

POLITICAL ASPECTS OF REFUGEE*

I Basis Susilo

Most of students of international politics tend to be realistic in seeing and analyzing the international affairs. They develop their analyses on some assumptions: (a) that the dynamics of international politics is shaped by the power play of states and other actors; (b) that states and other actors are self-interests bounded; (c) that, as far as the states are concerned, national interests are the main ingredient of international politics; (d) that ethics and moral are considered important only when they are compatible to national interests; (e) that other ingredients, such as international law and human rights, are considered to be tools of the interests-bounded foreign policy; (f) that the nature of international affairs is anarchical, and (g) that peace and security could be promoted and protected if the pecking order of the world is compatible to (or does not violate) the natural balance of power.

The nature of the problem of refugee is indeed political. Therefore, the problem of refugees cannot be solved appropriately if it is considered only part of human rights. Seen from the political perspective, the primary objective of the establishment of the United Nations was to promote peace and security, while the promotion of human rights, in which the problem of refugee is included, was only the secondary objective. As long as the human rights is of a secondary priority, the problem of refugees does not appeal to

states to overcome the problem wholeheartedly.

Politics becomes the main factor of the refugee problems. Most of all refugee influxes are the results of political conflicts. That is why, efforts to overcome the refugee problem are also driven and shaped by the political considerations of host countries and the third countries. Therefore, the solutions should be based on political as well as moral considerations.

Political conflicts, such as wars, civil wars, and revolutions, always generate a large number of refugees. Five examples below show that the main cause of refugee is displacement resulting from political conflicts.

1. The Palestine refugee problem from 1948, was a result of the creation of the Israeli state and the Arab-Israel conflict.¹
2. Civil war in East Pakistan in 1971 pushed almost seven million people out of East Pakistan fleeing into India.²
3. Ten (1977-87) years of bloody civil war and the Soviet invasion in Afghanistan led 32.2 percent out of 15 million Afghans to leave their home country and become refugees in neighbor countries, especially Pakistan.³
4. Two million Indo Chinese refugees, known as boat people, were in foreign countries, especially in Thailand,

Indonesia, Malaysia, the Philippines, and Hong Kong.⁴

5. The civil war in Yugoslavia in 1990-92 generated 607,300 refugees into Western Europe.⁵

We may put as many other examples as we can, but still the main cause of refugee is almost always a political conflict.

The international refugee law has been developing and providing legal protection to refugees. The international refugee law is based on the moralistic concept of common humanity and the responsibility of the international community. We could see at least four principles: (1) non-refoulment, (2) asylum, (3) international solidarity, and (4) burden sharing. However, the international refugee law itself has not been successful in solving the problem of refugees. Though there are many refugees could get legal protection and assistance by the UNHCR, there are still many others who do not.

The main constraint is that the international dynamics have been shaped by the struggle for power of states, which are national self-interest bounded. The political perspective indicates that, in engaging their international relations, states are always determined by their national self-interests more than by their moral-legal considerations. States always try to write their own national self-interests even in defining what refugee is. As B.S. Chimni has pointed out, the 1951 definition of refugee served the interests of the western power, which was not concerned with non-European refugees.⁶ The 1951 definition of refugee was also criticized by Saxena as "directed mainly towards Eastern-Europe refugee situations created before 1951 in the aftermath of

World War II."⁷ A more critical comment is from Johan Cells, who stated:

Although the drafters of the convention were aware of the refugee crisis in the Middle East, China and the Indian subcontinent, they feared that the general refugee definition could imply too many obligations on the resettlement states.⁸

States take the moralistic-legalistic approach only as long as it is compatible to their national self-interests. States will easily put aside, or even reject, the moralistic-legalistic approach by which they consider unfit to their national self-interests.

As we see in the examples, the refugee problems arise as part of impacts of the political game, be they global, regional or domestic. In the Cold War era, political conflicts in many places occurred as wars by proxy of the United States and the Soviet Union. The United States and Soviet Union used to compete by using regional and local traditional and potential conflicts. Civil wars in Afghanistan, in Indochina, and in Balkan, for examples, were not merely local conflicts. They obviously were also regional, as well as global, wars by proxy of the Soviet Union and the United States.

It is obvious that it was the very competitive bipolar international system of the Cold War era that produced massive refugees. Refugees were the children of the Cold War system. Political considerations also shape treatment of refugees in host country and in the third country. The principles of non-refoulment, asylum, and international burden sharing that have been agreed upon, cannot easily

be used as the main considerations in dealing with the refugees. The social and political realities make states reluctantly give or offer protection to refugees. Five examples below show that there are still many host countries that do not welcome refugees on the basis of the moralistic and agreed principles; instead, they treat refugees as those unfit to their national interests.

- Based on Immigrant Act of 1924, American immigrant policy discriminated against Asians, Africans, and southern and eastern Europeans. The quota system was made to favor northern and western Europeans. The Immigrant Acts of 1965 and the Refugee Act of 1980 were revisions of the Immigrant Act of 1924, but still there are discriminations in them. The 1965 and 1980 acts give preference to persons with special skills.⁹
- In 1992, thousands of Vietnamese boat people were being denied refugee status by flaws in Hong Kong's screening process. Of the 19,939 people who had been screened up, 86 percent was classified as economic migrants, to be repatriated to Vietnam.¹⁰
- In 1992, most European countries were introducing 'fast-track' procedures to speed up decisions on which asylum seekers should be admitted.¹¹
- On 24 May 1992, President George Bush instructed the Coast Guard to intercept all Haitian refugees heading for Florida and to return them to Haiti without giving them

opportunity to apply for asylum.¹²

- In 1997, Thailand provided shelter to Myanmar's Karen ethnic group who fled to Thailand. But as relations with Myanmar improved, [Thailand] seemed reluctant to offer protection.¹³

Political considerations also shape the treatment of refugees in host country and in the third country. The principles of non-refoulment, asylum, and international burden sharing to which have obviously been agreed upon, cannot easily be used as the main considerations in dealing with the refugees. The social and political realities make states reluctantly give or offer protection to refugees. Five examples below show that there are still many host countries that do not welcome refugees on the basis of the moralistic and the agreed principles. Instead, they treat refugees as those who unfit to their national interests.

The Cold War also shaped the treatment of refugees. As clearly stated by Eugene Douglas, a former US Coordinator for refugee Affairs, that his country refugee policy was an instrument for countering Soviet influence through "wean(ing) away client states from Soviet domination".¹⁴ The United States helped refugees that flee from any country backed by the Soviet Union. What behind the treatment was a grand strategy to wean away states from the Soviet domination.

Now, as the Cold War has ended, the danger still exists. Theoretically, the decline of socialist vision and the victory of capitalism will lead people to be more liberal and cosmopolitan. But that condition comes into being only if the social and economic condition is better

off. The realities show that the economic climate in the developed and, especially, the developing worlds has either been stagnant or worsened. The later condition leads people to be more conservative with regressive modes of thinking.

As many scholars have predicted, the ethnic and primordial consciousness will be the most self-satisfying last resort for the many who could not live a good life in the modern and competitive era. The tribalism has emerged as an alternative. Tribalism is defined by Mathew Horsman and Andrew Marshall as:

the retreat by individuals into communities defined not by political association or by the state borders that enclosed a political nation, but by similarities of religion, culture, ethnicity, or some other shared experience [and] is driven by fear and confusion, and fed by the reassuring 'sameness' of others in the group.¹⁵

Horsman and Marshall argue furthermore that "a return to ethnocentric, xenophobic political formulations, as individuals, disenfranchised by the emergence of a truly global, border-less economy, seek familiar forms of protection from the effects of such a world-shaking transformation."¹⁶

Indeed, the hints of ethnicity have been quite visible. The Balkan political crisis is a good example. Thousands of the Muslim Bosnians have been forced to flee from their country to live in other countries. A better example is what is happening in Indonesia. Since May this

year, there have been many "refugees", mostly Chinese ethnic, who are fearful of staying in Indonesia because of some anti-Chinese rumors. The two examples seem to fit into the words of historian Eric Hobsbawn that:

the decline of the socialist vision has been replaced, not by common sense or some other relatively disenchanted form of behavior, but by worse visions and more dangerous dreams, such as religious fundamentalism, nationalist zealotry, or more generally, that racially tinged xenophobia which looks like becoming the major ideology of the *fin de siecle*.¹⁷

Members of the dominant community in some societies do not welcome the presence of people speaking other language and exposing unfamiliar religion. The lack of hospitality is sometimes expressed in aggressive words and violent deeds.

In political science perspective, to solve the problems of refugee we need to develop the democratic system of politics in which competition of ideas and interests is managed openly in public discourse without endangering the life of society. Instead, the competition is productive in making members of community more adaptive to other and different ideas and interests.

Besides that, we need to marry the ideal and moral values with the social and political realities in our modes of thinking. The realists and idealists should share energy to make the world more peaceful and secure. The need for such a kind of

marriage has been exposed by Mark Neufeld by "conceiving of morality purely as a guide to *action*, concerned exclusively with what it is 'right' to do, rather than with what it is 'good' to be."¹⁸

Endnotes

*This paper was originally presented for One-Day International Seminar on the Correlation between Human Rights and Refugees (UNHCR) in the Auditorium of the 5th Floor of University of Surabaya Main Library, held by the University of Surabaya, Monday, October 19, 1998. Some changes are made based on comments during and after the presentation.

¹A LeRoy Bennett, *International Organization: Principles and Issues*, 2nd Edition (Englewood Cliffs, New Jersey: Prentice-Hall Inc., 1980), p. 305.

²*Ibid.*, p. 306 and J. N. Saxena, "Problems of Refugees in the Developing Countries and the Need for International Burden-Sharing," in K. P. Saksena (ed.), *Human Rights: Perspective & Challenges* (New Delhi: Lancers Book, 1994), p. 355.

³Marek Sliwinski, "Afghanistan: The Decimation of a People," in *ORBIS: A Journal of World Affairs*, Vol. 33, No. 1, Winter 1989, p. 39.

⁴J. N. Saxena, *Op. Cit.*, p. 355.

⁵Economist, "At the gates," in *The Economist Year Book 1993 Edition*, (London: The Economist Books Ltd., 1993), pp. 118-9.

⁶B.S. Chimni, "The Language of Protection and the Reality of Rejection: End of Cold War and Crisis in refugee

Law," in K. P. Saksena (ed.), *Op.Cit.*, p. 323

⁷*Ibid.*, p. 354.

⁸*Ibid.*

⁹Jack C. Plano and Milton Greenberg, *The American Political Dictionary* (New York: Holt, Rinehart and Winston, 1982), p. 109.

¹⁰The Economist, *op. cit.*, p. 131.

¹¹*Ibid*, p. 118.

¹²*Ibid*, p. 36.

¹³*Ibid*, p. 26.

¹⁴B. S. Chimni, *op. cit.*, p. 323.

¹⁵Mathew Horsman and Andrew Marshall, *After the Nation-State: Citizens, Tribalism and the New World Disorder* (London: HarperCollins, 1994), p. x.

¹⁶*Ibid*, p. xv.

¹⁷Quoted in B. S. Chimni, *op. cit.*, pp. 324-5.

¹⁸Mark Neufeld, "Identity and the Good in International Relations Theory," in *Global Society, Journal of Interdisciplinary International Relations*, Vol. 10, No. 1, January 1996, pp. 45-6.

<<<<<>>>>>