals diverse themes, developments and assumptions. Generally, it is focused on how gendered relationships and power structures affect migration and the experiences of migrants.[3]

Three striking phenomena that relate to such gendered relations and power structures form the basis of this thesis. It is said that women constitute more than half of the world's refugee population, although the great majority of asylum applicants are men.[4] Simultaneously, at the turn of the century, studies in the Netherlands, France and Canada have shown that women's asylum claims in those countries are more often accepted than those of men.[5] However, this does not seem to apply to women who base their asylum claim on gendered persecution. Studies in the Netherlands, Canada and Australia reveal that they are less likely to have their claims accepted than those who flee for political, religious or ethnic reasons.[6]

Hence, gender roles and assumptions have controversial effects on the fate of migrants: being a woman decreases chances to apply for asylum, but increases the chances to be

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[1] Peter Mascini and Marjolein Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure: 'Independent' Men versus 'Dependent' Women[1]," *International Migration Review* 43, no. 1 (2009): 112.

[2] In this thesis I assume that gender is the socially constructed set of ideas on what constitutes men and women. By using the word "gender" I refer to that what academics, the CEDAW Network and Committee and the Dutch government assume to be of specific relevance to either men or women. I do not specifically focus on LGBT issues and rights (unless specified otherwise) although I do acknowledge that this falls under the concept of "gender" and "gender rights" as well. However, only gendered representations of men and women fall within the scope of this research.

[3] Roxanne Krystalli, Allyson Hawkins, and Kim Wilson, "'I Followed the Flood': A Gender Analysis of the Moral and Financial Economies of Forced Migration," *Disasters* 42, no. S1 (2018): 17, https://doi.org/10.1111/disa.12269.

[4] Hélène Lambert, "Seeking Asylum on Gender Grounds," *International Journal of Discrimination and the Law* 1, no. 2 (September 1995): 155.

[5] Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 113; Jane Freedman, ed., *Gender and Insecurity : Migrant Women in Europe* (Aldershot, Hants, England ; Ashgate, 2003), 45; Thomas Spijkerboer, *Gender and Refugee Status* (Aldershot, Hants, England ; Ashgate/Dartmouth, 2000), 4–5; Susan Kneebone, "Women Within the Refugee Construct: 'Exclusionary Inclusion' in Policy and Practice -- the Australian Experience," *International Journal of Refugee Law* 17, no. 1 (March 1, 2005): 10.

[6] Jos W. Van Wetten, "Female Asylum-Seekers in the Netherlands: An Empirical Study," *International Migration* 39, no. 3 (September 2001): 93; Melinda McPherson et al., "Marginal Women, Marginal Rights: Impediments to Gender-Based Persecution Claims by Asylum-Seeking Women in Australia," *Journal of Refugee Studies* 24, no. 2 (2011): 343; Spijkerboer, *Gender and Refugee Status*, 156. See for Canada: https://www.cbc.ca/news/canada/manitoba/asylum-seekers-gender-based-persecution-1.4523652, based on data from https://github.com/taracarman/Refugee_Claims.

granted asylum, whereas fleeing gendered persecution decreases these chances. It are these gendered assumptions about migrants and migration that stand central in this thesis, in which I will research the relation between gendered assumptions and calls for enhancing gender sensitivity in migration.

The concept of "gender sensitivity" refers to awareness of the particular disadvantages that refugees may experience due to their gender. The concept is used in policy discussions as well as academic research, and covers various topics, such as the question whether gender-based persecution can serve as a base for refugee protection,[7] the problem of sexual violence within asylum seekers centers[8] and the specific ways refugee women seem to integrate and find jobs.[9] Moreover, gender sensitivity often is assumed to mean paying attention to those aspects that are different for or specific to *female* forced migrants, such as the various gender-dependent causes for which they may flee, the specific positions that women have in family reunification and the manners in which women tend to deal with asylum procedures in different ways than men.[10]

In the case of the Netherlands, the position of female migrants has been (at times heatedly) debated at academic and national political level, in line with international discourse on the topic.[11] These debates have mainly been concerned with the so-called "male paradigm" in refugee law through which female asylum seekers are discriminated.[12] Over the years, the relative number of female asylum seekers to the Netherlands increased, and simultaneously, worldwide concerns with both the plight of refugees and the discrimination of women grew.[13] This has stimulated several Dutch institutions to express calls for enhancing gender sensitivity in migration contexts. In most cases, these calls are made by NGOs with a feminist approach, political parties or

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[7] McPherson et al., "Marginal Women, Marginal Rights."

[8] Hilde Bakker, "Wat kunnen we doen tegen seksueel geweld in het azc?," Kennisplatform Integratie & Samenleving, February 3, 2016, https://www.kis.nl/artikel/wat-kunnen-we-doen-tegen-seksueel-geweld-het-azc.

[9] Suzanne Bouma, "Hoe zorgen we dat vluchtelingenvrouwen net zo vaak werk vinden als mannen?," Kennisplatform Integratie & Samenleving, February 8, 2018, https://www.kis.nl/artikel/hoe-zorgen-we-dat-vluchtelingenvrouwen-net-zo-vaak-werk-vinden-als-mannen.

[10] Marlou Schrover and Deirdre Moloney, eds., *Gender, Migration and Categorisation : Making Distinctions between Migrants in Western Countries, 1945-2010*, 2013.

[11] Van Wetten, "Female Asylum-Seekers in the Netherlands," 86. In my thesis, "the Netherlands" and "Dutch" refer to the European part of the Dutch Kingdom.

[12] See chapter 2 for an elaboration on international academic debates on gender and migration. Spijkerboer, *Gender and Refugee Status*. is the main contributor to the debate in the Netherlands.

[13] Jane Freedman, "Protecting Women Asylum Seekers and Refugees: From International Norms to National Protection?," *International Migration* 48, no. 1 (February 2010): 187.

governmental advisory bodies, in documents targeted towards international human rights institutes or the Dutch government.[14] Examples are calls expressed towards the Dutch Immigration and Naturalization Services (IND)[15] and by the United Nations High Commissioner for Refugees (UNHCR).[16] Analysis of such calls has made that both academics and non-academics claim that gendered approaches to refugee issues have been insufficiently implemented, partly because of increasingly restrictive asylum policies.[17] It is argued that *"awareness and publicity on the issues that refugee women face"* are lacking.[18] Hence, calls for enhanced gender sensitivity continue to be made, both internationally and in the Netherlands.[19]

However, these calls exist within controversial discourses on gender and asylum. There are concerns about the way in which European countries use gendered and cultural assumptions to protect their own borders through restrictive migration policies, thereby reinforcing tensions between the West and "the Rest."[20] As I will argue in this thesis, these gendered and cultural assumptions are connected to "Secular Modernity" in a particular way, meaning that they are heavily informed by ideas about religion (and secularism). In fact, current migration contexts reveal a conflict between the "secular West" and "Muslim Rest," which shows that nationality, religion and gender have become intertwined and politicized.[21] As a result, refugee women are represented as victims of their own culture (and religion). This form of orientalism will be explained with the help of discourses of "Secular Modernity" in the theoretical framework.

Despite the nexus of religion, gender and migration and its influence on refugee representations, (the effects of) these representations are not sufficiently taken into account in gender sensitivity narratives. These narratives rather focus on the need to

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[14] See chapter 4 for an elaboration on the contents and context of Dutch gender sensitivity calls.

[15] As studied in Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure."

[16] For example Jane Freedman, "Mainstreaming Gender in Refugee Protection," *Cambridge Review of International Affairs* 23, no. 4 (2010): 589–607. See for the calls expressed on UNHCR-level for example https://www.unhcr.org/women.html.

[17] Van Wetten, "Female Asylum-Seekers in the Netherlands," 94.

[18] Kneebone, "Women Within the Refugee Construct," 41.

[19] Freedman, "Mainstreaming Gender in Refugee Protection."

[20] Ingrid Palmary, ed., *Gender and Migration : Feminist Interventions* (London: Zed Books, 2010), 5. Lila Abu-Lughod, "Do Muslim Women Really Need Saving? Anthropological Reflections on Cultural Relativism and Its Others," *American Anthropologist* 104, no. 3 (01 2002): 788–89.

[21] Elena Fiddian-Qasmiyeh and Yousif Qasmiyeh, "Muslim Asylum-Seekers and Refugees: Negotiating Identity, Politics and Religion in the UK," *Journal of Refugee Studies* 23, no. 3 (2010): 295, 307; Linell Cady and Tracy Fessenden, eds., "Gendering the Divide: Religion, the Secular, and the Politics of Sexual Difference," in *Religion, the Secular, and the Politics of Sexual Difference* (New York: Columbia University Press, 2013), 6.

pay extra attention to women. Moreover, it seems that critical analysis of the construction of gender sensitivity narratives is lacking: implicit assumptions about gender, religion, secularism and national identity remain merely unnoticed. Therefore, this thesis will study the relations between gendered and cultural-religious assumptions in gender sensitivity narratives and migration policies in the Dutch context.

In order to do so, gender sensitivity narratives will be assessed in the light of the gendered "good/bad" refugee dichotomy that captures many gendered assumptions about migration. With this dichotomy, I refer to the general image of the female forced migrant as a dependent, innocent and hence "good" refugee, as opposed to the male forced migrant, who is considered as posing a threat and being an opportunistic and "bad" refugee.[22]

The aims of this research are twofold. First of all, I want to explain why gender sensitivity calls are persistent, despite the fact that women have higher success rates in claiming asylum than men. This will be done through a focus on secular modern discourse and rescue narratives. The intersection between gender and religion in forced migration has received increasing attention since the 2000s, but Fiddian-Qasmiyeh et al. argue that this is still limited.[23] I aim to contribute to these emerging debates by examining the relationship between religion/secularism and gender in migration in this thesis.

Secondly, I want to assess whether representations of migrants as "good/bad" refugees are present in gender sensitivity narratives and what consequences these gendered representations have, both on migrants and global power relations. More specifically, I want to know if the "women as good refugee" narrative is or could be used as an argument for gender sensitivity, or whether calls for gender sensitivity rather enlarge this narrative.

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[22] Elena Fiddian-Qasmiyeh, "The Faith–Gender–Asylum Nexus: An Intersectionalist Analysis of Representations of the 'Refugee Crisis,'" in *The Refugee Crisis and Religion: Secularism, Security and Hospitality in Question*, ed. Luca Mavelli and Erin Wilson (New York: Rowman & Littlefield International, 2017), 209. Luca Mavelli and Erin Wilson, eds., *The Refugee Crisis and Religion: Secularism, Security and Hospitality in Question*, Critical Perspectives on Religion in International Politics (London ; New York: Rowman & Littlefield International, 2017).
[23] Elena Fiddian-Qasmiyeh, "Introduction: Faith-Based Humanitarianism in Contexts of Forced Displacement," *Journal of Refugee Studies* 24, no. 3 (2011): 429; Elena Fiddian-Qasmiyeh, Chloé Lewis, and Georgia Cole, "'Faithing' Gender and Responses to Violence in Refugee Communities: Insights from the Sahrawi Refugee Camps and the Democratic Republic of Congo," in *Gender, Violence, Refugees*, ed. Susanne Buckley-Zistel and Ulrike Krause, Studies in Forced Migration, volume 37 (New York Oxford: Berghahn, 2017), 128, 142.

In order to gain insights in the relation between gender sensitivity narratives and gendered and orientalist representations of refugees, this research will be structured around the following research question: *How does the gendered "good/bad" refugee dichotomy play a role in the development of gender sensitivity narratives in Dutch asylum procedures?*

The answer to this question will be derived from the answers to the following sub-questions.

1. *Gender sensitivity narratives in 2019: context and content*

How are calls for enhancing gender sensitivity narratives in relation to the current Dutch migration context expressed? Which gender sensitivity narratives are constructed by whom and in which context do they emerge?

2. *Gender sensitivity in gendered representations*

How do gender sensitivity narratives relate to stereotypical representations of migrant women? In which ways are these representations addressed or reinforced?

3. *Gender sensitivity and modern secular discourses on harmful practices*

In which ways do ideas about the relation between secularism, women's rights and the public/private distinction inform gender sensitivity narratives?

4. *Gender sensitivity and the "good/bad" refugee dichotomy*

How does the gendered dichotomy of "good and bad" refugees play a role in gender sensitivity narratives? How does this dichotomy form an argument for greater gender sensitivity, and to what extent are these stereotypes being maintained and enlarged by calls for gender sensitivity?

1.1 Chapter Outline

First of all, an overview of relevant studies on gender and migration that have been conducted so far will be given in the literature review. The themes addressed here are the development of gender-awareness in international refugee policies, the position of women within migration and representations of "good" and "bad" refugees.

In the second chapter I will provide the theoretical framework that underlies the analytical part of this thesis. The key concepts that will be discussed are the "public/private" distinction, rescue narratives and Secular Modernity.

The analytical part of this thesis consists of four chapters: each address a separate sub-question. The first analytical chapter introduces gender sensitivity narratives in Dutch

migration contexts by addressing the contexts and ways in which they emerge. This includes an overview of the actors and documents involved in constructing gender sensitivity narratives. I will argue that these narratives consist of descriptions of migrant women's problems on the one hand (namely stereotypical representation and harmful practices) and of proposed solution strategies (economic independence and addressing harmful practices) on the other. The fifth chapter studies the place of stereotypical representations in arguments for gender sensitivity. Here I will focus on the construction of particular representations through contradictory assumptions within the narratives. The sixth chapter is concerned with the "harmful practices"-argument for gender sensitivity calls, and discusses the influence of secular discourse about women's rights on gender sensitivity narratives. The last analytical chapter, chapter seven, focuses on the role of the gendered "good/bad" refugee dichotomy in gender sensitivity narratives and will argue that these narratives in their current form maintain and enlarge the gendered and cultural stereotypes that form the "good/bad" refugee dichotomy.

In the conclusion, the answer to the main research question will be given and positioned within the broader literature on the topic. Moreover, I will elaborate on the insights that can be gained from combining lenses on gender, migration and religion in understanding gender sensitivity narratives in Dutch migration contexts.

1.2 Methodology

In the analysis of this thesis, I will try to understand the reasons and meanings that people attach to certain social actions. This fits within the interpretative paradigm in social sciences. Reality is approached as socially constructed and knowledge is assumed to be gained through critical reflections on what people present as explanations for their actions. In order to reflect on that what is socially constructed and gain in-depth knowledge on gender sensitivity narratives in a particular context, discourse analysis will be used to generate and analyze data.

The goal is not to make generalizable statements, but rather to understand the dynamics at play in specific discourses concerned with gender and migration; namely

contemporary Dutch gender sensitivity narratives.[24] In other words, I am not researching how public opinion is expressed online or how newspapers have covered "gender and migration" over a specific period of time,[25] but I am concentrating on Dutch gender sensitivity narratives through discourse analysis. Discourse analysis studies the orders of knowledge (or systems of meaning) that are established through discourses, whereby discourses refer to the whole of social practice and linguistics expressed in an institutionalized social ensemble.[26] A specific form of discourse analysis is critical discourse analysis (CDA). CDA is not a method as such, but rather a research approach that studies the conditions that produce power, dominance and discrimination.[27] Moreover, this approach is characterized by a focus on power relations and social problems with discursive aspects.[28] Since my thesis is focused upon the role of power relations in gender sensitivity narratives – such as the power of secularism as a political discourse to construct representations of others (of migrants and of the "Religious Other") – and starts off with the social problem of gender discrimination in asylum, CDA suits my research well. By means of coding the content of my documents, I want to establish patterns and relations that enable analysis of underlying assumptions, or "tacit knowledge," about representations in gender sensitivity narratives.[29] A combination of deductive, inductive and in vivo codes as well as code-groups based on various themes will be used to do so.[30]

A great part of Dutch political discourse on gender sensitivity in migration is related to (evaluations and follow-ups of) the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).[31] The adoption of this UN convention in 1979 is generally seen as a starting point of organizing interventions on gender and migration.

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[24] I have chosen to analyze Dutch narratives due to the specific secular-national discourse which presents the Netherlands as a progressive country that advocates women's rights.

[25] As for example has been done in Marta Szczepanik, "The 'Good' and 'Bad' Refugees? Imagined Refugeehood(s) in the Media Coverage of the Migration Crisis," *Journal of Identity and Migration Studies* 10, no. 2 (2016): 24.

[26] Kocku von Stuckrad, "Discursive Study of Religion: Approaches, Definitions, Implications," *Method & Theory in the Study of Religion* 25, no. 1 (2013): 15.

[27] Ruth Wodak and Michael Meyer, *Methods of Critical Discourse Analysis* (London: SAGE Publications, 2001), 3, 122, https://doi.org/10.4135/9780857028020.

[28] Wodak and Meyer, 4.

[29] von Stuckrad, "Discursive Study of Religion," 20.

[30] See appendix 3 for a list of codes and categories.

[31] Such as ACVZ reports (https://acvz.org/wp-content/uploads/2015/07/Advies-ACVZ-NR2-2002.pdf), shadow reports by Netwerk VN-Vrouwenverdrag (https://www.vn-vrouwenverdrag.nl/verdrag/) and political points (https://www.christenunie.nl/standpunt/asielprocedures).

It is one of the seven major international human rights instruments[32] and together with broader UN guidelines it is considered to provide a framework of international human rights standards for providing protection and assistance to refugee women.[33]

The CEDAW Convention has indeed proven relevant for Dutch gender sensitivity narratives. Therefore, as the source of my data I have chosen the sixth reporting procedure of the Netherlands on the CEDAW Convention which has taken place between 2014 and 2018. I have included all the accessible parts of the sixth reporting procedure (except for the documents not mentioning migrants or migration), as well as some documents which are mentioned in the CEDAW reporting procedure and which provide historical context and background.[34]

It could be considered a disadvantage that the CEDAW framework is focused on gender, and not on migration. However, no migration-focused reports on gender sensitivity narratives in the Netherlands have been found. On top of that, having gender as a starting-point gives interesting insights on gendered representations of migrants. Finally, the CEDAW framework brings the advantage of being able to compare the current reporting procedure with previous ones, since all reporting procedures touch upon migrant women.

1.3 Reflections

An important aspect of conducting interpretative social research is reflexivity: this is why I want to start my research by making a disclaimer on the terminology I use and the statements I make with regard to gender sensitivity narratives.

First of all, I am aware of the importance of the language that is used when it concerns migration: terms such as displaced person, asylum seeker, refugee and migrant carry different meanings and symbols.[35] Besides from political meanings, the lived realities of

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[32] These are the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (not ratified by the Netherlands).

[33] Lambert, "Seeking Asylum on Gender Grounds," 167; United Nations, ed., *Protecting Refugees: A Field Guide for NGOs* (UNHCR, 1999).

[34] See chapter 4 and appendix 2 for an overview of all the actors and documents involved. For all documents, see:
https://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1027&Lang=en.

[35] Krystalli, Hawkins, and Wilson, "'I Followed the Flood,'" 20.

migration are extremely blurred, meaning that categorizations are sometimes impossible to make.[36] In this research, I have chosen to use the word "migrant," since this is in line with the usage in the CEDAW reporting procedure. It captures asylum seekers, refugees and people with a migration background. In the last chapters, I focus on "refugees" since this is in line with the "good/bad" refugee dichotomy as conceptualized by various academic authors, such as Elena Fiddian-Qasmiyeh. Moreover, I have consciously chosen to use "migrant women" to refer to all female migrants and not to only "wives of migrants," which the term "women migrants" might refer to.

Secondly, I want to reflect on my statements on gender sensitivity narratives in general and the work of the Dutch CEDAW Network in particular. This research stems from my *"feminist curiosity about power and the ways it is organized, renegotiated and gendered,"* to speak with the words of Roxanne Krystalli, Allyson Hawkins and Kim Wilson.[37] In stating that current gender sensitivity narratives enlarge stereotypical representations of migrant women, I do not want to undermine the work of the CEDAW Network. I am aware that my situation and perspective differ from theirs, and that I would probably act in line with CEDAW Network statements if I operated as one of them and not as a student writing her MA thesis. In the end, my goal is not to argue against feminist ideas and interventions, but to contribute to the sensitivity of the assumptions that underlie them and the policies that they influence: just like the CEDAW Network tries to do.

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[36] Mavelli and Wilson, *The Refugee Crisis and Religion*, 11.
[37] Krystalli, Hawkins, and Wilson, "'I Followed the Flood,'" 18.

2. Gender in Forced Migration Literature

In this chapter I will provide the basis for analyzing Dutch gender sensitivity narratives concerning migration, by presenting a review of relevant academic literature.

The first section introduces the main images of male and female refugees that dominate Western European political discourse. In the second section, international policies on gender and migration stand central. A historical account as well as an overview of academic critique on these policies will be given, which explains how gender sensitivity calls entered academic and political discourse. Calls for enhanced gender sensitivity will be unpacked in the third section, discussing academic reflections on gendered problems in migration. Finally, this literature review comes back at the importance of representations of refugees in policy discourses and public debates, which are at the core of my analysis that focuses on gendered representation in gender sensitivity narratives.

2.1 Popular Depiction of Refugee Men and Women

Academic literature is not the only thing that can be reviewed in light of the topic of gender and migration: newspapers, social media pages and people's opinion on the street reveal a rather consistent image of refugee men and women. Studying public opinion is not the aim of this research, but comparing gendered stereotypes about refugees and gender sensitivity narratives is. In this light, it is interesting and helpful to start with some examples of these stereotypes.

Following the example of Fiddian-Qasmiyeh, searching for images on Google results in different sorts of pictures: of the first 20 "refugee women/woman" pictures, 12 women are depicted with a child and 4 women as individuals. Moreover, in all but two pictures the women are veiled. The first 10 pictures of "refugee man" show 10 individuals, and 5 out of 10 "refugee men" pictures show big groups.[38] When limiting the popular depiction of refugee men and women to the Netherlands, it appears that "vluchtelingenvrouwen" is a valid search term, whereas "vluchtelingenmannen" is not: Google suggests to use "vluchteling man" instead.[39] There are several specific policies targeted towards the

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[38] Fiddian-Qasmiyeh, "The Faith–Gender–Asylum Nexus: An Intersectionalist Analysis of Representations of the 'Refugee Crisis,'" 212–13. See appendix 1.
[39] Respectively "refugee women" and "refugee men" in Dutch.

protection and independence of refugee women. [40] However, no Dutch policies concerned with refugee men appear, although most news articles and opinions on refugees deal with men.[41]

In my thesis, I build on the idea that men and women are often portrayed as opposites: the man as a threat-posing fortune seeker or "bad refugee," and the woman as mother and victim of her culture, or "good refugee." The way in which calls for enhanced gender sensitivity relate to these images stands central in this thesis.

2.2 Gender within International Refugee Policies

The gendered representations of refugees that can be found in contemporary newspapers build on a specific relation between gender and the international framework of migration policies. The developments of this relation will be discussed in this section.

2.2.1 Historical Account of the Rising Interest in Women's Issues in Migration

The contemporary international framework of dealing with refugee issues can be traced back to 1951, the year in which the Convention Relating to the Status of Refugees (hereafter: the Refugee Convention) entered into force.[42] This framework comprises a set of norms, rules, principles and decision-making procedures that help define what constitutes a refugee, which rights refugees are entitled to and which obligations towards refugees states must fulfill. These norms and procedures are mainly regulated through the UNHCR.[43]

After this important point in the history of migration regulations, it took some 25 years before the gendered implications of the Refugee Convention entered public discourse

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[40] See for example https://www.vluchtelingenwerk.nl/nieuws/doorbraak-voor-bescherming-verwesterde-vrouwen and https://www.kis.nl/sites/default/files/bestanden/Publicaties/barrieres-mogelijkheden-arbeidsparticipatie-vluchtelingenvrouwen.pdf.

[41] The time frame in which this thesis was written (February – August 2019), news topics related to migration were mainly concerned with crime rates, disturbance in and around asylum seeker's centers, ships in European waters and the children's pardon. Specifically the first three are linked to images of men. See https://nos.nl/zoeken/?q=vluchtelingen and https://nos.nl/zoeken/?q=asielzoekers.

[42] United Nations High Commissioner for Refugees, "Convention and Protocol Relating to the Status of Refugees," 1951.

[43] Gil Loescher and James Milner, "UNHCR and the Global Governance of Refugees," in *Global Migration Governance*, ed. Alexander Betts (Oxford University Press, 2011), 189.

and interest in migrant women aroused.[44] The 1970s faced increasing awareness of the gendered bias that had underlain migration research and policies, and through which female migrants had been either neglected at all or had been represented in stereotypical ways.[45] In the decades that followed, female refugees became of particular concern to refugee research and policy.[46] Within the UNHCR, several conferences on women have been organized and in 1989, the first senior coordinator for refugee women was appointed.[47] Over the years, the UNHCR has issued various statements, under which the *Guidelines on the Protection of Refugee Women* in 1991, which have been used as models for national guidelines in several countries.[48] On top of that, broader UN guidelines have contributed to the discourse on gender in the international refugee regime. An important document in this light is the *Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)* of 1979. According to the UNHCR, this document, together with other UN guidelines, *"provides a framework of international human rights standards for providing protection and assistance to refugee women."*[49]

Two developments that took place in the 1970s and 1980s have been used to explain this rise of interest in women's issues in migration. First of all, global migration increased enormously: asylum applications in Western Europe rose from 20.000 in 1976 to 450.000 in 1990.[50] Together with horrible living circumstances in refugee camps in protracted situations, this led to growing international pressure to protect "the most vulnerable migrants."[51] During this time, the UNHRC shifted its focus from enabling legal protection to providing assistance in refugee camps.[52] Moreover, the substantial change in the scope and nature of global migration made clear that the Refugee Convention was

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[44] Mirjana Morokvasic, "Birds of Passage Are Also Women…," *International Migration Review* 18, no. 4 (1984): 888.

[45] Morokvasic, 899.

[46] McPherson et al., "Marginal Women, Marginal Rights," 326; Kneebone, "Women Within the Refugee Construct," 9. For example, the academic journal *The International Migration Review* published a special issue on the topic for the first time in 1984, and the first international conference entirely dedicated to the subject of refugee women was organized in 1985 by the Dutch Refugee Council.

[47] Freedman, "Mainstreaming Gender in Refugee Protection," 592.

[48] Spijkerboer, *Gender and Refugee Status*, 3.

[49] Lambert, "Seeking Asylum on Gender Grounds," 167; United Nations, *Protecting Refugees*.

[50] Loescher and Milner, "UNHCR and the Global Governance of Refugees," 197; Kneebone, "Women Within the Refugee Construct," 9.

[51] Freedman, "Mainstreaming Gender in Refugee Protection," 591.

[52] Loescher and Milner, "UNHCR and the Global Governance of Refugees," 193.

influenced by the political climate of the 1950s. Reflections on the focus on political refugees created space for the role of refugee women to be rethought as well.[53]

Secondly, the 1970s and 1980s were characterized by an increase in attention for women's rights in general. This advancement paved the way for feminist activism on the topic of refugee women. According to Thomas Spijkerboer and Jane Freedman, NGOs and academics have had particular influence over these decades in criticizing the gender blindness of refugee policies and asking for a gender sensitive approach.[54] This feminist activism has taken place in various forms, from a focus on agenda-setting, via a human rights approach to concerns with underlying stereotypes.[55]

Today's discourse on gender and migration, both in the domain of academia and international politics, has been influenced by two major dimensions. First of all, migration has become centered at the heart of global politics and is placed firmly in the realms of security.[56] Control of migration seems ever more important and this influences assumptions about gender and migration. Simultaneously, a feminization of migration is observable: meaning that not only more and more women autonomously take part in migration flows to Western countries,[57] but also that policy-makers and researchers are more aware of women's participation.[58] This has informed the following academic critique on the current place of gender within migration policies.

2.2.1 Academic Critique on the Current State of Gender and Migration

Despite an increasing attention for gender in migration, many feminist activists and academics argue that the topic has still not been sufficiently dealt with. Peter Mascini and Marjolein van Bochove show that most feminist academic are dissatisfied with the attention for problems specific to female migrants.[59] This dissatisfaction, that forms the foundation for gender sensitivity calls, is expressed in broadly five ways.

The first point of critique on the way in which gender is approached in (inter)national migration politics is that the instruments that have been developed by the UN to protect

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[53] Lambert, "Seeking Asylum on Gender Grounds," 162.

[54] Spijkerboer, *Gender and Refugee Status*, 1–3; Freedman, "Protecting Women Asylum Seekers and Refugees," 187.

[55] Spijkerboer, *Gender and Refugee Status*, 164–69.

[56] Freedman, *Gender and Insecurity*, 1, 5.

[57] Spijkerboer, *Gender and Refugee Status*, 17.

[58] Freedman, *Gender and Insecurity*, 8; Stephen Castles and Mark Miller, *The Age of Migration: International Population Movements in the Modern World* (New York: Guilford Press, 1993), 8.

[59] Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 112.

refugee women all lack legal force and are considered soft law.[60] Although UNHCR actions and statements have contributed to the development of international refugee law, the situation of refugee women still depends on the interpretation by states.[61] Many authors have pointed out that this is highly problematic, especially since official definitions in the Refugee Convention are vague. As a result, the many gender equality rules on migration issues adopted by international actors are only loosely and very unevenly implemented at the national level.[62]

Dissatisfaction is expressed in a second, related way, namely that the implementation of policies on gender and migration has not led to observable improvements for women. Guidelines have contributed to the mobilization of people and the legitimization of the issue, but they have not resulted in substantive change in the outcome of refugee-status decisions.[63] In 2011, Melinda McPherson et al. argued that women's experiences of violence remain neglected in law and practice in the Australian context.[64] Mascini and Van Bochove have researched gender policies in the Netherlands and concluded that success rates in asylum procedures of men and women have not changed.[65] On top of that, policy documents on gender issues may decrease attention for the topic due to the false sense that "gender has been taken care of now" by means of guidelines and other policies.[66]

The nature of the UNHCR provides a third point of critique. It is an organization with many internal difficulties due to dependency on donor funding and earmarking. This hinders the putting into practice of policies.[67] Simultaneously, the UNHCR holds enormous discursive and institutional power on the ways in which (female) migrants are framed.[68] According to Freedman, this combination makes that gender sensitivity has far from improved. In fact, the specific power relations between the UNHCR and refugees are said to have led to the exclusion of refugees from processes dealing with the organization of refugees' lives.[69] This proved one of the remaining major problems

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[60] Lambert, "Seeking Asylum on Gender Grounds," 162.

[61] Lambert, 163–65; McPherson et al., "Marginal Women, Marginal Rights," 324.

[62] Freedman, "Protecting Women Asylum Seekers and Refugees," 178 and 180.

[63] Spijkerboer, *Gender and Refugee Status*, 178.

[64] McPherson et al., "Marginal Women, Marginal Rights," 324.

[65] Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 124.

[66] McPherson et al., "Marginal Women, Marginal Rights," 325.

[67] Freedman, "Mainstreaming Gender in Refugee Protection," 596.

[68] Freedman, 597.

[69] Freedman, 600.

during the evaluation of the first decade of implementation of UNHCR Gender Guidelines.[70]

Fourthly, the lack of statistics on gender in forced migration poses a problem. A lot is unknown about experiences in differentiated situations of migration, in which gender may mean different things as well. This makes it harder to achieve gender sensitivity.[71]

The final point of critique stands central in this thesis. As Spijkerboer has pointed out, current critique on the status of gender in migration is very concerned with the assumptions that underlie and are reinforced by gender policies. These policies are often based on women's assumed vulnerability and dependency. Susan Kneebone has argued that UNHCR rhetoric has generally put a great deal of attention towards women being a separate, social group and towards sexual violence, at the expense of other aspects of women's experiences in migration.[72] This leads to the further marginalization of women because differences are essentialized, women's vulnerability is highlighted and the relational aspects of gender that affect both women and men are ignored.[73] Hence, it is argued that instead of being truly gender sensitive, gender policies contribute to gendered refugee dichotomies.

All in all, global migration is a highly relevant aspect of contemporary international politics and the feminization of migration has been developing over decades. Since the 1980s, the struggle for recognition of women's particular migratory experiences and forms of persecution has faced some progress. It is often assumed that refugee policies are gender neutral by now, but research points to the contrary.[74] Instead, many feminist activists and academics argue that the major transition in gendered aspects of refugee situations still has to be made.[75] Although rich studies on gender, sexuality and violence in relation to conflict and migration exists, this theoretical knowledge has not really influenced governmental and humanitarian policies.[76] According to Freedman, a certain *"rhetoric of respect for women's human rights"* has been adopted by Western

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[70] Freedman, 599.
[71] Freedman, 594–95.
[72] Kneebone, "Women Within the Refugee Construct," 16.
[73] Freedman, "Mainstreaming Gender in Refugee Protection," 593.
[74] Freedman, *Gender and Insecurity*, 47.
[75] Freedman, "Protecting Women Asylum Seekers and Refugees," 177; Lambert, "Seeking Asylum on Gender Grounds," 154.
[76] Dorothea Hilhorst, "Gender, Sexuality, and Violence in Humanitarian Crises," *Disasters* 42 (January 2018): 5.

governments, but this has not been translated into effective action.[77] As a result, calls for enhanced gender sensitivity in refugee issues are still being made on various levels and based on various critiques.[78] The next section will deal with the contents of these calls.

2.3 Calls for Enhanced Gender Sensitivity: Content and Controversy

Literature on gender and migration discusses various problems that are particularly faced by women. These problems form the basis for enduring calls for enhanced gender sensitivity in refugee issues. In this section, I will give an overview of the main problems and forms of protection identified, as well as reflect on the academic discussion about the gendered nature of these problems.

2.3.1 Gendered Migration and Gendered Problems

In 1984, Marjana Morokvasic wrote that immigrant women are the most exploited, vulnerable and insecure.[79] This statement has been echoed in academic literature by describing the various ways in which migrant women are marginalized and ignored.[80] Research on the ways in which migrant women are disadvantaged can broadly be divided into two categories: research dealing with empirical problems on the one hand and structural problems (such as discriminatory representations and depoliticization) on the other.

The category of empirical problems deals with the circumstances under which women migrate, and the specific risks they face. McPherson et al. have pointed out that *"poor conditions for refugees generally can often mean even worse conditions for women specifically."*[81] This applies to all stages of the migration process.[82] Many authors have highlighted the fact that women form the majority of the world's migrant population, but are a minority among migrants in Europe.[83] This shows that women are less mobile than men and face other obstacles, choices and circumstances in migration, because of

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[77] Freedman, "Protecting Women Asylum Seekers and Refugees," 182.

[78] Freedman, 176.

[79] Morokvasic, "Birds of Passage Are Also Women…," 891.

[80] Freedman, *Gender and Insecurity*, 31.

[81] McPherson et al., "Marginal Women, Marginal Rights," 329.

[82] Freedman, *Gender and Insecurity*, 3, 36; Christel Kohlmann, Sabine Kraus, and Ines Orobio de Castro, *Vrouwen in het migratiebeleid* (Den Haag: E-Quality, 2003), 5, http://www.e-quality.nl/assets/e-quality/publicaties/2003/Migratiebeleid/migratie.pdf.

[83] Freedman, *Gender and Insecurity*, 45.

gendered responsibilities and gendered patterns of access to resources.[84] Moreover, it is particularly difficult for women to access health and social security provisions, while women are at the same time particularly vulnerable to domestic and institutional violence.[85] Host states often insufficiently protect women, as asylum seeker's centers are experienced as unsafe,[86] and women's particular obstacles to sharing their stories are not sufficiently taken into account.[87]

The other category of disadvantages covers the structural problems that women face in relation to migration: the stereotypes and assumptions that lead to discrimination. Academic authors have paid a relatively great deal of attention to the gendered impacts of legal assumptions about persecution grounds in asylum procedures. Women and men generally relate to persecution in different ways and the reasons for which they fear persecution are different of are differently experienced.[88] However, this is not taken into account, since reasons for fearing persecution must fall under those mentioned in the Refugee Convention, which refer to race, nationality, religion, political opinion and membership of a social group.[89] This does not include the gender-related reasons for which women are relatively often persecuted, such as sexual violence, punishment for transgressing social codes, and domestic abuse.[90] Instead, many authors argue, these flight motives are systematically depoliticized and refugee women are attributed apolitical, private roles within the realm of the family, that fall outside the scope of the Refugee Convention.[91]

Hence, next to problems with a more empirical nature, migrant women also face structural problems related to representations of what is public and what is private. This will be further analyzed in the theoretical framework. For now it suffices to conclude that calls for gender sensitivity in migration issues are based on diverse forms of problems that range from empirical to structural.

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[84] Freedman, "Protecting Women Asylum Seekers and Refugees," 177; Spijkerboer, *Gender and Refugee Status*, 26; McPherson et al., "Marginal Women, Marginal Rights," 329; Krystalli, Hawkins, and Wilson, "'I Followed the Flood,'" 24–28.

[85] Freedman, *Gender and Insecurity*, 2.

[86] Kohlmann, Kraus, and Orobio de Castro, *Vrouwen in het migratiebeleid*, 7, 78.

[87] McPherson et al., "Marginal Women, Marginal Rights," 332, 335.

[88] McPherson et al., 326; Lambert, "Seeking Asylum on Gender Grounds," 145.

[89] Lambert, "Seeking Asylum on Gender Grounds," 173.

[90] Kneebone, "Women Within the Refugee Construct," 20; Freedman, *Gender and Insecurity*, 45.

[91] Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 118.

Enhancing gender sensitivity both means protecting refugees from the risks they face due to their gender, and recognizing the more structural, gendered impacts on persecution. In order to achieve this, some authors argue for the inclusion of gender as a sixth reason of persecution under the Refugee Convention.[92] Others have proposed to asses gender-related asylum claims under the "particular social group" criteria, but this is contested among authors.[93] In any case, it becomes clear that protection of refugee women is not only practical, but should come from an institutional change in thinking about migration.[94] This is what "gender sensitivity" refers to: the institutional recognition of gender-related forms of discrimination and persecution. The basis of this concept lies in the wording of CEDAW's General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women. Here, the term gender sensitivity is used to refer to the fact *"that women's claims to asylum should be determined by an asylum system that is informed, in all aspects of its policy and operations, by a thorough understanding of the particular forms of discrimination or persecution and human rights abuses that women experience on grounds of gender or sex."*[95] In practice, this term is applied to a broader range of empirical and structural "gender-related dimensions" in migration, beyond the direct scope of asylum claims.[96]

2.3.2 Gender Sensitivity: Discrimination of Men and Women?

As argued above, feminist activists and academics concerned with gender sensitivity in refugee issues have based their work on the claim that women face specific problems and are at a disadvantage in the asylum procedure. This idea is widespread and virtually

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[92] Lambert, "Seeking Asylum on Gender Grounds," 155.

[93] According to UNHCR guidelines, social groups consist of people who share a common characteristic (besides all being persecuted) and are perceived as a group by society. Already in 1984, the EU parliament published a resolution aimed at having states including vulnerable women under the concept of "particular social group." However, there is still a great reluctance to do so, primarily because of "floodgates" concerns. Moreover, authors in the field of gender and migration do not agree on the extent to which dealing with refugee women as members of a particular social group would actually protect refugee women or merely marginalize them further. See Lambert, 156; Kneebone, "Women Within the Refugee Construct," 27–28; Freedman, *Gender and Insecurity*, 9–10.

[94] McPherson et al., "Marginal Women, Marginal Rights," 337–38.

[95] CEDAW, "General Recommendation No. 32 on the Gender-Related Dimensions of Refugee Status, Asylum, Nationality and Statelessness of Women," 2014, sec. 25.

[96] See for example the contribution of the Dutch Human Rights Institute to the 6th reporting procedure (https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/NLD/INT_CEDAW_IFN_NLD_22833_E.pdf) and the report of the Dutch CEDAW Network expert meeting on migrant women (https://www.vn-vrouwenverdrag.nl/verslag-expertmeeting-vrouwelijke-vluchtelingen-16-juni-2016/).

uncontested.[97] Indeed, qualitative studies as discussed above have revealed that assumptions about what is public and private influence decision-making in the asylum process and lead to the discrimination of refugee women.[98] However, contrary to what is often claimed by critics arguing for enhanced gender sensitivity, these assumptions do not lead to lower recognition rates.[99] At the turn of the century, different studies (in the Netherlands, France and Canada) revealed that women are *not* disadvantaged compared to men in the process of claiming asylum.[100] In fact, despite the stereotypes, female asylum seekers have greater success than male asylum seekers.[101]

A few studies have tried to explain the reasons for this gender difference in success rates. One of the explanations offered by Spijkerboer is that women, who have less opportunities to migrate than men, disproportionately come from unsafe countries, which have higher recognition rates.[102] Another explanation is that general perceptions of women as vulnerable, dependent and less adventurous have positive effects on decision outcomes considering female applicants.[103] Mascini and Van Bochove have confirmed this by stating that a woman who lives up to assumptions about vulnerability and family roles is considered a "good woman" and consequently improves her chances in the asylum procedure.[104]

Despite the fact that gendered success rates in asylum procedures have been studied, the tension between quantitative data indicating higher success rates for women (and thus the absence of discrimination) and qualitative data indicating negative treatment of women as a result of gendered assumptions has remained largely unexplained.[105] Rather, this confusing and contradictory picture has been ignored. Right after the relative advantage of women over men had been discovered, Canada and the

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[97] Spijkerboer, *Gender and Refugee Status*, 17.

[98] Freedman, *Gender and Insecurity*, 45; Spijkerboer, *Gender and Refugee Status*, 4–5.

[99] Spijkerboer, *Gender and Refugee Status*, 39–40.

[100] Freedman, *Gender and Insecurity*, 45; Spijkerboer, *Gender and Refugee Status*, 4–5; Kneebone, "Women Within the Refugee Construct," 10; Van Wetten, "Female Asylum-Seekers in the Netherlands," 93.

[101] Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 113.

[102] Spijkerboer, *Gender and Refugee Status*, 24.

[103] Spijkerboer, 25, 194.

[104] Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 118.

[105] Spijkerboer, *Gender and Refugee Status*, 4–5; Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 113.

Netherlands drafted Gender Guidelines which focused on addressing "ignored women" and the influence of gendered assumptions on asylum grounds.[106]

This discussion makes clear that gendered phenomena are not only about women and negative for women: in fact, men are more disadvantaged by gender stereotyping in asylum procedures, since male stereotypes have fewer positive (side-)effects than female stereotypes in refugee discourses.[107] Spijkerboer concludes that gendered assumptions have great impact on asylum policies and practices, which has consequences for both men and women.[108]

At the end of the first two sections, a contradictory pictures emerges: on the one hand, women have been pointed towards as particularly disadvantaged within migration matters. After fifty years of discourse on the topic, protection of states towards women has proved to be insufficient and calls for gender sensitivity are still being made.

On the other hand, despite all this, women are relatively more often granted refugee status than men; and this is known to only a very limited extent. Gendered assumptions appear to influence people's chances within asylum procedures to a high extent. The importance of these assumptions, stereotypes and constructions is underlined in much of the literature on gender and migration. Before analyzing the influence these gendered assumptions have on gender sensitivity narratives, the assumptions first will be introduced in an overview of academic reflections on these stereotypes.

2.4 Representations of Men and Women in Forced Migration

The last part of this literature review deals with the importance of representations of refugees. These representations play central roles in migration discourses on various levels, such as political debates about asylum policies, public discussions about the "refugee crisis" and (online) media coverage. In this section I will discuss the representations of "men versus women" and "the West versus the Rest" that scholars have referred to as underlying the "good/bad" refugee dichotomy that stands central in this thesis. In the next chapter, more structural features of these underlying representations, namely secular assumptions on the public/private distinction, will be introduced.

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[106] Spijkerboer, *Gender and Refugee Status*, 39–40.
[107] Spijkerboer, 195.
[108] Spijkerboer, 203.

The construction of representations of migrants is a recurrent theme in numerous books and articles. Spijkerboer's piece on gender and refugees is such an example. He argues that assumptions about gender and ethnicity heavily influence representations of refugees.[109] Indeed, these representations are clearly constructed around cultural norms, ideas and assumptions about migration, rather than legal definitions or the nature of modern conflicts.[110] Marta Szczepanik writes how refugee representations are reproduced through the media and indirect interactions in such a way that the image of the refugee becomes an archetype full of normative characteristics through which refugees are dehumanized and dehistoricized.[111] These kind of representations are important in constructing and maintaining national identity: this is related to the concept of othering and the dichotomy between an idealized self and demonized other.[112] Kneebone for example describes how asylum seekers are constructed as others and outsiders in various ways: they do not belong to the (idea of) community and do not share the same values.[113] Migration control has always been linked to perpetuating such dichotomies: the admission of refugees shows the failure and powerlessness of other countries and the moral superiority of Western powers.[114] An influential form of refugee representations that has such an impact is the "good/bad" refugee dichotomy, in which some refugees are considered "good" at the expense of others.

2.4.1 The "Good/Bad" Refugee Dichotomy

Representations of refugees are dependent on geographical and historical contexts, and have indeed been reframed seriously over the past sixty years. As the international migration framework developed, representations of refugees have undergone three more or less concomitant shifts: racialization, victimization and feminization.[115] In the 1950s, at the beginning of the institutionalization of the refugee regime, refugees were seen as white, male individuals with a past, story and voice, being politically active and

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[109] Spijkerboer, 54.
[110] Szczepanik, "The 'Good' and 'Bad' Refugees?," 31.
[111] Szczepanik, 31.
[112] Said 1991, 1993 and Baumann 2004
[113] Kneebone, "Women Within the Refugee Construct," 7.
[114] Spijkerboer, *Gender and Refugee Status*, 199; Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 118.
[115] Heather Johnson, "Click to Donate: Visual Images, Constructing Victims and Imagining the Female Refugee," *Third World Quarterly* 32, no. 6 (2011): 1016, https://doi.org/10.1080/01436597.2011.586235.

having pro-Western ideologies.[116] However, in line with international developments in the 1960s and 1970s, the popular image of a refugee became a displaced, poor person from the global South. Over time, and with the end of the Cold War providing a definitive break with former imaginations, migrants became to be understood in terms of mass movements instead of individual cases, economic opportunism instead of political persecution and security threats instead of shared ideologies.[117]

This representation leaves space for exceptions: refugees who do share Western ideology are considered "good refugees" as opposed to the "bad asylum seekers" characterized by mass movements and economic opportunism. In this construction of good and bad refugees, the aspects that make a refugee "good" is assimilation into the dominant, Western culture.[118] Characteristics such as gender, ethnicity, country of origin and religious background play an important role in determining whether one is assumed to comply with Western norms or not.[119] Compliance with family norms and human rights are identified as very dominant in this regard.[120] Other aspects of "good refugees" are passive and patient behavior: "good refugees" wait in a refugee camp to be processed on the invitation of the host government and do not pay smugglers.[121] Moreover, they must "deserve" to be included in the Western social welfare system.[122] On the contrary, those who are assumed incapable of fitting in are seen as posing a threat.[123] "Bad refugees" are not only seen as undeserving, but are also accused of abusing the Western social welfare system.[124]

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[116] Johnson, 1020.
[117] Johnson, 1027.
[118] Freedman, "Protecting Women Asylum Seekers and Refugees," 183.
[119] Fiddian-Qasmiyeh, "The Faith–Gender–Asylum Nexus: An Intersectionalist Analysis of Representations of the 'Refugee Crisis,'" 209–10.
[120] Thomas Spijkerboer, "Gender, Sexuality, Asylum and European Human Rights," *Law and Critique*, no. 29 (2017): 235; Judith Butler, "Sexual Politics, Torture, and Secular Time," *The British Journal of Sociology* 59, no. 1 (2008): 10; Lila Abu-Lughod, *Do Muslim Women Need Saving?* (Cambridge, Massachusetts: Harvard University Press, 2013), 54.
[121] See for example https://www.news.com.au/world/middle-east/spot-the-difference-good-vs-bad-refugees/news-story/46e169bd08637c34b45c685cd8e4cb6d and https://www.theguardian.com/commentisfree/2017/jun/28/were-quick-to-label-refugees-as-either-good-or-bad-but-theyre-all-entitled-to-protection
[122] Binoy Kampmark, "'Spying for Hitler' and 'Working for Bin Laden': Comparative Australian Discourses on Refugees," *Journal of Refugee Studies* 19, no. 1 (2006): 14; Mavelli and Wilson, *The Refugee Crisis and Religion*, 7.
[123] Kampmark, "'Spying for Hitler' and 'Working for Bin Laden,'" 2, 5.
[124] Szczepanik, "The 'Good' and 'Bad' Refugees?," 26.

The "good/bad" refugee dichotomy explained above rests on many different assumptions. This is why Krystalli et al. argue for an intersectional analysis of refugee constructions, in which one looks further than just one aspect (for example, gender).[125] However, as will be discussed in the theoretical framework, notions about gender and religion/secularism (as forming the dividing line between the West and "the Rest") are the main factors that combine into a construction of distinctions between "good" and "bad" refugees.[126] These notions are central in this thesis. First, literature on gendered assumptions will be discussed in this section; the topic of the secular Self and religious Other will mainly be covered in the theoretical framework.

Normative assumptions about refugees are highly gendered: gender itself does not influence the legitimacy of an asylum claim, but in narratives about asylum claims, gendered assumptions are highly important.[127] Ideas about masculinities and femininities influence perceptions of who is a threat on the one hand and who is vulnerable and in need of protection on the other.[128] This builds on binary images of masculinities and femininities, which are observable in many more instances than only those related to migration. Development literature and policies for example are said to include "good girl/bad boy" stereotypes which present women as resourceful and caring mothers, with men as relatively autonomous individualists, putting their own desires for drink or cigarettes before the family's needs.[129]

With regard to migration, Spijkerboer summarizes it as follows: masculinity links to rationality, activity and control, whereas femininity links to emotionality, passivity and submission.[130] Indeed: the "good refugee" is constructed as a passive victim, which is particularly in line with notions of femininity and female migrants as victims of

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[125] Krystalli, Hawkins, and Wilson, "'I Followed the Flood,'" 28.

[126] Fiddian-Qasmiyeh, "The Faith–Gender–Asylum Nexus: An Intersectionalist Analysis of Representations of the 'Refugee Crisis,'" 209.

[127] Szczepanik, "The 'Good' and 'Bad' Refugees?," 28.

[128] Krystalli, Hawkins, and Wilson, "'I Followed the Flood,'" 19; Johnson, "Click to Donate," 1031.

[129] Gary Barker and Christine Ricardo, "Young Men and the Construction of Masculinity in Sub-Saharan Africa: Implications for HIV/AIDS, Conflict, and Violence," in *The Other Half of Gender: Men's Issues in Development*, ed. Ian Bannon and Maria Correia, 2006, 159; Maria Correia and Ian Bannon, "Gender and Its Discontents: Moving to Men-Streaming Development," in *The Other Half of Gender: Men's Issues in Development*, ed. Ian Bannon and Maria Correia, 2006, 253–54.

[130] Spijkerboer, *Gender and Refugee Status*, 7.

patriarchal culture.[131] Moreover, stereotypical images of women include the ideas that they only cross the border when this is necessary for their safety, that they suffer more under serious poverty and that they pose less of a threat due to their vulnerability.[132] This combination of "powerlessness" and vulnerability makes that women are constructed as more "true" refugees.[133]

Simultaneously to women fitting the "good refugee" representation, authors have claimed that migrant men better fit the image of a calculating, threatening and thus "bad" refugee.[134] The male stereotype reflects an independent, rational individual – but is simultaneously often portrayed as part of a threatening collective in order to emphasize the assumed unprecedentedly high number of refugee men entering the West.[135] They fit the prototype of both a political refugee and an economic migrant, but are hardly presented as individuals in need of help.[136] In the cases that men are depicted as (vulnerable) fathers, this image merely functions to stress that men's vulnerability is newsworthy and an exception to the rule, as demonstrated by Fiddian-Qasmiyeh.[137]

Moreover, this binary representation of masculinities and femininities in relation to migration is important for the construction of Western national identity, because it makes it possible to divide female migrant victims from migrant men who pose the threat (to migrant women and to the West) and from the West who provides assistance.[138] Ingrid Palmary elaborates on the argument that the portrayal of migrant masculinities as posing a threat to the host nation always is focused around the assumed threat to women, which is in line with longstanding themes of hypersexual "alien" men.[139] Hence, besides gender stereotypes, assumptions about cultures (and their religion) play an important role in the representation of refugees too.

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[131] Emily Cousens, "We Need to Stop Telling Ourselves That Women and Children Are the Only Refugees Who Matter," The Independent, September 9, 2015, https://www.independent.co.uk/voices/comment/we-need-to-stop-telling-ourselves-that-women-and-children-are-the-only-refugees-who-matter-10493332.html.

[132] Johnson, "Click to Donate," 1032.

[133] Simon Turner, "Vindicating Masculinity: The Fate of Promoting Gender Equality," *Forced Migration Review* 9 (December 2000): 8.

[134] Cousens, "We Need to Stop Telling Ourselves That Women and Children Are the Only Refugees Who Matter."

[135] Szczepanik, "The 'Good' and 'Bad' Refugees?," 24.

[136] Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 119.

[137] Fiddian-Qasmiyeh, "The Faith–Gender–Asylum Nexus: An Intersectionalist Analysis of Representations of the 'Refugee Crisis,'" 212–13.

[138] Freedman, "Protecting Women Asylum Seekers and Refugees," 193; Palmary, *Gender and Migration*, 6.

[139] Palmary, *Gender and Migration*, 3.

Assumptions about religion and secularism form another important, and related, aspect of the "good/bad" refugee construction. These assumptions inform other ideas about the refugee hierarchy, such as those concerned with notions of national identity and gender. In fact, ideas about "good/bad" refugees are deeply intertwined with ideas about "good/bad" religion: a Muslim migrant is almost automatically a "bad" refugee.[140] Religion has become extra important in migration politics over the last decade: Luca Mavelli and Erin Wilson argue that the hierarchization of refugees is based on religious-racial lines.[141] Religious identity is foregrounded in representations of refugees and is used as a tool by the media and politicians to inform public opinion and legitimize restrictive migration policies.[142] In reality, religion (and the secular) do not form identity as such but are aspects of identity which intersect with many more characteristics.[143] Nevertheless, representations of refugees often build primarily on religious assumptions and the homogenized label "Muslim."[144]

These cultural-religious assumptions have their effect on the discursive division between the West and "the Rest": they build on and maintain underlying (global) power relations. On top of that, the subjects of representations, migrants, often have limited impact on the representations and must in fact conform to them in order to be accepted as refugees.[145] Hence, it is necessary to critically examine the frames that are used to represent migrants, since with the use of those frames, refugees are essentialized and underlying power relations are ignored.[146] This can be done by studying the ways in which different actors deal with these different assumptions in gender sensitivity narratives, and gaining insights in the interrelated connections between the (gendered) "good/bad" refugee dichotomy and gender sensitivity narratives.

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[140] Fiddian-Qasmiyeh and Qasmiyeh, "Muslim Asylum-Seekers and Refugees," 295.

[141] Mavelli and Wilson, *The Refugee Crisis and Religion*, 7.

[142] Fiddian-Qasmiyeh and Qasmiyeh, "Muslim Asylum-Seekers and Refugees," 310; Lori Beaman, Jennifer Selby, and Barras Amélie, "No Mosque, No Refugees: Some Reflections on Syrian Refugees and the Construction of Religion in Canada," in *The Refugee Crisis and Religion: Secularism, Security and Hospitality in Question*, ed. Luca Mavelli and Erin Wilson (New York: Rowman & Littlefield International, 2017), 80–81.

[143] Elizabeth Shakman Hurd, "Muslims and Others: The Politics of Religion in the Refugee Crisis," in *The Refugee Crisis and Religion: Secularism, Security and Hospitality in Question*, ed. Luca Mavelli and Erin Wilson (New York: Rowman & Littlefield International, 2017), 106–7.

[144] Fiddian-Qasmiyeh and Qasmiyeh, "Muslim Asylum-Seekers and Refugees," 311.

[145] Spijkerboer, *Gender and Refugee Status*, 8.

[146] Freedman, "Protecting Women Asylum Seekers and Refugees," 192–93; Fiddian-Qasmiyeh, "The Faith–Gender–Asylum Nexus: An Intersectionalist Analysis of Representations of the 'Refugee Crisis,'" 216.

What this chapter has made clear is that public debate, policy level and academic responses to issues of gender and migration constantly include two aspects: the practical differences in the experiences and treatment of migrant women and men and the structural influence of their representations. These representations build on gendered assumptions, but also on constructions of the own society and the threatening other. The next chapter will assess the theoretical development towards current representations of refugees and asses how ideas on the "Modern Self" and the "Religious Other" influence gendered representations of migrants.

3. Rescue Narratives and Representations in Secular Modernity

In the previous chapter, it has been discussed that migrants have gendered experiences and are represented based on various (gendered) assumptions. This chapter addresses the ways in which these experiences and representations build on and relate to the concept of "Secular Modernity" by providing a theoretical framework.

The meaning of this theoretical concept stands central in the first part of this chapter. I will show how the "Modern Self" and "Religious Other" are identified with the help of distinctions between "public/private" and "secular/religious," and how this relates to gendered assumptions. The final part of this chapter deals with the way in which the distinction between the "Modern Self" and "Religious Other" influences representations of (migrant) women. The concept of "rescue narratives" provides a theoretical lens through which gender sensitivity narratives in Dutch migration contexts will be assessed in the next analytical chapters.

3.1 The Modern Self: The Secular "Public/Private" Distinction

Several authors have theorized the way in which current Western societies are constructed as secular and modern. This construction of the model of "Secular Modernity" is relevant for studying gender sensitivity narratives, since it is often used to explain how nationality, religion and gender have become intertwined and politicized in relation to migration.[147] It is stated that "Secular Modernity" has made the separation between public and private, men and women and secularism and religion more pronounced.[148] The "Modern Self" is based on and characterized by these distinctions. In this section I will discuss how assumptions on gender and religion influence the image of the "Modern Self" in light of migration.

3.1.1 The Gendered "Public/Private" Distinction in Relation to Migration

Many feminists have written about the "public/private" distinction, in which the "public" and the "private" are distinguished as separate categories. That which is "public" has different normative meaning than the "private," and this influences what people assume to be important and decisive and what not. This distinction is related to many other distinctions, such as "reason vs. culture," "politics vs. family," and "men vs. women." The

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[147] Fiddian-Qasmiyeh and Qasmiyeh, "Muslim Asylum-Seekers and Refugees," 295, 307.
[148] Joan Wallach Scott, *Sex and Secularism* (Princeton, New Jersey: Princeton University Press, 2018), 92–94.

"public" and the "private" in migration are observable in various ways. Different feminist scholars of forced migration have argued that the "public/private" distinction is very much maintained instead of challenged in migration research and practice.[149] An example is the way in which migration research separates "the state" from "the family," thereby making a structural division between men and women, but also between natives and migrants.[150]

Generally, the experiences of refugee women are either normalized and generalized or seen as abnormal and individual.[151] In both cases, women's experiences are allocated to the private sphere, and this is how refugee women are primarily constructed.[152] Their experiences are depoliticized and considered to be personal and private in various ways: private to relationships, private to cultures and private to states.[153] This becomes clear in the grounds on which women are granted asylum: the group-membership ground for persecution is often emphasized in women's cases, at the expense of persecution based on a political opinion, and the majority of domestic violence claims is denied.[154] Since violence committed against women is generally thought to occur in the "private sphere" and be a "personal matter," these forms of violence are less often considered persecution and remain on the margins of asylum law.[155]

Hence, the "public/private" distinction is gendered: it is both based on ideas about femininities and masculinities and it influences what (migrant) women experience and how they are represented. There is a third aspect to the nexus of "public/private" and gender, namely secularism/religion. These three aspects are said to characterize Secular Modernity.

3.1.2 The Gendered "Public/Private" Distinction in Relation to Secularism

Secular Modernity is a theoretical concept that is used to refer to the current Western construction of society. Hence, both "secularism" and "modernity" are socially

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[149] Doreen Indra, ed., *Engendering Forced Migration : Theory and Practice* (New York : Berghahn Books, 1999), 5; Palmary, *Gender and Migration*, 4.

[150] Alexandra Zavos, "Gender, Migration and Anti-Racist Politics in the Continued Project of the Nation," in *Gender and Migration : Feminist Interventions*, ed. Ingrid Palmary (London: Zed Books, 2010), 16.

[151] McPherson et al., "Marginal Women, Marginal Rights," 327; Spijkerboer, *Gender and Refugee Status*, 108.

[152] Spijkerboer, *Gender and Refugee Status*, 112–14.

[153] Morokvasic, "Birds of Passage Are Also Women...," 898; Heaven Crawley, "Women and Refugee Status: Beyond the Public/Private Dichotomy in UK Asylum Policy," in *Engendering Forced Migration : Theory and Practice*, ed. Doreen Indra (New York : Berghahn Books, 1999), 329.

[154] Kneebone, "Women Within the Refugee Construct," 22, 24.

[155] Crawley, "Women and Refugee Status: Beyond the Public/Private Dichotomy in UK Asylum Policy," 311.

constructed. Scott points out that ideas about secularism are context-dependent and should be discussed as "discourses of secularism" or "secularism stories."[156] It is important to be aware of the developments of and within the concept of secularism (as well as secularization and secularity). This awareness reveals insights in the way in which the secularism story does not reflect reality (secularization theory has been proved wrong and the inevitable triumph of secularism has been challenged too) but still functions as an important political discourse.[157]

This political discourse of Secular Modernity is characterized, among others, by the link between the gendered "public/private" distinction and ideas about secularism and religion. The discursive distinction that exists between "public" and "private" is namely not only gendered, but has a particular influence on, and is particularly influenced by, (representations of) religion and secularism as well. Religion and gender are both considered "private" matters, and are privatized *through* each other under secularism.

The place of secularism in society has received a relatively great deal of attention over the last decades. In recent years, scholars as Saba Mahmood and Joan Scott have addressed this topic through a gendered lens and have explored the link between secularism, religion and sexuality, between the "public/private" dichotomy and the "secular/religious" divide.[158] According to Scott, the public/private distinction is of crucial importance to the secular/religious divide, since these divides both rest on assumptions about the differences and asymmetric relationship between men and women.[159] These assumptions are dominant in modern Western states. Through discourses of "Modernity," both religion and women belong to the private sphere and form the essential "Other" of the secular and the public.[160] Hence, the categories of

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[156] Scott, *Sex and Secularism*, 4.

[157] Scott, 9. Renée Wagenvoorde, "How Religion and Secularism (Don't) Matter in the Refugee Crisis," in *The Refugee Crisis and Religion: Secularism, Security and Hospitality in Question*, ed. Luca Mavelli and Erin Wilson (New York: Rowman & Littlefield International, 2017), 63; Fiddian-Qasmiyeh, "Introduction," 435. However, it is also important to be aware that secularism is not everything and cannot explain everything. The frame of secular/religious dichotomy tends to essentialize both "the secular" and "the religious" and lead to one-dimensional understandings. This is not the aim of this chapter: I rather want to show the relevance of theories on secularism and women's rights in light of gender sensitivity narratives and representations of refugees.

[158] Mayanthi Fernando, "Intimacy Surveilled: Religion, Sex, and Secular Cunning," *Signs* 39, no. 3 (2014): 689; Scott, *Sex and Secularism*, 96–97.

[159] Joan Wallach Scott, "Secularism and Gender Equality," in *Religion, the Secular, and the Politics of Sexual Difference*, ed. Linell Cady and Tracy Fessenden (New York: Columbia University Press, 2013), 27; Scott, *Sex and Secularism*, 32, 109.

[160] Scott, *Sex and Secularism*, 54.

secularism/religion and the "public/private" are intertwined.[161] On top of that, the way these different concepts are divided and understood as oppositional is deeply gendered – and Mahmood has pointed out that this arrangement is understudied.[162] This becomes especially clear when assessing the assumption that secularism and advancement in women's rights are inherently linked.

3.1.3 The Moral Narrative of Modern Secular Progress

Although definitions of secularism depend on many context-depended interpretations, three elements pointed out by academics as characterizing Western European secularism are important in the light of this thesis.

The main aspect of this discourse of secularism is that "religion" is considered a fixed, irrational and "private" category that is subordinate to the "secular."[163] At its turn, the concept of secularism is often assumed to have a crystal-clear meaning that is public, universally applicable, and neutral above all.[164] For example, the basis of the dominant idea about secularism is the separation of the church and religion from the state and politics. This "secular/religious" divide is both seen as completely oppositional, and is merely taken for granted.[165]

Another aspect is that the "secular/religious" divide lies at the heart of Western national identity: it influences constructions of representations of the Self and the Other. Renée Wagenvoorde argues that *"the strict division between the secular and the religious within secularism is argued to be deeply embedded in conceptions of European identity."*[166] Hence, "religion" is seen as a clear marker of difference between European citizens and migrants. The "secular/religious" divide differentiates between the European "Self" and non-European "Other" along religious lines.[167]

The third aspect of dominant Western interpretation of its secular identity is that "Secular Modernity" implies liberal values and progressiveness. Secularism is considered the most (or only) appropriate framework for pursuing freedom and

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[161] Scott, "Secularism and Gender Equality," 27.

[162] Saba Mahmood, "Sexuality and Secularism," in *Religion, the Secular, and the Politics of Sexual Difference*, ed. Linell Elizabeth Cady and Tracy Fessenden (New York: Columbia University Press, 2013), 49.

[163] Wagenvoorde, "How Religion and Secularism (Don't) Matter in the Refugee Crisis," 65.

[164] Saba Mahmood, "Religious Reason and Secular Affect: An Incommensurable Divide?," *Critical Inquiry* 35, no. 4 (2009): 836.

[165] Cady and Fessenden, "Gendering the Divide: Religion, the Secular, and the Politics of Sexual Difference," 21.

[166] Wagenvoorde, "How Religion and Secularism (Don't) Matter in the Refugee Crisis," 62.

[167] Wagenvoorde, 69.

equality.[168] These three aspects together make that secular Europe is seen to have a national identity based on freedom, modernity, progress and rationality. This distinguishes it from the "Religious Other."[169]

Linell Cady and Tracy Fessenden describe this interpretation of secularism as the *"moral narrative of modern secular progress."*[170] This commonsense narrative about secularism implies that secular societies are more advanced and emancipated than non-secular societies: the "Modern Self" versus the "Religious Other."[171]

A particular aspect of the narrative of modern secular progress is the treatment and emancipation of women.[172] Advances in women's rights are easily seen as the inevitable fruit of the secularizing process.[173] It also works the other way around: Mayanthi Fernando states that *"secularity has come to be seen as the necessary guarantor of women's sexual freedom."*[174] Hence, women's bodies and women's (sex) lives have become the key elements of the secular narrative of progress and the related distinction between the "Modern Self" and Others.[175] This is why Scott, among others, claims that gender lies at the heart of the secularism discourse.[176]

3.2 The Religious Other

At the opposite of a "Modern Self" lies a "Religious Other." The distinction between this self and other is again based on the "public/private" distinction, which is expressed through notions on gender and secularism/religion.

Ideas about this "Religious Other" heavily relate to assumptions about Islamic culture. Lila Abu-Lughod describes how *"Muslims are presented as a special and threatening culture – the most homogenized and the most troubling of the Rest."*[177] The tradition of representing Muslim women in the West has been named "gendered Orientalism," in which Muslim women are constantly portrayed as culturally distinct. According to Abu-Lughod, representations of Muslim women either focus on their assumed victimhood or

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[168] Wagenvoorde, 65.
[169] Butler, "Sexual Politics, Torture, and Secular Time," 2.
[170] Cady and Fessenden, "Gendering the Divide: Religion, the Secular, and the Politics of Sexual Difference," 15.
[171] Scott, "Secularism and Gender Equality," 25, 182.
[172] Wagenvoorde, "How Religion and Secularism (Don't) Matter in the Refugee Crisis," 68.
[173] Cady and Fessenden, "Gendering the Divide: Religion, the Secular, and the Politics of Sexual Difference," 3, 6.
[174] Fernando, "Intimacy Surveilled," 687.
[175] Fernando, 694.
[176] Scott, *Sex and Secularism*, 22.
[177] Abu-Lughod, *Do Muslim Women Need Saving?*, 6.

on their (excessive) sensuality.[178] In the twenty-first century, gendered Orientalism proliferates through the language of universal rights and "personal" memoirs, and is embedded in an international political context in which Muslims are seen as the ultimate Other posing dangers to the West through terrorism and immigration.[179] Spijkerboer has given an example of how Iran provides the single most prominent country in debates on refugee women in the United States, and hence, how Iran reflects the "Muslim enemy."[180] Interestingly, Islam is included in American public discourses on women's issues in Iran, whereas women's issues in Latin America are not linked to Christianity or Catholicism, but to Latin machismo.[181]

This shows that the process of Othering through Orientalism is gendered in a specific way, namely under discourses of "Secular Modernity." Several academics have elaborated on the ways in which Islam is envisioned as the ultimate Other through notions of secularism.

In her book 'Sex and Secularism,' Scott argues that in contemporary forms of secularism, the Religious Other and (sexual) freedom are highly important. She shows how Christianity has always been included on the secular side, and how Islam is used to represent everything the West does not identify with.[182] Especially under Cold War rhetoric against "Soviet atheism," the Christian influence on secularism was emphasized and the "Christian" and the "democratic secular" became synonymous.[183] After the Cold War, and particularly after 9/11, a renewed discourse of secularism emerged in which Islam was rejected as an undemocratic and hence unacceptable religion which put extreme religious challenges to a modern international system, both understood as democratic and Christian.[184] In the years that followed up until today, the notion of a "clash of civilizations" has gained momentum, in which Islam has been linked to totalitarianism and sexual repression, and democracy has been equated with Christian values and the rights of women.[185]

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[178] Abu-Lughod, 88.
[179] Abu-Lughod, 95–96, 202.
[180] Spijkerboer, *Gender and Refugee Status*, 28.
[181] Audrey Macklin, "Refugee Women and the Imperative of Categories," *Human Rights Quarterly* 17, no. 2 (1995): 267.
[182] Scott, *Sex and Secularism*, 19–20.
[183] Scott, 122, 127, 130.
[184] Scott, 133.
[185] Scott, 156.

Just as Abu-Lughod, Scott argues that Islam is racialized and "understood" in the language of culture and is considered the essential Other.[186] Elizabeth Hurd adds to this that after the November 2015 attack in Paris, *"the violent Muslim perpetrator and non-Muslim victim narrative resurfaced, with the "Muslimness" of the perpetrators dominating international coverage."*[187] According to her, this narrative is linked to broader liberal thinking about the regulation of religion.[188]

The idea that secularism guarantees women's rights points to religion, with Islam in particular, as the main obstacle to gender equality.[189] Indeed, Muslim women are considered to be the ultimate symbolization of how the culture of the "Religious Other" functions.[190] The modern, sexually free place that secular Europe provides is contrasted to assumedly pre-modern orthodoxy and Islamic oppression.[191] Scott describes how secularism fits the "clash of civilizations" rhetoric. This rhetoric has gained prominence after 9/11 and emphasizes the package of secularism and gender equality as the basis for Western superiority to all of Islam.[192] Religion in general is often perceived to be conservative and to maintain or reinforce the gendered status quo by reproducing patriarchal structures and thus increase women's vulnerability.[193] Modern, secular values are presented as the ultimate opposite.[194]

3.3 In Between the Modern Self and Religious Other: Saving Women

Discourses of Secular Modernity as discussed above construct a particular view on and approach to migrant women. This is referred to as "saving women" or "rescue narratives," which stand central in the final section of this chapter.

Abu-Lughod has extensively covered this topic in her writings on the "saving of Muslim women from Muslim men."[195] She provides a contemporary analysis of what Gayatri Spivak has called "white men saving brown women from brown men." Abu-Lughod

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[186] Scott, 167–68.
[187] Hurd, "Muslims and Others: The Politics of Religion in the Refugee Crisis," 98.
[188] Hurd, 102.
[189] Scott, *Sex and Secularism*, 167–68.
[190] Abu-Lughod, *Do Muslim Women Need Saving?*, 71.
[191] Butler, "Sexual Politics, Torture, and Secular Time," 1–3.
[192] Scott, *Sex and Secularism*, 1–2, 150.
[193] Fiddian-Qasmiyeh, Lewis, and Cole, "'Faithing' Gender and Responses to Violence in Refugee Communities: Insights from the Sahrawi Refugee Camps and the Democratic Republic of Congo," 128.
[194] Fiddian-Qasmiyeh, "The Faith–Gender–Asylum Nexus: An Intersectionalist Analysis of Representations of the 'Refugee Crisis,'" 208.
[195] Abu-Lughod, "Do Muslim Women Really Need Saving?," 787.

points out that Western representations of Muslim women have a long history and are part of broader structures.[196] After 9/11, these representations have been primarily connected to "rescue-missions": especially the War on Terror in Afghanistan has been justified in terms of saving Afghan women.[197]

Rescue missions are based on the idea that others experience a lack of freedom due to cultural circumstances.[198] Abu-Lughod argues that rescue narratives are dangerous especially because of this cultural framing (also called culturalization), which means that the culture of the region (including most particularly religious beliefs and treatment of women) is considered more important than political and historical factors.[199] Elisabeth Olivius applies this to the way in which violence against women is primarily understood as a problem that is caused by social, cultural and religious norms within a society.[200]

In short, rescue narratives are concerned with the protection of the (sexual) freedom of Muslim women and are based on assumptions on the cultural backwardness of the "Religious Other." Mahmood has pointed out what these assumptions mean for the "Modern Self": the presence of a religious, Muslim Other makes it possible for secularism to be equated to advancing women's rights.[201] Rescue narrative language has not always been secular, but nowadays this is the case to a great extent.[202] In fact, Mavelli and Wilson have claimed that *"assumptions about religion play a huge role in the exclusionary discourses about the current refugee crisis."*[203] These assumptions are about the nature of "religion" in general, but also more specifically about both "Islam" and its assumed relationship with violence and migration, and "secularism" and its assumed relationship with the "more advanced" nature of Euro-American states. In this way, the notions of "saving women" reveal dominant ideas about the secular and secular public/private

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[196] Fiddian-Qasmiyeh, "The Faith–Gender–Asylum Nexus: An Intersectionalist Analysis of Representations of the 'Refugee Crisis,'" 207–8; Abu-Lughod, *Do Muslim Women Need Saving?*, 6.

[197] Abu-Lughod, *Do Muslim Women Need Saving?*, 29.

[198] Abu-Lughod, 20.

[199] Abu-Lughod, 30–31.

[200] Elisabeth Olivius, "Refugees, Global Governance and the Local Politics of Violence against Women," in *Gender, Violence, Refugees*, ed. Susanne Buckley-Zistel and Ulrike Krause, Studies in Forced Migration, volume 37 (New York Oxford: Berghahn, 2017), 62.

[201] Mahmood, "Sexuality and Secularism," 49.

[202] Abu-Lughod, *Do Muslim Women Need Saving?*, 34.

[203] Mavelli and Wilson, *The Refugee Crisis and Religion*, 4.

dichotomy discussed above, namely that secularism is assumed to provide the best "mechanism" to protect women's rights.[204]

However, this construction of secularism has been contested by postsecular academics. [205] Postsecular thinking, in contrast to the secularization theory, acknowledges the continuing importance of religion in politics and public life and criticizes the idea that values such as democracy, freedom and equality fit best in secular frameworks.[206] Not only has the assumed neutrality of secularism been challenged, but it has also been proposed that the secular framework does not necessarily lead to progress and may give room to domination, violence and exclusion as well.[207] According to Scott, gender inequality is a feature of modern nations which lies at the very heart of secularism and separations between public and private, political and religious.[208]

In conclusion, the concept of "Secular Modernity" and the Modern Self is based on gendered assumptions and maintains the "public/private" distinction. Moreover, the secular is assumed to have gender equality as proof of its superiority.[209] At the opposite of this construction is a Religious Other that needs saving.[210] These constructions influence ideas of national identity and are thus heavily relevant for studying representations of refugees.

As argued in chapter two and three, contemporary representations of refugees are based on gendered and orientalist assumptions, and relate to the idea that refugees' countries of origin are inherently oppressive of women.[211] Hence, these representations reveal the mutually constitutive nexus of gender, religion and forced migration.[212] Despite this intersection, authors have pointed to the fact that gender is merely absent in literature on secularization and migration.[213] This is why the next chapters will analyze the extent to which rescue narratives, as well as notions of the Modern Self and Religious Other, are present in political discourses on migrant women in the

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[204] Fernando, "Intimacy Surveilled," 694.
[205] Scott, *Sex and Secularism*, 182.
[206] Mavelli and Wilson, *The Refugee Crisis and Religion*, 12.
[207] Wagenvoorde, "How Religion and Secularism (Don't) Matter in the Refugee Crisis," 62.
[208] Scott, *Sex and Secularism*, 3–4, 58.
[209] Scott, 182.
[210] Scott, 182.
[211] Fiddian-Qasmiyeh, "The Faith–Gender–Asylum Nexus: An Intersectionalist Analysis of Representations of the 'Refugee Crisis,'" 216.
[212] Fiddian-Qasmiyeh, 207, 211.
[213] Fiddian-Qasmiyeh, 211.

Netherlands. I will argue that the current Dutch society is characterized by "Secular Modernity" by showing how secular assumptions about gender and "the West and the Rest" influence gender sensitivity narratives in migration contexts through the "good/bad" refugee distinction.

4. Gender Sensitivity Narratives in 2019: Context and Content

This first analytical chapter introduces the gender sensitivity narratives that are constructed in relation to Dutch asylum contexts throughout CEDAW reporting procedures. It first addresses the particular context in which these calls are made and secondly specifies the content of gender sensitivity narratives.

Gender sensitivity narratives consist of descriptions of migrant women's problems on the one hand and of proposed solution strategies on the other. This chapter will introduce how problem formulations and solution strategies are expressed and used by different actors, and how they partly overlap and partly contradict each other. These arguments form the basis of the next analytical chapters.

4.1 The Context of Gender Sensitivity Narratives: Trends and Controversy

Dutch gender sensitivity narratives that address gendered experiences in migration exist in a particular political context, characterized by two aspects. First of all, gender sensitivity calls have a long history and can be traced back over the last twenty years. Secondly, calls for enhancing gender sensitivity must be seen in light of the urge of the Dutch government to stress progress in the area of gender equality. I will argue that this context is informative on the content and underlying assumptions of gender sensitivity narratives.

4.1.1 Gender Sensitivity Narratives: Actors and Documents

Gender sensitivity calls related to asylum have been made in various ways and by various institutions. As already described in the introduction of this thesis, the common basis of many of these calls is that they are related to CEDAW and CEDAW reporting procedures. CEDAW stands for both the Convention on the Elimination of All Forms of Discrimination against Women and the Committee on the Elimination of All Forms of Discrimination against Women (hereafter: the Committee) that sees to the implementation of the Convention in the 189 countries that have ratified it. The Convention stems from 1979; a time in which feminist concern about women worldwide grew. This made that CEDAW became considered an important institution in providing a global framework for pursuing gender equality.[214]

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[214] Abu-Lughod, *Do Muslim Women Need Saving?*, 12.

All reporting procedures include several documents from various actors and follow a specific reporting format. Most important documents in this procedure are the report made by the national government, the shadow reports made by national NGOs, and the recommendations made by the CEDAW Committee. In the case of the Netherlands, this means that the actors involved in the reporting procedure are the Dutch government, the CEDAW Committee and the Dutch CEDAW Network (Netwerk VN-Vrouwenverdrag translated to English), which is a cooperation of NGOs that delivers shadow reports to every reporting procedure.[215]

For this analysis, I chose to focus on the sixth and latest reporting procedure. The documents involved give insights in the ways in which gender sensitivity narratives are constructed, and by whom. In order to understand the contexts of these insights, other documents related to but not included in the procedure itself will be consulted as well. It appears that the Dutch CEDAW Network and the CEDAW Committee (hereafter referred to as CEDAW Network and Committee) use similar framings and build on similar assumptions, which makes it possible to compare the Dutch government's stance with that of the CEDAW Network and Committee. In this way, both official policies and their outcomes, as well as reactions provided by NGOs and a UN-body are captured.

For a complete overview of the actors and documents involved, see appendix 2.

4.1.2 Historical Account of Gender Sensitivity Narratives

The cycles of reporting procedures under this framework reveal interesting trends. With regards to the Netherlands and the situation of migrant women, I have observed that calls for enhancing gender sensitivity have been expressed in every reporting procedure since 2000. In order to highlight this, the concluding observations made by the Committee at the end of each procedure will be compared.

In 2000, under the combined second and third reporting procedure, it was stated that *"the Committee expresses concern at the continuing discrimination against immigrant, refugee and minority women who suffer from multiple discrimination, based both on their sex and on their ethnic background, in society at large and within their communities,*

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[215] In English: the Dutch CEDAW Network. This is a group of Dutch NGOs and individual CEDAW specialists in the Netherlands, see https://www.vn-vrouwenverdrag.nl/.

particularly with respect to education, employment and violence against women."[216] The Dutch government was urged to take effective measures to eliminate discrimination against migrant women and *"respect and promote the human rights of women over discriminatory cultural practices,"* as well as provide information on the situation of these women.[217]

The next reporting procedure took place in 2007. Here, the Committee's concern about the persistence of gender-role stereotypes and racism, *"in particular about immigrant and migrant women and women belonging to ethnic minorities"* was repeated.[218] Several examples of discrimination of migrant women were given by the Committee, such as the problematic relation between dependent residence permits and domestic violence, the strict integration requirements for family reunification and the fact that, *"with the exception of female genital mutilation, sexual and domestic violence are not recognized as grounds for asylum."*[219] These examples reflect the broader concerns about gender and asylum policies expressed in academic literature.[220]

The concluding observations to the fifth reporting procedure were made in 2010. Here, the Committee started by complimenting the Dutch government for having developed *"measures to prevent and combat female genital mutilation and honor-related killings, as well as the commitment to protect women against discrimination on the grounds of sexual orientation."*[221] However, the Committee was not satisfied with the government's actions to eliminate traditional stereotypes on gender roles and responsibilities. According to the Committee, this made that in particular stereotypes about migrant women and men persisted, *"both of which are portrayed as being backward and having traditional views about women."*[222] It was recommended to eliminate multiple forms of discrimination

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[216] CEDAW, "Report of the Committee on the Elimination of Discrimination against Women: Session 2 and 3," CEDAW report, 2000, sec. 205.

[217] CEDAW, secs. 206–207.

[218] CEDAW, "Report of the Committee on the Elimination of Discrimination against Women: Session 4," 2007, sec. 15.

[219] CEDAW, sec. 27.

[220] See the literature review in chapter 2.

[221] CEDAW, "Report of the Committee on the Elimination of Discrimination against Women: Session 5," 2010, sec. 6.

[222] CEDAW, sec. 24.

against *"immigrant, migrant, black, Muslim and other minority women in Dutch society"*[223] via migration and integration policies and the educational system.[224]

This historical account shows that "migrant women" have been included in every Dutch CEDAW procedure in the last twenty years and that calls for gender sensitivity have been based on the same arguments ever since they first have been made. The fact that these calls are still present in a similar way as twenty years ago needs consideration of the reaction to these calls.

4.1.2 Gender Sensitivity in a Context Characterized by Progress

The concept of "gender sensitivity" is structurally being used in CEDAW procedures, but does not stand alone. Other terms to refer to gender policies are used as well, such as "gender mainstreaming," "gender neutrality, "gender diversity" and "gender specificity." These terms are particularly used in the documents drafted by the Dutch government, in which "gender mainstreaming" is often preferred over "gender specificity."[225] This shows a certain reluctance from the side of the Dutch government to specify the treatment of persons based on gender.[226] It becomes clear that the government is not eager to approach migrant women from a specific, sensitive angle, but rather includes all gendered experiences under one general policy under the guise of "gender neutrality" and "gender diversity."

Next to favoring policies that are not gender specific, the government is not eager to stress the extent to which gender policies need improvement at all. The focus is not on the need to increase gender sensitivity, but rather on the progress in gender equality that has already been made. In the opening statements of the Dutch report to the Committee it is mentioned that *"the Dutch governments since 2008 have all contributed to overcoming cultural stereotyping and prejudice,"* and that *"though some attitudes in the Netherlands could be described as gender-insensitive, steady progress is being made*

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[223] More on the terminology of "immigrant, migrant, black, Muslim and other minority women" can be found in chapter 4.

[224] CEDAW, "Report of the Committee on the Elimination of Discrimination against Women: Session 5," sec. 25.

[225] In referring to "the Dutch government," the concerned Dutch ministries and the political discourse that they set forth in official government documents (such as policies, evaluations and reports) are meant.

[226] Some exceptions are observable however: the 2014 Action Plan on Discrimination in the Labor Market identifies a number of specific target groups, including women and non-Western migrants (but not non-Western female migrants specifically). CEDAW, "Replies of the Netherlands to List of Issues and Questions in Relation to the Sixth Periodic Report of the Netherlands," July 5, 2016, sec. 50.

towards achieving gender equality."[227] Important for Dutch records on gender equality are LGBT rights: this forms one of the priorities in Dutch gender policies. Women's equality and LGBT equality became part of one single portfolio in 2007,[228] and these aspects are constantly being linked in official documents. The Dutch government presents the Netherlands as having an active international role in countering the discrimination of women and LGBT people.[229] In fact, LGBT rights seem very important for the Dutch political and cultural identity as modern and advanced.[230]

Progress in gender equality is not just a rhetorical reality, but is in fact observable in Dutch policies and implementations. In this light, asylum policies have also been subjected to change, particularly in response to calls for enhanced gender sensitivity in the early 2000s. By then, a revival of interest in the topic of gender and asylum occurred. In 2002, the bi-yearly Dutch national evaluation of the CEDAW Convention was marked by the thematic report on the position of migrant women in Dutch policies: the ACVZ report.[231] The government's reaction to this report shows acceptance of certain recommendations, such as the separate hearing of married men and women and the softening of rules concerning dependent residence permits.[232]

Currently, some twenty years later, gender sensitivity and asylum is less of a hot topic. As mentioned above, the CEDAW procedure still includes calls for enhanced gender sensitivity, but these calls do not seem to break ground.[233] Gender sensitivity and migration, or gender and asylum, have not been discussed in parliament over the last couple of years. Except from a motion concerning the judgement of the credibility of LGBT-asylum seekers from July 2018, no recent information on this subject has been found.[234]

In conclusion, the Dutch government has implemented more gender sensitive asylum policies when this topic first emerged, but is currently reluctant to express a need of

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[227] CEDAW, secs. 4, 12.

[228] CEDAW, "Sixth Periodic Report of the Netherlands," December 3, 2014, sec. 182.

[229] CEDAW, sec. 7.

[230] Butler, "Sexual Politics, Torture, and Secular Time," 3–4.

[231] ACVZ, "Het VN-Vrouwenverdrag in Relatie Tot de Positie van de Vreemdelingenvrouwen in Het Nederlandse Vreemdelingenrecht En Vreemdelingenbeleid," 2002.

[232] Kabinetsreactie, "Kabinetsreactie ACVZ Rapport," 2003, 5, 9.

[233] One political party included the call ("The IND should have a more gender sensitive approach") in its political program for the latest parliament elections in 2017. See https://www.christenunie.nl/standpunt/asielprocedures.

[234] See https://zoek.officielebekendmakingen.nl/kst-19637-2414.html

further "sensitizing" its policies. This tells that the combination of gender sensitivity calls and the reactions to those calls (which together form gender sensitivity narratives) show a discrepancy: the calls have been made for a long time, while reactions do not focus on problems but on progress. Hence, particular images of gender sensitivity and of those concerned, namely migrant women, come to existence. In order to dive into these images and the extent to which they can be concerned "sensitive," it is required to assess the content of identified problems and solutions within gender sensitivity narratives.

4.2 The Content of Gender Sensitivity Narratives

Gender sensitivity narratives are built around two aspects: on the one hand, there are specific problems which form the need to enhance gender sensitivity, while at the other hand gender sensitivity narratives are constructed through the solutions and methods to become more gender sensitive. As I will argue in this section, the problems are mainly identified by the Dutch CEDAW Network and the Committee, whereas the Dutch government brings in solution strategies. These two aspects are not entirely complementing each other, but show discrepancies.

The calls for enhanced gender sensitivity that the CEDAW Network and Committee express in the latest reporting procedure build on the statements on the situation of migrant women given by feminists activists and academics over the last two decades. The need to pay extra, specific attention to migrant women is expressed in light of broadly two aspects: namely that migrant women suffer under stereotypical representation and under harmful practices. The problems of stereotypical representation and harmful practices are not addressed as two separate issues that migrant women face, but are constantly linked instead. In the concluding observations of the fifth session, situations of migrant women are discussed under the heading "Stereotypes and cultural practices." In the next chapters I will elaborate upon the implications of this linkage.

The Dutch government is another actor in constructing gender sensitivity narratives. The government does not identify particular problems nor stress the need of enhanced gender sensitivity in light of asylum contexts. However, it does express particular solution strategies to gender problems in general. I identify three focus areas in the Dutch reports to the CEDAW Committee: economic independence, the position of gender

issues in other cultures and LGBT rights. Especially the former two solution areas are meant to target specific problems of migrant women.

Hence, problem formulations and solution strategies are not completely complementary. Harmful practices are covered in both aspects and by all actors, whereas the stereotypical representation of migrant women is emphasized by the CEDAW Network and Committee but not addressed by the Dutch government – who instead focuses on economic independence. Clearly, problems and solutions are built on different assumptions.

Building on the CEDAW reporting procedure, I argue that the Dutch government assumes that enhancing gender sensitivity means implementing solutions for these three problem areas – and that once this has been done, gender problems in the Netherlands are sufficiently dealt with. Simultaneously, the CEDAW Network and Committee's link between "stereotypes" and "harmful practices" is built on particular assumptions about migrant women's vulnerability as well.

All these ideas are expressed within gender sensitivity narratives and give insights into the underlying Dutch vision on gender and migration. In order to come to these insights, chapter five and six will deal with contradictions and similarities within gender sensitivity narratives respectively. The last analytical chapter discusses the implications this has for refugee women.

5. Gender Sensitivity in Gendered Representations

In this chapter contradictory assumptions within gender sensitivity narratives stand central. These contradictions are discussed from the angle of stereotypical representations. It will be argued that gender sensitivity narratives are constructed on the interface of discussing representations and constructing particular representations itself.

First, I will discuss how the CEDAW Network and Committee use the problem of stereotypical representations of migrant women as an argument for enhancing gender sensitivity in migration policies. Secondly, it will be argued how, through this focus on stereotypes, the CEDAW Network and Committee themselves contribute to particular (stereotypical) representations of migrant women. The third section turns to the Dutch government's solution to the problem of stereotypical representation, which focuses on economic independence. The underlying assumptions of this solution strategy differ from those of the CEDAW Network and Committee, and imply a different representation of migrant women as well.

5.1 Stereotypical Representations: An Argument for Gender Sensitivity

The shadow reports by the Dutch CEDAW Network as well as the Committee's list of issues and concluding observations repeatedly stress both the impact of stereotypical representations on migrant women and the importance of paying attention to intersectional identities through intersectional policies. The CEDAW Network and Committee argue that migrant women suffer under stereotypical representations, which means that no attention is paid to the various different and intersecting aspects of their identity, such as gender, age, ethnicity and social class. On top of that, migrant women are said to face intersectional discrimination, which is the related and simultaneous discrimination based on various aspects of one's identity.

As mentioned in the previous chapter, the Dutch government prefers general policies over target-group policies. In reaction to this, the Dutch CEDAW Network expresses that this development is not necessarily bad, but that it remains necessary to pay attention to the differences between women, to not loose attention for specific groups of women and particularly, to challenge the intersectional discrimination that migrant and ethnic

minority women face.[235] It is specifically mentioned that the government's Program of Action on Discrimination in the Labor Market and the National Program of Action to Combat Discrimination barely explore the intersection of gender with other forms of discrimination.[236] Indeed, in statistics of the Dutch government, "women" and "people from ethnic minorities" are always counted separately, which does not give insights in the particular status of migrant women.[237]

This lack of attention for the stereotypical representation of specific groups and for the intersection of discrimination is used as an argument for gender sensitivity by the CEDAW Network, who shows, in various instances, that specific groups such as migrant women do experience various forms of discrimination. One such instance is illustrated by the numbers on acts of violence against Muslim women that the Network gives: "*The NGOs and CSOs are of the opinion that this aggressive form of islamophobia is a form of gender-related violence as well as intersectional discrimination on grounds of gender, religion and ethnicity.*"[238]

The Committee has taken over these concerns about (the lack of attention for) intersectional discrimination, and has referred to it in its reports and spoken sessions. For example: "*Ms. Haidar wished to know what measures were envisaged to address gender stereotypes, particularly those attached to groups of women who suffered multiple and intersecting forms of discrimination, such as migrant women, Muslim women, LGBT women, sex workers and domestic workers.*"[239]

Hence, analysis of the CEDAW documents makes it possible to argue that stereotypical representation of migrant women (meaning that they face intersectional, "extra" discrimination) and the lack of attention therefore forms one of the CEDAW Network and Committee's two main arguments for enhancing gender sensitivity.

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[235] Dutch CEDAW Network, "Unfinished Business: Women's Rights in the Netherlands. Shadow Report for List of Issues & Questions," January 2016, 5.
[236] Dutch CEDAW Network, "Unfinished Business: Women's Rights in The Netherlands. Shadow Report by Dutch NGOs and CSOs.," November 2016, 3.
[237] Dutch CEDAW Network, 12.
[238] Dutch CEDAW Network, 7.
[239] CEDAW, "Summary Record of the Meeting on the Sixth Periodic Report of the Netherlands," November 16, 2016, sec. 50.

The CEDAW Network and Committee put great emphasis on the harmful effects that stereotypical representations have on migrant women. However, through the ways this emphasis is expressed, the Network and Committee contribute to certain (stereotypical) representation themselves too. This is not to say that they purposefully do big wrongs: the Network and Committee are right in targeting stereotypical representations, which pose concrete, and relatively iterative, problems to women in the Netherlands. Rather, critically discussing their work helps in showing that addressing representations is a difficult task, which is automatically intertwined with issues of power (relations).

First of all, the Network and Committee often mention migrant women together with other "categories" of women, thereby creating one big, racialized category. Most often, the terms "migrant women" and "ethnic minority women" are combined[240] or used interchangeably.[241] The abbreviation for black, migrant and refugee women ("zmv-vrouwen") seems to be accepted as well.[242] The term "migrant women" is also used to refer to "second-generation women of Turkish and Moroccan descent."[243] This is confusing since these women are "different" migrant women than female refugees or asylum seekers, which now all fall under the same term. Migrant women are namely also being categorized within a bigger group of "immigrant, migrant, black, Muslim and other minority women,"[244] or simply referred to as "non-white women."[245] This broad and confusing terminology lacks attention for the intersectional aspects of the identities of the women concerned.

Moreover, the Network and Committee primarily focus on the cultural aspects of migrant women's problems and link stereotypes with harmful (cultural) practices. This is done on a thematic level through subtitles in reports[246] and in recommendations as

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[240] CEDAW, "List of Issues and Questions in Relation to the Sixth Periodic Report of the Netherlands," March 2016, sec. 4.

[241] CEDAW, sec. 16.

[242] See for example Rikki Holtmaat, ed., *Een Verdrag Voor Alle Vrouwen: Verkenningen van de Betekenis van Het VN-Vrouwenverdrag Voor de Multiculturele Samenleving* (Den Haag: E-Quality, 2002).

[243] Dutch CEDAW Network, "Unfinished Business: Women's Rights in the Netherlands. Shadow Report for List of Issues & Questions," sec. 27.

[244] See for example CEDAW, "Report of the Committee on the Elimination of Discrimination against Women: Session 5," sec. 42.

[245] Dutch CEDAW Network, "Unfinished Business: Women's Rights in The Netherlands. Shadow Report by Dutch NGOs and CSOs.," sec. 10.

[246] CEDAW, "List of Issues and Questions in Relation to the Sixth Periodic Report of the Netherlands," sec. 5.

well.[247] This implies a certain relation between the two, whereas migrant women's economic position receives less attention. The vulnerable and dependent position of "minority women" (and thus of migrant women) is assumed, which constructs a rescue narrative.

Both ways of addressing migrant women show the assumption that the homogenized group of migrant women needs to be saved: this is in line with the construction of rescue narratives as discussed in the third chapter. As Abu-Lughod has pointed out, such rescue narratives are not only expressed by extreme nationalists who explicitly adhere to the idea of Western superiority, but also by feminist critics who, sometimes unwittingly, use disapproval of non-Western cultures as part of their argumentation aimed at helping other women, such as migrant women.[248] This seems applicable to the way in which the CEDAW Network and Committee, consisting of feminist critics, implicitly address and represent migrant women.

5.3 The Dutch focus on Economic Independence: Solving or Increasing Stereotypical Representations?

Whereas the CEDAW Network and Committee present stereotyping as a problem for migrant women, the Dutch government choses another focus point as a way to solve the problems posed by stereotyping, namely economic independence. Together with a focus on LGBT rights and harmful practices, these form the three solution strategies on which Dutch gender policies appear to be built.

5.3.1 Economic Independence: Policy and Practice

Economic independence is one of the government's priorities in gender policy: this is expressed in many different ways. "Labor market," "equal payment" and "women in leadership positions" are themes that occur in official documents over and over.[249] When it comes to migrant women, a focus on economic independence is apparent as well. The Dutch report to the Committee discusses the discrimination of "women from

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[247] CEDAW, "Sixth Periodic Report of the Netherlands," sec. 21.

[248] Abu-Lughod, "Do Muslim Women Really Need Saving?," 788–89; Spijkerboer, "Gender, Sexuality, Asylum and European Human Rights," 230.

[249] For example: the introductory statement to the sixth periodic review by the (former) Dutch Minister of Culture, Education and Science is all about the economic independence of women. The emancipation nota of the current Minister has "labor market and economic independence" as the first theme (out of three) to be addressed.

ethnic minorities" most extensively under the sections about employment and education. Moreover, stereotypes are also addressed from an economic point of view. The 2016 National Program of Action to Combat Discrimination is centered around discrimination in the labor market.[250] Furthermore, between 2007 and 2011, the Dutch government implemented a project named "Duizend en Een Kracht" (Thousand and One Strong), aimed at encouraging ethnic minority women to take an active role in society through volunteer work.[251]

The problems that stereotypes pose and the attempt to solve this through an economic approach become most clear in the following example. The CEDAW Network states that *"recent research shows that (young) women wearing a headscarf are overrepresented in figures of the reported incidents of outdoor violence as well as in the reported difficulties of finding a vocational training internship."*[252] The report of the Netherlands Institute for Human Rights confirms these findings[253] and addresses the actions that have been undertaken in response to this phenomenon: *"The government mainly focuses on increasing the assertiveness and willingness to report discrimination of the possible victims. It as yet insufficiently addresses prevention by raising awareness at companies and institutions hiring interns, however."*[254]

5.3.2 Economic Independence: Underlying Assumptions

What the example on internships and Muslim women makes clear is that the government mainly focuses on assertiveness, independence and people's own initiative in order to combat the effects of stereotypical representations on economic or educational opportunities. This is based on particular neoliberal assumptions in which economic freedom is highly important and seen as an essential step to "freedom" in general. Moreover, an "equal level playing field" is assumed to be present, meaning that everyone has the same chances to live, work and achieve its goals under similar

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[250] CEDAW, "Replies of the Netherlands to List of Issues and Questions in Relation to the Sixth Periodic Report of the Netherlands," sec. 49.

[251] CEDAW, "Sixth Periodic Report of the Netherlands," sec. 24.

[252] Dutch CEDAW Network, "Unfinished Business: Women's Rights in The Netherlands. Shadow Report by Dutch NGOs and CSOs.," 4.

[253] The Netherlands Institute for Human Rights has even "found that municipal authorities had committed discrimination by refusing a girl an internship position because they believed she was wearing too tight-fitting a hijab that hampered communications."

[254] College voor de Rechten van de Mens, "Netherlands Institute for Human Rights Written Contribution to the Pre-Sessional Working Group on Behalf of the Sixth Periodic Report of the Netherlands," January 2016, 8.

circumstances. From such a standpoint, it might be easily ignored that circumstances are in fact not always similar and that structural stereotypical representations as well as intersectional discrimination take their toll. The "Duizend en Een Kracht" project that helps ethnic minority women with volunteer work exemplifies this: it is built on the idea that volunteer work will automatically lead to a paid job and increase economic independence. However, this is not always the case.[255]

Moreover, the government's solution strategies come from the idea that what needs to be addressed in the Netherlands are mainly economic issues and the acceptance of Dutch LGBT rights by all citizens. Forms of structural violence such as stereotypical representations and gender discrimination are not deemed real issues. The CEDAW Network states this as follows: *"Obviously, the Dutch government does not consider stereotyping as a form or a vehicle of discrimination, particularly when it comes to gender role stereotyping."*[256] This fits within the image of the Netherlands as progressive and characterized by gender equality and LGBT rights, as opposed to "backward cultures abroad" which struggle with structural (gender) violence.[257]

5.3.3 Economic Independence: Constructing Stereotypical Representations

The focus on economic independence constructs a particular representation of migrant women. Official government documents show that the Dutch government mentions migrant women primarily to the extent that they face and pose barriers to economic independence and LGBT rights: which are the Dutch government's gender policy priorities. In this way, stereotypical representations are not only insufficiently addressed, but even enlarged.

The Dutch focus on the extent to which migrant women face barriers in terms of (economic) rights is criticized by the CEDAW Network for being merely absent. In the Dutch report to CEDAW, it is acknowledged that *"the average income of women immigrants of non-western origin was the lowest"* and that *"there has been a slight drop in the economic independence of women from non-western ethnic minorities."*[258] Moreover,

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[255] See for example Kris Southby and Jane South, "Volunteering, Inequalities and Barriers to Volunteering: A Rapid Evidence Review," *Centre for Health Promotion Research*, November 2016, 51.

[256] Dutch CEDAW Network, "Shadow Report by Dutch NGOs and CSOs to Follow-up Report to the Concluding Observations of the Committee," January 2019, 2.

[257] See chapter 5 for a discussion of the discursive division between "gender issues in the Netherlands" and "gender issues in other cultures."

[258] CEDAW, "Sixth Periodic Report of the Netherlands," sec. 64.

the fact that projects targeting volunteer work for ethnic minority women exist tells that the government is aware of the barriers that those women face. However, migrant women are also addressed and thus represented as (groups of) persons who pose barriers to the rights of others. This is not strictly targeted towards migrant women, but rather to migrants (or ethnic minority people) in general.[259] An example is the 2018-2021 Emancipation Nota, in which the "Change from Within" Alliance[260] is included as one of the aspects of current Dutch gender policy. The alliance focuses on social security of women and LGBT persons and the acceptance of gender diversity and sexual diversity in refugee and migrant communities.[261] The reason for the construction of this alliance is said to be the fact that acceptation of women's rights and LGBT rights lags behind in certain communities, namely orthodox religious communities and migrant communities (although this differs per country of origin).[262]

Taking these two aspects together, it seems that the Dutch solutions to the effects of stereotypical representations in fact contribute to constructing such representations of migrant women as women who face barriers to their economic rights on the one hand, and pose barriers to LGBT rights of others at the other hand. On top of that, the CEDAW Network and Committee tend to reinforce stereotypical representations through the way they create homogenized categories of "ethnic minority women" and discuss stereotypes in relation to cultural practices. Therefore, gender sensitivity narratives are constructed on the interface of discussing representations and constructing particular representations itself. The question that remains is how truly sensitive these representations and narratives are.

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[259] See chapter 7 for a discussion on the difference between representation of migrant women and migrant men.

[260] Alliantie "Verandering van Binnenuit"

[261] Ministerie van Onderwijs, Cultuur en Wetenschap, "Kamerbrief Emancipatienota 2018-2021," 2018, 11. In Dutch: Alliantie Verandering van Binnenuit.

[262] Hanna Harthoorn, Marga de Weerd, and Jeanine Klaver, "Beleidsdoorlichting Emancipatiebeleid (Artikel 25 Begroting OCW)," November 2018, 69, 75.

This chapter deals with the second theme in gender sensitivity narratives: "harmful practices." This theme is different from "stereotypical representations," since harmful practices are included in both the problem formulations that form the arguments for enhancing gender sensitivity, and the solution strategies of the Dutch government. Through the way in which harmful practices are discussed, various assumptions about gender and migration are revealed. In this chapter, I will demonstrate how a discursive division between "gender at home" as full of emancipation, progress and human rights and "gender abroad" as an issue of culture and backwardness is constructed. It is important to recognize this division, since it provides an example of the link between sexuality, women's rights and secularism (as discussed in chapter 3) that informs the way refugee women are represented and treated.

In order to make this argument, first of all the way in which "harmful practices" are discussed and stand central in gender sensitivity narratives will be elaborated upon. In the second part of this chapter, I will assess the assumptions on which this division is based. Finally, I will argue how the focus on harmful practices reinforces stereotypical representations of migrant women.

6.1 Harmful Practices: The Gap between "Gender at Home" and "Gender Abroad"

In the previous chapter I made clear that part of the approaches of the CEDAW Network and Committee and the Dutch government to gender sensitivity are contradictory, due to different underlying assumptions. However, there are similarities as well. Harmful practices stand central in both CEDAW's and the government's narrative on the position of migrant women. The CEDAW Network and Committee have expressed the need to focus more on harmful practices because migrant women are said to be disproportionately affected by this, and the Dutch government sees tackling harmful practices as an essential way to improve gender equality.

Throughout the CEDAW reporting procedure, the concept of "harmful practices" is used to refer to various forms of gender-based violence that women experience. The main examples of harmful practices discussed in the CEDAW reporting procedure are forced genital mutilation (FGM), honor-related violence and forced marriage/marital

captivity.[263] Issues of abandonment, polygamy and forced pregnancy are mentioned as falling under the category of harmful practices as well.[264]

Prior to the sixth reporting procedure, the terms "discriminatory practices" and "cultural practices" were used to refer to these forms of violence.[265] The "cultural aspect" is indeed what makes the government and the CEDAW Network and Committee distinguish harmful practices from other forms of gender-based violence, such as domestic violence or rape. In 2008, the following definition appeared in an evaluation of Dutch gender policies in migration: *"Harmful practices are violent practices that occur under specific, cultural and social contexts."*[266] A more recent specification of the category of "harmful practices" has not been found.

Linking violence to culture falls under the concept of "culturalization," which has been discussed in the theoretical framework, mainly building on the work of Abu-Lughod. It refers to blaming culture (and not individuals) for certain forms of violence when those forms of violence occur in minority groups (ie. alien cultural/religious, racial or national groups).[267] Violence against women is often culturalized, and based on cultural-specific stereotypes it is sometimes considered part of the general situation in a certain "indigenous and un-emancipated" culture.[268]

The focus on harmful practices in Dutch gender policies reflects particular assumptions about gender violence and culture, since a discursive division between "gender in the Netherlands" and "gender in other cultures" (abroad or in minority communities in the Netherlands) is constructed. In this division, Dutch values (particularly human rights, including women's rights and LGBT rights) are placed vis-à-vis harmful practices (particularly those which occur within marriage and the family), as I will show in the remainder of this section.

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[263] The term marital captivity appeared for the first time in the sixth reporting procedure, and can be traced back to successful lobby and advocacy by Femmes for Freedom and front woman Shirin Musa. See: https://www.femmesforfreedom.com/english/.

[264] CEDAW, "Report of the Committee on the Elimination of Discrimination against Women: Session 2 and 3," sec. 207.

[265] Respectively the second/third and fifth Dutch reporting procedure to CEDAW. See chapter 3.

[266] IND, "Evaluatie Gendergerelateerd Vreemdelingenbeleid in Nederland," 2008, 12.

[267] Abu-Lughod, *Do Muslim Women Need Saving?*, 127.

[268] Spijkerboer, *Gender and Refugee Status*, 131.

6.1.1 Gender at Home as Characterized by Human Rights, LGBT rights and Women's Rights

Throughout the reporting procedure, "gender at home" is constructed in a particular way that is in line with narratives on modernity and gender progress as discussed in the theoretical framework. In chapter 4, I explained how the Dutch government emphasizes the progress that has been made in terms of women's rights, at the expense of acknowledging weak spots. The "status of gender" in the Netherlands is portrayed as very developed, and characterized by placing a high value on human rights,[269] LGBT rights[270] and women's rights (especially meaning economic independence). This construction is clearly reflected in the most recent gender policy document of the Dutch government, the 2018-2021 Emancipation Nota.[271] This document lays out the government's plan for implementation of gender equality and LGBT emancipation principles. Three focus areas are identified: labor market, social security & acceptance and gender diversity & equal treatment. This again makes clear that economic rights, human rights and LGBT rights are not just the government's focus points in the CEDAW reporting procedure, but in fact reveal "Dutch values" and the image of the Dutch, modern and progressive society.

6.1.2 Gender Abroad as Characterized by Harmful Practices

The Emancipation Nota not only reflects the Dutch construction of "gender at home," but also informs on the assumptions about "gender abroad." Women with a migration background are mentioned three times in this document: once in relation to economic independence, and twice in relation to *"the social security of women and LGBT persons in bi-cultural and philosophical-ideological communities."*[272]

The situation of migrant and ethnic minority women is described as particular and different, based on the harmful practices they face. It is stated that the government supports two projects to address the "gender problems of migrant women." The first is a project of Femmes for Freedom, targeted to combat harmful traditional practices and help girls and women from migrant and refugee communities to realize their

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[269] Abu-Lughod, *Do Muslim Women Need Saving?*, 54.
[270] Butler, "Sexual Politics, Torture, and Secular Time," 3–4.
[271] Ministerie van Onderwijs, Cultuur en Wetenschap, "Kamerbrief Emancipatienota 2018-2021."
[272] Own translation. "philosopical-ideological communities" refer to the Dutch "bi-culturele en levensbeschouwelijke kringen."

ambitions.[273] The other project is the alliance "Change from Within" that focuses on social security of women and LGBT persons and the acceptance of gender diversity and sexual diversity in refugee and migrant communities.[274]

Hence, in this document, harmful practices, as well as low social acceptance of women's rights and LGBT rights, are used to characterize the situation of migrant women. This reflects the CEDAW reporting procedure in general, since migrant women are often mentioned in relation to policies and actions concerned with harmful practices. In the latest reporting procedure, most attention is paid to the harmful practice of forced marriage.[275] Examples are the Self-Determination Action Plan (January 2015), the Prevention of Forced Marriage Action Plan (2012-2014) and the yearly campaign "Marrying against your will," as well as changes in criminal law which give more power to the Public Prosecution Service to prevent and annul forced marriages.[276]

It is striking that specifically forced marriage is portrayed as the ultimate opposite of Dutch values and freedom. The Dutch report to CEDAW states the following: *"The right of self-determination – to make your own choices about your life – is a fundamental human right. Denial of the right to self-determination leads to practices such as forced marriage, wives held captive or abandoned, and honor-related violence, all of which are serious forms of violence."*[277] Furthermore, the government highlights that *"violations of a person's right to determine their own life occur most notably within relationships of dependency and inequality between men and women. Forced marriage is one example of this."*[278] This tells us that in "relationships of dependency and inequality between men and women" – the family – and in (forced) marriage, the fundamental human right of self-determination is at risk. Normally, the government is not eager to get involved in those themes: the family is considered to be a non-political sphere outside the domain of the state.[279] However, when it comes to the protection of Dutch values (such as self-

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[273] Ministerie van Onderwijs, Cultuur en Wetenschap, "Kamerbrief Emancipatienota 2018-2021," 9.

[274] Ministerie van Onderwijs, Cultuur en Wetenschap, 11. In Dutch: Alliantie Verandering van Binnenuit. See chapter 4 for an elaboration of the inclusion of migrant women via this alliance.

[275] Harthoorn, de Weerd, and Klaver, "Beleidsdoorlichting Emancipatiebeleid (Artikel 25 Begroting OCW)," 9.

[276] CEDAW, "Replies of the Netherlands to List of Issues and Questions in Relation to the Sixth Periodic Report of the Netherlands," sec. 60.

[277] CEDAW, "Sixth Periodic Report of the Netherlands," sec. 91.

[278] CEDAW, "Replies of the Netherlands to List of Issues and Questions in Relation to the Sixth Periodic Report of the Netherlands," sec. 62.

[279] College voor de Rechten van de Mens, "Netherlands Institute for Human Rights Written Contribution to the Pre-Sessional Working Group on Behalf of the Sixth Periodic Report of the Netherlands," 5.

determination) against harmful practices (such as forced marriage), the image of the "backward and oppressive" family is created. According to Spijkerboer, Western family norms are perceived as modern and emancipated, whereas especially Muslim migrants are considered to be caught up in patriarchal, harmful traditions.[280]

It seems indeed that the focus on forced marriage includes an element of "secularism vs. religion," seen the fact that especially the annulment of religious (Islamic) marriages is deemed problematic. This for example becomes clear in the notion of the CEDAW Network that, in combating child marriages, the government almost exclusively focuses on Syrian refugees, and that hardly any attention is being paid to child marriages in other communities, such as Roma and Sinti and diaspora communities.[281] Although the government has stated in the 2008 evaluation of the IND's gender policy that "*honor-related violence takes place under specific, cultural and social contexts and has no religious grounds*" and that "*FGM has no direct origin in Christianity or Islam and is practiced on women and girls in various cultures in various ways*,"[282] in practice religion and religious stereotypes seem to play a bigger role. This is not only reflected in the attention for (forced) marriages, but also in Western preoccupations with Islamic women wearing the veil.[283]

6.2 The Assumptions underlying "Gender at Home" vs. "Gender Abroad"

As discussed so far, focusing on harmful practices constructs certain, structurally different, representations of "gender at home" and "gender abroad." This section will address the assumptions that underlie this division. I identify three different but related assumptions: "gender issues in other cultures are highly problematic," "gender issues in the Netherlands are trivial" and "migrant women need our saving."

These assumptions are not unique to the Netherlands or to gender policies in migration. In fact, Spijkerboer has argued that gender policies are often very political.[284] They can be used to expose the faults of other cultures and present the own society as full of

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[280] Spijkerboer, "Gender, Sexuality, Asylum and European Human Rights," 235.

[281] Dutch CEDAW Network, "Unfinished Business: Women's Rights in the Netherlands. Shadow Report for List of Issues & Questions," sec. 35.

[282] IND, "Evaluatie Gendergerelateerd Vreemdelingenbeleid in Nederland," 12–13.

[283] Freedman, *Gender and Insecurity*, 10–11; Freedman, "Protecting Women Asylum Seekers and Refugees," 190.

[284] Spijkerboer, *Gender and Refugee Status*, 180. For example, the US guidelines are very much focused on the situation in Iran.

liberal and human values. Through gender policies, Western societies imply that they do not include in themselves any illiberal values.[285] Harmful practices play an ideological role in this construction, which is clearly observable in Dutch gender sensitivity narratives.

6.2.1 Gender in Other Cultures as Highly Problematic

First of all, gender issues in other cultures are assumed highly relevant to address – even more relevant than "domestic" issues. This is in line with broader historical developments and shifts of focus from human rights as "citizenship at home" to "suffering abroad." More specifically, UN conferences on gender held between 1975 and 1995 gradually focused on how to improve women's status in the developing world.[286] Abu-Lughod has observed this as well: *"The current arguments about gender discrimination and inequality take a global perspective: it is about distant lands, or migrant enclaves."*[287]

Gender discrimination in migrant communities, mentioned by the Dutch government and CEDAW Network and Committee as honor-related violence, FGM and forced marriage, has awful effects on the lives of women (and men). This should not be ignored or remain untouched. However, the portrayal of gender issues in "other cultures" as immeasurably more severe than other gender issues is striking at least. Annual evaluation on emancipation in the Netherlands states that *"victimhood of violent acts (total and individual acts) among women and men with a migration background did not differ essentially from victimhood among women and men with a Dutch background."*[288] Hence, the focus on harmful practices is striking and is based on a certain image of violent acts and victimhood that is not by definition in line with reality.

6.2.2 Gender in the Netherlands as Taken for Granted

The second assumption is related to this, namely that gender issues at home are assumed to be rather trivial and are merely taken for granted. This becomes clear in the way in which the Dutch government does run in on the comments of the CEDAW Network and Committee on harmful practices. Simultaneously, addressing gendered

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[285] Abu-Lughod, *Do Muslim Women Need Saving?*, 125.
[286] Scott, *Sex and Secularism*, 143.
[287] Abu-Lughod, *Do Muslim Women Need Saving?*, 62.
[288] Sociaal Cultureel Planbureau, "Emancipatiemonitor 2018," December 2018, 95. Own translation.

stereotypes within the Netherlands is a way more laboriously process that the government is not really willing to get involved in. When it comes to gender issues in the Netherlands, focus is on economic backlog of women. The acceptance of LGBT rights is identified as a problem as well, but the origins of this problem are laid with religious or minority communities, and are thus not considered a "Dutch problem" as such.

However, throughout the reports of the CEDAW Network and Committee, it becomes clear that "gender equality at home" is not a non-contentious achievement and that progress still needs to be made in many areas. Scott states that *"equality in the rhetoric of politicians as often means the equality of immigrant women with native French or German or Dutch women as it does women with men."*[289] Hence, migrant women are not meant to get the same status as native men, but as native women, which implies that there is a gap between the status of native men and women.

However, this gap and the stereotypical representations of women are not actively acknowledged as forms of structural (and thus severe) violence, as is the case with harmful practices. Rather, stereotypical representations and harmful practices are addressed as if they cannot be compared. It has to be acknowledged that experiencing FGM and being refused to an internship because of intersectional stereotyping constitute two different things, of which the former is way more affecting and horrible. Nobody is wrong for addressing these forms of gender-based violence, but the government's reluctance to acknowledge (intersectional) stereotypical representations as a structural problem is problematic. Women's suffering cannot be addressed selectively, but must be contextualized: abuses of women are distributed across cultural, national and religious boundaries.[290]

6.2.3 Rescue Narratives on Migrant Women

The former two assumptions construct a specific image of those in the middle of the division between "gender at home" and "gender abroad:" migrant women.

As already discussed, the CEDAW Network and Committee build their representation of migrant women on the idea that they, above all else, need help with the problems they face. The government is mainly led by the assumption that the Netherlands is characterized by gender progress. Although the CEDAW approach to migrant women

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[289] Scott, *Sex and Secularism*, 159.
[290] Abu-Lughod, *Do Muslim Women Need Saving?*, 78.

more clearly reflects rescue narrative theory, the structural difference that the Dutch government creates between "gender policy for the Netherlands" and "gender policy for other cultures" also shows the idea that "the advanced Self" needs to save the "backward Other." In other words, it gives an example of the link between sexuality, women's rights and secularism.[291] Scott and Mahmood have pointed out that this link deserves further attention, as it arguably gives deeper insight in practices of Othering and narratives of rescuing women.[292] Moreover, in a current context characterized by conflicts between "Islam" and "the West," this link is often related to forced migration.[293] According to Fernando, *"European states have passed ever-more restrictive legislation aimed at the twinned goals of buttressing secularity and emancipating Muslim women from sexually repressive and patriarchal Islamic tradition."*[294] Indeed, the image of secular, modern Europe together with assumptions about the "oppressive traditions" that characterize the gender situation of migrants and their countries leads to protective measures and rescue narratives.[295] In these narratives, migrant women are constructed as victims of their own, Islamic, culture that need external, secular saving.

The way in which these representations of migrant women relate to assumptions about harmful practices will be discussed in the last part of this chapter.

6.3 Reinforcing Stereotypical Representations through Focus on Harmful Practices

The focus on harmful practices does not only contribute to combating forced marriage, honor-related violence and FGM, but also makes that particular aspects of migrant women's identities are highlighted. As became clear in earlier chapters, Dutch solution strategies represent migrant women as facing and posing barriers in the areas of economic independence and social acceptance. On top of this, they are mostly seen as helplessly experiencing harmful practices.

The CEDAW Network has stated that the focus on harmful practices not only contributes to a specific image, but that Dutch policies on harmful practices even reinforce existing

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[291] Abu-Lughod, 226.
[292] Mahmood, "Sexuality and Secularism," 48.
[293] Scott, "Secularism and Gender Equality," 31, 42. Scott, *Sex and Secularism*, 10. Mavelli and Wilson, *The Refugee Crisis and Religion*, 6.
[294] Fernando, "Intimacy Surveilled," 693.
[295] Butler, "Sexual Politics, Torture, and Secular Time," 2.

stereotypes and prejudices.[296] Although the Network agrees with the government's wish to combat harmful practices, it also expresses critique on the way this is being done. Next to the statement that a lack of knowledge, expertise and data on harmful practices is persistent, another, more substantial point of critique is expressed as well.[297] The CEDAW Network blames the government for having a one-dimensional approach to harmful practices. To a certain extent, this criticism deals with the implicit division that the government makes between "gender at home" and "gender abroad." The CEDAW Network states that: *"The Netherland's policy on harmful practices is fragmented and oriented predominantly towards migrant and refugee women, which ignores the fact that harmful practices are a broader phenomenon that may be present elsewhere, for instance in orthodox Jewish or Christian communities. This reinforces the stereotype that harmful practices exclusively affect black, migrant and refugee women."*[298] Moreover: *"The NGOs and CSOs also note a lack of attention to black, migrant and refugee women in the policies on domestic violence, while, conversely, there is a lack of attention to white women in the policies on harmful practices. This reinforces existing stereotypes and prejudices."*[299]

The content of these reinforced stereotypes (and their relation to the gendered "good/bad" refugee dichotomy) will stand central in the next chapter. In conclusion of this chapter, it is important to stress that through the secular modern focus on harmful practices in gender sensitivity narratives, a discursive division between "gender at home" as full of progress and human rights and "gender abroad" as full of harmful practices and problems is constructed. This contributes to the "rescue narrative" image that refugee women are victims of their own culture.

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[296] Dutch CEDAW Network, "Unfinished Business: Women's Rights in The Netherlands. Shadow Report by Dutch NGOs and CSOs.," sec. 13.
[297] The CEDAW Network refers to, among others, the lack of training for professionals, such as health care workers, teachers and professionals within refugee (emergency) centers, and the lack of figures on FGM and honor-related violence (Dutch CEDAW Network, secs. 13, 17.) This point of critique is shared by the CEDAW Committee in section 21 and 22 of the concluding observations.
[298] Dutch CEDAW Network, 13.
[299] Dutch CEDAW Network, sec. 20.

7. Gender Sensitivity and the "Good/Bad" Refugee Dichotomy

In this chapter, the extent to which the gendered "good/bad refugee" dichotomy plays a role in gender sensitivity narratives will be discussed. The question that stands central is: "How does the "good/bad refugee" dichotomy form a (still merely unused) argument for greater gender sensitivity, and to what extent are these gendered stereotypes being maintained and enlarged by calls for gender sensitivity?"

In order to answer these questions, I will first address the way in which migrant women are represented in gender sensitivity narratives, building on previous chapters. This paves the way for comparing these representations with representations of women as "good refugees" in the second section. The extent to which this representation of "good/bad" refugees is gendered will be discussed here as well. Finally, I will argue that gender sensitivity narratives follow gendered assumptions about "good/bad" refugees, which has the potential to enlarge cultural/religious and gendered stereotypes.

7.1 Representations of Migrant Women: Good Refugees?

As explained in the introduction, the focus in this thesis has so far been on "migrant women." In this chapter I will make the step towards a specific category of migrant women, namely refugee women. This will make it possible to assess the relation between "gender sensitivity narratives" (concerning the broader category of migrants) and the concept of "good/bad refugee dichotomies" (concerning refugees).

When it comes to representations, the main difference between migrant women and refugee women is that the latter are "newer" to Dutch society, and hence might invoke stronger reactions and representations. However, there is no explicit list of representations and stereotypes of migrant women, let alone of refugee women. Even though stereotypical representations form half of the CEDAW Network and Committee's argument for enhancing gender sensitivity, an explanation of what these representations entail has barely been found.

The clearest example of "traditional gender stereotypes" given by the CEDAW Network is as follows. *"Whereas women are often portrayed as either sexy or as mothers and loving wives, men are pictured as tough and rarely as fathers."*[300] Moreover, the Network

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[300] Dutch CEDAW Network, "Unfinished Business: Women's Rights in the Netherlands. Shadow Report for List of Issues & Questions," sec. 11.

elaborates on the impact of stereotypes felt by (young) women wearing a headscarf: they are *"overrepresented in figures of the reported incidents of outdoor violence as well as in the reported difficulties of finding a vocational training internship."*[301] The CEDAW Committee refers to two types of discriminatory stereotypes: *"Discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society"* and *"Discriminatory stereotypes and hate speech targeted at Muslim women, migrant women and women asylum seekers."*[302] However, the content of these stereotypes is not elaborated upon.

The lack of study of such representations has been noticed before. Although (representations of) femininities in migration have received more (academic) attention than masculinities, Heather Johnson states that the intersection of gendered representations and political agency has barely been studied.[303] Dorothea Hilhorst provides a similar argument in stating that the representation of women as victims is rarely openly contested or diversified in humanitarian policies.[304] This forms the basis of my main critique on gender sensitivity narratives: although gender sensitivity calls are aimed at tackling stereotypical representations of migrant women, in their current form these narratives reinforce existing stereotypes as well. This is the case because the narratives construct a discursive division between "gender at home" and "gender abroad" in which migrant women are represented as victims.[305] This representation will be elaborated upon in the next part of this chapter.

7.1.1 Women as Vulnerable, Dependent and Moderate: Victimhood Representations

Although an explicit description of stereotypical representations is lacking, implicit representations of migration women as vulnerable, dependent and moderate are present in the gender sensitivity narratives as constructed in the analyzed CEDAW documents. Together, these aspects form the image of migrant women as victims: since they are harmed, they are too vulnerable to stand up for themselves and need others to

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[301] Dutch CEDAW Network, "Unfinished Business: Women's Rights in The Netherlands. Shadow Report by Dutch NGOs and CSOs.," secs. 11, 22.

[302] CEDAW, "Report of the Committee on the Elimination of Discrimination against Women: Session 6," 2016, sec. 21.

[303] Johnson, "Click to Donate," 1016.

[304] Hilhorst, "Gender, Sexuality, and Violence in Humanitarian Crises," 8.

[305] Abu-Lughod, *Do Muslim Women Need Saving?*, 114.

help them; on top of that, since they are harmed, they stand apart from extremist, dangerous perpetrators and thus stand on the Western, moderate and progressive side.

Analysis of CEDAW documents shows that women are seen as victims; I will highlight several arguments that prove this point. It is important to state that this representation resonates with general images of migrant women as vulnerable, apolitical victims in a patriarchal society.[306] Hence, this representation of victimhood is not particularly new and drafters of the documents cannot be fully blamed. Rather, this victimhood representation is noteworthy because of its relation to gender sensitivity calls.

First of all, coding the use of "vulnerability" and "vulnerable" within the CEDAW reporting procedure shows that migrant women are often referred to in this way. For example, vulnerable groups of asylum seekers are explained as including *"women and unaccompanied minors."*[307] Moreover, *"society's most vulnerable"* are identified as *"particularly immigrant and low-income women."*[308] The shadow reports by the CEDAW Network and Human Rights Institute highlight that migrant women are particularly vulnerable to exploitation, violence and abuse,[309] and that extension of the period of the dependent residence permit makes them even more vulnerable.[310]

Secondly, studying the use of "victim(s)" and "perpetrator(s)" in these documents makes clear that a gendered division is constructed in documents of the Dutch government. This occurs in economic examples, such as *"More women than men received a monthly welfare allowance."*[311] More important is the division of women as victims of men's violence. It is acknowledged that *"Although more men are the victims of violence than is often thought, more women (60%) than men (40%) are abused. The vast majority of suspected offenders are men (87%)."*[312] This division stands central in the discussions on

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[306] Kneebone, "Women Within the Refugee Construct," 37.

[307] CEDAW, "Sixth Periodic Report of the Netherlands," sec. 172.

[308] CEDAW, sec. 407.

[309] Dutch CEDAW Network, "Unfinished Business: Women's Rights in the Netherlands. Shadow Report for List of Issues & Questions," secs. 23, 42.

[310] Dutch CEDAW Network, sec. 33; College voor de Rechten van de Mens, "Netherlands Institute for Human Rights Written Contribution to the Pre-Sessional Working Group on Behalf of the Sixth Periodic Report of the Netherlands," 3.

[311] CEDAW, "Sixth Periodic Report of the Netherlands," sec. 234.

[312] CEDAW, sec. 76.

the difficulties that women face in obtaining continued (independent) residency in the case of domestic violence.[313]

Thirdly, the need to address stereotypes and the need to address harmful practices are constantly discussed together, as if they are related, both by the CEDAW Network and Committee and the Dutch government. This emphasizes the vulnerable and dependent position of migrant women as victims.

Lastly, implicitly, both the CEDAW Network and the Dutch government approach migrant women as in need of help to become like Dutch women. This is for example reflected in the Dutch focus on economic independence and the projects that must help migrant women to "realize their ambitions" and gain the same level of independence as the "general Dutch woman."[314] This assumes that without this help, migrant women cannot fully develop.

All in all, migrant women are constructed as victims within gender sensitivity narratives in various ways. I will now discuss the extent to which these victimhood representations are linked to gendered dichotomies that divide refugees in categories of "good" and "bad."

7.2 Gendered Refugee Dichotomies and Gender Sensitivity Narratives

In this section, I will argue that gender sensitivity narratives build on the idea that women are "good refugees" due to their victimhood. First, gendered refugee dichotomies will be discussed, after which this will be applied to gender sensitivity narratives and the representation of refugee women.

7.2.1 The Relation between Gender Stereotypes and Representations of Refugees

Representations of refugees that divide them in terms of "good" and "bad" have been discussed in the literature review of this thesis. "Good refugees" are those who comply with the values of the receiving country – family norms and human rights are very dominant in the Dutch context[315] – and it is assumed that women generally do so more than men. Hence, refugee dichotomies link to the idea of "rescue narratives:" women are

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[313] Dutch CEDAW Network, "Unfinished Business: Women's Rights in the Netherlands. Shadow Report for List of Issues & Questions," sec. 34.

[314] Ministerie van Onderwijs, Cultuur en Wetenschap, "Kamerbrief Emancipatienota 2018-2021," 9.

[315] Spijkerboer, "Gender, Sexuality, Asylum and European Human Rights," 235; Butler, "Sexual Politics, Torture, and Secular Time," 10.

seen as "good" because they pose less of a threat than male perpetrators, and instead need the help of the society they fled to.

Based on this, it could be argued that refugee dichotomies are gendered in the sense that female refugees are "good," and male refugees are "bad."[316] However, this theory does not explicitly resonate with reality. In the CEDAW reporting procedure it appears how migrants are characterized by harmful practices and resistance against LGBT rights. It seems that *all* refugees are perceived as challenging Dutch identity and thus, that *all* refugees are considered "bad."[317] The protection of national identity, including women's rights and LGBT rights, has become more important than the emancipation of all women.[318] Hence, "saving women" narratives rather seem to mean "saving white women (and LGBT people) from brown men and women." [319]

However, this theory is slightly exaggerated as well. Refugee representations are more diversified than this; not all refugees are considered "bad." Exceptions are made for those who are on "the Dutch side" of the battle for women's rights and LGBT rights. This means that being included or excluded as a "good refugee" depends on the acceptance of (secular) Dutch norms about gender, sexuality and the family. On a more implicit level, this link between the family, secularity and the "good refugee" image makes that the "good/bad" refugee distinction is eventually gendered.

7.2.2 Victimhood Representations and Images of Good Refugees

Now that I have argued that the "good/bad" refugee dichotomy is gendered, it remains to be seen how this dichotomy relates to the representation of migrant women as victims. Are "the refugee woman as victim" and "the refugee woman as good refugee" the same? And if this is the case, what does this tell about the relation between gender sensitivity narratives and the gendered refugee dichotomy?

Although it is clear that women migrants are systematically represented as vulnerable people, it is not easy to conclude whether women are more often considered "good"

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[316] Fiddian-Qasmiyeh, "The Faith–Gender–Asylum Nexus: An Intersectionalist Analysis of Representations of the 'Refugee Crisis,'" 212–13.

[317] Wagenvoorde, "How Religion and Secularism (Don't) Matter in the Refugee Crisis," 64.

[318] Kohlmann, Kraus, and Orobio de Castro, *Vrouwen in het migratiebeleid*, 8.

[319] It might even be the case that "saving LGBT" or the concept of "homonationalism" is more applicable to the current situation than rescue narratives about women, seen the fact that the 2018-2021 Emancipation Nota primarily focuses on the situation of LGBT people in the section on social security of LGBT people *and* women (in minority communities). See Scott, *Sex and Secularism*, 157.

refugees. Also, it is not possible to exactly say whether men are generally considered "bad" refugees. However, throughout the CEDAW reporting procedure it becomes clear that migrant women receive more help and attention than migrant men, which supposes that the subcategory of "refugees" within "migrant women" are indeed considered "good" refugees. In the CEDAW documents, migrant women are primarily approached as in need of help, and their own role or agency is hardly been touched up. This confirms the image of women as good refugees, seen that good refugees are characterized by a more passive instead of proactive attitude towards fleeing and asking asylum.[320]

The distinction that is made between men and women gives insights in the relation between representations in gender sensitivity narratives and the gendered refugee dichotomy as well. Calls for enhanced gender sensitivity are primarily made in relation to CEDAW: a committee and convention concerned with the discrimination of women. Men's gendered problems in relation to migration are not included in calls in the reporting procedure, nor anywhere else. Instead of including men, migrant women are sometimes set apart from migrant men. In the CEDAW Network shadow report, a separate section is devoted to the problems that undocumented women experience in accessing healthcare.[321] It does not become clear how these difficulties are different for undocumented women than for men: what it does is enlarging the idea that women struggle with gendered problems in migration and need help.

The few cases in which migrant men are mentioned follow the example of the "Change from Within" Alliance. Here, men are mentioned as part of the migrant communities that do not accept women's rights and LGBT rights. This underlines the idea that women need extra attention for the problems they face during migration, whereas men are primarily considered as the ones causing problems.

The fact that migrant women's problems receive more attention and that migrant women in general seem to receive the "benefit of the doubt" is actually where this research started: women who apply for asylum have higher success rates than men.[322] In other words, women are generally considered "good refugees."

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[320] Kampmark, "'Spying for Hitler' and 'Working for Bin Laden,'" 14.

[321] Dutch CEDAW Network, "Unfinished Business: Women's Rights in The Netherlands. Shadow Report by Dutch NGOs and CSOs.," sec. 43.

[322] Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 113.

Two assumptions underlie this position of women. First of all, women are considered "good" refugees since it is assumed that women are automatically on "the Dutch side" of the battle for women's rights, whereas men are automatically in need of "conversion."[323] The idea is that migrant women, who suffer under gender discrimination, must be advocates of gender equality.[324] In this way, it might be forgotten that women may have and impose strong traditional and/or patriarchal views as well.

Secondly, considering women as victims and "good" refugees fits better within the modern, secular European self-image as described in the theoretical framework.[325] Although rescue narratives are not as clearly observable in the CEDAW reporting procedure as expected, they are implicitly there. The image of the female refugee victim that receives help as soon as she enters the Dutch, progressive and gender equal society is self-perpetuating in times of restrictive migration policies and conflicts between the West and "the Rest."

7.3 The Consequences of Gender Sensitivity Narratives on Female "Good" Refugees

Concluding the above, gender sensitivity narratives follow the idea that women are "good" refugees, because they are victims of their own culture and thus want to comply with Dutch (secular, gender) norms. This combination of gender sensitivity narratives and the gendered "good/bad" refugee dichotomy makes that discursive distinctions between the West and "the Rest" and between men and women are being maintained. In other words, gender sensitivity narratives have the potential to enlarge cultural/religious and gendered stereotypes because they build on the idea of women as "good" refugees.

Firstly, in assuming that refugee women are victims of their own culture, (constructions of) global power relations are maintained. This means that the West appears as superior and that gender issues in the West are taken for granted, whereas "the Rest" is constructed as extremely misogynistic and backward due to its Islamic religion and culture.[326] This is problematic, because it *"disavows our complicity in the forms of suffering that people, including women, experience elsewhere in the world."*[327] Moreover,

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[323] Abu-Lughod, *Do Muslim Women Need Saving?*, 70.

[324] Krystalli, Hawkins, and Wilson, "'I Followed the Flood,'" 21.

[325] Correia and Bannon, "Gender and Its Discontents: Moving to Men-Streaming Development," 253–54.

[326] Olivius, "Refugees, Global Governance and the Local Politics of Violence against Women," 61.

[327] Abu-Lughod, *Do Muslim Women Need Saving?*, 66, 222.

this binary obscures the fact that violence and discrimination against women go on in Western states as well.[328] It is often argued that the current depiction of "the secular" as good, with gender equality as its central feature, in opposition to "the evils of Islam," distracts attention from gender equality issues in the secular West.[329] This has been touched upon in the sixth chapter in light of the construction of "harmful practices" and the aversion to address gender stereotypes in Dutch society.

On the other side of the binary between the West and "the Rest" is the culturalization of a backward and underdeveloped Other. This culturalization is heavily influenced by ideas about religion. The image of refugee women as victims and "good" refugees in gender sensitivity narratives both rests on and gives credence to secular anxieties about religion in general and Islam in particular. [330] These anxieties might easily overemphasize religion as an important and uniform identity marker. However, disproportionately focusing on one identity aspect such as religion overlooks similarities[331] and thus enlarges cultural/religious stereotypes.

The second consequence of the relation between gender sensitivity narratives and gendered refugee dichotomies concerns gender stereotypes. In their current form, gender sensitivity narratives reinforce these stereotypes, meaning that "gender sensitivity" does not equally deal with sensitivity for men's and women's issues. In general, the "women as victim, men as problem" stereotype makes that men are treated as more resilient and are subjected to a wider range of perils.[332] This is reflected in asylum procedures and success rates of men and women as well, just as in the way problems of refugee women are highlighted at the expense of attention for men's problems. Much of feminist literature on migration and development has tended to focus on issues relating to female migrants and little attention has been given to the needs of male migrants.[333] In the Netherlands, this shift of attention to female refugees has been made around the turn of the century. Until then, refugees (in that time fleeing because of the Cold War and colonial wars) were generally portrayed as masculine protest

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[328] Olivius, "Refugees, Global Governance and the Local Politics of Violence against Women," 61.

[329] Scott, *Sex and Secularism*, 3–4, 18, 27.

[330] Cady and Fessenden, "Gendering the Divide: Religion, the Secular, and the Politics of Sexual Difference," 17.

[331] Beaman, Selby, and Amélie, "No Mosque, No Refugees: Some Reflections on Syrian Refugees and the Construction of Religion in Canada," 92.

[332] Joyce Jacobsen, "Men's Issues in Development," in *The Other Half of Gender: Men's Issues in Development*, ed. Ian Bannon and Maria Correia, 2006, 9.

[333] Jacobsen, 20.

heroes.[334] This has turned completely, and nowadays, even gender sensitivity narratives tend to reinforce stereotypes about cultures and gender. As Mascini and Van Bochove explain: *"Ideas about the negative impact of concepts of dominant masculinity are less popular than female-sensitivity, because it gives policy-makers, interests groups and social scientists fewer opportunities to exemplify the moral superiority of the West in regards of the South, than when it concerns the patriarchal domination of women."*[335] In other words, these stereotypes are reinforced because that is in line with discourses of Secular Modernity.

Hence, the gendered stereotypes that form the "good/bad" refugee dichotomy are being maintained and enlarged by calls for gender sensitivity. At the same time, these stereotypes could be used as an argument for enhancing gender sensitivity in migration policies as well, since it shows that greater awareness of the effects of gendered stereotypes on the representations and experiences of refugee men and women is needed.

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[334] Schrover and Moloney, *Gender, Migration and Categorisation*, 96.
[335] Mascini and Van Bochove, "Gender Stereotyping in the Dutch Asylum Procedure," 130.

8. Conclusion

In this thesis I have explored how categories of migration, gender and religion are entangled in discourses of Secular Modernity. This has been done by looking at the role of the gendered "good/bad" refugee distinction in gender sensitivity narratives on migration in the Netherlands. In this concluding chapter, I will argue that these narratives are not completely sensitive but rather are informed by and reinforce secular assumptions about gender and cultural-religious stereotypes that form the "good/bad" refugee dichotomy. Moreover, I will propose a renewed focus on intersectionality as a way of increasing the sensitivity of gender sensitivity narratives and do suggestions for further research on this topic.

8.1 Gender Sensitivity Narratives and Gendered "Good/Bad" Refugee Dichotomies

The first chapters of this thesis have introduced a contradictory picture: women have been pointed towards as particularly disadvantaged within migration matters, but simultaneously are granted refugee status relatively more often than men. Hence, migrant men and women face different (practical) experiences and (structural) representations. As I have argued, these representations are built on gendered assumptions, but also on cultural-religious constructions of the Modern Self and Religious Other.

All these assumptions are observable in the gender sensitivity narratives that have been unpacked in the analytical chapters. The ways in which practical issues such as harmful practices are addressed show that particular gendered and orientalist assumptions are at play. As elaborated upon in chapter 6, gender sensitivity narratives namely construct a discursive division between "gender at home" as full of emancipation, progress and human rights and "gender abroad" as an issue of cultural problems and backwardness. This division provides an example of the link between women's rights and secularism that informs the "rescue narrative" image of refugee women. Through the discursive division between "gender at home" and "gender abroad," refugee women are considered victims of their own, Islamic, culture that need external, secular saving. This image is captured in the concept of the gendered "good/bad" refugee dichotomy.

This brings me to my main critique on gender sensitivity narratives: gender sensitivity narratives have the potential to enlarge cultural-religious and gendered stereotypes because they build on the idea of women as "good" refugees. In chapter 4 and 5, I

showed that gender sensitivity calls as expressed by the Dutch CEDAW Network are based on two arguments, namely the suffering of migrant women under stereotypical representations and harmful practices. It is precisely the combination of these two issues that makes that gender sensitivity narratives are constructed on the interface of discussing representations and constructing particular representations itself.

8.1.1 Research Question and Research Aims

This research has been structured around the following research question: *How does the gendered "good/bad" refugee dichotomy play a role in the development of gender sensitivity narratives in Dutch asylum procedures?* By answering this question, I wanted to fulfil two aims: explain why gender sensitivity calls focusing on women's suffering are persistent and assess the influence of gendered and orientalist representations in gender sensitivity narratives.

The first aim refers to the contradictory image that my research has started with. Throughout this thesis, I have argued that the prominent place of women's suffering in gender sensitivity narratives – despite women's higher recognition rates in asylum procedures – is in line with the general "rescue narrative" image of women as "good refugees." The combination of granting women asylum and highlighting their suffering constructs refugees' countries of origin as dangerous and backwards. In other words, addressing women's issues gives policy-makers, interest groups and social scientists opportunities to exemplify the moral superiority of the West. Hence, the European self-image of Secular Modernity, including modern, secular discourse on gender equality, explains the persistence of gender sensitivity calls in their current form.

The second aim deals with the consequences of gendered and orientalist assumptions on migrants and global power relations. Throughout the analytical chapters, I showed in which ways these assumptions are present, primarily in representations of migrant women as victims. Moreover, I explained how these assumptions in gender sensitivity narratives relate to the gendered "good/bad" refugee dichotomy and elaborated upon their impact. In chapter 7, I argued that this relation maintains discursive distinctions between the West and "the Rest" and between men and women. This provides the answer to the main research question: the gendered "good/bad" refugee dichotomy is present in the arguments used for gender sensitivity calls as well as in the stereotypes that are reinforced through gender sensitivity narratives.

Considering all the above, it is possible to state that the relation between gender sensitivity narratives and the gendered "good/bad" refugee dichotomy is problematic and "insensitive" in several ways. In line with the above-mentioned consequences that the combination of gender sensitivity narratives and the gendered "good/bad" refugee dichotomy has on cultural-religious ("West vs. the Rest") and gender ("men vs. women") stereotypes, I distinguish two "insensitive" aspects.

First, gender sensitivity narratives can be considered insensitive in the sense that they fail to truly unpack the complicated dynamics of gender problems in the Netherlands. The narratives are primarily sensitive to gender problems in other cultures or countries, and implicit assumptions about gender, religion, secularism and national identity remain unnoticed. Thereby, global power relations are merely taken for granted and a sensitivity to constructions of the "Modern Self" and "Religious Other" is lacking.

A second insensitive aspect is formed by the fact that gender sensitivity narratives essentialize refugees based on their gender. Gendered migration issues are considered and dealt with as issues of "discrimination against women." Experiences and representations of men are basically excluded: some authors speak of "female-sensitivity" instead of "gender sensitivity."[336] At the same time, it could be argued that "female-sensitivity" falls short too. Although migrant women stand central in gendered migration policies, they are often set aside rather than set apart, which is exemplified by the fact that migrant women are merged into big heterogeneous groups which are assumed to present homogeneous experiences as discussed in chapter 5. In light of this aspect, Freedman makes a relevant statement that addresses the "insensitivity" of the "woman as victim" frame. *"Although the effects of these framings might be considered beneficial to women as they are supposed to be used to mobilize support for specific protection measures for women, they are in fact essentializing gender difference and ignoring women's agency and voice."*[337] Hence, gender sensitivity narratives tend to focus on gender to such an extent and in such orientalist ways that other identity aspects and (their influence on) women's agency are ignored.

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[336] Mascini and Van Bochove, 130.
[337] Freedman, "Protecting Women Asylum Seekers and Refugees," 193.

In conclusion, it can be said that current gender sensitivity narratives lack a true sensitivity to how gender differently influences people's lives and experiences, and importantly, how this influence needs to be seen in light of the intersection of gender with other identity aspects.

8.3 Increasing Sensitivity in Gender Sensitivity Narratives

Building on the previous section, I propose to the contributors to gender sensitivity narratives to renew their focus on intersectionality in order to increase sensitivity in those narratives.

Calls for enhancing gender sensitivity in migration policies cannot simply demand more attention for "women." Instead, the importance of intersectionality must be taken into account, meaning that attention is paid to the diverse ways in which people's experiences are influenced by gender, as well as other intersectional aspects of their identity. These influences are not the same for every women and not the same for every men. Rather, an intersectional approach shows how every person comes from a specific background and position – gendered experiences are only a part of this.

This point of improvement is striking because the CEDAW Network and Committee repeatedly emphasize the importance of intersectionality and the risks of one-dimensional, stereotypical representations in their reports. The lack of attention for the intersectional discrimination of migrant women even forms one of their two main arguments for enhancing gender sensitivity. However, CEDAW's focus on intersectionality lacks a strong analysis of power and power relations, although these concepts are highly entangled. Intersectionality emphasizes how different power relations based on different identity aspects affect each other in a dynamic interplay. Hence, developing a closer and better understanding of the power dynamics in which women from different backgrounds find themselves would enhance the sensitivity of gender sensitivity narratives. This includes an understanding of how power relations are influenced by, for example, gendered and orientalist assumptions, and how this influences the agency of actors involved, such as migrant women, the CEDAW Network and the Dutch government. Renewed focus on intersectionality and power relations also requires a reflection on the power that is implicated in the use of categories in gender sensitivity narratives, such as "ethnic minority women." As argued in the fifth chapter,

such a reflection on the terms and representations used by the CEDAW Network and Committee is missing.

Balancing reflections on power and intersectionality with statements on gender issues aimed at persuading the Dutch government to change their policies is not straightforward. Moreover, I acknowledge that difference in power between those that address stereotypical representations and those that are represented is insurmountable. Suggesting a renewed focus on intersectionality and power analysis is not meant to undermine the CEDAW Network's efforts to address gendered migration problems. Rather, I have wanted to critically analyze the roles of (representations of) religion and gender in constructions of gender sensitivity narratives in order to add to CEDAW Network's complicated and crucial work.

8.4 Current Research and Beyond

Based on this thesis, I argue that gender sensitivity narratives should include more attention for the ways in which these narratives are constructed and consequently reinforce gendered and orientalist stereotypes, both about migrants and the secular, European self-image.

However, the conclusions of this thesis have to be seen in light of the limitations of my research. The main restriction is that I relied upon my interpretation of a particular narrative of gender sensitivity calls, namely as expressed in the CEDAW reporting procedure. This was in line with the aim of this thesis: focusing on a set of official documents in order to study the religion-gender-migration nexus in representations of gender sensitivity. A focus on national legislation or on forced migration experiences of men and women would shed different light on the construction of gender sensitivity narratives. Analyzing gendered representations of refugees based on transcripts of asylum hearings or interviewing refugee women about the obstacles they face are ways to study the interpretation and need of gender sensitivity. A suggestion for further research would be to compare this kind of analysis with the discourse analysis as conducted in my thesis, in order to assess whether the problem formulations and solution strategies that the CEDAW Network and Dutch government construct are in line with actual problems and policies. This would contribute to the critical analysis that gender sensitivity narratives require.

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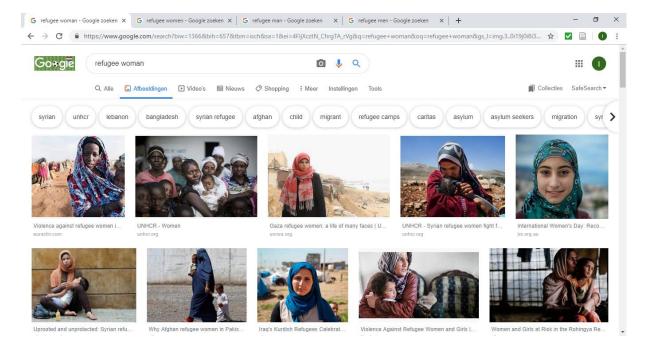
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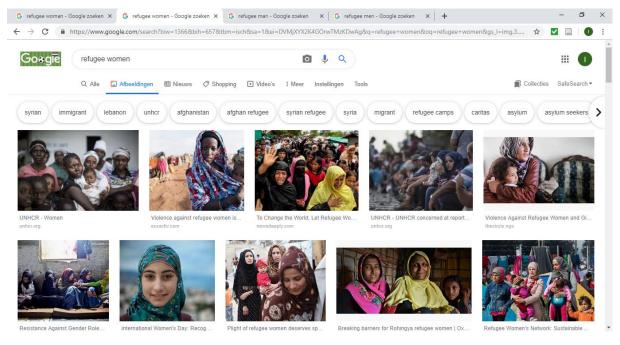Sociaal Cultureel Planbureau. "Emancipatiemonitor 2018," December 2018.

10. Appendices

10.1 Gendered Representations of Refugees
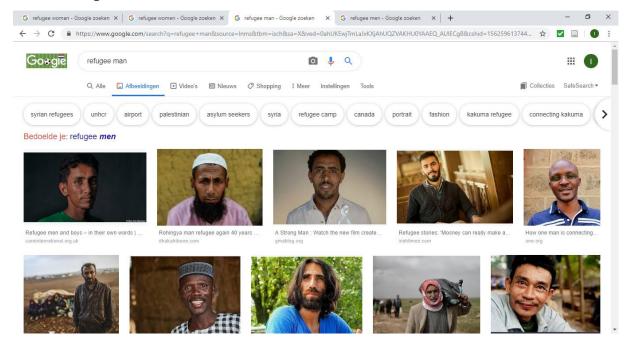
Google Images – July 8, 2019, 16.30h

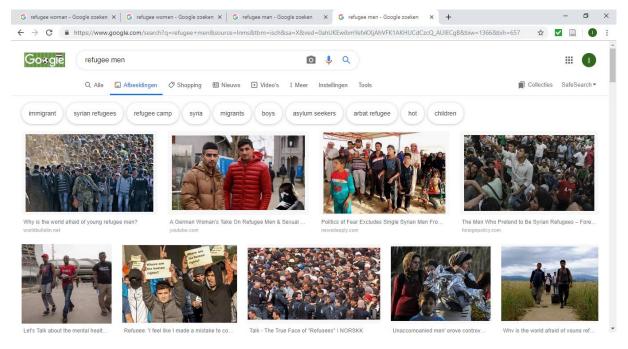1. Refugee woman: 7 out of 10 carrying a child, 3 individuals

2. Refugee women: 5 out of 10 carrying a child, all but one veiled

3. Refugee man: 10 out of 10 individuals

4. Refugee men: 5 out of 10 big groups, 3 with children

10.2.1 Documents

The sixth reporting procedure of the Netherlands to CEDAW that stands central in this thesis follows a specific format. It is part of the obligation of the Dutch government under the CEDAW Convention to report on the progress of implementation of the Convention to the CEDAW Committee every four years. The whole procedure consists of the following six steps:[338]

1. State party delivers a report on women's rights and gender issues in the country.

2. CEDAW Committee organizes a pre-sessional working group (PSWG) in which a List of Issues is constructed, based on information provided by several civil-society organizations (CSOs) and NGOS in PSWG shadow reports.

3. State party replies to the List of Issues.

4. CEDAW Committee organizes a dialogue (one-day conversation) with a delegation of the State party, again based on information provided in shadow reports.

5. CEDAW Committee delivers Concluding Observations in which recommendations for implementation are made towards the State party. These recommendations will stand central in the subsequent reporting procedure.

6. After two years, the State party delivers a follow up report on a selection of recommendations, accompanied by follow up shadow reports of CSOs and NGOs.

The following official documents from the sixth reporting procedure have been included in the analysis:

1. Dutch State Report to CEDAW

2. CEDAW List of Issues

3. Dutch Replies to List of Issues

4. CEDAW Network PSWG shadow report

5. CEDAW Network shadow report

6. Dutch Human Rights institute PSWG shadow report

7. Dutch Human Rights institute shadow report

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[338] See https://www.un.org/womenwatch/daw/cedaw/reporting.htm#guidelines and https://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1027&Lang=en.

8. Introductory Statements of Dutch Ministers to Dialogue

9. CEDAW Concluding Observations

10. Dutch Replies to Concluding Observations

11. CEDAW Network shadow report on Dutch Replies to Concluding Observations

12. Summary Record of Dialogue

A selection of complementary documents has been included in the analysis as well in order to provide historical background to the sixth reporting procedure:

13. Report of expert meeting CEDAW Network

14. CEDAW Concluding Observations 2 + 3th session

15. CEDAW Concluding Observations 4th session

16. CEDAW Concluding Observations 5th session

17. Adviesrapport ACVZ 2002

18. IND Evaluatie Genderbeleid 2008

19. Reactie Nederland op ACVZ rapport

20. Emancipatienota 2018-2021

21. Beleidsdoorlichting Emancipatie 2018

22. Emancipatiemonitor 2018

10.2.2 Actors

Three actors are distinguishable in this procedure and in the construction of gender sensitivity narratives: the Dutch government, the Dutch CEDAW Network (Netwerk VN-Vrouwenverdrag translated to English) and the CEDAW Committee.

The **Dutch government** refers to the Ministry of Education, Culture and Science that is responsible for gender policies in the Netherlands. Other agencies that fall under the Dutch government and are relevant to this thesis are:

- Adviescommissie voor Vreemdelingenzaken: the Dutch Advisory Commission on Immigration. In 2002, they produced a report that followed upon the comments that CEDAW made in the combined second and third reporting procedure on the lack of insights in the position of migrant women in the Netherlands.

- College voor de Rechten van de Mens: the Dutch human rights institute contributes to the reporting procedure with two shadow reports.

- Immigratie- en Naturalisatie Dienst: the Dutch Immigration and Naturalization Services have extensively discussed their gender policies in the 2008 evaluation.
- Sociaal en Cultureel Planbureau: the Netherlands Institute for Social Research is a government agency that conducts research to the social aspects of Dutch policies, including gender and emancipation policies.

The **Dutch CEDAW Network** is representative of Dutch civil organizations active in the area of gender and migration. The Network consists of a core group of Dutch NGOs and several individual Dutch CEDAW specialists. In addition to this core group many other NGOs are connected to the Network: 52 and 79 NGOs have endorsed their two shadow reports to the sixth procedure. This Network is not an official UN-body.
See: https://www.vn-vrouwenverdrag.nl/rapportages/.

The **CEDAW Committee** is the official UN-body of 23 independent experts that monitors the implementation of the Convention in the 189 countries that have ratified it. It contributes to every reporting procedure by publishing a List of Issues and Concluding Observations. Moreover, the Committee formulates general recommendations that are supplementary to the Convention.
See: https://www.ohchr.org/EN/HRBodies/CEDAW/Pages/Introduction.aspx.

The following codes have been identified:

Code	Quantity
Absence of focus on migrant women	33
Asylum procedure	59
Discrimination linked to education and employment	20
Dutch values	19
Family	22
Foreign policy on gender	9
Gender (sensitivity) training	7
Gender and culture	25
Gender and economics	16
Gender as women's rights and SRHR	8
Gender mainstreaming/neutrality/sensitivity	51
Gendered victims/perpetrators	38
Good/bad refugee	18
Harmful practices	60
Human rights	7
Intersectional discrimination	29
Lack of data	28
Lack of expertise	8
LGBT	13
Marital captivity/forced marriage	24
Migrant-minority-ethnic-black	51
Muslim women	17
Progress in gender equality	12
Public vs. Private	16
Refer/avoid question on migrant women	21
Stereotypical views and representation of women	50
Strong focus on migrant women	58
Vulnerability/vulnerable	22

This set of codes has led to the creation of the following code groups.

1. Discursive division between gender "at home" and gender "abroad"

    a. Dutch values

    b. Human rights

    c. Gender and culture

    d. Harmful practices

    e. Marital captivity

2. Discursive link between domestic problems and migrants

    a. Family

    b. Public vs. private

    c. Asylum procedure

3. Migrant women as represented by Dutch government

    a. Absence of focus on migrant women

    b. Refer/avoid question on migrant women

    c. Lack of data

    d. Lack of expertise

    e. Gender (sensitivity) training

4. Migrant women as represented by CEDAW Network

    a. Migrant-minority-ethnic-black

    b. Strong focus on migrant women

5. One-dimensional approach to stereotypical representations

    a. Stereotypical representations

    b. Intersectionality

    c. Muslim women

6. Dutch focus on economics and LGBT rights

    a. Gender and economics

    b. Gender as women's rights and SRHR

    c. Discrimination linked to education and employment

    d. LGBT

7. Women as victims

    a. Gendered victims/perpetrators

    b. Good/bad refugee

    c. Vulnerability

8. Representation of "gender sensitivity"

    a. Gender mainstreaming/neutrality/sensitivity

    b. Progress in gender equality

    c. Foreign policy on gender