

GOVERNING AND NEGOTIATING THROUGH IDENTIFICATION DOCUMENTS IN A REFUGEE CAMP: A CASE STUDY ON DISPLACED PERSONS IN MAE LA REFUGEE CAMP, THAILAND

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Refugee camps are an exceptional space where displaced persons need to be verified and identified through the system of identification, the so-called Identification Regime. Based on qualitative research in Mae La refugee camp, Thailand, this study applies the Foucauldian concept of governmentality and technology of power to illustrate how identification documents in the camp function in terms of control and manipulation by the Thai state and humanitarian agencies. In the same way, displaced persons also use identification documents as a tool for accessing to humanitarian assistance and protection in the camp. Hence, this study argues that identification documents play as strategic tools for both governing and negotiating. Theoretically, the study illustrates that even though both theories explain how sovereign powers use various kinds of techniques to govern and control people, marginalized people like displaced persons in Mae La refugee camp have learned to reverse the control of power in order to seek better conditions. In this sense, displaced persons in Mae La refugee camp can be seen as active agents who are not submissive to the power of control.

1. Introduction

Thailand has been a host country for displaced ethnic minorities from Myanmar for more than 30 years in a protracted refugee situation (Loescher and Milner, 2008). According to TBC (March, 2015), there are 110,513 displaced persons in nine refugee camps along the Thailand-Myanmar border. Refugee camps are separated from society where exceptional rules and regulations are employed by the state to control and manipulate displaced persons based on national security discourse. In this way, refugee camps are considered as a state of exception.

Displaced persons living in refugee camps are imperceptible from society. The status of displaced persons living in the camp is relevant to identification documents which allow them access to entitlements and protection provided by the humanitarian regime. Hence, the aim of this article is to examine the relationship between displaced persons and the uses of identification documents by terming the identification regime to explain how identification documents function in a refugee camp. This study will also illustrate how identification documents are used by the Thai state, humanitarian agencies and displaced persons for specific purposes.

The article argues that not only can identification documents in the context of Mae La refugee camp be a technology of power for population control and manipulation by the Thai state and humanitarian agencies; but they are also a strategic means for displaced persons to reverse the control of power for accessing to humanitarian assistance and protection in the camp.

2. Literature Review

The conventional forced migration study cannot provide a better understanding on refugees and their existences because the approach simply classifies them into categories, namely forced and voluntary migration (see Moolma, 2011; Brill, 2012). It still considers refugee as passive actors relying on humanitarian assistance. The counter-conventional approach illustrates that refugees actually are strategic agents who actively interact and engage with spaces and other actors to seek better opportunities and protection amidst many restrictions they encounter (see Olsen and Nicolaisen, 2011; Rangkla, 2013; Polianskaja, 2013). As strategic agents, it seems that refugees can negotiate or ultimately resist the sovereign power of state. However, it is arguable that the previous studies about refugees as a strategic actor paid more attention to how refugees use their own capitals such as culture, ethnicity, religion and kinship, etc. as tools to negotiate powers for better opportunities (see Horstman, 2011; Lee, 2012). Most of the studies give inadequate attention to how refugees reverse available technologies of power in negotiating with the controlling regime.

I concur with Agamben (2000, 2005) who explained that refugee camps are controlled in a state of exception (see also in Tangseefa (2007) for applying state of exception concept to study forcibly displaced Karen people on the Thailand-Myanmar border). In this context, the centralized state desires to make displaced persons in the camp visible and identifiable in order to govern and control efficiently. In such a process, categorizing people through identification documents are a crucial tool of control (Scott, 1998; Lyon et al., 2012). I describe this practice as the identification regime. It can be observed that studies on how identification documents relate to displaced persons in Thailand have seldom been seen. I consider that this study will hopefully expand knowledge on the refugee situation in Thailand.

3. ‘Governmentality’ and Technology of Power in a State of Exception

The concept of state of exception is applied to explain characteristics of refugee camps in Thailand where the state and humanitarian agencies employs sovereign powers to confine populations of displaced persons through exceptional rules and regulations. Under this condition, rights such as freedom of movement, right to employment and right to privacy are deprived of (Agamben, 2005). In this way, sovereign powers have created the practice of identification by which displaced persons living in refugee camps need to be identified and labeled according to categories, such as displaced persons fleeing fighting, migrant workers, illegal people and others.

Following this identification practice, I apply the concept of governmentality (Foucault, 1991) to elucidate the uses of documentation which people have embraced and practiced as a norm. Foucault used the term “conduct of conduct” to explain a government which is defined as the functions attempting to influence, direct, and impact people’s conduct (Gordon, 1991). The state is unable to use various hard-power coercive actions to strengthen sovereign power, as its population would find this unacceptable. Instead, a government will use strategic methods based on institutions, knowledge, analysis and calculation to manage its people as tools of governing (Tanabe, 2008). Li (2007) also illustrated that a government should create will, ambition, and faith as a soft power. Hence, governmentality aims to control people by letting people act willingly and freely in a limited extent. In this sense, governmentality can be considered as the ruling of people’s mentality, which people accept as the regime of truth.

The state thus devises various kinds of technologies of power to control spaces, minds and bodies of people creating self-controlled system. Das and Poole (2004) pointed out that documentation practices have been invented under the written manners of the modern state. Documentation and statistics are obvious tools of the state for manipulating people, territories and properties. Likewise, documentation is a tool that individuals use to access to rights and welfare. In this article, identification document refers to a document or a paper created by sources of power to assign identities to people (Lyon, 2009). I term the

identification regime to explain the functional existence of identification documentation in this context.

Identification documents issued by the government are the formal technology of power to confirm membership and belongingness, so-called official legibility (Scott, 1998). In order to be recognized in the nation state system, national identification documents are evidential documents in which body, identity, and citizenship are bonded (Laungaramsri, 2014). In the context of Thailand, the identification regime can be explained through the processes of verification, acknowledgement and confirmation. The verification process is to screen individuals into the nation state system. Acknowledgement is the process of acceptance of an individual so as to assign him/her to a certain identity according to the law. Confirmation is the process of affirmation of identity, in which body and identity of an individual are bound to rights corresponding to the law. In such processes, the regime engenders hierarchical gradation by classifying individuals into categories which has different levels including full, partial, and non-status (Keyes, 2002). Particularly, non-status, which refers to individuals who do not have identification documentation, can merely be illegible persons lacking civil rights and protection.

4. Methods

Based on the qualitative research by using interviews and ethnographic methods for four weeks between June and July 2014, I conducted 15 semi-structured interviews with displaced persons in Mae La refugee camp to see the relationship between the uses of identification documents and displaced persons. The interviews illustrated entitlements and restrictions of using different kinds of identification documents. I interviewed displaced persons by dividing them into three different types of status existing in the context of Thai refugee camp which were five registered, five unregistered and five new arrivals. From 15 respondents, I interviewed eight Karen, four Burman, one Kachin, one Kayah and one Rohingya. Among them, nine considered as Christian, three Muslim and three Buddhist which I was aware their responses might be interpreted through ethnic and religious backgrounds. In this stage, I selected my interviewees by introduction from camp section committees and my interpreters.

In addition, I conducted interviews with the key informants who are parts in maintaining the identification regime such as camp section committees, The Border Consortium (TBC) as humanitarian agency in the camp, patrol police, immigration police and bureaucratic officials in Ministry of Interior (MOI). I employed ethnographic techniques, particularly non-participant observation, to see the practice and enforcement of identification documents in the field such as at police and ranger checkpoints. This technique was applied to observe the way that identification documents used by displaced persons in Mae La camp in accessing to various entitlements.

Documentary research also examined rules and regulations relating to identification documents which have been set by laws and policies in controlling displaced persons and providing entitlements to them. Importantly, the documentary data is crosschecked against my field data to show the inconsistencies.

As a cross-cultural research, all conversations in the camp were conducted in Thai-Karen and Thai-Burmese through interpreters. In the case of interviewees who could communicate in English, the interviews were conducted in English. The information and data that I received from interviewees was then verified in order to avoid misinterpretation. All of my respondents relating to this study have been in anonymity given pseudonyms because of their security concerns. Before each interview and observation was conducted with target samples, consent was always asked.

As a researcher, I consider myself an outsider in Mae La refugee camp as I cannot enter the camp unless I get a permission letter from the Ministry of Interior, a so-called camp-pass document. Particularly, entering the camp for academic purpose has not been permitted according to national security concerns (MOI official, pers. comm., Jul 29, 2014). For this reason, I entered the camp informally where it is arguable that sovereign power by the state cannot permeate thoroughly in the refugee camp. In addition, even though I had worked with my interpreters before, it was quite difficult to make them trust that I merely came in the camp in the purpose of academic research, and was neither governmental nor non-governmental officials who planned to surveyed and investigated displaced persons in the camp. I thus followed their advice by introducing myself and requesting permission to conduct research at section committee, as a local administrative level in the camp. From this incident, it reconfirmed the “outsider” status of mine in the exceptional space where I needed to get permission in some levels in order to conduct research.

5. Identification Regime in Mae La Refugee Camp

In this section, I analyze how the identification regime is established in Mae La refugee camp. First, I introduce Mae La refugee camp as my research site, and I describe how the governance and management in the camp are organized. Then, through five important identification documents, I discuss how they create the identification regime in Mae La refugee camp.

5.1 Introduction to Mae La Refugee Camp

I carried out the study in Mae La refugee camp in Tha Song Yang District, Tak Province. Mae La refugee camp is the largest of the nine camps along the Thailand-Myanmar border and accommodates the largest population of displaced persons, with approximately 40,381 people (TBC as of Mar 2015). Mae La camp is called by displaced persons living in the camp and the local population as Beh Klaw, a Karen term meaning cotton field,

because of the history of cotton production previously to the establishment of the camp (Wichaidit, 2004). The majority of the displaced people living in the camp are of Karen ethnicity, at 83.9 percent, whereas Burmans represent 2.7 percent, and other groups are 13.4 percent (TBC, 2014). Mae La refugee camp was established in 1984 after the Karen Nation Union (KNU) regiment was attacked by Burmese military. The KNU leader negotiated with the Thai government to establish the camp for the first wave of Karen displaced persons. Later, the 1995 fall of Manerplaw, the Headquarter of KNU base, and state of unrest along the borders led the Thai government to formalize Mae La as a refugee camp (Lang, 2002). The population of the smaller shelters including Ka Maw Lay Kho, Kler Kho, Shoklo, Mae Ta Wor and Mae Salit were relocated to Mae La refugee camp in April 1995, due to the Thai government's increasing concern over security problems, especially during the fighting between the Burmese military government and ethnic army groups between 1960s-1980s (Senate, 2008 and South, 2011). In case of management, the camp is divided into three zones: Zone A, Zone B, and Zone C with subdivision of 21 sections (UNHCR, 2014).

5.2 Mae La Governance and Management Structure

The Thai authorities are not the only actors interacting with displaced persons on the ground. In Mae La refugee camp, for example, there are three main parties, consisting of the Thai authorities, humanitarian agencies and the displaced persons themselves, each of whom manage the refugee camp and population in different sectors and on different levels. In terms of national security, the Thai Government formulated controlling policy on displaced persons which assistant chief district officer from Ministry of Interior (MOI), the so-called Palat as the camp commander, paramilitary force, border patrol police and territorial defense volunteer play this role. Humanitarian agencies such as the United Nations High Commissioner for Refugee (UNHCR) and non-governmental organizations assist displaced persons by providing food, shelter, health, education, livelihood and legal advocacy, etc. Local administration as self-governance running by displaced persons themselves, such as refugee committees, camp committees and Community Based Organizations (CBOs), administers and assists in health services, education, aid supplies, security, judiciary services, women, youth and other camp activities (TBC, 2012 and Saltman, 2014).

5.3 Identification Documents in Mae La Refugee Camp

In the context of Thailand, displaced persons fleeing from Myanmar have been verified by the Provincial Admission Board (PAB), an official mechanism for determining displaced person status in Thailand. Its function is to screen displaced persons arriving in the refugee camps with criteria in order for them to be recognized as refugees, or Displaced Persons Fleeing Fighting, the term in the Thai context. Likewise, it also screens out people who are not determined to be displaced persons fleeing fighting (Vungsiriphisal et al., 2014). From this way, the politics of inclusion and exclusion emerge to identify and

verify who has a right to be membership in refugee camps (Das and Poole, 2004; Agier, 2011). In this context, identification documents are relevant to the status and right of displaced persons in the camp. Following this, I describe five identification documents: the MOI-UNHCR Household Registration Document (MOI-UNHCR HHRD), the identification card for displaced persons, the TBC ration book, household census, and the travel permission document, all of which are crucial for people living in the camp.

First, MOI-UNHCR HHRD is a census document including a list of family members and basic biographies including name, sex, relationship, date of birth, age, marital status, country of origin, ethnic origin, religion, arrival date, registration date and camp address and MOI-UNHCR number, MLA is an acronym using for displaced persons in Mae La refugee camp. Displaced persons who have the MOI-UNHCR HHRD referred as “registered persons” meaning that the Thai government officially recognizes them as the MOI official stated:

“The Thai state primarily recognizes displaced persons who have identification documents issued by MOI and UNHCR, because we use documentation as evidence to identify them... displaced persons who do not have any documents can only be considered as illegal persons” (MOI official, pers. comm., Jul 29, 2014).

According to the registration timeline, the Royal Thai Government verified and registered masses of displaced persons between 2004 and 2006 under the PAB verification process. It means that displaced persons who lived in the camp and were qualified by the process during that period of time received the MOI-UNHCR HHRD as an identification document (TBC, 2010). This document is considered to be the one with the highest status in the camp. Displaced persons use it access to durable solutions, in particular, the third country resettlement. This is the highest privilege among displaced persons, as Maung Toh expressed:

“We plan to resettle in the third country, so the MOI-UNHCR HHRD is very important...if we don’t have it we cannot apply for the third country” (Maung Toh, pers. comm., 17 Jun 2014).

By contrast, displaced persons arriving in the camp after the aforementioned registration period can only be unregistered persons, as Saw Ko expressed:

“If I get a chance to be registered by UNHCR, I can resettle to a third country, where I will get legal status as a citizen...I will be a legal person in that country...I will be free to travel and work...no worries about being arrested by the police” (Saw Ko, pers. comm., Jun 18, 2014).

Not only can displaced persons resettled to the third country, but registered displaced

persons can also access the other privileged status in the camp which unregistered persons cannot as stated in the TBC report (2014). It stated that unregistered persons have different access to programs and services, for example, they cannot travel across the camp for training sessions; it takes a longer process for them to request permission for medical referral to Thai hospital; and they cannot apply for positions in camp committees or as section leaders. Getting registration with the MOI-UNHCR HHRD as official document can nourish the prospect of displaced persons who want to seek better opportunities for their lives in the camp.

Second, the Thai Government, with technical support and funding from the UNHCR, issued identification cards for all registered displaced persons over 12 years old in 2007. The identification card includes a photo, name, date of birth, and camp of residence along with the date of issue and the date of expiration. The card is also encoded with left and right thumbprints on the magnetic strip. Even though the initial aim of issuing the card for displaced persons was to increase basic rights and expand protection (Han and McKinsey, 2007), I learned from cardholders during my fieldwork that they have never used it in order to access food, welfare, or to improve their rights but rather kept it along with other documents. One of my interviewees expressed:

"I normally use the MOI-UNHCR HHRD and the ration book...I never use the MOI card and I don't know what the purpose of this card is" (Naw May, pers. comm., Jun 16, 2014).

Concerning the usage of the identification card, one of the MOI officials explained that displaced persons can only use the card as the way to prove their authorization to stay in the Thai temporary shelter. The official pointed that displaced persons have often misunderstood the card as providing them with rights of movement and employment outside the camp, but in fact the card merely displays the displaced persons' identity. The official concluded by saying:

"After the first phase of validity, from 2007 to 2009, the card was not extended by the Thai government because there was no funding from UNHCR, and avoided the card being misused by the displaced persons" (MOI official, pers. comm., 29 Jul 2014).

Third, the TBC Ration Book is issued by TBC as a consortium of NGOs which provides humanitarian assistance such as food, non-food items, and capacity-building to displaced persons in the camp. The TBC ration book is the blue book containing the biographical information of household members with photos and including regulations for using the book. The main part of the book comprises lists of food items including rice, fortified flour, fish paste, salt, yellow split peas, and cooking oil provided monthly to displaced persons, and non-food items such as bamboo poles, eucalyptus poles, and

roof thatching, etc. (TBC, 2012). The ration book is the individual evidence proving that displaced persons are allowed to live in the camp and have right to access to entitlements in the camp provided by humanitarian agencies. The significance of the TBC ration book can be confirmed through a statement from Saw Sun:

“Since I am unregistered, a document like the TBC ration book is very important, and I have to show it when I receive food every month... moreover, unregistered persons like me have to show it when dealing with Thai authorities to request permission to leave the camp” (Saw Sun, pers. comm., Jul 17, 2014).

The ration book is issued to every displaced person who passed “screen-in process”, including registered person. At the time of collecting food or non-food items, displaced persons must carry the ration book and show it to the TBC officer in order to collect those items (TBC, 2010).

Fourth, the Household Census is a handwritten document including photo ID, name, date of birth, sex, ethnicity, address, and date of arrival. In order for new arrivals to be camp members and having access to humanitarian assistance, I discovered that they must report and register their names with section leader, the lowest administrative level. At this level, new arrivals will receive household census. One of Section Leader described:

“The household census is the first important document which displaced persons must have... it proves that the newcomer is recognized as a member of the refugee camp, guaranteeing that they can stay in the refugee camp” (Section Leader B, pers. comm., Jun 23, 2014).

After a new arrival is authorized to stay in the refugee camp, particular person or family will be verified by a new arrivals committee consisting of a representative of the camp committee, section leader, representative of CBOs, e.g. women group, youth group and religious leader, through an interview and responding to questionnaires, in order to grant them eligibility for humanitarian assistance, particularly food and non-food items provided in the camp (TBC officer, pers. comm., Jul 25, 2014). Once the new arrivals receive acceptance, they will receive a TBC ration book. It can be said that new arrival is a temporal status, under which a new displaced person waits for some sources of power to bestow the membership. Naw Sar, who arrived in Mae La refugee camp in February 2014, and is waiting for consideration by the new arrivals committees, told:

“Living in the refugee camp, people should have some documents, otherwise life will be difficult... without the ration book, I and my family cannot access food here... I hope that I will get the ration book which gives my family access to food, and my husband will stay with our family, so he does not have to work outside anymore” (Naw Sar, pers. comm., Jun 17, 2014).

A TBC officer informed me that there are some people who are not qualified for accessing humanitarian assistance because they did not encounter past persecution and difficulties in Myanmar, particularly displaced persons who are induced to migrate by economic reasons (TBC officer, pers. comm., Jul 25, 2014). Section leader B informed me that in practice, if displaced persons cannot pass the screen-in process by the new arrivals committee, they are allowed to stay in the camp but they cannot get food and non-food items under humanitarian assistance programs (Section Leader B, pers. comm., Jun 23, 2014).

Fifth, the travel permission is a paper showing name, photo, camp address, reason for traveling, and period of travel and used along with other identification documents used in the camp, such as the MOI-UNHCR HHRD, the TBC ration book, and the household census when displaced persons want to travel outside the camp (Section Committee A, pers. comm., Jun 18, 2014). In order to apply for travel permission, displaced persons must get a recommendation letter from a section leader, and request to the camp commander directly. Normally, displaced persons get authorization to leave the camp for periods of between three and seven days (maximum) depending on the reason given. Displaced persons commonly requested to travel outside the camp for a medical appointment at the migrant clinic in Mae Sot. Displaced persons need to show the document to the Thai authorities at several checkpoints. If the displaced persons are caught travelling without a permission document, they will be pulled from the car and transferred to the police station, which will start the process of deportation. Local Thai authorities such as patrol polices at checkpoints and immigration polices do not recognize a travel permission document alone unless it is used along with other identification documents, such as the MOI-UNHCR HHRD, the TBC ration book and the household census. The patrol police at the checkpoint stated:

“In case of displaced persons from the camp, if they do not have a permission document from the Palat (camp commander), we see them as illegal people, and put them in the process of deportation” (Patrol police, Jul 12, 2014).

There are, however, several kinds of welfare that the displaced persons can access, no matter what status and identification document they have. These types of universal welfare include accessing to shelter, education and health services in the camp. For example, one Thai woman I interviewed who lives outside the camp, brought her sick father to receive treatment in Mae La hospital (pseudonym). She told:

“Hospital in Mae La camp is good and free...I cannot afford the cost for my father if I bring him to a Thai hospital” (anonymous woman, pers. comm., Jul 13, 2014).

As for education and health services, one of my interviewees also confirmed the universality of such welfare, by saying:

“I got enough food and took shelter in the temple...for me documents were not necessary in the camp since I could access education and medical services...I got malaria when I was in Mae La, and I was treated by Mae La hospital without showing any documents” (Saw Tae, pers. comm., Jul 09, 2014).

6. Governing and Negotiating in the Identification Regime

I will further elaborate on how identification documents play a role in two ways: governing and negotiating. The former refers to population control and manipulation by the Thai state and humanitarian agencies. The latter refers to accessing to humanitarian assistance and protection by displaced persons. It can be argued that this is a trade-off relationship between being controlled and accessing entitlements (Pongsawat, 2007; Laungaramsri, 2014). However, I would argue that identification documentation, in practice, does not have any significance in and of itself, but rather, represents significance as assigned by sources of power. The significance of identification documentation can be seen through particular regulations and benefits attached to the documentation, which the holders follow and receive. This portion of the analysis also showcases some stories of my interlocutors captured from Mae La refugee camp.

6.1 Governing: Population Control and Manipulation

Following Malkki's framework (1995, 1996), it clearly establishes that displaced persons from Myanmar have been simplified as conflict victims requiring humanitarian assistance. She further argues that refugee identity is usually formalized as an object of protection and manipulation. Scott (1998) also argued that the categorization of persons is a technique intended to simplify complicated individuals and make ambiguous individuals legible in the eyes of the state and to administer and control. The new identity as a refugee generates refugeeness among displaced persons, which ties their bodies to exceptional regulations. It is arguable that identification documentation which displaced persons possess proves their refugeeness.

Hyndman (2000) described that refugee camps have been created with the aim of providing humanitarian protection and assistance to people who are outside their country of origin. However, it can be argued that humanitarian assistance is never separated from the power of controlling. Under Foucault's concept of governmentality (1991), identification documents can be considered as a form of control with disciplinary measures, bound to sovereign powers. In other words, identification documents do not just uphold entitlements of displaced persons living in the camp, but also contribute to confinement, surveillance, and control. In addition, those identification documents

function well along with techniques of power, for instance, headcounts and checkpoints, in the context of Mae La refugee camp. Even though these techniques are employed differently, they share the same objectives, which are to control displaced persons.

A headcount is a technique for determining the level of the population living in the refugee camp. Between June and July 2014, just after the military coup in Thailand, it was difficult to conduct research in the refugee camps because the military government announced the restriction of movement in and out of the area. Specifically, displaced persons living in the camp were not allowed to travel outside the camps (Naing, 2014). Later, I learned that the travel restriction for displaced persons in the camp was primarily to facilitate a population count by the military government as Colonel Terdsak Ngamsanong, commander of the 4th infantry regiment, expressed to the media:

“We conducted the headcount this time to get the exact number of those who fled the conflict... but whoever came here to work illegally, they will have to be treated in migrant worker system which they will lose their refugee status” (DVBTVenglish, 2014).

Per a conversation with one of my interpreters, I learned that headcount was conducted by calling displaced persons by house number in the camp. Displaced persons needed to bring identification documents, such as MOI-UNHCR HHRDs and TBC ration books, as evidence identifying those who are eligible to stay in the camp. The authorities would check every family member presenting at the time in comparison with a particular document and taking family photos as evidence. Anyone who did not show up to be counted would be crossed off the list (Kaw Kee, pers. comm., Jul 29, 2014). Again, I have learned from the media that the authorities enforced tight regulations on travel restrictions towards violators. Preeda Foongtrakulchai, Mae La camp commander, explained to the media:

“...If refugees leave the camp area, they will be considered illegal immigrants...we will process (them) according to the immigration law by sending them to the police and they will be pushed back” (DVBTVenglish, 2014).

As evidence, I argue that this implementation by the Thai state illustrates two critical points: First, that travel restrictions and the headcount reflect the state of emergency announced by the Thai state. In this sense, a state of exception has been drawn under which the sneaking in and out by displaced persons for their subsistence as an everyday life practice have been suspended (Agamben, 2005); second, the headcount was an attempt by the Thai state in order to differentiate between refugees, in the category of forced migration and migrant workers, in the category of voluntary migration. This division divides immigrants into fixed categories corresponding to the law. Importantly, counting can be considered analytically as the way that displaced persons reconfirm their identities as refugees who hope to be recognized by the state and the international community.

Since the border is porous where the sovereign power of the state cannot effectively administer, the checkpoint has been devised as a technique of control referring to the state of police. Pongsawat (2007) argued that a checkpoint is a second boundary line to control illegality, informality and criminality. Bordering by checkpoint is a technical practice by the state where identify people through identification documents plays a crucial role (Browne, 2005). In the same way, a checkpoint functions to sustain the identification regime. Checkpoints are established for national security reasons, particularly around borders where the inflow and outflow of people and goods are vague (Jaganathan, 2004). With this framework, checkpoints are a technology of power to strengthen the sovereignty of the state along with the demarcation of boundaries by map. Identification documentation also plays a significant role at checkpoints in terms of confirmation: confirmation of citizenship and confirmation of the legality of outsiders.

First, checkpoints are a technology of power to confirm membership of the nation-state, i.e. it confirms the citizenship of particular individual. Whenever people show their national identification documents to the authorities, their granted freedom of movement is thus confirmed. Second, checkpoints are to confirm the legal presence of non-citizens who live outside their own countries. Analytically, a checkpoint is a technology of territorialization which restricts displaced persons to travel only within authorized spaces with limited time. As I described in the earlier section, displaced persons living in the camp use permission document from the camp commander to travel outside the camp, identifying them as camp populations. This document confirms their legality in travelling out of the refugee camp. Even though this document can be seen as a travel ticket, specific times and spaces are listed on the paper so as to regulate the displaced persons. It can be noted that displaced persons cannot travel outside fixed territories with this document unless they have other strategic tools, such as bribery, smuggling and using irregular ways (see Aung, 2014 for studying strategic methods used by migrants in Thai-Myanmar border). There are seven checkpoints set up by police and border patrol police from Mae La refugee camp to Mae Sot Township. Moreover, there are two important checkpoints demarcated at the camp entrance and the exit, which are controlled by the Ranger Unit (Thahan Phran) to screen people in and out by verifying identification documents. Around the camps, there are several checkpoints set up by territorial defense volunteers to monitor irregular people traveling in and out the camp. I experienced in the field that the authorities at the checkpoints asked all passengers to show their identification documents. If displaced persons did not have authorized documents for travelling, they were pulled out of the car.

The regime of identification in which identification documentation plays an important role creates legible society in Mae La refugee camp. Displaced persons become visible in the eyes of the authorities for the purposes of control and manipulation. It is arguable that the regime can be seen as a technique of spatial and population management.

6.2 Negotiation: The Right to Humanitarian Assistance and Protection

Not only do identification documents play a role for the Thai government in identifying displaced persons fleeing conflict, but the documents also create a sense of self-identification among displaced persons who hold it. It can be argued that being recognized by the Thai government and humanitarian agencies is the way to access some entitlements such as third country resettlement, food/non-food items, and other privileges. As my case study in Mae La camp shows, displaced persons who have the MOI-UNHCR HHRD as an official identification document often feel that they are real refugees as one of them said:

“The UN document confirms to me that I am a refugee who experienced suffering from persecution” (Naw Bee, pers. comm., Jun 17, 2014).

Being recognized as a refugee can be seen as a technology of power leveraged by displaced persons to make them legible for the right to access to humanitarian assistance and entitlements to some extent. This would serve as a counter argument challenging the views of Malkki (1995, 1996) and Scott (1998) I mentioned earlier. In other words, displaced persons in Mae La refugee camp want to be counted as recognizable displaced persons under the international refugee regime. In this sense, refugeeness is also a strategic technique for displaced persons who can be considered as active agents. This is different from the old-fashioned view of displaced persons as passive actors who are merely controlled and wait for humanitarian assistance.

Generally, the Thai state, humanitarian agencies and displaced persons themselves consider identification documents as evidence to prove that displaced persons living in the camp can access to basic humanitarian services and protection. Displaced persons, particularly new arrivals, who want to stay in the camp legally, must have a household census issued by a section leader. In the same way, if any displaced persons want to access to food and non-food distribution, they must be verified by the screening-in process and later identified as vulnerable people holding a ration book. This argument has been confirmed by a TBC officer’s statement:

“Any types of displaced persons living in the camp have their names listed in a ration book so they can access food and non-food items” (TBC officer, pers. comm., Jul 25, 2014).

Even though identification documents are a gateway to humanitarian assistance, the distribution of food and non-food items is also technique of control. Collection of rations comes hand in hand with confinement and population checks. In order to get rations, displaced persons must present themselves with identification documents at distribution time, which means that they must stay in the camp. A TBC officer described ration regulations:

“TBC set up the rule called no show no ration...if a person does not show up for food/non-food distribution, they cannot get the ration” (TBC officer, pers. comm., Jul 25, 2014).

This practice reinforces Hyndman’s argument (2000) that the distinction between humanitarian assistance and technologies of control is blurred, because displaced persons must be present to be counted in order to get entitlements existing in the camp.

Consistent with humanitarian assistance, protection under prima facie refugee status also is applied to displaced persons living in the Thai refugee camps. The principle of non-refoulement is one of the most important rights for displaced persons who are identified as refugees. According to article 33 of the 1951 refugee convention, the principle has been proposed that no person shall be returned against his or her will to a territory where he or she fears persecution (UNHCR, 1951). Because identification documents are related to identification and self-identification, the displaced persons I met in Mae La camp felt more secure when they have the MOI-UNHCR HHRD and the TBC ration book indicating that they are allowed to stay in Thai territory as refugees, and, more importantly, that they will not be forcibly returned to Myanmar against their wills (Saltsman, 2014). Nu Nu also expressed:

“Since I have a UN document, I and my family feel secure on some levels because I believe that we will be protected by UNHCR” (Nu Nu, pers. comm., Jun 17, 2014).

In terms of Thai authority, the immigration police in Mae Sot described the process of deportation that displaced persons should have some documents from refugee camps. If they can be proved to be a camp resident, the officials normally send them back to the camp. If not, they are deported on the basis of illegal entry, as the police stated:

“Those people usually claim that they are refugees to avoid deportation...for the authorities, we need evidence...if they have none, they should be deported like the others” (Immigration police, pers. comm., Jul 12, 2014).

Again, identification documents issued by UNHCR like the MOI-UNHCR HHRD plays a role as evidence confirming that illegal people are displaced persons fleeing fighting from refugee camps. Thai immigration police officer stated:

“We do not send illegal people back without interrogation and differentiation...at this stage, we work with other humanitarian organizations to avoid mistakes in deportation ...for camp residents, they should have UNHCR documents in hand, we will then send them back to the camp” (Immigration police, pers. comm., Jul 12, 2014).

The data I got from the immigration police is consistent with a TBC report stating that registered displaced persons who have the MOI-UNHCR HHRD are normally sent back to the camp, whereas unregistered persons will be deported to Myanmar for illegal entry (TBC, 2014).

In this case, it is provable that identification documents for displaced persons demonstrably create some protection, even though it cannot conclusively be determined whether or not they will be deported. In the view of the state, displaced persons from Myanmar are in an illegal status, which means they must be confined in the shelter with transient time because freedom of movement for displaced persons entails difficulty of management (MOI official, pers. comm., Jul 29, 2014). It is arguable that the identification documents of displaced persons are important within specific spaces and times, i.e. those documents allow displaced persons to stay in fixed spaces within an extended temporary period. Importantly, in those spaces, they are treated and provided with assistance as vulnerable people whose bodies and identities are counted as a part of the humanitarian regime. Nonetheless, I argue that provision of humanitarian assistance always attaches with population management, in the sense of surveillance and control, in which identification documentation still plays an important role along with other techniques of power.

7. Conclusion

This study draws upon considering refugee camps as a state of exception where exceptional rules and regulations have been employed by an asylum country and humanitarian regime in order to control displaced persons who are non-citizens, on the one hand as well as to provide them humanitarian assistance, on the other. In this article, I argue that identification documents are an effective tool to signify particular person to be “refugee”. I apply governmentality to illustrate the identification regime where displaced persons are visible in the eyes of the authorities, either the government or humanitarian agencies, in order to manage and control effectively.

On the other side of the same coin, I further argue that identification documents in Mae La refugee camps can be considered as a technology of power in terms of negotiating. Identification documents are also a tool for displaced persons in Mae La refugee camp to access to humanitarian assistance and protection. These people need to be identified as displaced persons fleeing fight. In this sense, displaced persons in Mae La refugee camp have learned how identification regime works in this context. They thus attempt to access identification documents used in the refugee camp in order to be legible in the eye of sovereign power because they use the documents in accessing to humanitarian assistance and protection. It is arguable that displaced persons in Mae La refugee camp should be considered as strategic actors who actively negotiate with the controlling power through identification documents.

Note: In this article, I intend to use “displaced persons” instead of “refugees” because the term refugee has been socially and politically constructed by international organizations to establish dominant refugee discourse, in Zetter’s word is refugee labeling (1991). Labeling invents definition and distinction between “authentic refugee” and “false refugee”. I consider that labeling reduces complexity of individuals into set categories, and eventually creates the problematic of generalization (Bauman, 2002 and Lyon, 2009). In addition, labeling refugee gets together with mainstream migration study which makes a distinct category between voluntary and involuntary migration. However, it fails to understand the complicated phenomenon of human migration. In this article, displaced persons refer to multi-dimensional actors who have complex migratory processes and crosscut the conventional categorizations of forced and voluntary migration, i.e. they are from mixed migration flow (Van Hear, 2011).

In the context of Thailand, even though the Thai Government has never used the term refugee camp, rather terming temporary shelter, I use refugee camp in this paper to confirm existence of that space.

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