

Refugees, Conflicts and Global Peace

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The stability and sustainability of the global peace faces threats from many different and disparate quarters. These threats range from the growing military capabilities and a desire and a willingness to project it, by different international players on one hand, to the rising inequality in the living standards and life chances of people in different parts of the globe on the other. In this context, the phenomenon of the massive exodus of people from their homelands should not be underestimated. The post-cold-war international world, torn by ethnic and nationalistic conflicts, has witnessed such exodus in massive scale in many corners of the world. The refugees have emerged as another strategically important category and in many cases contributed to conflicts in host societies.

In marked contrast to the post-world-war international ethics of exhibiting hospitality to such refugees, this time round, in the post cold war period, the nation-states of the world have demonstrated a common sense of unwillingness to accommodate refugees. They have instead evolved national legislations, which discourage migration and inter-state mobility. Thus the problem of refugees unfortunately does not attract the level of attention and effort like other threats to world peace. However, if suitable steps and effective efforts are not undertaken then the problem of refugees has the potential to affect global quest for peace in the long run.

Refugee problem is fast leading to a burgeoning crisis. There are currently more than 20 million refugees[1] worldwide under the protection and care of UNHCR. Although this figure has not changed substantially over the past few years, there is an alarming trend that geographic spread of refugee outflows has been increasing. Previously Africa was one of the main regions, which was generating many different and large refugee flows. The current trend reflects that many new regions are facing massive exoduses of refuge seekers. Over the last five years, the number of people under UNHCR protection in Asia rose from about 7 million in 1996 to almost 9 million in 2003. The situation is far more alarming in Latin America where there is a seven-and-half-fold increase in the number of refugees. In addition, the decline in the number of refugees in Africa and Europe[2] is reflective of greater rejection of refuge seekers rather than a substantial decline in their numbers or in the causal factors.

In addition, this figure reflects those who come under the ambit of the 1951 Convention and the 1967 Protocol on the Status of Refugees. There are a large number of people who are forced to and seek refuge, yet do not fall under the restrictive interpretation of the definition or are in such countries who have not acceded to these international instruments.[3]

Such is the universality of the problem that during the last ten years, more than 160 countries have had refugees reaching their doorsteps seeking refuge and shelter. Even more worrying fact

is that amongst these countries there are more than 12 countries who are hosting more than a half a million refugees and 42 such countries are there where more than 100,000 refugees have taken refuge. These refugees are a consequence of more than 75 countries generating more than five thousand refugees.

As a consequence of this a large number of refugees have tried to seek refuge in industrialised countries. Between 1991 and 2001, more than 5.5 million people applied for asylum in Europe. This is almost two-third more than the number for the previous decade of about 3.1 million applicants seeking asylum.[4] Such is the pressure of refuge seekers that many organisations having xenophobic agendas with a propensity to use violence have gained political currency. These platforms use the social and economic pressure that is generated due to the presence of refugees in the host countries and its resultant destabilisation to garner support. The cost and consequence of hosting massive numbers of refugees is quite awesome on the industrialised countries. The economic and other social and economic problems due to exodus of refugees to the host countries have compelled them for the adoption of restrictive policies.

Refugees in History

Refuge seekers driven by persecution are a recurrent phenomenon in history. Right from the early biblical period when Israelites fled the persecution unleashed on them by the Pharaoh there have been plentiful instances of people fleeing due to persecution and seeking refuge and succour in alien lands. Unfortunately, not enough has been done to alleviate their miseries and to mitigate their suffering. Rather it was considered to be a natural phenomenon, part and parcel of the historical process and churning. However, people were religiously enjoined to help integrate the refugees and not to take undue advantage of their plight.[5]

Refuge seekers during the earlier times usually used to be small groups of people, though there are some instances of massive population exodus also. As in most of the cases the refugee seekers used to be in small number therefore, it was not considered as a threat for the existing political order hence the refugees were usually allowed to stay. Whether it the French Huguenots fleeing France or the Jews due to Queen Isabella's Inquisition there was always some place available to the refugees to find shelter and succour. Though conditions may not have been ideal, yet people found shelter away from their homes.

During the early international law theorists era the issue of refugees and their problems was given amicable significance by Vatale and Hugo Grotius[6] in their theorisation on International Law. Based on their writings two postulates or cardinal principle of international refugee law emerged. The first being that no person should be exposed to mortal dangers by being rejected entry. However, this humanist normative value was tempered by a realist appreciation of the fact that in case of providing such a person refuge, the host state must not be burdened with excessive costs. In such an eventuality, the host state was given the pragmatic prerogative of refusing refugee's entry.

These two postulates continue to govern the contemporary international law regarding refugees. Thus, every refuge seeker enjoys non refoulment yet this right is dependent on the pragmatic consideration of the state in terms of costs and its other social and economic effect.

The Way Out

As has been argued before, the number of refugees and their geographic spread are reflective of the looming crisis. The way out to the problem of refugees was initially to provide aid and assistance and try to settle them in willing recipient states. Initial Rwandan refugees in Tanzania being a case point where refugees were provided with land and international funding. An alternative was to provide for their needs in camps till such times as necessary funding was generated. In case multilateral funding or recipient state was not found, the refugees continued to languish in camps until some alternative arrangement is made. This uncertainty and transitory nature results in a yearning of the refugee to return and settle. Moreover, it has been found that those who have been settled in other countries and have made themselves self-sufficient are not sure of their future.

The presence of refugees in large number around the globe in various countries has also led to emergence of xenophobic parties. Their growth has not only meant that the refugees are exposed to large amounts of intimidation, violence and exploitation but also face restrictive policies that are initiated by the hosts. In extreme instances such policies may result in expulsion. Unpredictability of policies only adds to uncertainty and insecurity experienced by the refugees.

At a global level there has been an emerging consensus that repatriation to parent country could be the most favoured durable approach to solve refugee outflows. This has many advantages like the refugees would not be left at the mercy of the alien host countries. However, there is also consensus that before repatriation exercise essential requisite framework should be finalised like, there must be some semblance of normality if not positive proactive policies encouraging return. It is also believed that it is untenable that persons who have fled due to persecution in a particular country must be forced to return there without making suitable international safe- guards and protection.

Unfortunately, in many cases the refugees are coerced back before satisfactory conditions are created thereby being exposed to a threat of violence and persecution. Hence, there has to be substantial effort to achieve conducive conditions before repatriation can be contemplated and encouraged. There are many examples of massive refugee outflows being solved by voluntary repatriation after favourable conditions were created. However, a primary requisite in creating such conditions is that the conflict, which initially forced the people to flee, must be addressed. Any effort at solving the refugee problem without addressing the root cause has a risk of failure.

Analysis of Conflicts

From the above discussion it could be inferred that the need of the time now is to negate the conditions that has had led to exodus of refugees, and create positive and favourable atmosphere for the repatriation and durable integration of refugees into the mainstream of society. The conditions that are responsible for the exodus of refugees have a very close and deep linkages with the existence of violent conflict, hence such conflicts need to be addressed. As violent conflict is a decisive factor that delineates refugees from other forms of migrants, therefore violent conflicts need to be understood and analysed for any successful effort at solution.

Implying that there is a need to understand what constitutes conflict and violence before attempting to solve refugee problem.

Since, times immemorial violence as a potent social means is in vogue, for the attainment of personal and group ends. During the early period human beings learnt the practical benefits of being violent and its potential, it continues to be employed even today. A feature of violent behaviour is that the psychological preparation is far more important than physical preparation to perpetuate violent acts. Hence, it is important to understand the beliefs that prompt people to act or exercise their actions.

Efforts to understand conflict and ways to solve them have produced a multitude of scholarly works. The need, however, is to study the phenomenon in a deep manner. Scholars understand conflict in different ways. Some[7] consider it to be social pathology or a disease that needs to be treated. Others argue that the atmosphere in which human beings live is in constant flux. The expectations and rewards of people tend to diverge leading to stress and tension and constant conflict. These conflicts very often take violent forms. However, common needs and habits of humans favour a speedy redressal and cohabitation. Hence, a constant struggle for changing or sustaining equilibrium continues in the society or in other social systems. Human needs theorist[8] on the other hand argues that unless basic human needs— like recognition, autonomy, dignity, bonding— are fulfilled, conforming behaviour is not possible.

Structuralists[9] argue that conditions of violence and peace must be clearly understood, so that the effort can be made to move from violence to peace. According to Structuralists violence is not a random affair rather it is a structured one. Violent activity is the dependent variable and the conditions of violence are the independent variables. The hierarchical and vertical pattern of human interaction is the main cause of conflicts. The presence of this hierarchy in different spheres like culture, economy, political and military spheres must be studied to understand conflict. However, evolution of the cultural ethos and deep cultural beliefs must be studied to understand how violence is justified and legitimised. The presence of above features is to perpetuate exploitation and build structural violence into the social system.

There are different types of violence— direct or physical violence, indirect or structural violence and lastly, cultural violence. The endeavour is to evolve the means because there is not only an absence of physical violence but also conducive conditions for a positive peace, i.e., the presence of freedom, equality, integration and participation.

A major feature of conflict, especially collective violent conflict, is the struggle to control the levers of a state. The very establishment of state and its continuation is linked to use and monopoly of coercion or violence. One of the major features of conflict in the post-Cold War era is the end of this monopoly largely due to the easy availability of arms. In some cases the state structures are so severely undermined that they begin to disintegrate. In such conflicts ethnicity or identity groups are useful units of analysis.

Solution to Conflicts

Conflict in society can be solved using brute means like genocide or mass transfers. However, such means only temporally contain conflicts. Among the non-brutal means to solve conflicts,

the classical approach was to keep the antagonists separate. However, such an approach though containing the physical violence may lead to regrouping of antagonists, development of prejudices and negative attitude. Also it is not feasible to physically keep the antagonists apart beyond short duration's of time. As a result conflict escalates over a period of time if brute means like genocide or mass transfer is applied for the containment.

In the case of conflict transformation,[10] an effort is made to transform the conflict, usually by an external agency. The effort is to bring about change in attitude and social structure and creation of peace constituencies in society. The approach is not linear rather relies on the use of necessary actors at different phases. However, external intervention by itself is not a solution. Usually such intervention starts once the conflict has escalated to violent behavioural manifestation and withdraws before solution or integration is completely achieved. Thus leaving the society in a precarious position.

On the other hand, Human need theorists propound that conflict can be solved using 'problem solving conflict resolution or conflict prevention'[11]. It is a process of bargain where the parties to a conflict weigh their options cautiously and are made to trade-off their interests. The concerned parties are informed of the costs involved in continued conflict and alternatives to violence are developed. However, this approach is unable to deal with asymmetric power equations. Practical difficulties like different languages and cultural moors also hinder progress and effectiveness of the process making it unsuitable to solve conflicts.

Theorists who propound peace making, as an alternative argue that conflict will not be resolved by just solving the underling conflict, i.e., the source of tension is resolved. It is not necessary that thereafter the instruments of violence will wither away. The existence of large number of armed and trained combatants destabilises the fragile peace that is attained. They further argue that the parties themselves too need to be transformed in such a manner that conflict is not reproduced. Thus two different issues need to be addressed, one the violence is reduced and the other is that it does not reoccur. Hence creative conflict resolution has to be used.

Thus the solution to refugee problem and the plight of millions is to adopt policies and interventions that promote peace. This implies the first effort must be made to not only contain violence but to try to solve the underlying conflict/source of tension. But this is not enough. Effort must be made to transform groups and their structures of interactions in such a manner that conflict is not reproduced, i.e., structures of disparities must be resolved. An effort will also have to be made to create cultural ethos and idioms that promote peace and integrity of the society. Only then will repatriation of refugees will be voluntary and successful and result in the easing of the plight of millions.

Endnotes

1. UNHCR, *Statistical Year Book*, 2001.
2. Responding to Conservative Criticism, the British Home Secretary, David Blunkett said "It is absolutely clear that the steps we took in the Nationality and Immigration Act have worked and there will be a dramatic fall in the number of people claiming asylum". Mr Blunkett said

the figures would “put us firmly on track to meet the target to halve the number of claims in September compared with unacceptably high levels in October last year”.

http://news.bbc.co.uk/2/hi/uk_news/politics/3186917.stm.

3. As of 1 February 2004:

Total number of States Parties to the 1951 Convention: 142.

Total number of States Parties to the 1967 Protocol: 141.

States Parties to both the Convention and Protocol: 138.

States Parties to one or both of these instruments: 145.

www.unhcr.ch

4. Op.cit, No.1.

5. You shall not oppress a stranger, for you know the feeling of a stranger, having yourself been stranger in the land of Egypt. *Bible Ex 23:9*

When a stranger resides with you in your land, you shall not wrong him. The stranger who resides with you shall be to as one of your citizens; you shall love him as yourself, for you were strangers in the land of Egypt: I the Lord am your God. *Bible LV 19:33-34*.

Quoted in Drew Christiansen, “Movements, Asylum, Borders: Christian Perspective” *International Migration Review*, vol. 30(1), p.8.

6. Richard A.C. Cort, “Resettlement of Refugees National or International Duty”, *Texas Law Journal*, Vol. 32, 1997, p.309.

7. Sigmud Freud, “The Nature of Man’s Aggressive Instincts” in Auther and Lila Weinberg (ed.) *Instead of Violence*, New York, Grossman Publishers, 1963, p. 203.

8. John Burton, *Conflict : Resolution and Provention*, New York: ST. Martin’s Press, 1990.

9. Johan Galtung, *Peace by Peaceful means: Peace and Conflict, Development and Civilization*, Sage Publication, London, 1960, p.21.

10. Kumar Rupesinghe, (ed.), *Conflict Transformation*, Houndsmill: St. Martin’s Press, 1995, p.66.

11. Burton, op. cit. No.8.