

The background is a collage of various protest signs and posters. Visible text includes: 'le samedi', '4 a 17 heures', 'AU PROGRAMME', 'COMBATS DANS', 'DIVERS CATEGORIES', 'LE PUBLIC EST CORDIALEMENT INVITE', 'ISLAND COUNCIL', 'AND A CONSTITUENCY FOR CHAGOSSIANS', 'RE-INIFIKASYON CHAGOS ansam ek tu lezot lil dan REPUBLIK MAURITIUS', 'ARET FURNI RAVITAYMAN EK MINDEV PU BAZ MILITER DIEGO!', 'BUSH & BLA servi nu late', 'THE RIGHT TO AN ISLAND COUNCIL AND A CONSTITUENCY FOR CHAGOSSIANS', 'UNITE the REPUBLIC of MAURITIUS', 'CLOSE the WAR BASE ON DIEGO!', 'op the killing now!', 'AN-ATANDAN RE-INIFIKASYON REPUBLIK MAURITIUS', 'FERM BAZ DIEGO!', 'BÉ...', 'ARET FURNI RAVITAYMA EK MINDEV PU BAZ MILITI DIEGO!', 'Ferm Baz DIEG'.

# **Protest Strategy Change in the Case of the Chagossians**

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From the Chagossians

Let my fight be your cause,  
my hope be your inspiration,  
my trust be your motivation  
and my faith be your determination.

Olivier Bancoult (2012).

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\* Quote see: Bancoult (2012).

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## People in Mauritius

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## List of abbreviations

BIOT	British Indian Ocean Territory
CRG	Chagos Refugees Group
CSC	Chagossian Social Committee
NGO	Non Governmental Organization
SMO	Social Movement Organization
UK	United Kingdom
UN	United Nations
US	United States

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## Introduction

*It is the third of November 2000. Olivier Bancoult leaves the courtroom. His face displays an immense smile. He puts his arms up in the air and his hands symbolize a 'v'. Victory, at last. It is the first time in their struggle that the Chagossians have successfully challenged the denial of their right to return. Olivier Bancoult and a handful of supporters win a lawsuit against the British government; comparisons are made with David who defeats Goliath. It is a unique situation; indigenous social movement organizations rarely drag their former colonial ruler to court. The use of lawsuits as a protest form is also remarkable for the Chagossians. They tried lawsuits at earlier stages in their struggle, but failed. And some lawsuits following the 2000 Bancoult case led to negative results too. The Chagossians used and use a variety of protest forms. We can see changes in their protest strategies. There seems to be an ongoing process in which traditional protest forms as hunger strikes and demonstrations are being replaced by new protest forms, especially litigation. The protest strategies of the Chagossians have changed numerous times in the past decades. It is well-known in academic literature that social movement organizations adapt their strategies whenever this is necessary. It is interesting however to look why social movement organizations develop their strategies in certain directions and to see what the role is of specific elements in the process of strategy change. This thesis will focus on this process of change in protest forms in the struggle of the Chagossians. It discusses a number of cases that played an important role in this process.*

The Chagossian struggle started at the end of the 1960s, when these inhabitants of the Chagos Archipelago were forcibly evicted from their home islands. They ended up displaced on either Mauritius or the Seychelles. Since their eviction, the Chagossians have been protesting against their forcible displacement and they claim to have the right to return to their precious archipelago. Protests continue to this present day. But protest forms and strategies have changed. Changes that have been observed are the replacement of the leading role of Chagossian women by a leading role of Chagossian men; changes in the Chagossian identity and the development of a collective identity; a decrease in the use of specific protest forms such as hunger strikes; an increasing use of the media; an increasing use of art as a protest strategy (plays in theatres, songs, paintings); an increasing use of the international human rights discourse and human rights instruments; and an increase in the use of

litigation as a protest strategy. In the overall process of strategy change we can see a development in which traditional means as street demonstrations and hunger strikes, which require active participation from a large number of Chagossians, are being replaced as much as possible by protest forms that can be exercised by a small number of professionals. The protest form that these professionals increasingly use is litigation.

The overall process of strategy change, and the specific changes mentioned above, have all been observed by studying academic literature concerned with the history of the Chagossians and by studying events in newspapers. Academic attention for the Chagossian case has increased in the past decade, and a wider public is now familiar with the history of the Chagossians. The description of this history will thus not be new. This thesis will discuss the significance of some of the changes in the Chagossian protest strategies, and this will also be the main contribution of this thesis to our knowledge about the Chagossians. Simultaneously, being a student in the field of conflict studies, I aim to contribute to the knowledge in this field. In my opinion a small contribution can be made to this field, by unraveling the role of some mechanisms in the process of strategy change. Due to limited time and space it is necessary to focus on some of the above-mentioned changes, and to neglect others. The selected changes will be seen as variables, but it is important to note that the relation between the strategy change and the variable cannot be seen as a dependent and an independent variable. For example, changes in the collective identity of the Chagossians lead to changes in their protest strategies. At the same time changes in protest strategies can lead to changes in the collective identity. Each variable can be seen as a case of a specific change within the process (where process refers to the gradual transformation and replacement of specific protest forms).

Numerous case studies describe the struggles and protests of social movements, social movement organizations or groups. Especially in the fields which are concerned with social movements and contentious politics, the protest strategies of

groups will often be described (see for example: Freeman 1975; Gotham 1999; Griffin 1992; McAdam 1982; Tilly and Tarrow 2007). However, this thesis is not concerned with the question which strategy a movement used in 1982 and which strategy it used in 2003. It is concerned with the question why these forms change. Why some forms gradually replace others. This study will not be a mere description of the protest forms, but an analysis of these forms. It will pay attention to the role each case has in the process of change of protest forms. Attention will also be given to the changes that the process evokes in the cases. I think it is interesting to look at the case of the Chagossians because their struggle has unique elements. First, many descriptions and analyses are concerned with social movements in the Western world, such as the Civil Rights Movement, whereas the social movement of the Chagossians can be seen as a non-western indigenous social movement. Often social movements will address only one government in their protests, but the Chagossians have to address at least three governments. Finally, the use of litigation as a protest form is unique and very interesting.

### *Selected cases of change in this study*

Cases of the process that have been selected for this thesis are changes in the Chagossian identity and the development of a collective identity; an increasing use of the international human rights discourse and human rights instruments; and an increase in the use of litigation as a protest strategy. I will now explain briefly why I have chosen these cases. Let me start with the case of the Chagossian identity and the development of a collective identity. Collective identities influence protest strategies in several ways. It influences the appeal to people to mobilize for a collective problem. It influences the possibilities to acquire allies, and it influences the extent to which the government is willing to tolerate the protests. In this case it is interesting to see how the Chagossian identity and collective identity have developed, and to see how their eviction has influenced their identity.

I have chosen the use of human rights and human rights instruments as my second case. In my opinion this human rights aspect is an interesting angle from which to look at social movement organizations and their protest strategies. Many social movement organizations exist, but human rights often do not play a role in these organizations. In the case of the Chagossians human rights violations are the essence of their collective problem and the Chagossians are well aware of this. They use human rights in several ways in their protest forms, therefore I think it is interesting to see if the use of human rights changed their protest forms.

The third case is the increasing use of litigation as a process strategy. I have chosen this as a case because of the unique element that these indigenous social movement organizations challenge their former colonial ruler in court. Especially interesting is the dubious history of the Chagossians with the use of litigation. The protest forms of the Chagossians seem to develop in such a way that litigation increasingly replaces other protest forms. Therefore, litigation is a very relevant case to include.

#### *Cases of change that have not been selected*

Some of the earlier mentioned changes will not be used as cases in this study. First of all, the replacement of the leading role of Chagossian women by a leading role of Chagossian men will not be used. Though this is an interesting change in the struggle of the Chagossians, it does not seem to be a conscious choice. In the 1970s and 1980s women took a leading role in many protests because they had less chances of being beaten up by the police (Alexis 2011: 81). The women who became leading figures grew into this role by their presence and bravery in the protests. When the Chagos Refugees Group started to develop, special skills were required (for example the ability to read and write). Olivier Bancoult possessed these skills and was always involved in the struggle because his mother was one of the Chagossian leaders (V. Hookoomsing, interview). Other Chagossian social movement organizations have been founded by men who still function as the leaders of their organization.

The second case that will not be included in this study is the increasing use of the media. It is not included because there is a widespread academic interest in the role of the media in various conflict situations, including non-violent resistance and violent resistance. And it does make sense that when the availability of the media as a means to protest increases, the use of the media as a protest strategy will also increase. In the Chagossian struggle, the role of the media is becoming more and more important. Whereas in the early years of the struggle the Chagossians could only hope to make the headlines in newspapers or maybe on television, they can now use internet and social media for their own websites and increase the awareness and support for their struggle. This is because the availability of the media is increasing, but also because the necessary skills of the Chagossians to use the media are improving.

Third, this thesis will not focus on the increasing use of art as a protest strategy. Forms of art that are known to be used as protest forms are plays in theatres, songs and paintings. Though these protest forms are very interesting, their origin can often be found outside the Chagossian social movement organizations. Therefore the increasing use of this type of protest forms should be seen as an individual means of protest and cannot be treated as a shift in protest forms of all the Chagossians or of the two Chagossian social movement organizations in Mauritius. These protest forms should not be seen as collective actions from the Chagossians themselves.

This thesis will focus on specific cases within the process of strategy change in the struggle of the Chagossians, in order to gain a better understanding of the role of these cases or mechanisms within this process of change, and the interaction between the process and the cases. The central research question will be:

*What is the role of specific changes in the process of protest strategy change in the case of the Chagossians that have occurred since their deportation to Mauritius and which continue to the present day?*

In order to answer the central research question, three subquestions are posed. Each subquestion reflects a case of a specific change and the role it played in the overall process of strategy change. The subquestions are:

1. How did the multiple changes in the collective identity of the Chagossians enable them to change their protest strategies over the course of the past decades from traditional protest strategies such as hunger strikes and demonstrations in the 1970s and 1980s to courtroom litigation in the 2000s?  
This subquestion will be the central question in chapter 4.
2. How did the Chagossians come to view and use human rights instruments as important tools so that they changed their protest strategies from traditional protest strategies such as hunger strikes and demonstrations in the 1970s and 1980s to courtroom litigation in the 2000s?  
This subquestion will be the central question in chapter 5.
3. How did the Chagossians come to view litigation as an important tool so that they changed their protest strategies from traditional protest strategies to courtroom litigation?  
This subquestion will be the central question in chapter 6.

This thesis consists of six chapters and a Conclusion. The first chapter will discuss more elaborately the theories to which I aim to contribute. It will also discuss the central concepts that feature in this thesis and the definitions that will be used. The second chapter is concerned with the research aim, the paradigm and the methods used in this thesis. The third chapter describes the history of the Chagossians and the context of the conflict. In chapter 4, the role of identity and the changes in protest strategies will be discussed. Chapter 5 will unravel the role of human rights in changes in protest strategies. Chapter 6 will be concerned with the role of litigation. Finally, this thesis will end with a Conclusion and some reflections.

Please note that this thesis will mainly focus on protest strategies of Chagossian social movement organizations (SMO's), but will also deal with some of the protest strategies of the Chagossians before movement organizations emerged. Since this thesis will focus on the overall process of strategy change it is relevant to include both the pre-movement organization phase and the movement organization phase because the development of social movement organizations significantly altered the protest strategies.

This thesis will often refer to the beginning of the struggle of the Chagossians (or make similar references such as since their arrival, their deportation, their expulsion). I prefer to use 'from the beginning' because their forced displacement spanned several years. Thus, it differs for every Chagossian when they started to live in exile. For some Chagossians it started in 1967 when they were banned to return to the islands after a holiday or medical treatment in Mauritius. Others only arrived in Mauritius when they were forced to leave the islands in the Chagos Archipelago, and the last boat of Chagossians arrived in Mauritius in 1973 (CRG 2012). In addition, in the early years of the struggle the Chagossians were not united under movement organizations or leaders. Therefore the protests were small-scale events which generally only involved a handful of Chagossians. This means thus that not every Chagossian started to be involved in protests at the same time, though most of them naturally disagreed with their forced displacement.

## Chapter 1: Conceptualization

This chapter will be concerned with the conceptualization of the central concepts. It is important to clarify how I see a concept, what I mean with protest, strategy, and change for example. With this clarification, the reader can judge in the end if the arguments that I will make about these concepts make sense.

### *Protest*

Protest is often used in theories about social movements, though it is seldom specified what is meant with protest. It is relevant to discuss what is meant with it. Since a change in protest strategies is the outcome of the process under study in this thesis. According to Turner, protest has been defined as "an expression or declaration of objection, disapproval, or dissent, often in opposition to something a person is powerless to prevent or avoid" (Random House Dictionary, 1967 in: Turner 1969: 816). Turner himself states:

an act of protest includes the following elements: the action expresses a grievance, a conviction of wrong or injustice; the protestors are unable to correct the condition directly by their own efforts; the action is intended to draw attention to the grievances; the action is further meant to provoke ameliorative steps by some target group; and the protestors depend upon some combination of sympathy and fear to move the target group in their behalf (1969: 816).

Though in the case of the Chagossians the protests often will reflect a grievance, I do not agree with Turner that a protest needs to express a grievance. I would rather say that it addresses an issue or an interest, which indeed could be a grievance but is not limited to grievances. In Einwohnern work protest is defined as: "(...) an attempt by members of one group to convince or coerce others to take some sort of action" (1999: 169). Hiller argues that social movements force its objectives (change in values, certain practices, policies) up on the society, and they use an active strategy and protests or other forms of collective action to do this (Hiller 1975: 346). Schumaker's

definition is slightly different, he states: "Protest groups are groups of citizens who do not normally interact with governmental officials, but who (...) organize on an informal, issue-specific basis to make demands on public officials through pressure processes" (1974: 490). Eisinger adds the potential element in protests of fear and violence when he states that: "protest is a device by which groups of people manipulate fear of disorder and violence (...)" (in: Schumaker 1974: 490). Protest must be reviewed as a political resource that is used by people who do not have regular access to traditional forms of policy making (Schumaker 1974: 490). Though it is important to realize that the government does not necessarily have to be the target group of the protest, companies; society at large or the government of another country might be targeted for example.

The interpretations stated above, see protest as an action evoked by a group that lacks regular access to the authorities of the targeted group, to address some grievance or issue and to demand some change from the targeted group. Eisinger adds a different perspective on protests. He argues that protest might be undertaken to recruit new members or supporters, that it can foster the group identity and to prove that the group is actually capable of organizing action (Eisinger 1973: 25).

In this thesis protest will be understood as: a political resource that is used by people who do not have regular access to the authorities of the target group, and who use action that expresses an interest or issue that the group likes to change, wherefore it needs action from the target group. Adrian and Apter assume "that cultural values, socio-political structures, and individual behaviors shape the origins, activities, and outcomes of protests" (in Tarrow 1996: 878). I think this is a valuable notion to keep in mind. In addition, since protest is used to achieve specific goals, I agree with Eisinger that protest actions can also be used for mobilization goals. However, the focus of this thesis will be how the protest forms that address the issue of the Chagossians, have changed. In Turner's opinion the perception of the audience about the protest is also relevant, because an audience might see a specific action not as a

protest but as a crime for example (1969: 817). This is an interesting point, but will also not be considered in this thesis, due to the limited time.

Social movement organizations use protest as a mean to achieve specific goals. There are different protest forms, and a distinction can be made on several levels. For instance violent versus non-violent protest forms, or legal versus illegal forms. Below examples of protest forms will be made on the violent versus non-violent dimension, because this dimension is more universal than the legal versus illegal dimension which depends very much on the context. Keep in mind that the line between non-violent and violent is very thin though. A peaceful protest march can easily obtain elements of violence when protesters start to throw rocks. Even when protest actions are legal and non-violent, protests disrupt the public order because it wants to force consideration (Eisinger 1973: 26). Examples of non-violent protest forms are rallies, marches, labor strikes, blockades, and boycotts (Francisco 2011: 1375; Schumaker 1975: 490). Examples of violent protest forms are throwing rocks (at buildings or the police), the damaging of property and revolutions, (Francisco 2011: 1375).

### *Strategy*

A strategy is a plan about the ways and means that will be used to achieve goals. It is a choice, from all possible ways and means to achieve the goals the movement chooses those ways and means that are perceived to be the best. Betts defines a strategy as a “plan for using means to achieve political ends”, and he argues that strategies should be viewed as “chains of relationships among means and ends” (Betts 2000: 6). “Strategy is the conceptual link we make between the places, the times and ways we mobilize and deploy our resources, and the goals we hope to achieve” (Downey and Rohlinger 2008: 5).

Betts argues that a: “Strategy is most important when it provides value added to resources, functions as a force multiplier, and offers a way to beat an adversary with equivalent resources or to minimize the cost of defeating an inferior” (2000: 6).

Strategy fails when some link in the planned chain of cause and effect from low-level tactics to high-level political outcomes is broken (2000: 7). Strategies are made while the movement is looking forward, because the movement chooses from a range of “smart and stupid strategies” so at a moment when it does not know what things are about to come at its path (Betts 2000: 8).

In this thesis strategy refers to certain protest forms that have been used in several protest events. When the thesis refers to protest strategy change, I mean the change from traditional protest forms that were mainly preformed on the street and involved large numbers of participants, towards protest forms that are mainly carried out by a small group of professionals and take more institutionalized forms of protest. The special focus is on the increasing use of litigation.

### *Change*

Change is a central concept in this thesis. It is the process that is studied and the concept that is assumed to be influenced by the cases identity, human rights and litigation. Change can mean a replacement. For example social movement organizations replace marches with online petitions. Change can also mean that a transition, transformation or variety occurs. With protest forms or repertoires of contention, transformation of the protest forms can occur. The group of people that are engaged in the collective action will start with certain protest forms, say marches. When their issue is not addressed they will start to use other forms, though they might not replace the marches with the new forms but use these forms in addition. Over the period of the collective action, the repertoires will grow and successful protest forms will replace others, as is the case in the struggle of the Chagossians. Not only the form can change, the participants, leaders of the protest, and the target of the protest can all change too. When we look at the case of the Chagossians we see that the participants change. First protesters were of mixed sexes, later protesters were mainly women, and eventually both men and women participated in protests. First, the protesters only consisted of Chagossians, later some Mauritian political

organizations got involved, then Mauritians got involved and eventually non-governmental organizations and famous sympathizers such as academics, writers and members of the British parliament joined in protests. The leaders of protests changed, traditionally women took a leading position in the struggle but movement organizations with professional leaders have replaced these traditional women. And all Chagossian movement organizations are currently led by men. The target of the protest changed. Anger was first directed against the Mauritian government, later against the British government, and now more towards all involved government (so Mauritian, British and American governments). This is not to say that only governments are targeted with the collective action of the Chagossians. The Mauritian and British society have both been targets of protest forms in order to raise awareness and support.

When we discuss change, there are clearly many dimensions to consider. The most important forms of change in this thesis will be the transformation and replacement of protest forms. As it is stated that the forms are changing. Often the participants, leaders and targets of protest forms will be mentioned too. Though this thesis is not concerned with a change in participants, leaders and targets. The thesis focuses on changes in protest forms. With this, changes over the whole period of contention are meant. I will not discuss when a demonstration changes into a hunger strike or into a sit-in. At any moment protest leaders will have various "styles, vocabularies, and rhetoric" for protest forms (Schumaker 1975: 503). So using a demonstration today and a sit-in tomorrow will indicate variation within the repertoire rather than change.

The problem is concerned with the transformation and replacement of strategies in the long run. So we focus not on the form we use today and the form we use tomorrow, but on episodes in which protest forms are dominant. In the 1980s the Chagossians hardly held any lawsuit as protest form, whereas in the 2000s there was hardly anything else than lawsuits. The replacement or transformation of dominant

protest forms is a change, and the form of change under study. This thesis will describe the change in protest strategies and will analyze the role of the chosen cases in this process, it will not discuss of the change in the direction of litigation is wise or not, or likely to succeed or not.

### *Social movements*

“The study of social movements constitutes the heart of a sociology of the actor” (Touraine 2000: 907). People have agency and they can construct, comprehend, challenge, and change their social reality (Benford and Snow 2000: 614). Phenomena that can be and have been included in the study of movements are strikes, demonstrations, revolutions, riots, and sit-ins for example (Tilly and Tarrow 2007; Yang 2000: 385).

Tarrow argues that social movements are “sustained challenges to power holders in the name of a disadvantaged population living under the jurisdiction or influence of those power holders” (1996: 874). The problem with this definition is that a population that is not really disadvantaged can also start a social movement. In Stammers vision social movements challenge relations and structures of power, and they try to legitimate alternative values, norms and lifestyles (1999: 987-988). Benford and Snow mention that social movements: “(...) seek to remedy or alter some problematic situation or issue” (2000: 616). In my opinion both these definition capture the essence of what a social movement tries to do. Yang adds that: “the events social movements engage in often involve an element of protest that is directed against power-structures and the state, [however], it is important to note though that social movements can arise both within and outside the state (Yang 2000: 385). Bearman and Everett add that groups that protest only once or for a short period of time cannot be considered as movements. All organizations that constitute the movement need to be concerned with the same issue domain, it needs to be common (Bearman and Everett 1993: 174). Simons argues that:

Movements should be distinguished, as such, from panics, crazes, booms, fads, and hostile outbursts, as well as from the actions of recognized labor unions, government agencies, business organizations, and other institutionalized decision-making bodies (1970: 3).

Based on this literature I come to the following definition: a social movement challenges the state, power holders or society at large, by trying to legitimize alternative goals by using a sustained campaign of claim making that will use public performances and often involves an element of protest.

### Social movement organizations

Some authors make a distinction between social movements and social movement organizations (Benford and Snow 2000: 631; Jenkins 1983: 540), or social movement groups (Beamish and Luebbers 2009: 648). Because social movements often consists of several social movement organizations (SMO's), which all have different interpretations about the way a certain aspect of society should be changed. The SMO's can also have different opinions on who or what is to blame for the occurrence of the problem (Benford and Snow 2000: 616). This means that there might exist a social movement around a specific issue or goal, and within that movement certain smaller organizations exist that all have different visions about the direction of the change that is desired, and also about the way this goal should be achieved (for example some organizations might promote violence means to protest whereas others will only use non-violent means). The distinction between social movements and social movement organizations is relevant for this thesis because within the Chagossian social movement that focuses on the injustice of the forced expulsion of the Chagossians, different social movement organizations exist. And these SMO's have different ideas about if the Chagossians should be able to return to Chagos or if they should receive compensation, and also how these goals should be achieved. They also have different views on who can be considered as allies.

### Emergence of social movements

Many scholars from different perspectives have tried to explain the emergence, development and influence of social movements. Social movements can emerge for a wide variety of issues and in many different forms, and it combines: “(...) campaigns, forms of association and action, and public self-representations” (Tilly and Tarrow 2007: 119). In general it is acknowledged that social movements (organizations) arise because a group, who shares a common interest, wants to change some aspect of society or want to prevent a certain change in society, and the movement uses the threat of mass mobilization as their political sanction (Stammers 1999: 984-986).

### Development of social movements

Since there is such a wide variety of issues that can cause movements to emerge, there is also a wide variety of social movement types, and a wide variety of the tactics they use. The development of social movement depends on many factors. There is a rich amount of case-studies that describe well how individual movements or movement organizations have developed (see Freeman 1975; Gotham 1999; Griffin 1992; McAdam 1982; Tilly and Tarrow 2007, for examples). Often it is argued that a social movement emerges in a situation of social unrest, and then becomes more and more organized over time, until it ends in institutionalization (Hiller 1975: 343). Hiller warns that institutionalization does not have to be the endpoint for a social movement, because it can also experience fragmentation and demise (1975: 344). And a social movement might not even experience a large degree of institutionalization and might still be able to function.

Tilly and Tarrow mention some processes that most of the social movements will experience in their development. Many movements will grow: “(...) through a process of brokerage, certification, diffusion, and scale shift” (Tilly and Tarrow 2007: 132). Brokerage means that a social movement will make connections between people or sites that were unconnected. When an authority outside the movement recognizes

and supports the social movement, certification takes place. Diffusion is the spread of the issue to other sites (Tilly and Tarrow 2007: 31-34). Scale shift is a process that leads to different forms of coordination. In the case of upward scale shift the coordination of the collective action moves to a higher level, for example to the national or international level. Downward scale shift moves the coordination of the collective action to a more local level. These processes are compared to the level of the movement's initiation (Tilly and Tarrow 2007: 94). A social movement aims to challenge a specific issue, policy or values. Therefore the process of scale shift is very important. With upward scale shift the issue is becoming more important because people or organizations with more authority, start to pay attention to the issue or even start to fight for the issue.

### Outcomes of social movements

The outcome of a social movement depends on many different factors. There is not one general outcome for all the movements. Some might achieve (some of) their goals, others might only fail. Famous successful movements are the civil rights movement and the women's movement that emerged both in the United States in the 1960s (see Freeman 1975; McAdam 1983). The outcome depends of course on the mobilization, framing, and protest strategies of the movement itself. But also on the regime that the movement needs to confront and the degree of repression that they meet. Goodwin and Jasper mention some factors that social movements in general can influence (see Goodwin and Jasper 1999: 40-50). Movements can influence for example, court decisions, administrative procedures, media coverage, state repression, collective identities, networks, and policy proposals (Goodwin and Jasper 1999: 40-50; Meyer 2004: 137).

## **Chapter 2: Research design and methodology**

This chapter will discuss the research aims and the paradigm that provides the foundation of this research project. It will discuss choices for research methods and techniques, and provide an explanation of how these techniques have been used in this study. We will start with a section on the research aims and the paradigm.

### **2.1 Research aims and paradigm**

In the philosophy of science, there is a distinction between ontology, epistemology and methodology. It is important to determine the stances for all three philosophical branches, because each stance will have implications for what can be studied, what we can know about the object and how we can acquire this knowledge. The choice for these stances that together form a research paradigm, will determine which objects and methodologies are suitable for the study, and which ones are not appropriate. Every research project is designed around a paradigm. This section will discuss first the research aim of this thesis, and then the research paradigm will be reviewed.

#### ***Aim***

In this thesis I try to discover what the role of specific changes (the cases) is in the overall transformation of protest strategies. Therefore, I will discuss what changes occurred in the cases and what the Chagossian social movement organizations did to change their protest forms. Thereby this thesis aims to make a small contribution to accepted theories by advancing the understanding of the role of specific changes in the process of the transformation of protest forms.

#### ***Ontological stance***

Ontology is concerned with what is knowable and what can be studied. It has to do with our assumptions about how the world is made up and the nature of things, for example the nature or the structure of the object under study (Landman 2008: 17). In the field of conflict studies we can study countries, events and processes, among

others. There are several ontological stances that lean more towards objectivism, which in the most extreme stance argues that there is an external reality which cannot be affected by human efforts (Holden and Lynch 2004: 7). At the other end of the spectrum we find subjectivism, and in its most extreme stance argues that “reality does not exist outside oneself” (Holden and Lynch 2004: 6). As a researcher I choose an intermediate ontological position, though I am leaning more in the direction of subjectivism. I believe in the intermediate position that: “humans are born into an already structured society, yet societal structures evolve and change through human interaction” (Holden and Lynch 2004: 14). This position is also called critical theory (Guba and Lincoln 1994: 110). I also think that the choice for this research project reflects my values and beliefs, and my qualitative research skills. I think it is better to look deeply into a situation when we try to understand it, and look at all the factors that might be relevant, rather than to generalize it into a few simple factors. And finally I think that context always matters (Guba and Lincoln 1994).

### *Epistemological stance*

Epistemology is the branch within the philosophy of science that is concerned with how things are knowable (Landman 2008: 17). Or as put more succinctly by Hay: what can we hope to know about the object under study (2002: 64). Epistemology has to do with our beliefs about how one might discover knowledge about the World (M. Kooy 2012, personal communication). I believe that insights are continuously changed or replaced by new insights and those current theories about phenomena or social life, will thus eventually be replaced by more advanced insights. In this research project, we try to understand what the role of the chosen cases is.

### *Type of research*

Human behavior (like a change in their protest strategies) cannot be understood without reference to the meanings and purposes attached by human actors to their activities (Guba and Lincoln 1994: 106). I chose to use qualitative research because this method is suitable to research the significance of a phenomenon and it is suitable

to describe the richness of meaning (Babbie 2007: 24; Ragin 1994: 51). As indicated above, it is my opinion that we understand phenomena better when an idiographic approach is used and when context is deemed relevant. This study aims to understand the role of specific cases in a process. Therefore it is important to pay attention to the context and to people's perceptions and interpretations. A qualitative research project naturally uses qualitative research methods. These will be discussed in the next section.

## **2.2 Methodology**

This section will describe the data collecting methods and the types of data that has been used in this study. This is relevant because it will help the reader to understand how I developed my final understandings of the process and my final statements. This section can be used to identify the strong points of this study and at the same time can indicate the flaws.

### ***Data collecting method***

This thesis is using both naturally occurring, and generated, data. There are several reasons to use both types of data. First, the naturally occurring data informed me about what kind of data needed to be generated, and where or from whom this data needed to be generated. But the naturally occurring data also provided facts that could be used to check the reliability of the interviews and of the naturally occurring data itself. In this research project, methodological triangulation has been applied, by using interviews, newspapers, documents, documentaries, and academic literature in order to avoid biases as much as possible. Two sections will follow, one on how naturally occurring data has been obtained and why, and one section on how generated data has been gathered.

### **Naturally occurring data**

This thesis used naturally occurring data, such as documents, literature and newspapers (Lewis 2010: 56), to understand and contextualize the Chagossian struggle. Naturally occurring data has been helpful to design the questions, because

it provided information about what is already known about the Chagossians and their struggle, plus it informed me about suitable interviewees and their background. Sometimes the naturally occurring data is also used to complete the information provided by the interviewees, or to check the given information. Documents, literature and relevant newspapers were found by studying references in the academic literature. Then additional sources were found by studying new references. Based on academic literature it was easy to establish periods that have gained a lot of media attention. Due to the time limit and the available amount of newspapers it was not possible to study all the newspapers from the 1960s until now. Therefore, it was necessary to establish these media-intense periods, so that they could be studied more thoroughly. For instance, most authors refer to the hunger strikes around the 1980s. If there is much attention for a certain event, then it is likely that the media paid some attention to the event too. Therefore, in the archives I studied the available newspapers in all the years that a hunger strike occurred, to learn more about the context of these hunger strikes, and other protest methods that preceded or followed the hunger strikes. In addition, the media is said to be very biased in Mauritius (Unesco 2011), which is why I chose to focus on a few media-intense years and study at least two different newspapers for each year, rather than focusing on one newspaper from the 1960s onwards.

#### Generated data.

In this thesis I also use generated data (Lewis 2010: 56), which has been collected through in-depth interviews. It was necessary to generate data in order to obtain different perspectives about strategies and changes. This section will discuss the accountability of the methods used. It will discuss why I chose to conduct in-depth interviews and why I chose to use snowballing as my sampling method.

#### *Interview type*

During the field research, in-depth interviews have been conducted. I chose to conduct this type of interview because the interviewees all had different

backgrounds and different experiences with the Chagossian struggle and the Chagossian SMO's. When I held an interview, I asked questions that specifically related to the background and expertise of the interviewee, I asked reoccurring questions about identity and human rights and the SMO's in general. In addition, I gave the interviewees the chance to address issues that they considered to be important. I also used previous interviews for the questions in new interviews. So I let the new respondent react to statements and opinions that I generated in earlier interviews. Therefore the questioning was continuously redesigned throughout the field research. This is an important advantage of in-depth interviews (Babbie 2007: 305). It provides the opportunity to discover contrasting views, to clarify some issues and to add information to the current knowledge. The most important advantage of in-depth interviews is that it is a very suitable method when the studied phenomenon is a process, because there is space for detailed personal experiences (Lewis 2010: 58). A short description of each interview that has been used in this thesis, which is given in annex 1. During most of the interviews, I used a voice recorder that enabled me to listen more carefully and engage better in the conversation. However, in some cases, the interviewee seemed too uncomfortable to use it or the interview location was not suitable for the recording.

### *Sampling method*

Prior to the field research, I had a general idea of the persons I wanted to interview, for example, the leaders of the SMO's, several academics, and individuals who were very concerned with the Chagossians (which I identified from the literature). It was difficult to contact these people, so I established contacts with researchers who have been to Mauritius for their own research projects on the Chagossian case before I travelled to the field. One of these researchers introduced me to her contact people who I could interview. After these first interviews, I used the method of snowballing, and asked the interviewees if they knew anyone I should interview. They provided me with phone numbers, or called the future interviewee themselves to introduce me. I always asked for contact information of specific persons, from the start I was

looking for the leaders of both the Chagos Refugees Group and the Chagos Social Committee. I asked for their contact information until interviewees were able to provide this information. It makes sense to use this method when you are interviewing an expert, since they probably know other experts too. The method of snowballing is very suitable for cases that have a dispersed or small population (Ritchie, Lewis and Elam 2003: 93). In Mauritius, many people change e-mail addresses all the time or do not respond to e-mails at all. By using snowballing, you can obtain telephone numbers and this direct approach is much more fruitful. Especially since you have to explain who gave you the number in the first place. In Mauritius it works like this, if you are a friend of a friend (of a friend of a friend) the desired interviewee will invite you to come the next day to conduct the interview.

The drawback of snowballing is that the interviewees have an amount of control over your research. They will refer you to future interviewees, but only to the ones that are important in their opinions. This endangers the diversity and objectivity of the research, specifically when you are referred to friends (Ritchie, Lewis, and Elam 2003: 93). This is why I used the method of snowballing consistently. Whenever I was introduced to someone, the purpose of my stay in Mauritius was discussed. If the person was interested in my research or seemed to know anything about it, either they suggested interviewees themselves or I simply asked them. This led to contacts that I would not have obtained by only asking my planned interviewees, such as several priests and an art director who dedicated a play to the Chagossian struggle. Furthermore, I have interviewed researchers and people who work with the Chagossian SMO's to obtain an outside perspective of the movements and its development. Honestly, it would have been even better if I had met the Chagossians who do not volunteer fulltime for one of the organizations, but language problems made this too hard. This is why this thesis does not only rely on interviews but also on newspaper analyses, and the use of other documents, documentaries and academic literature.

### Chapter 3. The context

As I have clarified in my research paradigm, I think that the context is very important and that an elaborate description of the context contributes to a better understanding of the process that is unfolding. Therefore, the first section of this chapter will briefly discuss the history of the Chagossians. And the second section will discuss the conflict and conflict parties.

#### 3.1 The history of the Chagossians

The Chagos Archipelago is situated in the Indian Ocean and comprise of six atolls, which in total consists of 65 small islands (F. Mandarin, interview). The Chagos Archipelago, often simply referred to as Chagos, is situated between Africa, Asia and Australia. The distance to each of these continents is huge though. Even relatively nearby islands such as Sri Lanka, the Seychelles and Mauritius are thousands of kilometers away. The island of Mauritius became part of France in 1721. Since there were no inhabitants on the island, the French started to inhabit Mauritius with slaves from Madagascar and Eastern Africa. In 1744, the French claimed Chagos. In 1783, the Mauritian plantation owner Pierre Marie Le Normand started a coconut plantation on Diego Garcia and he brought 22 slaves along with him to the island. These 22 slaves became the first inhabitants of Diego Garcia (Evers and Kooy 2011: ix; Vine 2011: 17). More slaves from East-Africa, Madagascar, Mauritius and the Seychelles followed, and more coconut plantations were established. Between 1794 and 1810, Great Britain seized control of Mauritius and the Seychelles. In the Treaty of Paris, which was signed in 1814, Mauritius, dependencies of Mauritius, the Chagos Islands and the Seychelles were formally ceded to the British (Evers and Kooy 2011: x). Therefore, Mauritius and the Chagos became a colony of Great Britain, with a permanent administrator on Mauritius. Nevertheless, the French influence remained more prevalent in Chagos. The British also used slaves to work on the plantations in Chagos. After the abolishment of slavery, most slaves stayed in the Chagos Archipelago and worked as contract laborers. Though new contract laborers

were recruited in Asian countries instead of African ones, so the population became a blend of origins and cultures (Vine 2011: 21).

In 1960, the United Kingdom (UK) and the United States (US) made a secret agreement to construct a military facility in the Chagos Archipelago. In 1968, Mauritius gained independence from the UK. However, the Mauritian government had to accept the detachment of the Chagos Islands in return for their independence. The Chagos Archipelago remained thus part of the United Kingdom and they renamed the archipelago into British Indian Ocean Territory (Allen 2007: 441). The Mauritian government still claims that the Chagos islands belong to its territory and that the detachment was imposed upon them (Sand 2009: 322). The detachment of the Chagos islands from Mauritius was illegal under United Nations resolution 2066 which is a declaration against the dismantling of colonies during decolonization (Vine 2011: 32-33; Chan Low 2011: 73).

In 1967, Chagossians who had left the Chagos Archipelago for holidays or medical treatments were prevented from returning home to Chagos and the British started to restrict the shipments with supplies to the archipelago. The availability of food and medical supplies decreased and some Chagossians decided to leave the islands (Vine 2006: 21). When the construction of the military base on Diego Garcia began in 1971, all the remaining islanders were forced to leave the island of Diego Garcia and were shipped under horrible circumstances to the Seychelles and Mauritius (Vine 2006: 21; Jeffrey 2006: 298). By 1973, all islands in the Chagos Archipelago were cleansed of its population. Most of the Chagossians currently live in exile in Mauritius, where they live in poverty. Though some Chagossians also were displaced to the Seychelles. The forced migration led to a sudden drop in welfare and standards of living, alienation and social disarticulation, identity loss, and political disempowerment (Vine 2006: 22). According to Jeffery and Vine, the Chagossians remained disadvantaged when the Mauritian economy started to recover, because they suffered from discrimination (2011: 94-95). Naturally, the Chagossians are unhappy with their eviction and all the

consequences that followed. They struggle for their right to return. The next section will describe the conflict and the involved parties.

### **3.2 The conflict**

Since their forced displacement, the Chagossians struggle for the right to return to the Chagos Archipelago and for adequate compensation for their suffering. Often only one government will be the target of social movement organizations. However, in the case of the Chagossian struggle, three governments are involved. The first one is the Mauritian government. It is involved because Mauritius gained independence by agreeing to the detachment of the Chagos Archipelago. Further, most Chagossians were sent to Mauritius when the Chagos islands were cleansed of its population. Most Chagossians have Mauritian citizenship (Tong 2011: 167). The second government is the United Kingdom. The government of the UK is responsible for the detachment of the archipelago from its colony Mauritius. The government is also responsible for the forced displacement of the Chagossians and for the ban of their return to the archipelago. The UK is also most often targeted in Chagossian protest forms about compensation (Evers and Kooy 2011: xii-xiv). The third involved government is the government of The United States. The US is involved because they made secret deals with the UK to construct a military base in the Chagos Archipelago, and these deals led to the eviction of the Chagossians and to the construction of the base on the island of Diego Garcia (Vine 2009). The main argument to prevent the Chagossians to return to the archipelago is that their return would be a security problem for the base. However, currently other reasons are stated to prevent the return of the Chagossians. For example the impact of their return on the environment, the enormous cost of the settlement, and the threat of climate change which is supposed to make life on the islands too vulnerable (Evers and Kooy 2011: 6-7). Since a number of Chagossians have been displaced to the Seychelles, the government of the Seychelles is involved too. However the focus of this thesis is on the Chagossians who live in Mauritius, and from this angle the Seychellois government does not play a role.

The Chagossians are the political actor in this conflict. Their protest forms are central in this thesis. The political identity of the Chagossians entails that they are the indigenous population of the Chagos Islands who have been living on the islands for several generations. They claim they have the right to return. In addition, they want compensation for their suffering, due to the displacement and loss of housing, jobs, possessions and social ties. In Mauritius, most Chagossians support either the Chagos Refugees Group or the Chagossian Social Committee. Both these social movement organizations fight for the right to return, though these SMO's have different interpretations on how to pursue these goals. Consequently, the movement campaigns, organizational resources, the claim making and the forms of collective action differ. Several other movement organizations exist outside Mauritius, and between some of these movement organizations cooperation exists. The Chagos Refugees Group fight for the right to return to the islands, this is the priority. It does not really matter for them if the archipelago remains British territory or returns back to the territorial sovereignty of Mauritius, as long as the Chagossians can settle on the islands. For the Chagossian Social Committee this issue of sovereignty is important. Besides the right to return, they want the territory to return to Mauritius. Therefore, this group tries to cooperate with the Mauritian government (F. Mandarin, interview). Some political parties and non-governmental organizations (NGO's) support the Chagossians, mainly by supporting the Chagos Refugees Group. Some academics, journalists, and members of the British parliament also support the Chagossians. The Catholic Church provides support and guidance too (J. Chan Low, interview; V. Hookoomsing, interview; Priests, interview).

The claims that the Chagossians make on the right to return and the human rights violations that have been done to them, bear upon the strategic, financial and security interests of the UK, the US and Mauritius. The protest forms that the Chagossians use to make their claims are mostly non-violent forms such as demonstrations, marches, petitions, and increasingly lawsuits. The Chagossians have

to make their claims in and against democratic regimes; therefore non-violent protest forms are generally accepted. However, protesters occasionally have been arrested, and some protests developed into forms that are more violent (for example, when protesters start to throw rocks at the police). Protests often take place in front of or nearby government institutions. The British High Commission in Port Louis is often the site where protest forms are displayed.

Now that the history of the Chagossians and the context of their conflict have been discussed, this thesis will move on to the central part of this study. In chapter four, the protest forms and changes in these forms will be discussed and the role of identity in this process will be analyzed.

## Chapter 4: The role of identity

This thesis studies the role of cases in the process of protest strategy change. In this chapter, we will look at the role of identity. The protests in this thesis are forms of collective action. This collective action must be driven and sustained by a collective identity. In the works of Polletta and Jasper (2001) on social movements and identities I found several reasons to choose for a focus on identity in the process of protest strategy change. First, as Polletta and Jasper argue, a movement's strategies can reflect the movement's identity by "choosing options that conform to who we are" (2001: 293). Second, the identity claims that a movement organization makes, can also be seen as protest strategies (Polletta and Jasper 2001: 293). Third, identity influences the development of a collective identity and this influence options for mobilization and thus for the collective action itself. It is my expectation that identity does influence the protest strategies of the Chagossians. Simultaneously with a change in protest strategies a change in identities have occurred. In this chapter, we will focus on the role of identity in the process of change in protest forms. The central question is:

*How did the multiple changes in the collective identity of the Chagossians enable them to change their protest strategies over the course of the past decades from traditional protest strategies such as hunger strikes and demonstrations in the 1970s and 1980s to courtroom litigation in the 2000s?*

To answer this question this chapter is divided in four sections. The first section will discuss theory on the role of identity and identity change. The second section will describe how the Chagossian identity has been developed. The third section will describe which protest strategies changed. The fourth section will analyze the relationship between identity and change in protest strategies, and end with a conclusion.

#### **4.1 Theories on the role of identity**

In this section, theories on the role of identity will be discussed briefly. The aim of this discussion will be to summarize some theoretical knobs, which can be used to describe the process of identity development and change. Therefore, when we go to the evidence provided by the data, we have some theoretical guidance that we can link to this process.

Identity plays a central role in collective action and movement involvement. The literature on social movements has paid more attention to identity processes in recent years, specifically to collective identity (Benford and Snow 2000: 631). An identity is “the answer to the question who or what are you” (Demmers 2012: chapter 1: 2). Every person has individual identities that make them feel unique, and at the same time, they have a communal identity that makes them feel that they are part of a group (Demmers 2012: chapter 1: 3). This communal identity plays a central role in this thesis, and it is also known as collective identity. All identities are constructed; outsiders can also ascribe collective identities to a group. It can serve political and sociological functions and it creates boundaries (Demmers 2012: Chapter 1: 4). An ethnicity is based on a set of characteristics that you must have in order to be a member. For example, you must have been born in a certain region (your ancestors must have been born there), you need to share a common language or religion and some physical appearances. In the end it is decided by the group who belongs to the ethnicity and who does not, thereby the group controls how fluid and dynamic the ethnicity is (Demmers 2012: Chapter 1: 8-10). Ethnicity is a communal identity, note that a communal identity is not necessarily an ethnicity. Ethnicity is relevant in this thesis because the Chagossian identity can be seen as an ethnicity. The Chagossians all are born on the Chagos Islands, or they stem from parents who were born there. They share physical appearances, a unique language and culture with its own traditions. As an outsider, you can become a supporter of their case, but you cannot become a Chagossian.

A collective identity “describes imagined as well as concrete communities, involves an act of perception and construction as well as the discovery of preexisting bonds, interests, and boundaries. It is fluid and relational, emerging out of interactions with a number of different audiences (...), rather than fixed” (Polletta and Jasper 2001: 298). A collective identity is not the same thing as ideological commitment, but new identities are promoted by movements to gain power and to transform themselves (Polletta and Jasper 2001: 298-9).

This literature on identity and the research projects associated with it “underscore the transformative power of participation experience, revealing how collective experience shapes individual identities” (Yang 2000: 381-382). “The process of collective action is crucial to identity construction because in this process previously dominant social institutions and cultural practices are replaced by a counter hegemony”(Fantasia in: Yang 2000: 382).

### *The relation between identity and strategy*

Activists choose strategies that match with their opportunities. However, identity can influence a movement organization’s strategy in several ways. As indicated above, the strategies can reflect the movement identity by “choosing options that conform to who we are” (Polletta and Jasper 2001: 293). Therefore, a pacifistic movement will choose non-violent protest strategies. Second, the identity claims that a movement organization makes, can be seen as protest forms and strategies too. It is known that movements “construct, deconstruct, celebrate and enact collective identities as strategies of protest” (Polletta and Jasper 2001: 293-294). The construction or reconstruction of the identity can be intended to achieve greater participation. Or to attract allies, funders and media attention (Polletta and Jasper 2001: 294). Third, instrumental calculations for strategies can also depend on the collective identities of the movement (Polletta and Jasper 293).

Sometimes there is no collective identity prior to the collective action. In these cases, the development of an identity frame by the movement is very important to recruit

activists. In addition, a collective identity can be developed in the process of collective action (Polletta and Jasper 2001: 291). Identity change can be a movement outcome and the primary goal of the movement. However, the creation of a strong movement identity can trigger the emergence of counter organizations, which will limit the effectiveness of the movement (Polletta and Jasper 2001: 296-7).

With this theory on identity and the development of a collective identity in mind, we will now look at the development of the Chagossian identity and the establishment of collective identity.

#### **4.2 How has the Chagossian identity been developed and which changes in identity occurred?**

In this section, we turn for the first time to the collected data. This section will describe the development and changes in the identity of the Chagossians. It will start with their identity back in the Chagos Islands, and then it will continue with the change in identity that took place upon arrival in Mauritius. Thereafter the shift from the negative identity of Ilios to the positive identity of Chagossians will be discussed.

The formation of an identity started before the Chagossian social movement and movement organizations emerged. Nevertheless, it is important to discuss these early identities, because these early identities contributed to the development of the Chagossian social movement and organizations. It is often argued that the Chagossians were not aware of their identity while they were living in the Chagos Archipelago (Jeffery and Vine 2011: 83). This does not mean that the Chagossians did not have an identity at all. Identities are formed along many different dimensions, and it is more accurate to say that every person has multiple identities (J. Chan Low, interview). Some might be related to a place such as a nationality or ethnicity. Others might be derived from gender or a position or function, such as daughter and student. The setting will determine which identity is present. At work the identity of a teacher and colleague will be at the forefront, whereas the identity as a parent will be more straightforward at home (Demmers 2012: Chapter 1: 4; Reicher 2004: 928-

929). What authors mean when they argue that the Chagossians were not aware of their Chagossian identity, is that they were aware of their identities as father; mother; child; brother; wife; neighbor; plantation worker; fisher and so on, but that they were not aware of a political or ethnic identity of Chagossians. A political or ethnic identity was simply irrelevant when the Chagossians lived in the Chagos Archipelago.

As discussed above, ethnicities or political identities (note that these two things are not necessarily the same) create groups and boundaries. So either you are in the group, or you are out. Inclusion in a certain group provides privileges, rights and duties. If you are excluded from a certain group, you will also be excluded from these privileges, rights and duties. Even though the Chagossians all received Mauritian citizenship, they were seen as Ilios (outsiders) and not as fellow citizens. Since there was no political process to participate in when the Chagossians lived in the archipelago, they did not have representatives. When they ended up evicted in Mauritius they did not have representatives that could function in the new Mauritian political process. Thus no representatives in the government and municipality councils, no representatives in community and school boards. Mauritians did not represent the Chagossians, because they treated the Chagossians as backwarded people from the outer islands. As discussed in chapter 3, the eviction led to a fall from a reasonable life to an absolute struggle to survive. The eviction forced the Chagossians to a life in harsh circumstances, where they remained for many years to come. This section will turn our focus now to the development of the Chagossian identity after their arrival in Mauritius.

### *Arrival in Mauritius*

Upon their arrival in Mauritius, the Chagossians felt homesickness and alienation. They lost family and community ties. Especially since the Chagossian community was dispersed between Mauritius and the Seychelles, and the Chagossians did not all arrive at once (Jeffery and Vine 2011: 83). The Chagossians had to leave almost all

their possessions behind; they ended up in Mauritius with nothing. They found themselves in abject poverty. Some Chagossians received very poor housing from the Mauritian government; others were forced to live with relatives, which meant that they lived with many relatives in a shack (CRG 2010: 9). Most of them settled in disadvantaged neighborhoods around the capital, Port Louis. The government provided some housing in Baie du Tombeau and Pointe-aux-Sables, other Chagossians started to live in Cassis, Roche Bois and Cite la Cure. The Chagossians arrived in Mauritius during a severe economic crisis. There already was a lack of jobs, and the arrival of so many Chagossians looking for a job around Port Louis did not improve the situation. The Mauritians discriminated the Chagossians with the color of their skin which is said to be the “blackest of the black” (Jeffery and Vine 2011: 96), negative stereotypes stemming from their history of slavery, their lack of formal education and the absence of the demand for their specific coconut processing skills (Jeffery and Vine 2011: 94-95). The first years, Chagossian children were excluded from schools, later the children experienced discrimination from their teachers and fellow pupils. Though schools are free in Mauritius, most parents could not send their children to school since they lacked money to pay the bus and the required school materials. The Chagossians experienced feelings of shame. Arianne Navarre-Marie, a Mauritian Member of Parliament who has parents from the Chagos Archipelago, reveals to me that when she was young she did not know that her parents were from the Chagos islands. In an interview she says: “I think that they were ashamed because people in Mauritius were looking upon them with disdain, they disdained people who came from the Chagos” (A. Navarre-Marie, interview). David Vine did extensive field research among the Chagossians. He also describes that many Chagossians felt ashamed. This feeling resulted from discrimination and material poverty. For example, comparisons were made with children that owned shoes whereas many Chagossian children went barefoot to school (Vine 2009: 145). The Mauritians started to refer to the Chagossians with the word Ilois (pronounced as Ilwa), which literally means islander, though it is only used to indicate people

from smaller outward islands which are perceived to have a backward society (Jeffery and Vine 2011: 83-96).

The forced migration led to a sudden drop in welfare and standards of living, alienation and social disarticulation, identity loss, and political disempowerment (Vine 2006: 22). The Chagossians felt excluded from Mauritian life. Many Chagossians feel “ambivalent about Mauritian nationhood” (Jeffery and Vine 2011: 83), because Mauritian independence was gained by the excision of Chagos from Mauritius and the exilement of the Chagossians that followed. Note that the British denied the collective existence of the Chagossians, and portrayed them as contract laborers from either Mauritius or the Seychelles (Harris 2012; Allen 2007: 441-482). All these factors made it difficult to change the prescribed identity of Ilios.

Nevertheless, the Chagossians themselves also used this word for their identity (V. Hookoomsing, interview). Professor Hookoomsing explained to me that the identity of Ilios was an identity by default. It was not really chosen. He continues with the statement that: “Ilios was actually not an identity”, because an identity is something that you consciously choose. An identity is constructed. Professor Hookoomsing adds that Ilios did not function as an identity marker. Maybe this is true for the Chagossians themselves, but otherwise I disagree. In my opinion, the identity of Ilios clearly marked the Chagossians (by their characteristics and places of origin) and was used against them to advocate the discrimination against them and to advocate the assignment of low, dirty and shameful jobs to the Ilios. Though, I would certainly agree that Ilios was not consciously constructed by the Chagossians themselves. Therefore it might be better to see Ilios as a social category. Professor Hookoomsing continues with his explanation that the Chagossian identity is created in a vacuum, in the sense that because of the lack of a clear identity there was strong desire to construct one (V. Hookoomsing, interview).

### *Turning point*

As indicated above, the Chagossians found themselves in very harsh circumstances. They either tried to hide the fact that they were Ilios by acting as Mauritians or simply used Ilios amongst themselves. At a certain point things started to change, which also led to changes in identity. Some important events contributed to this change, and will be discussed here. From 1975 onwards, the Ilios started to mobilize. More Ilios got involved in protests and demonstrations, and petitions to all involved governments were signed (Vine 2009: 165). During these years, the Chagossians also obtained more allies. Mauritian political parties such as the Movement Militant Mauricien (MMM), unions and organizations such as the Women's Liberation Movement started to support the Chagossians (Alexis 2011: 81). These supporting Mauritian political groups and unions wanted the Chagos Archipelago to be returned to the sovereignty of Mauritius, and they could thus combine their own goals with the goal of the Chagossians. This is important because from this moment onwards the Chagossians could count on Mauritian supporters. These supporters empowered the Chagossians and gave them strategic advice (Alexis 2011: 81). Together they fight and used "Rann Nu Diego" as their slogan, which means: give us back Diego (Vine 2009: 167). In 1978, the years of protests and demonstrations led to the distribution of the first compensation payment. However, many Chagossians did not receive payment at all, and for those that did receive some compensation the money was "hopelessly inadequate" (Vine 2009: 165). Therefore, seven Ilios women started a hunger strike in September 1978, which lasted 21 days (Vine 2009: 166; De l'Estrac 2011: 145).

In 1979 negotiations about additional compensation start (Jeffery and Vine 2011: 99), but the process is halted. Before and after this negotiations several hunger strikes are held in Cassis, Terre Rouge, and in Port Louis (Alexis 2011: 81). Renewed negotiations for a second compensation round started on March 22, 1982. Professor Hookoomsing identifies this moment as a crucial moment in the formation of the Chagossian identity, as he explains:

Simultaneously with the demonstrations, protest and hunger strikes, a process to negotiate a second compensation round started. Bernard Sheridan, came to Mauritius to negotiate the second compensation deal with the Chagossians. The deal was that the Chagossians would receive some compensation, but at the same time they had to renounce their right to return to the Chagos Archipelago. When you are offered a deal like this, you will start to think: “but this is my birth land, I grew up there, my ancestors are buried there, how can I give up my right to return”? Some people thought they would never be able to return, since they were told that “their islands have been sold”, so it was better to take the money, then not to be able to return and have nothing at all. Of course, there was a lot of controversy, and other people thought that it was better not to accept the money. At this time, the Chagossians did not have a leader or spokesperson, so it was hard to decide what to do. Finally, a Mauritian lawyer explained to them that they could sign the document and get the compensation, and later continue with the struggle on the right to return. Since the right to return is a fundamental human right and cannot be renounced. “The point is, that when this lawyer Bernard Sheridan came to Mauritius, the Chagossians had to decide for the first time, who they are and where they belong” (V. Hookoomsing, interview).

An agreement was reached and signed on the 27<sup>th</sup> of March. The British government would pay over 4 million pounds to the Chagossians, the Mauritian government would provide land for housing, and the Chagossians would agree that they could no longer sue the UK for the creation of the BIOT, their expulsion, their loss of work and properties, and their settlement in Mauritius. The Ilios Trust Fund was established to manage the distribution of the money which was mainly intended to provide for housing (Evers and Kooy 2011: xii; De l’Estrac 2011: 146-147).

### *Chagossian organizations*

After the second compensation round several Chagossian organizations are established. The Chagos Refugees Group is founded in 1983 (CRG 2010<sup>b</sup>) and pressed the right to return, though this group did not achieve much success (Vine 2009: 168).

In 1994 the Chagossian Social Committee is founded (F. Mandarin, interview). This development of these organizations is important because it provides leaders for the community and it establishes platforms for dialogue between the Chagossians. Despite the fact that there are two organizations, it is precisely the development of these movement organizations that unite the Chagossians. These organizations provide directions for collective action and connect to so many of the Chagossians that the threat of mass mobilization becomes realistic. It is argued that both movement organizations in their initial years did not render much success for their struggle (Vine 2009: 168). To one extent this is true, because these organizations do not realize improvement for the lives of the Chagossians in Mauritius, nor do they realize to change anything about the prospects of returning home. On the other hand these organizations provide leaders and representatives, and directions for collective action that still exist in the present day. Further, they advance the development of the identity as Chagossians. Although it is the Chagossian Social Committee (CSC) that makes the noun Chagossian known as the collective noun (Jeffery and Vine 2011: 101), both groups clearly refer to Chagos as the home territory and to themselves as the people from the Chagos Archipelago (V. Hookoomsing, interview). Both organizations start to use cultural symbols, such as the three-colored flag which is the flag of the Chagos Archipelago according to the Chagossians. The orange horizontal stripe symbolizes the plantations in the archipelago, the black stripe symbolizes the struggle of the Chagossians and the Blue stripe refers to the lagoons of the archipelago and the future (CRW Flags 2002). Little by little the Ilios develop their identity as Chagossians.

### *Chagossians as Indigenous People*

In 1997 the CSC managed to gain UN recognition for Chagossians as an indigenous or autochthonous people before the UN Working Group on Indigenous Populations (Evers and Kooy 2011: xii; V. Hookoomsing, interview; Jeffery and Vine 2011: 101). This is an official recognition of the Chagossians, and from this moment onward many documents, reports, articles and so on, will start to refer to the Chagossians as

Chagossians. Though this change occurred gradually, many organizations for the Chagossians only changed their name into a name with Chagossians recently. For example the Ilios Trust Fund only changed its name in 2011. Some still refer to Ilios, such as the Ilios Support Trust.

This recognition led to increasing support. In 2000 the CRG files a lawsuit against the UK government. The lawsuit leads to a wide interest of the media and eventually to more support and allies. With the increasing support, the CRG have been able to receive resources to build a Resource and Training Centre. This is a community centre where Chagossians can receive help, tuition or engage in cultural workshops and festivals (O. Bancoult, interview). It is the place where the Chagossians can be together and organize cultural events, have debates, or organize new protests. In addition, two monuments have been erected for the Chagossians in the area of Port Louis. Professor Hookoomsing argues that these monuments are important for the memory of the Chagossians. He adds: “it is important for the recognition of the Chagossians. One symbolizes their landing in Mauritius. The other is called the deportation monument. Which is a strong name” (V. Hookoomsing, interview). The monuments reflect the Chagossian identity, history and struggle.

The point is that the Chagossians consciously constructed an identity as Chagossians. When this identity is established they start to fight for the claim that they are Chagossians (before the United Nations and in lawsuits) and that, they have the right to return to the territory of their origin (by fights in courts). This Chagossian identity is thus very important and, sometimes it is used as tool (V. Hookoomsing, interview). This has important implications for their protest strategies, as we will see in section 4.3.

### ***2002 Full UK citizenship***

In 2002 the government of the United Kingdom gave full UK citizenship to Chagossians and their second-generation descendants, though not every Chagossian

is eligible for this citizenship (Jeffery and Vine 2011: 101; Jeffery 2011: 220). Since then, many Chagossians have migrated to the UK in search for a better life. I did not inquire about the effects of this migration on the identity of the Chagossians. Though due to the onward migration, families are experiencing separation again. I think it is likely that in the future this dispersion of the Chagossian community will influence protest strategies.

Even though this research did not unravel the influence of the UK citizenship on the identity of the Chagossians, I think it is important to note that it does influence the political identity of Chagossians. The identity of Chagossians unites them, it symbolizes that the Chagossians are united and from the homeland Chagos. The UK citizenship divides the community into two camps. This issue goes back to the issue of sovereignty to which sovereignty the Chagos Archipelago belongs. This issue led to the establishment of two different movement organizations in Mauritius (the CRG and CSC). For some groups (such as the CRG) it does not really matter if the Chagos Archipelago remains under British territory as long as they can return back to the archipelago. For other groups (such as the CSC) the Chagos Archipelago is part of the Mauritian sovereignty and its detachment was illegal. Therefore, the territory should return to the sovereignty of Mauritius. In line with this view, accepting the British passport is treated as accepting the British sovereignty. It is not a new issue, since this discussion also took place when the preparations for the eventual 2000 Bancoult lawsuit started (F. Mandarin, interview). But with the acceptance of the British citizenship this division have become more apparent.

This section described a number of different stages in the development of the Chagossian identity. First in the Chagos Archipelago, the Chagossians did not have a conscious identity that they used as a political identity. When the Chagossians arrived in Mauritius, the identity of Ilios was ascribed to them and was used in social life. After the second compensation deal in 1982 the Chagossians felt that they needed to organize themselves in order to protect their interests. The Chagos

Refugees Group was established, and in 1994 the Chagossian Social Committee was founded. Both these groups contributed to the transformation of Ilois into Chagossians, though the CSC made the noun Chagossians the common noun for their identity. In 1997, the Chagossians are recognized as Indigenous people before the UN. And the lawsuits that follow bring an international stage for the Chagossian struggle. In 2002, most Chagossians become eligible for full British citizenship. Many Chagossians choose onward migration in search for a better life. Consequently, the Chagossians have to deal with dispersion of families again, and the division between different groups is becoming more apparent. It is very likely that the dispersion and division of the community will influence protest strategies in the future.

The mentioned stages are the most important stages in the development of the Chagossian identity. Note though, that not every Chagossian has maintained a strong Chagossian identity. Since the Chagossians experienced discrimination and even abuse, many of them hid their Chagossian identity and the children of these Chagossians have only little sense of this identity and their culture. Mainly those of them who have been very active in the political organization of the Chagossians, have embraced the identity of Chagossians (Vine 2009: 145). This thesis focuses on the larger group that did change their identity. Another point to keep in mind is that the Chagossians have been displaced in both Mauritius and the Seychelles. Everything discussed in this section only relates to the Chagossians in Mauritius. Maybe similarities can be found for the Chagossians in the Seychelles but this has not been studied. When this thesis states that there are two groups of Chagossians that are divided along the sovereignty issue, the division between the Chagos Refugees Group and the Chagos Social Committee is meant. There are Chagossian SMO's in the Seychelles and the UK too, and some differ in their goals and visions from both Mauritian SMO's. The Chagossians in the Seychelles are for example opposed to a return of the Chagos Archipelago to the sovereignty of Mauritius because the territory would then be controlled by the Indo-Mauritian government and businesses, and it might be impossible for the Chagossians in the Seychelles to return

to the archipelago since they do not have Mauritian citizenship (Jeffery 2006: 305). However, this thesis will only be concerned with changes in protest strategies of the Chagossian SMO's in Mauritius. The next section will describe changes in protest forms.

### **4.3 What changes in protest strategies occurred?**

In the previous section, a number of protest events already have been described, because these events were crucial in the formation of a collective identity. This influence of protest on the formation of identity has been identified in academic literature (for example in the works of Polletta and Jasper 2001). In this section, changes in protest strategies will be described and they will be related to stages in the formation of the Chagossian identity.

When we look at the protest strategies that the Chagossians and later their social movement organizations used, we can see that episodes exist. The use of some protest forms from the initial years of the struggle, decreased or completely disappeared in later stages.

#### ***Arrival in Mauritius***

As described in section 4.2, in the first years after the arrival of the Chagossians in Mauritius, the protest were usually small. An exception was the protest on the boat the Nordvaer in 1972. For the evacuation of the Chagos Islands the boat the Nordvaer was used. First the island of Diego Garcia was cleansed; the last boat left the island on the 28<sup>th</sup> of September 1971. In 1972 the complete evacuation of Solomon Island and Peros Banhos followed in 1973. On the 29<sup>th</sup> of April 1973, one of the last boats with evacuated Chagossians arrived at Port Louis. But the 133 Chagossian passengers were aware of the fate that was waiting, therefore they refused to disembark and this protest lasted for five days (De l'Estrac 2011: 101-103; Vine 2009: 164). The protesters demanded their return to Chagos, or otherwise compensation and housing. Only after the Mauritian government offered assistance to the passengers, the protests stopped and the passengers disembarked (Jeffery and Vine

2011: 98). However most Chagossians, who had arrived earlier, had to find housing on their own.

### *Turning point; mobilization, negotiations and hunger strikes*

As indicated in the previous section, changes in the Chagossian identity occurred and from 1975 onwards certain events created a turning point. First it is very important that the Chagossians (in those days still recognized as Ilios) started to mobilize. More Ilios got involved in protests and demonstrations, besides the demand to return, they also started to demand compensation and jobs.

More important, the Ilios gained support from Mauritian political parties such as the Movement Militant Mauricien (MMM), which was (and remains) the most important opposition party in Mauritius, and other organizations. These organizations start to give strategic advice to the Chagossians. Together with these organizations, the Chagossians drafted petitions which were send to all involved governments (Vine 2009: 165). The aim of the petition was to express: “their anger at having been torn from their islands because the government of Mauritius had “sold” them to the British government to build a base” (De l’Estrac 2011: 122). The petition was send to the British High Commissioner in Mauritius, to the Mauritian Prime Minister and to the leaders of the opposition parties, and urged the Mauritian government to provide housing and jobs for each family (De l’Estrac 2011: 122). For the Ilios, a petition is a very new protest form. And the use of petitions is very significant, since drafting a petition requires skills that the Chagossians lacked (remember that most Ilios were illiterate and they did not use petitions in the Chagos). The use of this protest form is thus directly related to the ability of the Ilios to acquire allies. Obtaining allies is of course not the same thing as an identity, but this ability refers to the collective identity of the Chagossians. Even though they are still seen as Ilios and Mauritians disdain them, the Chagossians have developed a collective identity of people who have suffered and are suffering from an unjust situation. They also have developed a collective message (we want to return). And this collective identity of victims that

have a collective message attracts allies who assist them (Laura Jeffery dedicated an article to the possible interpretations of the Chagossian victimhood by their allies, see Jeffery 2006). It could even be argued that victimhood is the essence of the Chagossian collective identity (Jeffery 2006: 309).

The support of the allies is not only important for the protest forms, it is also important for the success of the protests. For example, in July 1978 eight families camped in the Jardin de La Compagnie, near the British High Commission, to protest against their living conditions (they were living in one tent). Although the Prime Minister received the protesters, he told them there was nothing he could do. The police drove the protesters away and thus ended the protest (De l'Estrac 2011: 129). In comparison, several Ilios women started a hunger strike in September 1978. The hunger strike was staged at an office of the MMM and lasted 21 days. The aim was to demonstrate the dissatisfaction of the Chagossians with the first compensation payment (Vine 2009: 166). Because the MMM offered its office as a stage for the hunger strike, it could endure for 21 days.

Allies such as the MMM, church groups, unions, and the Women's Liberation Movement started demonstrations and protests together with the Ilios. The participation of all these allies in the protest increased the impact of these demonstrations. They cried one united slogan: "Rann Nu Diego" (De l'Estrac 2011: 140). This slogan still appeared on signs in recent protests.

In 1979 negotiations about additional compensation start and lead to a proposed compensation. But the process is halted by Chagossian leaders and MMM activists because they think the proposed compensation is not a good deal (Evers and Kooy 2011: xii). More protests, demonstrations and hunger strikes follow, clashes between the protesters and the police occur, and sometimes arrests follow (Evers and Kooy 2011: xii). Initially hundreds of Chagossian women demonstrated in front of the British High Commission in Port Louis, and they demanded to be heard. The women

were led by Rita Bancoult and Lisette Talate. But the High Commissioner ignored the women and they decided to stage a sit-in within the government house. This led to violent protests and clashes between the protesters and the police. The police used tear gas and there were even some arrests. Therefore eight Chagossian women started a hunger strike in March 1981, which continued 20 days (De l'Estrac 2011: 141; Nazzal 2005: 7). The Chagossians not only demand jobs and compensation, but they also demand an official status as refugees. Between 1981 and 1982 more hunger strikes were held all in or nearby the capital Port Louis (Alexis 2011: 81).

Though the use of hunger strikes cannot be linked directly to identity (because the literature does not explain why the women chose hunger strikes and I did not interview those women myself), these hunger strikes are very significant. Because the same women take the forefront in all these hunger strikes, some women became known as representatives of the community who later developed into positions of leaders. In this case, the protest forms thus influence the creation of collective action leaders.

The intense protests lead to renewed negotiations for a second compensation round. These negotiations started on the 22<sup>nd</sup> of March 1982, and an agreement was made on the 27<sup>th</sup> of March. This agreement led to the establishment of The Ilios Trust Fund which was founded to manage the distribution of the money from the second compensation (Evers and Kooy 2011: xii; De l'Estrac 2011: 146-147). The negotiations and final deal directly influenced another protest. In 1975 the Chagossian Michel Vincatassin started a private law suit against the government of the United Kingdom. The law suit focuses upon private law wrongs such that mister Vincatassin experienced before, during and after his forced expulsion from the island of Diego Garcia in 1971 (Evers and Kooy 2011: xi). In 1982 mister Vincatassin is still engaged in the law suit, but he is forced to drop this case as a condition for a second compensation deal (Vine 2009: 166). The compensation deal also led to the founding

of the Chagos Refugees Group, because the Chagossians feel that they are not represented well.

Changes in protest forms that occur are more united protests (with more participants, united slogan, and collective goals), the use of protest forms that have more impact. Instead of small street demonstrations the Chagossians use large demonstrations, sit-ins, hunger strikes and petitions.

### *Chagossian organizations*

In 1983 the Chagos Refugees Group is established. This group provides leaders and representatives that can function in other boards (such as the Ilios Trust Fund). This is a very important development. Because the literature barely mentions protests after 1983, while a lot of attention is given to protest in the years before the establishment of the CRG and after securing the status as Indigenous People in 1997 (De l' Estrac 2011; Evers and Kooy 2011: xii). My interviewees also only discuss protests before 1983 and after 1997. Thus, it seems that as soon as the leading figures become part of formal organizations and institutions, the protests on the street (such as demonstrations, hunger strikes and sit-ins) decrease.

In 1994 the Chagossian Social Committee was established. This group pursued out-of-court negotiations with all involved governments on the right to return and compensation (Vine 2009: 168). Especially the close cooperation with the Mauritian government reflects a collective identity that differs from the collective identity that the CRG represents. The collective identity of the CSC maintains that the Chagos Archipelago is part of Mauritius and that the Chagossians are thus Mauritians. The Mauritian government is thus a suitable partner in the negotiations. This collective identity also places responsibility upon the Mauritian government, since the government must represent its citizens. Negotiations are a new strategy preformed by a handful of representatives from the Chagossian Social Committee, who receive professional advice from Mauritian experts. The negotiations continue over a span of

several years (F. Mandarin, interview). Interesting about this strategy is that a small amount of people represent a large part of the community, and that it does not require the active participation of the Chagossians. This is a contrast with the demonstrations, sit-ins and hunger strikes, because these strategies gain more momentum when large parts of the community actively participate in it. Also, since demonstrations sometimes escalated and led to arrests or violence from the police to the women, participation in demonstrations was a risk. To limit this risk, women chose to participate in demonstrations instead of men (Alexis 2011: 81). However, when the movement organizations are developed, these roles change and men take over the leading positions.

### *Chagossians as Indigenous People*

In 1997 the Chagossian Social Committee acquired UN recognition for Chagossians as an indigenous or autochthonous people before the UN Working Group on Indigenous Populations. This in itself could be regarded as a protest, because the engagement in the process of obtaining recognition could be viewed as a demonstration of Chagossian worthiness. The achievement of this recognition as indigenous people is a confirmation of their opinions and identity. It empowers the Chagossians, and this leads to the renewed use of an old strategy: lawsuits.

While the CSC continues with its out-of-court negotiations, the CRG prepares a lawsuit and the ruling takes place on the third of November in 2000 (this will be discussed more elaborately in chapter 6). The judge of the High Court ruled that the depopulation of the Chagos Archipelago was illegal under BIOT laws and this verdict destroyed the BIOT immigration ordinance that was developed in 1971 (Jeffery 2006: 299). Thus, Olivier Bancoult won his lawsuit against the British government. The Chagossians celebrated their victory. Soon they realized that it would be impossible for them to return to the islands, let alone to reconstruct their society in the Archipelago, because they simply lacked the means. Therefore, new lawsuits were instigated in order to obtain more financial compensation. In the

hearings that follow, it really becomes clear how much the collective identity of the Chagossians has matured. Instead of testifying about individual experiences, the witnesses testify about the collective experience. Witness ought to testify what happened to them. Therefore, statements should refer to 'me' and the experiences that these witnesses truly experienced themselves. However, they testify what happened to the community and refer to 'us and we experienced' instead of 'I experienced'. Examples are references like "back home we had plenty of food", or "when we were on the boats". During this trial judge Mr Justice Ouseley was very critical on the testimonies of the Chagossians, and he stated that there was a "lack of reliability of the evidence of individual Chagossians" (Nazzal 2005: 15; De l'Estrac 2011: 185). In this case the collective identity of the Chagossians hindered their protest form.

### *Changes in the target of the protests*

Besides changes in the Chagossian identity, the development of a collective identity and changes in protest forms, changes in the targets of the protests also occur. In the first years, the protest was directed against the Mauritian government (Vine 2009; 165). The Chagossians expressed their anger over the secession of the Chagos Archipelago and the horrible circumstances were they found themselves in. Women in the streets yelled: "Give us back Diego that you stole, Ramgoolam! That you sold, Ramgoolam!" and: "Ramgoolam sold Diego! Ramgoolam give us back Diego! Get a boat to take us to Diego!" (Vine 2009: 167). Petitions were sent to the Mauritian government too (Vine 2009: 165).

In later years the protests were mainly directed against the UK. There are two possible reasons this. Firstly, the Mauritian government became increasingly involved in the struggle of the Chagossians (especially through the opposition parties) and the government started to negotiate with the British on behalf of the Chagossians. Secondly, discoveries from archives led to the realization that most of the Chagossians were actually British citizens at the time of the annexation (Allen

2011: 129). The annexation and eviction were found to be illegal (Tong 2011: 160). And this provided the opportunity to develop specific protest forms against the British government. Currently the majority of the protests is still directed at the British government. In an increasing manner, the Chagossians also try to protest in the US and against the US. They instigate lawsuits in the US (more on that will be discussed in chapter 6), and in April 2012, the Chagossians sanded a petition to the White House.

#### **4.4 Analysis and subconclusion**

In every identity stage, we can see specific forms of protest. In the first years most protest are small and hardly get any attention. Therefore these protest hardly have effect. Around 1975 the Ilois start to mobilize with help of their allies. These protests involve more protesters. Often, respected allies such as the MMM, church groups, and unions participate in the events too. The Ilios start to develop a collective identity and use one slogan as their main slogan (Rann nu Diego!), and they start to make collective demands for compensation, their return and the provision of jobs and housing. The struggle of the Chagossians gains more momentum and leads to its first success when in 1978 the protests lead to the distribution of the money from the first compensation deal. After this compensation deal more protest follow until in 1982 a second negotiation deal is reached. In this process we see the use of new protest strategies such as the use of petitions and the staging of hunger strikes. However we can also see that some protest forms limit others. One of the conditions for the second compensation deal is the withdrawal of the Vincatassen private law suit against the British government.

In 1983 the first Chagossian social movement organizations are established. Although the Chagos Refugees Group continues to press for the right to return, the number of protest events decrease. It appears that leaders of former protest events no longer turn to the street as soon as they have obtained positions in formal organizations as the Chagos Refugees Group and the Ilois Trust Fund.

After 1997 we see an increase in protests. The protest form radically changed. Litigation is the new protest form. After the initial lawsuit of Bancoult versus the British government, whole series of lawsuits take place. In between, street demonstrations hardly ever occur. Currently, litigation is still the preferred method.

### ***Subconclusion***

The central question in this chapter was:

*How did the multiple changes in the collective identity of the Chagossians enable them to change their protest strategies over the course of the past decades from traditional protest strategies such as hunger strikes and demonstrations in the 1970s and 1980s to courtroom litigation in the 2000s?*

When a change in the identity of the Chagossians or their collective identity has occurred, we can see changes in the way Chagossians protest. Before Chagossians identified themselves as Chagossians they mainly had individual protests or protests in small groups. When their identity as Chagossians is established more protesters are mobilized. But they also start to use cultural expressions such as the Chagossian flag, and customs such as singing sega songs and dancing in street demonstrations, and on cultural events. The Chagossians start to celebrate their identity. They start to educate people about their story and their culture. This increases the potential for demonstrations. Remember that many Chagossians tried to hide their identity after their arrival in Mauritius. If people are ashamed of their identity, it is less likely that they will participate in demonstrations or cultural events. This changes when their identity becomes something to fight for, to be proud of, and to celebrate.

Especially important is the empowerment that the Chagossians experience when they are granted a status as Indigenous People. Hereafter the Chagossians start to use litigation as protest strategy. First, they only instigate lawsuits against the British

government. But later they also bring cases forward at courts in the United States and at the European Court for Human Rights (as we will see in chapters 5 and 6).

In this chapter we have seen that the multiple changes in the Chagossian identity from Ilois to Chagossians, and from nobodies to Chagossians with a strong collective identity, led to changes in the protest strategies. In the initial years only small protests were held. When a collective identity was established the protests occurred more regularly, it involved more Chagossians and often respected allies participated in the demonstrations. In addition, more attention was generated for their struggle and protests were often mentioned in the media. With strategic advice of these allies, the Chagossians started to use new protest forms such as petitions, sit-ins, negotiations and hunger strikes. Thus we see here that identity influences the framing of a collective problem and the formation of a collective identity. Thereby it influences options for mobilization, hence for protest forms. It becomes easier to mobilize the Chagossians into collective action when they have established a more positive collective identity. We see that group initiatives replace individual initiatives. In addition, we can see an increasing involvement in the struggle.

The first forms of a collective identity leads to the development of social movement organizations, and these organizations continue to develop the collective identity until Ilios are completely seen as Chagossians. After the establishment of social movement organizations the protest forms, that take place on the street, decrease. Petitions and negotiations are still used. After obtaining the status of Indigenous Persons, the CRG starts a lawsuit against the British government. We will see in later chapter 6 why litigation limits other protest forms. The only relation between the Chagossian identity and the use of litigation, can be found in the words of Olivier Bancoult. In his opinion lawsuits are a suitable protest strategy because it is a legitimate and respectful procedure. It is important for the Chagossians that the world respects the Chagossians and sympathize with them, and unites in their struggle. You cannot achieve this with violence, regardless of the Chagossians have

the means to stage violent protest forms or not. Many of my interviewees said that the Chagossians are peaceful people, it is not in their nature to choose violent means. They choose a protest form that seems to reconcile with their goal and with their means. Currently this appears to be litigation. Note though, that filing a lawsuit on behalf of the Chagossians is only possible because a collective identity has been established.

## **Chapter 5: The role of human rights**

Since the Second World War human rights and a number of charters and conventions have been developed. The most famous ones are the UN Charter and the Universal Declaration of Human Rights, which was adopted by the General Assembly of the United Nations on the 10<sup>th</sup> of December 1948 (Hannum 2009: 62). Specific bodies relating to human rights also have been developed, such as the Office of the High Commissioner for Human Rights, the Human Rights Council and the Commission on Human Rights (Hannum 2009: 72). In addition, some regions in the world developed a regional treaty on human rights or established human right courts. For example the European Convention on Human Rights and the European Court of Human Rights. These bodies monitor the standard of human rights in all countries and they advice governments. While at the same time being able to judge countries on their human rights performances in the human right courts. All these international institutions are surrounded by smaller organizations that lobby or campaign to address some human right violation or to advice the involved bodies. Groups that experience human right violations of their own government can often rely on some support of NGO's, either local or international ones. Examples of NGO's that are concerned with human rights are Human Rights Watch, Amnesty International, and SPEAK.

The international human rights regime empowers ethnic minorities and stimulates their political mobilization in three ways. First ethnic minorities can use the international community and the human rights regime to put pressure on their own governments (Tsutsui 2004: 69-70). Second, human rights can provide mobilization resources, both human and material (Tsutsui 2004: 70), for example by attracting the assistance of international human rights organizations. Third, information from other social movements, ethnic groups, and the international human rights organizations can provide the knowhow on how to stage and frame collective action (Tsutsui 2004: 70). This can influence the protest strategies. The central question in this chapter is:

*How did the Chagossians come to view and use human rights instruments as important tools so that they changed their protest strategies from traditional protest strategies such as hunger strikes and demonstrations in the 1980s and 1990s to courtroom litigation in the 2000s?*

This chapter is divided in four sections that will all address an aspect of the central question. The first section will discuss theory on the role of human rights. The second section will describe how the Chagossian use of human rights has been developed. The third section will describe which protest strategies changed. The fourth section will analyze the relationship between the use of human rights and human rights including the use of human rights instruments, and change in protest strategies. The fourth section will end with a conclusion.

### **5.1 Theories on the role of human rights**

Since World War II an international human rights regime have arisen and this has a significant effect on local actors, including ethnic groups because ethnic minority rights have been a central focus within the human rights regime (Tsutsui 2004: 67-8). Tsutsui argues that “the global expansion of human rights models in the last several decades has facilitated ethnic social movements” (2004: 67). Tsutsui’s arguments will be discussed now.

Tsutsui argues that “linkage to global civil society gives rise to ethnic mobilization” (2004: 63). He tries to develop a framework that can explain the increase in the number of ethnic mobilizations in the past five decades. In his article from 2004, Tsutsui tries to analyze the influence of linkages with the global civil society, because this is: “(...) the primary locus of international human rights activities, [and this] might influence ethnic political mobilization in the contemporary world” (Tsutsui 2004: 64-65).

Tsutsui defines ethnic mobilization as: “(...) a collective action against the state by a group of people who are perceived, by themselves or others, to constitute a different category based on their shared origin and culture” (Tsutsui 2004: 65). This ethnic

perception does not need to be strong; it can also emerge or grow in the process of collective action (Tsutsui 2004: 65).

Non-governmental organizations create global norms and standards, and empower civil society (Tsutsui 2004: 69). Tsutsui argues that linkages to global civil society empowers ethnic minorities and stimulates their political mobilization in three ways. First ethnic minorities with links to the global civil society can use the international community and the human rights regime to put pressure on their own governments. Minorities with these links are probably more aware of these political opportunities. When governments adopt accommodative policies it is likely that further ethnic political mobilization is encouraged (Tsutsui 2004: 69-70). Second, these links provide mobilization resources, both human and material (Tsutsui 2004: 70). Third, ethnic groups with links to the global civil society will be more exposed to and influenced by information from other social movements, ethnic groups, and the international human rights. This information can provide the knowhow on how to stage the collective action. It also provides frames that leaders can use (Tsutsui 2004: 71).

Tsutsui finds that when an ethnic group has a separatist tendency, or suffers from economical or political disadvantages, the potential for ethnic mobilization increases. A membership in international nongovernmental organizations also increases ethnic mobilization. Linkages to the global civil society have a similar effect because of the focus of the global civil society on human rights and human rights activities (Tsutsui 2004: 80-81).

## **5.2 The development of using human rights in the struggle of the Chagossians**

From the beginning of the Chagossian struggle, the Chagossians claimed that they wanted to return to the Chagos Archipelago. Sometimes they demanded decent housing and jobs, sometimes compensation (Vine 2009: 166). Gradually these claims were strengthened with claims that the Chagossians have the right to return, and later that this indeed is a fundamental human right (Vine 2009: 168). Claims based on

human rights instruments are used now frequently in the protest of the Chagossians. The Chagossian social movement organizations emphasize that it is a fundamental human right to stay in your country and to return to your country (Article 13 of the Universal Declaration of Human Rights). They draw on a number of other human rights as described in the human rights instruments, or point to human rights violations in their claims and protests. They will often relate to their forced displacement as cruel, inhuman or degrading treatment, for example (Article 5). Spokespersons focus on these human rights violations in the media, and in demonstrations signs are used that display these violations and the demand for the respect of their human rights.

Whereas in chapter 4 it was possible to divide certain protest strategies into episodes, this will not be the case in this chapter because there are no clear episodes concerning the use of human rights. It is not clear at which moment the Chagossians started to use human rights as a basis for their claims or directly as a claim. When they lived in the Chagos Archipelago they did not know about human rights, the human rights instruments and the human rights bodies. When they were forcibly evicted the Chagossians of course knew that this was outrageous, horrible and not normal. However it remains unclear when, how and why the Chagossians learned that their forced eviction and the ban on their return could be seen as a human rights violation, and thus that they could use human rights in their protests. Based on the literature I would say that the Chagossians started to realize that they actually had a right to return, in the process of the second compensation round. They had to renounce their right to return in order to get money as compensation (Vine 2009: 167). This provision led to a lot of discussion and turbulence. Eventually the Chagos Refugees Group was established in 1983 and this group started to press the right to return (Vine 2009: 168).

Another change with the previous chapter is that in the case of identity we saw multiple changes in the identity of the Chagossians. Here we do not see multiple

changes in the human rights that the Chagossians use, only changes in the instruments and bodies that they use and the manner they use it. Nevertheless, changes in the instruments and manners that are used, are interesting in the process of protest strategy change.

In this section I will describe how the Chagossians use human rights instruments in their frames and claims, and how they use human rights bodies. In the next section it will be discussed how the use of human rights plays a role in protest strategy change.

### *Using human rights instruments in framing and claim-making*

The Chagossians use human rights instruments to frame their struggle. The term human rights instruments refer to the international treaties on human rights. Examples are the Charter of the United Nations and the UN Universal Declaration on Human Rights (OHCHR 2007). In addition to these treaties, a whole range of additional treaties exists. However the status of every single treaty differs per country. Some regions are developing their own additional instruments. They do not undermine the UN instruments but complete them. The Chagossians often refer to human rights instruments. Usually they do not mention the specific treaty and article, but just refer to the right (for example the right to return). However, the rights were the Chagossians refer to can actually be found in the human rights instruments. Sometimes the specific instruments are mentioned, it depends on the occasion and the spokesperson.

The Chagossians use these instruments to construct a human rights frame to gain supporters. By this, I mean that the Chagossians have constructed a story which they use to tell the world, and in this story they are victims of certain human rights violations (what I certainly not would deny). They are seeking for justice and appeal to other nations and people to struggle for human rights and support them in their struggle. Some examples will be discussed now.

In 1997, the Chagossian Social Committee spread a leaflet that showed Fernand Mandarin when he participated in a session at the UN Working Group on Indigenous Populations and the leaflet proclaims: "To live on our land of origin: A sacred right, wherever our origin may be!" (Vine 2009: 168).

Olivier Bancoult, who is the leader of the Chagos Refugees Group, will refer to the human rights of the Chagossians and the violations done to them, in almost every speech and interview. A few examples will be given. During a meeting of the ACP-EU (African, Caribbean, Pacific- European Union) Joint Parliamentary Committee in July 2010, Olivier Bancoult stated: "We are fighting for our human rights but are human rights not inherent? We are born with them, so why do we Chagossians have to fight for rights which are already ours?" (Rainer 2010: 32).

In May 2012, Olivier Bancoult was invited by the Pan-African Parliament to present his case before the Parliament. In his statement he clearly refers to human rights. For example:

Even so, ladies and gentlemen, we, the Chagossians, as a people, are proud of our roots, culture, values and legacy. We are entitled to our fundamental human right of abode in Chagos, now unilaterally renamed as the British Indian Ocean Territory by the UK government.

The systematic refusal of the British Government to respect our fundamental human rights has been condemned by the international community. The deportation of an entire population constitutes a crime against humanity that Africa cannot and should not condone (Bancoult 2012).

So we see the reference to human rights. Later in the same speech human rights are used to gain supporters when Bancoult states:

(...) today, I make an urgent request to all members and officials present. The Chagossians urge you to support their cause. We have only one small request and that is to simply respect our fundamental human rights.

We believe in our fundamental human rights and we have faith in Africa. Today, the time is riper than ever for Africa to show that it will no longer stay silent when its own people are being denied their rights (Bancoult 2012).

This example clearly demonstrated how the Chagossians use references to human rights and human rights instruments in an attempt to acquire more supporters. But they use human rights also to display their disagreement. In 2004 on the 13<sup>th</sup> of July, a large number of Chagossians protested outside the British High Commission in Port Louis, to demonstrate their anger on their current situation and to express that they demand the restoration of their human rights. The protesters scream slogans such as: “respecte nour droits” (respect our rights), and Rann nu Diego (Give us back Diego). In addition, they use signs that state: “Chagossien dimane so droit fundamental” (Chagossians demand their fundamental rights), “U.N has asked U.K to respect our right to return”, other signs states: “we will continue to fight for our fundamental rights”, and “UK = crime against humanity”.

### *Using human right bodies*

A more recent development is the use of human right bodies. Human right bodies are for example the United Nations General Assembly, the International Court of Justice and the regional European Court of Human Rights. It is the aim of these bodies to promote and protect human rights. The United Nations General Assembly can pass resolutions that aim to protect or restore human rights. The International Court of Justice and the European Court of Human Rights can settle disputes (OHCHR 2012). Like with the treaties, it also differs per body to whom it is accessible and what it can do. Since the Chagossians do not have a nation of their own, they cannot use every body. Now some flirting of the Chagossians with human right bodies will be discussed.

International law plays an increasing role in the struggle of the Chagossians. The annexation of the islands and the depopulation of the Chagossians were always considered to be in contradiction with several international conventions. For example UN Resolution 1514 (XV) Article 5, which “prohibits the dismemberment of colonial territories prior to independence (Tong 2011: 163); and the Universal Declaration on Human Rights, Article 9, states: “no one shall be subjected to arbitrary arrest, detention or exile” (Tong 2011: 160). However, the disputes between the Chagossians and the British government has been challenged only recently beyond the highest courts in the UK. This makes way for international courts concerned with human rights and international law. And the Chagossians indeed started to use these courts. In 2005 the Chagossians brought their case to the European Court of Human Rights. The Chagossians have issued several petitions alleging several violations of the European Convention on Human Rights (Allen 2011: 151). This case will deal with compensation and the right to return (De l’Estrac: 191; Nazzal 2005: 23). Generally, the European Court of Human Rights only treats a case when domestic legal options have been exhausted. When the Chagossians sended their petition to the Court, this was not the case. Only after the House of Lords, the highest British court, came to a verdict in 2008 the possibility for the Court to do something became available. But this process is slow. The Court gives the accused party the option to settle the issue and if not, it starts to inquire the dispute. The ruling was expected this summer (Norton-Taylor 2012). So within the very near future we will learn how effective the use of human right bodies can be.

When MMM opposition leader Paul Bérenger was Prime Minister in 2004, he declared that Mauritius was considering leaving the Commonwealth in order to be able to instigate a case about the Chagos Archipelago, at the International Court of Justice. It would be necessary to leave the Commonwealth, because the Commonwealth states acknowledged the International Court of Justice but added a doctrine that disputes between two members of the Commonwealth would not be applicable for the jurisdiction of the Court (Mauritius Times 2011: 8). However, since

the Prime Minister spoke so openly about this consideration, the British government quickly revised the doctrine and added that it excluded the jurisdiction of the Court with regard to “any disputes with the government of any country which is or has been a member of the Commonwealth” (Reddi 2011: 8). Therefore the Mauritian government can no longer address the case of the Chagossians, or the issue of sovereignty at the International Court of Justice. The Chagossians would have welcomed this initiative of the Mauritian Prime Minister, since only states can put forward disputes before the International Court of Justice. It is questionable if the main motive would be to help the Chagossians or to reassert the sovereignty of Mauritius over the Archipelago, but it has to be said that Paul Bérenger is a supporter of the Chagossian struggle from the beginning.

In 2010 the UK created a Marine Protected Area (MPA) around the BIOT. Mauritius and the Chagossians have opposed to this MPA. The Chagossians are not against the idea of the Marine Protected Area, but they argue that it is simply a new instrument to make resettlement impossible. Mauritius has initiated proceedings against the British government, on the basis of the United Nations Convention on the Law of the Sea, Annex 7 (Meetarbhan 2012: 7). The Chagossians will bring this case of the Marine Protected Area to the European Court of Human Rights.

In my interview with Olivier Bancoult, mister Bancoult expressed that they considered proceeding to the International Criminal Court. Thus, the Chagossians clearly consider many forms of litigation in order to fight for their right to return and funding for their resettlement.

### **5.3 Changes in protest strategies**

In section 5.2 we noticed that the Chagossians can use human rights instruments and bodies in their protest strategies. References to human right instruments are part of the Chagossians frame for a long time now. The Chagossian leaders use these references to obtain supporters and allies. By referring to human rights, the protests have become a bit more sophisticated. In demonstrations signs will be used that refer

to human rights instruments, though signs with Rann nu Diego remain to be used. Human rights instruments are particularly used in the media and in the Chagossian collective action frame. This has attracted support from NGO's concerned with human rights such as SPEAK and UNROW. And these NGO's provide strategic and sometimes legal advice to the Chagossians. They help with the organization of protests. Many people are attracted to support the Chagossians because they sympathize with the Chagossian goal to simply restore human rights.

The Chagossians can also use the human rights bodies. They can address personnel of these bodies (in speeches) or use the bodies to settle a dispute. Using human rights bodies to settle a dispute is fairly new and the court has not produced a verdict yet. Meanwhile the Chagossians are preparing cases to use other human rights bodies. So if their case at the European Court for Human Rights is successful it is very likely that human rights bodies will be continued to use.

#### **5.4 Analysis and subconclusion**

In this section we have seen that the Chagossians can use human rights in two manners. First they can use human rights instruments, such as treaties. Which they indeed use in order to frame their struggle and in order to obtain allies. This strategy pays off because the CRG has acquired the support of two NGO's which are concerned with human rights, namely SPEAK and UNROW (V. Hookoomsing, interview). Well-known persons such as writers, journalist, academics and some British members of Parliament all support the Chagossians. And these supporters actively fight with the Chagossians. They write blogs, visit events and urge people to take action (Le Mauricien 2012). With the help of SPEAK the Chagossians send a petition to the White House in the United States, in April 2012. The White House will only consider the issue of the Chagossians if they obtained more than 25 000 signatures. Which is a capacious amount for a population that only consists of a couple thousand people. However, the Chagossians manage to obtain over 25 000

signatures (News on Sunday 2012: 6), which really makes clear that the Chagossians managed to increase their supporters.

The second manner that human rights can be used is through the use of human right bodies. The Chagossians started to use human rights in this manner when they brought their case to the European Court of Human Rights. The verdict is expected on the short term. Although it remains to be seen if the use of human rights bodies is an effective protest strategy, the Chagossians surely prepare their next move. Future use of human right bodies can be expected.

The struggle of the Chagossians reminds me of the Civil movements in the United States that tried to use the paradox in which the US was engaged, namely promoting human rights all over the world while at the same time violating human rights for African Americans within the US. These movement organizations used this paradox and they used non-violent protest means that demonstrated the civilized characters of the protesters, while showing the uncivilized character of the police response (Freeman 1975; McAdam 1982). The Chagossians also point to this paradox. An example is a statement made by Olivier Bancoult in the book of David Vine (2009): “The great powers, they who control the world, they who make so many noble declarations about human rights, they must correct this error that they made with the Chagossian community” (Vine 2009: 178).

Another example is drawn from the speech that Olivier Bancoult held for the Pan-African Parliament:

(...) self-proclaimed advocates of human rights such as the United States and the United Kingdom knew that they were about to conduct an illegal operation. That is why we have been fighting for redress to be provided to the Chagossian Community (Bancoult 2012).

In the same speech, Olivier Bancoult refers once more to this paradox when he states:

“Other countries may proclaim themselves as the pioneers of human rights but every single person of African descent knows that we are the real advocates of human rights”. “We have the opportunity to teach self-proclaimed pioneers of human rights how far and to what extent they should put into practice what they preach”! (Bancoult 2012).

This duality is also pointed out during the protests at the British High Commission in Port Louis in 2004, with signs claiming: “UK government violates its own laws”.

### *Subconclusion*

The central question of this chapter was:

*How did the Chagossians come to view and use human rights instruments as important tools so that they changed their protest strategies from traditional protest strategies such as hunger strikes and demonstrations in the 1980s and 1990s to courtroom litigation in the 2000s?*

It is not clear at which moment the Chagossians learned that the things done to them were actually considered to be human right violations. However from an unknown moment onward the Chagossians start to refer to the right to return in their protests. Later additional references are made such as “UK = Crime against Humanity”. They use human rights in their collective action frames and in speeches of leaders. This generates a lot of support for the Chagossians. The Chagossians press for the right to return and start to fight for this right within the British domestic courts. The idea of human rights thus helps to develop the protest strategies in the direction of litigation.

The second manner, in which human rights can be used, through human rights bodies, pushes protest strategies further in the direction of the litigation. The Chagossians bring their case to the European Court of Human Rights, and they prepare cases to use other human rights bodies too. Which means that the use of litigation will be developed further under the use of human rights bodies.

## **Chapter 6: Influence of litigation on process of strategy change**

Marry Nazzal argues that “post colonial states or peoples [rarely] address their grievances in the legal arena against their previous colonial powers (...)” (2005: 26). However, this is precisely what the Chagossians are doing. Lawsuits have not always been their strategy. When we look at the protest forms of the Chagossians we can see that a wide array of tactics is being replaced by lawsuits and litigation. This is an interesting shift of protest strategies, especially since litigation did not always lead to success for the Chagossians. In this chapter we will look at this change. The central question of this chapter is:

*How did the Chagossians come to view litigation as an important tool so that they changed their protest strategies from traditional protest strategies to courtroom litigation?*

Just like the previous chapters, this chapter will also start with theory on the role of litigation. Followed by sections on how the Chagossians started to use litigation and how this changed the protest strategies. An analysis and conclusion will end this chapter.

### **6.1 Theories on the role of litigation**

Vallinder argues that the judicialization of politics is a world-wide phenomenon, Judicialization of politics can be understood as: “turning into a form of judicial process (Vallinder 1994: 91). Judicial review of executive and legislative actions an example of judicialization of politics (Vallinder 1994: 92). Randaria adds that “citizens are increasingly using courts at all levels rather than elections to render governments accountable (2007: 39). She argues that social movements are more concerned with surveillance and judgement than legitimacy and representation (Randarina 2007: 39). Several authors point out that there is an increasing role of litigation in world politics. And that litigation can be used as a protest strategy or instead of more traditional protest forms (Hilson 2002).

## **6.2 The development of using litigation in the struggle of the Chagossians**

The development of the use of litigation in the case of the Chagossians is very complex. The case is complex because it involves two domestic legal systems (of the UK and the US), colonial laws and laws on decolonialization and numerous international law conventions. Often different cases were ongoing simultaneously. By no means, do I try to include the complete use of litigation by the Chagossians, and I will certainly not dive deeply into all the legal complexities (see therefore Allen 2011; De l'Estrac 2011; Nazzal 2005; and Vine 2009). This thesis is about the process of protest strategy change, and this chapter will deal with the role of litigation in this process. I will discuss a number of important lawsuits, and I will start with the Vincatassin lawsuit.

In 1975 Chagossian Michel Vincatassin starts a private law suit against the government of the United Kingdom. The lawsuit focused upon private law wrongs such that mister Vincatassin experienced before, during and after his forced expulsion from the island of Diego Garcia in 1971 (Evers and Kooy 2011: xi). Mister Vincatassin had to drop his lawsuit as part of the second compensation deal. However, this lawsuit was used in later lawsuits against the Chagossians. When the Chagossians instituted private law proceedings against the British government in 2002, in order to obtain compensation and funds for the resettlement, the Vincatassin lawsuit actually was used as a reason why the government was not obliged to pay. The Limitation Act 1980 provides time limits for private law claims. This means that after the time limit expired, it is no longer possible to start a lawsuit in the English courts (Allen 2011: 133). The Vincatassin lawsuit indicated that from 1983 at the latest, the time for the Chagossians started, and the 2002 lawsuits for compensation were thus considered to be over time (Allen 2011: 133).

1997 two Chagossian women wanted to challenge the legality of their expulsion, and approached a Mauritian attorney to prepare the lawsuit. This Mauritian attorney,

Sivakumaren Mardemootoo approached a British solicitor for advice. When they decided to continue with the case, Mardemootoo approached the Chagossian Social Committee, because the case would be stronger if the group joined (Vine 2009: 169). But the CSC did not join. Fernand Mandarin explains to me that they considered it, but decided not to put forward their case. He gives me two reasons. In 1997 Mandarin sanded a file to the British government that describes the Chagossian community and their life in Mauritius. The file will be studied by a working group, to see if further negotiations with the Mauritian government are necessary. A lawsuit would jeopardize the possible negotiations, which is exactly what happened when the Chagos Refugees Group joined the suit which was prepared by Mardemootoo (F. Mandarin, interview). Another reason is that there is a dispute between the Mauritian government and the British government about the territorial belonging of the Chagos Islands. A reason not to put forward a case against the British government is that this would acknowledge the British sovereignty (F. Mandarin, interview). The women who originally asked for the lawsuit withdrawal.

In 1997 Richard Gifford discovered that “any exiled person in the Chagos was in fact a British Dependent Territories citizen” (Allen 2011: 129). In addition, Gifford discovered that the Chagossians were already citizens of the UK and its Colonies at the time of the exilement (Allen 2011: 129). This meant that every single Chagossian could “institute public law proceedings against the decision to deny him/her the right of abode in the BIOT” (Allen 2011: 129). Mardemootoo and Griffin thus continued with the case on the behalf of the Chagos Refugees Group. As is explained in the *Plight of the Chagossians*, the CRG initiated legal proceedings in London in 1998. The aim of these proceedings was to challenge the British Indian Ocean Territory, (BIOT) Immigration Ordinance of 1971 (CRG 2010<sup>a</sup>). The Chagossians wanted to challenge this ordinance because it prevents them from returning back to the Chagos Archipelago (Nazzari 2005: 10; Sand 2009: 323). In 2000 there was finally a hearing for the Chagossian case. The hearing started in July 2000 and it followed years of investigation by the High Court. The hearing was held at the High Court in

London and effectively overturned the immigration ordinance after the hearings (Nazzal 2005: 11; Sand 2009: 323). The British government initially said it would not appeal the case, and that: “(...) Chagossians were now free to return to their ‘outer’ home islands, but not to Diego Garcia due to a ‘treaty’ with Washington” (Nazzal 2005: 11). So the Chagossians celebrated their victory.

However, when some Chagossians wanted to enter Peros Banhos in 2001, their entry was denied to them (CRG 2010<sup>a</sup>). More negative news was on its way. In 2002, the UK government released the results of a study about the feasibility of resettlement on Chagos, and the government concluded that it was “indisputably infeasible” (Nazzal 2005: 12). In 2003 the United Kingdom proclaimed a BIOT environment zone, which is suppose to serve as a protection and preservation zone for coral reefs, turtles, sharks and fishes (Sand 2009: 323), but effectively makes resettlement impossible (F. Mandarin). In 2004, the UK issued a new BIOT immigration ordinance that prevented all non-authorized persons including the Chagossians, from entering the territory (Jeffery 2006: 299; Vine 2009: 174). This BIOT immigration ordinance came into existence through Orders in Council (which is a royal prerogative, meaning that the decision was made without parliamentary debate or consultation). The Chagossians challenged this BIOT immigration ordinance on two levels. First, since October 2004, there is an application for Judicial Review in the High Court, meaning that this Orders in Council are challenged at the domestic level (Nazzal 2005: 23). This led to a hearing which was held on 19 January 2006 at the High Court in London. On 11 May 2006, the High Court ruling gave the Chagossians the right to go back to the Chagos Archipelago, and thus overturned the Orders in Council (CRG 2010<sup>a</sup>). However, the UK government appealed to this decision in July 2006 which led to a hearing, and thereafter to a ruling in favor of the Chagossians (CRG 2010<sup>a</sup>). Once more the British government appealed and the case was brought before the House of Lords, the highest court within the jurisdiction (Allen 2011: 136). In 2008 this House of Lords ruled in favor of the British government with a three-to-two majority. Although all these three lawsuits were concerned with the question if the

Orders in Council were ultra vires (unlawful), the ultimate decision that the Orders were not ultra vires meant that the New BIOT Ordinance was not overturned (Allen 2011: 136). Thus the Chagossians were again banned from returning home (CRG 2010<sup>a</sup>).

Secondly the Orders in Council are also challenged at the transnational level by putting the case forward to the European Court of Human Rights. Challenging the Orders in Council in the European Court of Human Rights is part of the larger case of the Chagossians at this court, and this case will deal with compensation and the right to return (Nazzari 2005: 23).

After the 2000 victory in the Bancoult case the Chagossians filed a class action at the US District Court against officials from the Department of State and Department of Defence, such as Donald Rumsfeld and Robert McNamara (Nazzari 2005: 14). The charges were forced relocation, cruel, inhuman, and degrading treatment, and genocide (Vine 2009: 12). "They (...) [asked] the Court to grant the right of return, award compensation, and order an end to employment discrimination that had barred Chagossians from working on the base as civilian personnel" (Vine 2009: 12). But the US District Court argued that all the sued officials were immune from prosecution and that the Court did not have the power to rule on political decisions concerning the foreign policy. On top of that, the Court claimed that the Chagossians were removed and banned from return by the British government, and therefore they could not sue the American government (Nazzari 2005: 15-16). What I want to highlight with this example, is that the Chagossians seek ways to make their case in the United States. Though the US government claims not to be responsible and points towards the British, the Chagossians do hold the US government responsible for their eviction.

### **6.3 What changes in protest strategies occurred?**

After the initial endeavor with litigation in 1975, it took more than 20 years before the Chagossians would use lawsuits as a protest strategy again. This first attempt certainly influenced the protests of the Chagossians, despite the fact that mister Vincatassin had to drop the lawsuits (Vine 2009: 166). The Vincatassin lawsuit influenced the protests around the 1980's because Vincatassin's lawyer, mister Sheridan, was also approached to lead the negotiations for the second negotiation rounds (V. Hookoomsing, interview).

When the CRG decided to put forward a lawsuit against the British government this influenced the protest strategies of all the Chagossians. First, it limits the options of the CRG themselves as professor Chan Low explains:

As soon as you start to be engaged in a legal process, there is no point anymore to demonstrate in front of government buildings or to start a hunger strike. Starting a lawsuit simply means that you start a legitimate and bureaucratic process, in which decisions are made at a certain agreed point in time. You agreed to the procedure so what will a hunger strike change? (J. Chan Low, Interview).

This development can clearly be seen with the CRG. Naturally, lawsuits influence the whole course of action that a movement organization can make. If you disagree with the verdict, than protesting in the streets is not going to change the verdict. You need to start a new lawsuit to challenge the old verdict. Which can also be a positive aspect since the defendant also has to challenge the old verdict in court (which we noticed in the cases over the 2004 Orders in Council). Fighting an issue in court, means you limit the options to fight it in the street. Since the CRG is engaged in this legal process, there is no point to waste its energy on street demonstrations between the initiation of the legal proceedings and the outcome of the hearing. Though they do protest in the streets if they disagree with the verdict to display their anger, which is what they did in 2004 at the British High Commission in Port Louis.

But the lawsuits produced by the CRG not only limit their own options, it also limits the options of the CSC. The CSC was part of negotiations with the British and the Mauritian governments. But the negotiations stopped when the British government was sued (F. Mandarin, interview). The negotiations never resumed. Mister Mandarin argues that it is impossible to resume the negotiations as long as the lawsuits continue. In addition, the report that was used in the negotiations is also used in the lawsuits. Therefore, in order to renew the negotiations the CSC has to add a new element to the report that has not been dealt with in the court, according to mister Mandarin (F. Mandarin, interview). He requested access to some of the islands in the archipelago to conduct a research on the history of the Chagossians and their culture, but thus far access has not been granted.

Legal experts argue that it remains to be seen if litigation is a suitable strategy for the Chagossians. These experts see human right violations, and acts by the involved governments that might violate the English public law and surely violates international laws, but they think that the Chagossian case is “essentially a political question” (Tong 2011: 179; Allen 2011: 134).

#### **6.4 Analysis and subconclusion**

When I asked Professor Hookoomsing if he agreed that litigation appears to be the main strategy of the Chagossians nowadays, he stated that an increasing use of litigation can be found in many parts of the world. He explained:

Courts of justice in the modern world, whether in Mauritius or somewhere else, I can see it everywhere now, a legal battle is the most powerful weapon to make your court upon because in a democratic country democracy and human rights and justice they go together (V. Hookoomsing, interview).

In modern states litigation provides a big opportunity to challenge certain issues. A handful of people can represent a large group, and thereby it requires little effort from the majority of the group. It is usually not dangerous to be involved, you do not

even need supporters (just a lawyer or some lawyers). Proceeding a legal challenge can be highly successful, and if it is not successful than the law provides options to legally challenge the verdict. The procedure is therefore very clear. All these advantages can be a reason to prefer litigation to other protest strategies.

The shift towards litigation can be explained by the nature of legal engagement. First, the bureaucratic nature of the procedure makes other protest strategies useless, because protests will not accelerate the procedure. The accused party needs time to prepare its defense and the court needs time to inquire the claims and the evidence. So protesting in between will not advance the case. Litigation also has an element of path-dependency since a former legal decision needs to be challenged with a new lawsuit in order to be legal. Of course protest can occur to display disagreement with the verdict or anger over the verdict. But protests itself will not change a verdict. Due to this reasons a shift can take place in which suing becomes the modus operandi to protest.

There is another explanation why litigation is increasingly used as a protest strategy, in the case of the Chagossians. Of course it is true that engagement in lawsuits limits other options. However, it is important to realize that this shift towards litigation also takes place because the Chagossians do not have many other means. Professor Hookoomsing explains: "The Chagossians are only with a small number of people, they cannot really take the streets. So in that sense the legal case have become very important" (V. Hookoomsing, interview). One of the protesters also exemplifies the lack of means: "We have no arms to make war with the British government, nor with the Mauritian government" (Alexis 2011: 82). Many of the Chagossians who were evicted themselves (meaning not their Chagossian children who were born in Mauritius) are becoming old. A number of the leading protesters from the 1980s already passed away. It is difficult to organize demonstrations and hunger strikes if a large amount of the protesters is too old (and by that I mean physically unable) to participate in the protests. Another factor is the dispersion of the community over

three countries. There are Chagossians in Mauritius, the Seychelles and the UK. Litigation opens possibilities for all Chagossians, whereas a hunger strike in Mauritius can only attract protesters from within Mauritius. The reach of litigation also contributes to the suitability of litigation. A handful of Chagossians protesting on a lost corner of a street in London will barely get attention. Whereas a handful of Chagossians suing the British government in London attracts massive attention.

### *Subconclusion*

The central question in this chapter was:

*How did the Chagossians come to view litigation as an important tool so that they changed their protest strategies from traditional protest strategies to courtroom litigation?*

In the case of the Chagossians we see a shift towards an increasing use of litigation over other protest forms. It remains to be seen if this is a definite shift. Litigation did not always improve the situation of the Chagossians, and therefore it is a doubtful strategy. We can say that since the use of litigation increased, the use of other means such as demonstrations decreased. Litigation is a very slow protest form; maybe in the future the Chagossians will run out of patience and start to use their traditional protest forms again. It is also possible that one day the possibilities with litigation will be exhausted, and that the outcome is not satisfying for the Chagossians.

For now, we have seen that litigation appears to be the main strategy of at least the Chagos Refugees Group, and litigation will be their strategy for the near future. Thus, currently litigation is preferred over other protest forms. In this chapter several possible reasons for this shift have been given. However it remains unclear which reason is the main driving force behind the shift. It could be opportunity, the Chagossians have a case that is considered suitable for lawsuits and the CRG has attracted legal assistance (O. Bancoult, interview; V. Hookoomsing, interview). It could be necessity, in the sense that the Chagossians might not have other alternatives due to the aging of the population, the dispersion of its community, or

the lack of weapons. It could be path-dependency. Though this is not mentioned by the Chagossians themselves, other experts who I have interviewed often mentioned it. It could be a preference to use litigation, because it is regarded as a legal and legitimate way to challenge unjust. It is also a non-violent protest form and it is important for the Chagossians that the international community sees them as victims instead of rebels or terrorists. Further, lawsuits can attract massive media attention. The decrease in of other protest forms can simply be a consequence, because litigation limits the use of other protest forms. It rules out some forms, and it makes other forms such as hunger strikes useless because these forms cannot speed up the process or change the eventual outcome. All this reasons have been discussed here, and all have been mentioned by some of my interviewees. Since each interviewee mentioned different reasons it is not clear if any of these reasons is the one and only driving force. In my opinion it is a combination of all these reasons. However, I will reveal here what the presidents of the two SMO's had to say about this. Mister Bancoult, president of the Chagos Refugees Group, shared his vision with me and in his opinion, litigation is an opportunity and preference because it is an important tool to legitimately, peacefully and strongly fight against the unjust done to them (O. Bancoult, interview). In the opinion of Mister Mandarin, president of the Chagossian Social Committee it is a consequence. As long as the CRG continues with its lawsuits, the CSC cannot continue with its preferred strategy: out of court negotiations (F. Mandarin, interview).

The three cases which have been selected to study the process of change in protest forms, have all been discussed now. The next chapter will continue with the final conclusion.

## Chapter 7: Conclusion and reflections

### 7.1 Conclusion

This thesis has focused on the process of strategy change in the struggle of the Chagossians. Three cases have been selected to look more in depth to the process of change and the relation between the cases and this process. The central question in this thesis is:

*What is the role of specific changes in the process of protest strategy change in the case of the Chagossians that have occurred since their deportation to Mauritius and which continue to the present day?*

For the specific changes, the following three cases have been selected: identity and collective identity, the use of human rights and human rights instruments, and the use of litigation. In this thesis, a chapter was devoted to each case. With the insights and conclusions in these chapters we can finally answer the central question. First I will recapitulate the role of each case.

#### *Identity*

My findings on the role of identity and especially the development of a collective identity are nicely summarized by professor Chan Low:

The Chagossians had their own culture and language when they lived in the Chagos Archipelago. Their identity as an aggrieved nation of course only developed after the eviction. And this identity is constructed against the deportation and against the British and Mauritian government. This constructed identity is, needless to say, very important in their struggle. The construction of an identity as an aggrieved nation also unites the Chagossians more, it brings them together on the basis of common birthplace and roots, a common history and a common suffering. And it is an important resource when they have an action (J. Chan Low, interview).

In chapter 4 we have seen that the multiple changes in the Chagossian identity from Ilois to Chagossians, and especially the development of a strong collective Chagossian identity, led to changes in the protest strategies. In the initial years only small protests were held. When a collective identity was established the protests occurred more regularly, it involved more Chagossians and often respected allies participated in the demonstrations. In addition, more attention was generated for their struggle and protests were often mentioned in the media. With strategic advice of these allies, the Chagossians started to use new protest forms such as petitions, sit-ins, negotiations and hunger strikes. And they used one united slogan: Rann nu Diego! Thus we see here that identity influences the framing of a collective problem and the formation of a collective identity. The establishment of a collective identity increases the options for mobilization. And the involvement of the Chagossians indeed increases too.

In the process of the development of a collective identity, social movement organizations were founded. These social movement organizations developed the collective identity further and clearly started to refer to the Chagos Archipelago as a whole (instead of solely to Diego Garcia) and stated that they are the rightful inhabitants of these islands. After the establishment of social movement organizations, the protest forms that take place on the street decrease. The collective identity is developed until Ilois are completely seen as Chagossians, and this identity is something to express. After obtaining the status of Indigenous Persons, the CRG starts a lawsuit against the British government. The establishment of a collective identity makes it possible to file lawsuits on behalf of the Chagossians. Using lawsuits as a protest strategy is said to be in consonance with the peaceful identity of the Chagossians and their aim to be seen as peaceful victims of a human rights violation who simply want to put an end to the human rights violations done to them.

### *Human rights*

In chapter 5 on the role of human rights, we learned about the two ways in which the Chagossians have used human rights instruments and bodies. The use of human rights treaties serves the cause of the Chagossians better, and makes it more easy to attract allies. The other option is the use of human right bodies to challenge their disputes. The Chagossians brought their case on the right to return and compensation to the European Court of Human Rights. However, this has not led to a verdict yet. Overall, the different human rights instruments and bodies offer enough possibilities for the CRG to consider future use of these instruments and bodies. All forms of support for the Chagossians have increased because they claim that they are victims of human rights violations. This attracted the attention of human rights organizations and led to increasing support from these organizations and from outsiders.

### *Litigation*

Litigation is a fine opportunity to challenge certain issues. For most people it requires little effort, it is not dangerous to be involved in, you don't need supporters (just a lawyer), it can be highly successful and if not, the verdict can be legally challenged again. It is a clear procedure, it makes other protest strategies useless due to the bureaucratic nature of the procedure, it also has an element of path-dependency since a former legal decision needs to be challenged with a new lawsuit in order to be legal. Due to all these reasons a shift takes place in which suing becomes the protest strategy *modus operandi*.

In the case of the Chagossians we see a shift towards an increasing use of litigation over other protest forms, meaning that the use of a number of other protest forms has decreased. But lawsuits did not always have a successful outcome, and experts doubt whether litigation is the best strategy for the Chagossians. In essence, the Chagossian struggle is very much a political question.

Nevertheless, litigation is currently preferred over other protest forms. Several reasons for the dominance of litigation have been given in chapter 6. And I think all these reasons play a role. However, in my opinion there are two reasons which are crucial for the shift towards litigation. First, litigation is preferred by the Chagos Refugees Group because it is an important tool to fight in a legitimate, peaceful and strong manner against the unjust done to them (O. Bancoult, interview). This is also related to the collective identity that the Chagossians like to maintain. The second reason is the nature of litigation. Once you start to be engaged in lawsuits, options for other protest forms decrease. Verdicts need to be challenged through further litigation. So litigation produces further litigation. The process of litigation cannot be accelerated by protests. And some protest forms, such as negotiations for example, might be halted until a ruling has been made.

***Back to the central research question:***

*What is the role of specific changes in the process of protest strategy change in the case of the Chagossians that have occurred since their deportation to Mauritius and which continue to the present day?*

The development of a collective identity influences the options for protest forms. It unites the protesters and mobilizes them. The establishment of a collective identity leads to the development of social movement organizations. Once these SMO's have been founded, there is a remarkable decrease in protests while at the same time institutionalization takes place. After a long period in which protests were nearly absent, the CRG suddenly became very active after 1997 when it started a series of lawsuits on behalf of the Chagossians. It was possible to instigate these lawsuits because of the existence of a collective identity. So we can see that multiple changes in the collective identity also reinforce the multiple changes that have been noticed in their protest strategies.

The use of human rights mainly influences the collective action frames of the Chagossians by referring to human rights instruments. These frames are appealing to

a wide range of supporters, and the struggle for the Chagossian cause lies no longer solely with the original social movement organizations. This has attracted support, from a good legal team for example, and the assistance of organizations such as SPEAK and UNROW, which give advice about possible strategies and assist in collective action. This can enlarge the impact of the collective action (as in the case of the White House petition).

The final case in this study is the influence of litigation. This case cannot be left out when it is suspected that traditional protest strategies are being replaced in an increasing manner with litigation. Indeed I found that litigation has a profound effect on protest strategies and that it is preferred over other forms. Most of my interviewees were enthusiastic about litigation because it is a peaceful and powerful manner to achieve your goals. Though experts remain critical about litigation as a protest strategy, since they think that the struggle of the Chagossians is a political struggle. I also found that litigation limits the usefulness of other protest forms, because other protest forms will not speed up lawsuits or convince judges. And as we saw in the case of the CSC, litigation can block other protest forms such as negotiations.

A process of strategy change indeed seems to be unfolding. At least for the moment. And all three cases contribute to the development where traditional means of protest which were demonstrated on the streets, are being replaced by the more institutionalized and professionalized protest form of litigation and of the streets.

## **7.2 Reflections**

The field research that produced this thesis was my very first field research. In retrospect, there are many things that I should have, could have and would have done differently if had the knowledge and experience that I obtained during the field research when I went to Mauritius. Basically everything that could go wrong, went wrong at some moment. One day my research project turned out to be unfeasible, another day I ordered some copies at the archives but forgot to check if each copy mentioned the source (which it did not). Sometimes I was misinformed and brought the wrong questions to my interviewees. I took the wrong bus regularly, and always arrived an hour too early or two minutes late. And the only time I was supposed to conduct an interview at my house, I forgot my key. At each stage I could have been more organized. These are all learning experiences. I could have interviewed other people, maybe more persons. And I could have analyzed more newspapers (had I found the archives earlier). My thesis is far from flawless. But I do not think that it is necessary to analyze every nitty-gritty detail that I could have done differently. For experienced researchers this will be evident from my methodology and description of the interviews. I have learned a lot from this process, but also about the Chagossians and the field of Conflict Studies. And I can say that regardless of some flaws, I have written a genuine thesis.

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## Annex 1: Interviews and interviewees

### Professor Hookoomsing

Professor Hookoomsing used to work at the University of Mauritius, where he was Pro Vice Chancellor of Research and Consultancy. His field of expertise is language, literature and cultural studies with a special focus on the Mauritian Creole language. He founded the Creole Studies Group at the University of Mauritius. He published a number of books and articles, including work about the Chagossians such as his chapter in the book *Eviction From the Chagos Islands*, which was edited by Evers and Kooy (2011). He is very much involved with the Chagos Refugees Group and he also is a trustee at the Chagos Solidarity Trust Fund. The first time we met was on the 30<sup>th</sup> of March 2012, at the University of Mauritius. We discussed the history of the Chagossians, their eviction, their struggle and the main groups involved in the struggle. This interview has not been recorded. The second time we met was on the 11<sup>th</sup> of May 2012, at the Food Lover's Café at La Bagatelle Shopping Mall. We specifically discussed the process of identity formation and the role of litigation and human rights in the struggle of the Chagossians. The interview was taped, and lasted 2 hours. The sound document is available upon request\*.

### Arianne Navarre-Marie

Arianne Navarre-Marie is an member of the Mauritian Parliament for the political party Mouvement Militant Mauricien (MMM) since 2000. From 2000 to 2005 she worked as Minister of Women's Rights, Child Development & Family Welfare. The meetings of the members of parliament mainly take place in the afternoons and weekends, and madam Navarre-Marie works as a teacher at the Bhujoharry College three days a week in the morning. I met her because both her parents come from the Chagos Archipelago. We mainly discussed the Chagossian identity and the problems that Chagossians had to face and still have to face since they have arrived in Mauritius. I met her on the 11<sup>th</sup> of April 2012 at the Bhujoharry College in Port Louis.

The interview has been taped and lasted 1,5 hours. The transcript is available upon request\*.

### Olivier Bancoult

Olivier Bancoult is the president of the Chagos Refugees Group. He has been involved in the Chagossian struggle almost all his life. He was born in Peros Banhos and ended up in Mauritius when his family was there for medical treatment of one of his siblings. Afterwards the family was banned from return. Besides from his role as president of the Chagos Refugees Group, Olivier Bancoult is famous for the lawsuit he started against the British government on behalf of the Chagossians. These lawsuits are known as the Bancoult Cases. The Chagos Refugees Group fights for the right to return to the Chagos Archipelago, and for decent compensation for the Chagossians. The interview was mainly about the organization of the Chagos Refugees Group and current strategies. The It took place on the 12<sup>th</sup> of April 2012 for around 40 minutes and was not recorded. The interview location was the Chagos Training and Resource Centre in Pointe-aux-Sables. This centre has been renamed on the 16<sup>th</sup> of May 2012 and is now known as: Lisette Talate Chagossian Community Centre. Lisette Talate was an important women at the forefront of the Chagossian struggle, she passed away in January 2012. The attachment of her name to the centre is intended to honor her work.

### Professor Jocelyn Chan Low

Professor Chan Low is a historian who works as an Associate Professor in history and political science at the University of Mauritius. Currently, he is the dean of the faculty of Social Studies and Humanities. He has written on the Chagossians, for example in his chapter in *Eviction from the Chagos Islands*, which was edited by Evers and Kooy (2011). Professor Chan Low also functioned as consultant for the Mauritius Truth and Justice Commission on the Abolition of Slavery and Indentured Labor. I

met him at his office at the University of Mauritius. We discussed the major differences between the Chagos Refugees Group and the Chagos Social Committee, and the smo's that are based in the UK. We also discussed the importance of the Chagossian identity change and the influence of litigation and human rights on the Chagossian struggle. The interview was conducted on the 3<sup>rd</sup> of May 2012 and lasted 40 minutes. The interview has been taped, and is available upon request\*.

### Fernand Mandarin

Fernand Mandarin is the president of the Chagos Social Committee. He was born on Peros Banhos and came to Mauritius in 1966 when he was 23 years old. In 1997 Fernand Mandarin obtained the status as Indigenous People for the Chagossians at the United Nations. Like the Chagos Refugees Group, the Chagos Social Committee fights for the right to return and compensation, however, it does not acknowledge British sovereignty over the Chagos Archipelago and instead argues that this sovereignty belongs to Mauritius and that the territory thus should be under Mauritian control. Mandarin emphasizes very much that the Chagos Archipelago consists of 65 islands, and that there is no reason why the Chagossians cannot return to the islands other than Diego Garcia. The interview inquired the personal background of Fernand Mandarin, the organization of the Chagos Social Committee and their strategies, and mister Mandarin revealed a lot of facts about the Chagos Archipelago and the differences in lifestyle between life in the Chagos and life in Mauritius. I met mister Mandarin at his home in Cassis, Port Louis. The interview was conducted with the help of a translator, who translated between English and Creole. The interview was held on the 18<sup>th</sup> of May 2012, consumed almost two hours and was taped. The transcript of the interview is available upon request\*.

## Priests

During my field research I have interviewed two priests, or Fathers as they are called in Mauritius. Both these Fathers work in disadvantaged neighborhoods, where a number of Chagossians live. In both interviews, we discussed the problems that the Chagossians had to and still have to face, and we discussed the role of the roman-catholic Church in the Chagossian struggle. Meaning how the church in Mauritius is involved in protests and activities of the Chagossians. The interviews took place in the churches of these Fathers. The interviews have been taped and both interviews consumed more than an hour. The sound document is available upon request\*.

\*Before requested documents or transcripts will be shared, written permission of the interviewees is required. Please note that this procedure will be undertaken by airmail and might preoccupy six to eight weeks.

To the Chagossians

As much as I like to travel,  
as much as I like to treat my eyes  
to astonishing views from the mountain tops  
and to the vast expanse of the seas,  
there is no place I would rather go  
than the humble space which is called my home.  
Don't give up your challenging fight,  
hopefully justice will do you right.

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Moniek van Lierop