REFUGEE CRISIS IN THE HORN OF AFRICA (1985-1995)

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Submitted by

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To Dear Parents...
... thanks ...

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CERTIFICATE

Certified that the dissertation entitled **Refugee Crisis in the Horn of Africa (1985-95)** submitted by **J. Gomati** in partial fulfillment of the requirements for the award of the degree of **Master of Philosophy,** has not been previously submitted for any other degree of this or any other university, and is her own work.

We recommend that this dissertation may be placed before the examiner for evaluation.

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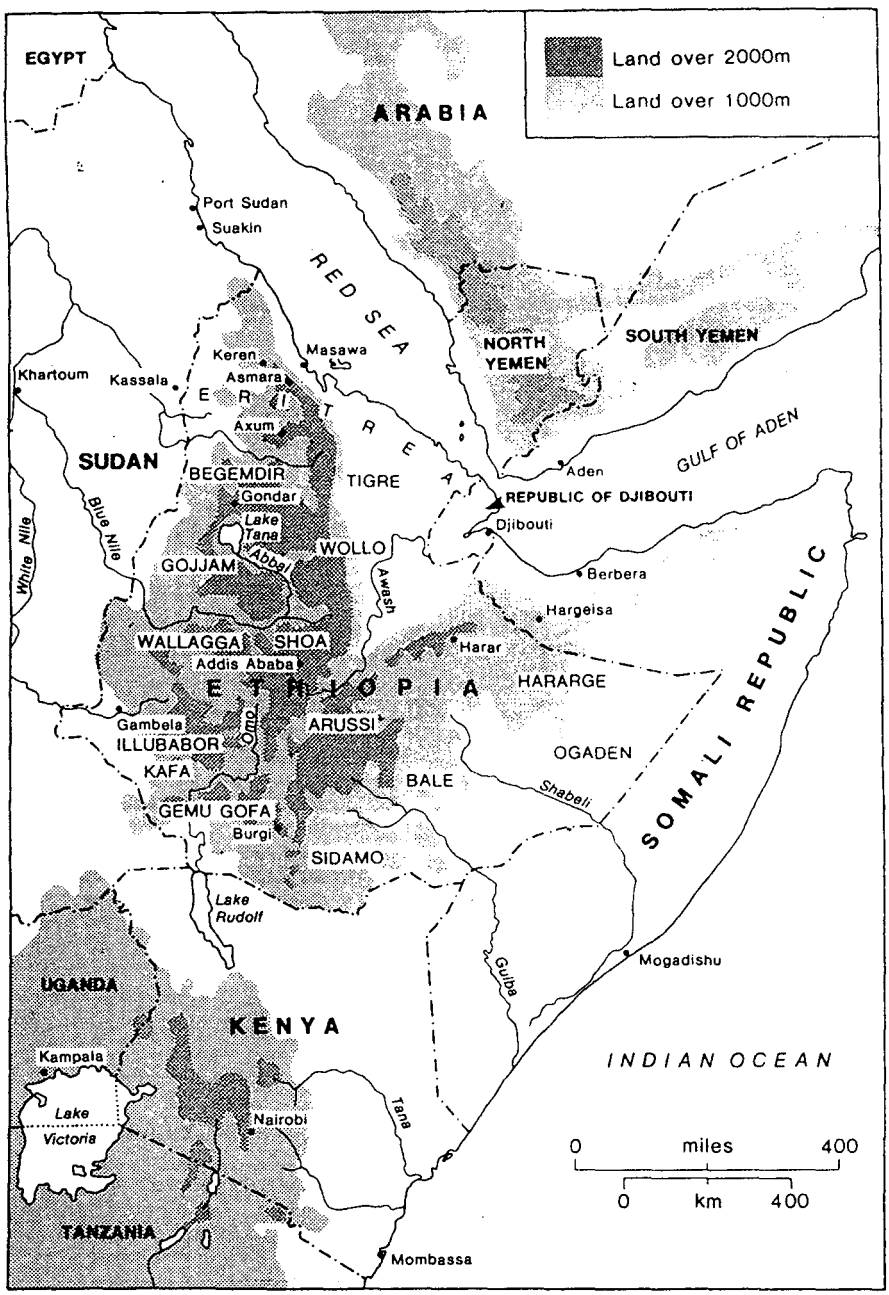

The Eastern Horn of Africa

LIST OF ABBREVIATIONS

ELF	Eritrean Liberation Front
EPLF	Eritrean People's Liberation Front
IDP	Internally Displaced People
IGCR	Inter-Governmental Committee on Refugees
IRO	International Refugee Oraganization
LON	League of Nations
OAU	Organization of African Unity
UN	United Nations
UNDRO	United Nations Disaster Relief Organization
UNHCR	United Nation High Commissioner for Refugees
UNICEF	United Nations International Children's Relief Fund
USCR	United States Committee for Refugees
WFP	World Food Programme
WHO	World Health Organization

Preface

'The Century of Refugees and Prisoners...'

The German novelist Heinrich Boll described the twentieth century as the "century of refugees and prisoners". Though imprisonment is not so much of a twentieth century phenomenon, the world has witnessed much attempt at flight to escape persecution, oppression and danger that it can be safely assumed that refugee generation has reached an unprecedented proportion this century. It is not that there were not refugees earlier or that persecution was non existent, but it is the sheer enormity and the magnitude of the problem now, that is a cause of concern for policy makers and academics alike.

The developing world witnessed the escalation of the crisis in the 1970's and the plight of the refugees who have been cast adrift in these times of strict borders and barricades, is truly miserable. It is increasingly being realized that these unfortunates would find no place to go with the affluent West neither willing to admit them, nor provide sufficient assistance if they find safe havens in the neighbouring countries. The Horn of Africa is no exception to this general rule. What aggravates the problem in this region is the massive number of people who have been

internally displaced, with no means to sustain themselves. This dissertation is an attempt to understand the causes of the refugee crisis in this region.

The categories of refugees is a problematic one, and an attempt is made to identify the precise category of persons with whom we are concerned. The objective of this study would involve posing the following questions. Would the present framework of categorisation of refugees suffice to incorporate the millions displaced in the Horn; an assumption is being made that each refugee situation bears its own characteristics, and given the general affinity and cohesion in the region, does the Horn reflect a common causal and pattern of refugee generation; how does the internal and external dynamics influence the socio-politico and economic structure of the society and finally, the response mechanism of the various communities involved with refugees would be analysed. This dissertation is a historico-analytical study with socio-economic perspective and the problems will be seen in corresponding relations between existing nature of state and society and the response given by the counterproductive forces.

The first chapter would deal with the definitional parameters of refugees and trace the genesis of the international refugee regime. The African case is taken into consideration and the necessity for precise categories

is emphasised. The Horn of Africa presents a picture of diverse ethnic set up and varied linguistic groups. An attempt is made to understand the geo-political and social configuration of the region in the second chapter. The third chapter would deal with the political configuration, and try to locate the cause of population displacement in the internal and external dynamics of the region. Finally, chapter four explores the relief and repatriation efforts undertaken by the United Nations High Commissioner for Refugees, and the Organisation of African Unity. Their role in conflict prevention and resolution is also considered.

This work would be incomplete without a word of thanks to all the people who I owe so much. My sincere thanks to my supervisor, Dr. S.N. Malakar, who showed immense patience with me and my (un)punctuality. Without his help and guidance, I would still be writing a dissertation. I thank Dr. Girijesh Pant and Dr. Ajay Dubey for all the help that they extended. My heartfelt gratitude to you, dear brother, for instilling that confidence in me. Above all, thanks to those that suffered the most with me... my dear friends... Rupa, for helping me out...every time... Maha and Shruthi for boosting my morale and finally thanks Shalini, for those lovely chai and ghazal times that we have shared..

Gomati J

(J. GOMATI)

CHAPTER I

INTRODUCTION

Refugees: Some Definitional Parameters

During the past few decades the refugee situation in the world has steadily worsened, and in many countries it has become a major domestic as well as foreign policy issue. Although the term 'refugee' has deep historical roots, its significance as a legal and administrative category has been vastly enhanced in our own times. The necessity for definite categories was not felt under the conditions of unlimited migration, when the refugees would be obscured with hordes of economic migrants. Categorisation has become imperative in the face of increasing numbers, decreasing aid and stringent immigration laws. Thus, refugee has become a category on whose basis international organisations and individual states engage in a process of worldwide triage.[1]

Refugee status is a privilege or entitlement giving those who qualify access to certain scarce resources or services outside their own country, such as admission into another country ahead of a long line of claimants, legal protection abroad, and often some material assistance from private or public agencies.[2] Broadly taken, in the general use, the

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[1] Aristide R. Zolberg, Astri Suhrke and Sergio Aguayo, Escape from violence, Conflict and the Refugee Crisis in the Developing World (New York, Oxford University Press, 1989), pp. 3

[2] ibid., pp. 3

word refugee connotes a spectrum of meanings. In this sense a person whose movement can be attributed to the 'push' factors like oppression, suppression, malcontent and economic deprivation would qualify to be a refugee. On the other hand, international law has set a definite condition for a person to be given the status of a refugee. According to the United Nations 1967 Protocol Relating to the Status of Refugees, the term refugee applies to "any person who is outside the country of his nationality... because he has or had well-founded fear of persecution by reason of his race, religion, nationality, membership of a particular social group... and because of such fear is unwilling to avail himself of the protection of the country of his nationality."[3] Hence refugees can be identified as people who have been given the said status by the appropriate UN agency or alternatively all those who claim to be refugees are accorded the status. Another possibility is to define refugees on a sociological basis, that is, according to the criteria grounded in observable social realities. This renders the question of defining refugees more problematic. Thus, there is a necessity to find an answer to the most fundamental of questions- as to who is a refugee.

This chapter would attempt to trace the genesis of the definition in the Western historical records. We would also explore the traditional

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[3]UNHCR Statute, Protocol Relating to the Status of Refugees, Entry into Force, 4 October, 1967.

sources – treaties and practice of states and take into account the practice and procedures of the various bodies established by the international community to deal with the problems of refugees. Finally, we would the African case into consideration. It is the refugee situation in the Horn of Africa, comprising the countries of Somalia, Ethiopia, Eritrea Djibouti and Sudan that this dissertation proposes to study.

Refugees Defined

The term 'refugee' has acquired a diffuse meaning in ordinary parlance and a more definite one in legal and administrative jargon. It is a term of art, that is, a term with a content verifiable according to principles of general international law.[4] Jacques Vernant observed even way back in 1953 that "in everyday speech a refugee is someone who has been compelled to abandon his home." The destination is extraneous, the flight is to freedom and to safety. Similarly, the cause too is manifold and may include victims of earthquake or flood, as well as of war or persecution. Implicit in the ordinary meaning of the word 'refugee' lies an assumption that the person concerned is worthy of being, and ought to be assisted, and, if necessary, protected from the causes and consequences of flight.[5] The emphasis has been on victimisation by

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[4] Guy S. Goodwin-Gill, The Refugee in International Law (Oxford, England, Clarendon Press, 1996), pp. 3

[5] Goodwin-Gill, 1996, pp. 3

events "for which, at least as an individual, he cannot be held responsible."[6] The fugitive from justice, the person fleeing criminal prosecution for breach of the law in its ordinary and non-political aspect, is often exempted from this category of refugees.[7]

The concept of refugee is still more limited for the purposes of international law as states disfavour terms like 'economic refugees'. It is based on this contention that the solution to the problem of economic refugees has to do more with international aid and development and less with the concept of territorial asylum and protection, which forms the cornerstone of the international refugee regime. States have insisted on fairly restrictive criteria for identifying those who benefit from refugee status and asylum or local protection. For the victims of natural disaster[8], the very fact of need may be the sufficient indicator, but for the victims of conditions or disasters with a human origin, additional factors are required.

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[6] Jacques Vernant, *The Refugee in the Post-War World* (London: Allen & Unwin, 1953) pp.5

[7] The New Shorter Oxford Dictionary (1993) defines a refugee as ' a person driven from his or her home to seek refuge, especially in a foreign country, from war, religious persecution, political troubles, natural disaster etc.,' and 'refuge' as ' shelter from danger or trouble, protection, aid...'

[8] In recognition of the necessity 'to ensure prompt, effective and efficient response to a government's need for assistance, at a time of a natural disaster or other disaster situation,' the Office of the Disaster Relief Coordinator (UNDRO) was established further to UN General Assembly resolution. 2816 (XXVI), 14th December, 1971.

The Evolution of the International Refugee Regime

One of the aftermath of World War I was the refugee crisis reaching an unprecedented magnitude. About 9.5 million were presumed to be refugees in 1926.[9] Fear of huge flows contributed to a rush to erect protective barriers but the prospect of a world of closed borders, in turn, stimulated awareness that there were special international migrants who urgently required protection and assistance. There was a uniform restrictive practice regarding population movements adopted by such diverse countries as the United States, Britain and Germany. The result was that many countries that would have otherwise generated various types of outflows did not have any place to sent their people. Restrictive measures were adopted during World War I in response to security concerns, and, after the war, in response to revolution and economic depression. France was the only exception to the general trend and admitted nearly 1.5 million foreigners in the 1920's of whom a large population were refugees.[10]

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[9] Eugene M. Kulisher, *Europe on the Move, War and Population Changes, 1917-1947.*(New York: Columbia University Press, 1948) pp. 248-49, Michael R. Marrus, *The Unwanted: European Refugees in the Twentieth Century* (New York: OUP, 1985) pp. 51.

[10] This exception can be explained as the response of the French elites who were concerned because of the perceivable demographic growth in Germany which was accompanied by immense loss of French lives in World War I. Most of the refugees were 'white Russians'.

The United States was one of the countries that adopted a restrictive entry policy as early as in 1875. Initially this restrictive policy was aimed at Asian immigrants and was later extended to the Europeans as well. There was a demand in 1875 by the US Congress to impose a literacy requirement which was vetoed by the President. But this demand found favour among the Congressmen amidst the war time hysteria in 1917, and was passed with the two-third majority required to override the Presidential veto. Between these two events, measures of lesser intensity such as increasing entry fees, imposing additional health and 'moral' qualifications were resorted to, to contain immigration. However, victims of religious persecution were exempt. War time restriction on exit and unavailability of passenger ships had resulted in the immigration from Europe and Western Asia falling to as low as 25,000 in 1919. But this figure reached a whopping 677,000 in 1921, shortly after the end of the war. In the same year the United States adopted the quota system and imposed it on the European immigrants, with an annual limit of 300,000. This was further reduced to 150,000 in 1924. The allocation through the system was based on national origins and was aimed at restricting immigration from Eastern and Southern Europe. The victims of religious persecution were still exempt from some entry requirements but not from the restrictive quota system. Moreover, there was no means of providing entry to refugees in times of grave emergency.

The Refugee Regime under the League of Nations

It was against this background that a more specialised regime pertaining to refugees was formulated. The League of Nations made it possible to develop international institutions to this effect. The huge outpouring of refugees from Russia spurred the volunteer service agencies to urge the League of Nations to set up a central office operating under its authority. This body was set up under the leadership of Fridtjof Nansen, with the specific aim of helping the Russian refugees and was called 'High Commissioner on Behalf of the League in Connection With the Problems of Russian Refugees in Europe'. Though this office was meant to be temporary in character and was to be dissolved with the people it was meant to help being either resettled or repatriated, it worked towards helping the displaced Greeks, Turks and Bulgarians and moved from the end of one crisis to the beginning of another.

Refugees in the Inter-War Period

In the interwar period Europe began to experience severe political upheaval and nationalist authoritarian regimes became commonplace. The Fascist take-over of Italy in 1922 made many people flee. But the majority of refugees except for prominent dissidents were largely indistinguishable from the Italian emigrants.[11] Another major outflow

[11] Marrus, *The Unwanted*, Within the first five years of Mussolini's rule about 1.5 million such people had emigrated after which Mussolini imposed a barrier on movement in the name of national pride and economic autarchy, pp. 125.

was triggered by the Nazi victory in 1933. Two categories of people were expelled- one were the political dissidents and the other were the Jews. About 10,000 to 20,000 Jewish immigrants from Eastern Europe were expelled largely to Poland where the government persecuted the Jews.[12] The German Jews were meted out with far more worse treatment which deprived them of the possibility of making a living. The oppression of the Jewish community led to departures estimated at about 150,000 by 1938. The Anschluss in Austria made another 126,500 flee and nearly half a million Spaniards fled to France following the collapse of the Republican in 1939, but, almost half of them were repatriated.[13] The world wide economic depression exacerbated the problem already posed by the refugee crisis. This prompted the Assembly of the League to appoint another High Commissioner 'for Refugees coming out of Germany'.

In the treaties and agreements concluded under the auspices of the League of Nations, a group or category approach was adopted. That someone was (a) outside their country of origin and (b) without the protection of the government of that state, were sufficient and necessary condition.[14] A Russian refugee was defined in 1926 to 'include any

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[12] *Ibid.*, pp. 130.

[13] *Ibid.*, pp. 193.

[14] Guy S. Goodwin-Gill, *Refugee in International Law*. Pp. 4.

person of Russian origin who does not enjoy, or who no longer enjoys the protection of the government of the Union of Soviet Socialist Republic and who has not acquired another nationality.'[15] A similar approach was employed in 1936 to help the German refugees, which was later developed to cover:

(a) Persons possessing or having possessed German nationality and not possessing any other nationality who are proved not to enjoy in law or fact, the protection of the German government.

(b) Stateless persons not covered by previous conventions or agreements who have left German territory after being established therein, and who are proved not to enjoy, in law or in fact, the protection of the German government.[16]

The Formation of the Inter-Governmental Committee on Refugees

At the Evian Conference convened by the U.S President, F.D. Roosevelt, the participating nations decided to establish an Inter-Governmental Committee on Refugees, in order to facilitate involuntary emigration from Germany as also Austria. Included in the scope of the Committee's activities were those who had yet to emigrate on account of their political opinions, religious beliefs, or racial origin, as well as those who had

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[15] James Hathaway, 'The Evolution of Refugee Status in International Law,'33 *ICLQ* 348 (1984)

[16] 1938 Convention concerning the Status of Refugees coming from Germany: 191 *LNTS* No.4461.

already left for these reasons and had not established themselves elsewhere[17].The inter-war developments gave credence to the concept of international community and the necessity to set up specialised agencies to deal with the refugee crisis took root. This inspired the notion that the international community, that is, the League's member states, collectively were obligated to a category of persons designated as refugees.[18] Another significant step was specifying the rights to which those so identified were entitled- travel documents, education, right to work in receiving country, and so forth- as codified in a 1933 Convention regarding the international status of refugees.[19] A necessity to develop a more universalistic regime and to establish a criteria for refugee groups began to be felt in the 30's, and thus there was an emphasis on political causes.

At the Bermuda Conference in 1943, the mandate was further expanded to include "all persons wherever they may be, who, as a result of events in Europe, have had to leave, or may have to leave their country of residence because of danger to their lives or liberties on account of their race, religion or political beliefs."[20] Simpson noted that the refugee "is distinguished from the ordinary alien or migrant in that he has left his

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[17] Marrus, *The Unwanted*, pp. 170-177.

[18] Zolberg et al., *Escape from Violence*, pp. 20.

[19] Louise Holborn, *Refugees: A Problem of our time: The Work of the UNHCR, 1951-1972* (Metuchen, N.J. Scarecrow Press, 1975) pp. 15

[20] Marrus, *The Unwanted*, pp. 317-324.

former territory because of political events, not because of economic conditions or because of economic attractions of another territory."[21]

The 'political events' as the cause of flight is a very debatable one as a precise definition of what constitutes the necessary 'political events' is still unclear. It becomes all the more problematic in the face of many states adopting authoritarian regimes, whereby entire populations might be construed to be refugees. Hence, a definition that would deny refugee status to all and sundry, thereby diluting the efficacy of assistance, was sought to be formulated. According to Vernant the mere fact that a man has left his country solely because political events there were not to his liking does not suffice to confer on him the status of refugee and any ensuing advantage.[22] This problem was attempted to be rectified in the 1951 Convention Relating to the Status of Refugees. Hence, the "political events which in the country of origin led to his departure must be accompanied by persecution or threat of persecution against himself or at least a section of the population with which he identifies himself".[23]

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[21] Sir John Hope Simpson, in Zolberg et all., *Escape from Violence*, f.n. 60, pp. 287.

[22] Vernant, 1953 pp. 6.

[23] Ibid. pp. 7.

The Formation of the International Refugee Organisation

At the end of 1946, the International Refugee Organisation was established to deal with the "last million" in Europe. According to a survey, the total number of Europeans displaced in the six years of World War II touched about thirty million. At the end of the war, of these, about eleven million were outside their country and in need of assistance. At the same time newer refugees were being created by post-liberation conflict such as the civil war in Greece, and clashes between countries of Eastern and Southern Europe. Added to these were refugees from the Nazi and Fascist governments. Over twelve million people of German descent some of them old settlers and others settled by the Nazi's were sent back from Poland, Hungary, Czechoslovakia, Romania and Yugoslavia. These were however absorbed by the two Germanies. Again, there were about two million Soviet citizens who were outside their country at the end of World War II. They included many prisoner's of war, forced labourers, and anti-Soviet activists mainly non-Russians from the European side of the Ural. Conceding to Stalin's demand, many of them were repatriated much against their wishes, before it came to light that many of them were being dealt with harshly simply because of their having resided abroad. This case amply brought to the fore the sinister connotation that "a person's decision to leave merely because of

political events not to his liking was not sufficient to confer refugee status", had acquired.

The ad-hocness of the IRO was amply clear as it was scheduled to go out of existence at the end of 1951. The ideological cleavage that shaped the post war international political system manifested itself in the new agency as well, as countries were against the adoption of a universalistic conception of refugees:

"Western countries sought to include large numbers of dissident and anti-Communist elements; Eastern countries tried to exclude those whom they believed were deadly political enemies... beyond this, the IRO reflected a broad compromise between East and West, designating broad categories of persons to be assisted than offering an abstract definition to be used for all cases."[24]

But the IRO in terms of the development of the refugee regime was a major institutional innovation. Under the IRO definition, a refugee included victim of Nazi, Fascist or Quisling regimes which had opposed the United Nations, certain persons of Jewish origin who had been victim of Nazi persecution, as also persons considered as refugees before the outbreak of World War II. It was also competent to assist 'displaced persons'. In addition, the IRO constitution included as refugees those

[24] Marrus. *The Unwanted.* Pp.341.

unable, or unwilling to avail themselves of the protection of the government of their country of nationality or former residence.

The United Nations And Refugees

The IRO gave way to the Office of the United Nations High Commissioner for Refugees as the principal UN agency concerned with refugees. The UNHCR was established by the General Assembly to provide 'international protection' and to 'seek permanent solutions for the problem of refugees'. According to its statute, the work of the Office shall be of an entirely non-political character- it is to be humanitarian and social and to relate, as a rule, to groups and categories of refugees.[25]

One of the most difficult issue to resolve was that of the scope of the UNHCR. It was decided that the Office of UNHCR would deal exclusively with refugees. As regards defining the refugees, formulating a broad-based universalistic definition was preferred to enumerating the categories. But countries opposed to the universalistic approach contended that such a definition would mean that 'new groups of refugees who exhibited the specified characteristics would fall automatically in the embrace of the High Commissioner's office'.[26] The debate distinguished between two projects: on the one hand, the statute

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[25] *United Nations General Assembly Resolution No. 428.*

[26] **Holborn,** *Refugees.* **Pp. 76.**

itself, pertaining to international action and the establishment of an agency for this purpose, and, on the other hand, a convention of member states, directed toward national action and imposing binding obligations on the signatories.[27]

According to the resolution adopted by the General Assembly on December 14th , 1950, the High Commissioner's mandate extended, first, to refugees covered by various earlier treaties and arrangements, second, it included refugees resulting from events occurring before January 1st, 1951 and who are outside their country of origin and are unable or unwilling to avail themselves of its protection 'owing to a well founded fear of being persecuted' or 'for reasons other than personal convenience'.[28] It also extends to:

"any other person who is outside the country of his nationality, or if he has no nationality, the country of his former residence because he has or had well-founded fear of persecution by reason of his race, religion, nationality or political opinion and is unable or, because of such fear, is unwilling to avail himself of the protection of the government of the country of his nationality, to return to the country of his former habitual

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[27] Zolberg et al., *Escape from Violence*. 1989. Pp. 24

[28] This provision is to include all those people who owing to reasons of persecution are outside their country of origin or nationality and are unwilling to return to their country of origin though the situation that caused the flight is no longer there.

residence".[29] According to Goodwin-Gill, the definition remains a critical point of departure in determining who is entitled to the protection and assistance of the United Nations. The statute seems to contain an apparent contradiction. On the one hand it maintains that the work of the Office shall relate, as a rule, to groups and categories of refugees, and, on the other, the definition of a refugee is a highly individualistic one requiring a case by case evaluation of the claim to refugee status.

The incidences of refuges in the past 50 years coupled with ethical and humanitarian considerations has made imperative a flexibility in the administration of UNHCR's mandate. Hence, in effect there has been a widening of the 'concept of refugees of concern to the international community'. By 1957, the General Assembly began to authorise the High Commissioner to assist refugees who did not come under the statutory definition but whose situation was 'such as to be of concern to the international community'.[30] The General Assembly also developed the notion of the High Commissioner's 'good offices' as an umbrella idea under which to bring refugees who did not come within the competence or 'immediate competence' of the United Nations. The nature of the

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[29] Goodwin-Gill, *The Refugee in International Law*.1996. Pp. 8.

[30] Vide UNGA resolution 1167 (XII), Dated 26th November 1957 & UNGA resolution 1129 (XI), Dated 21st November 1956. It sanctioned action by UNHCR to assist the Hungarian refugees. The General Assembly also thought that the situation of the Chinese refugees was also of concern to the international community and directed the UNHCR to use its good offices towards assisting the refugees.

activities in which UNHCR has been involved suggests that the class of refugees assisted were either clearly not within the Statute or else had not been specifically determined to be within the Statute, perhaps for political or logistical reasons.[31]

1) They are outside their country of origin;
2) They are unable or unwilling to avail themselves of the protection of that country, or to return there;
3) Such inability or unwillingness is attributable to a well founded fear of being persecuted;
4) The persecution feared is based on reasons of race, religion, nationality, membership of a particular social group, or political opinion.[32]

Though the Conventional statute codified the elements of the Western experience, the international community was for the first time held responsible for the persons who qualified as refugees without any political or geographical limitations. The international community was desirous of making the refugee status exclusive and wanted to arrest a possible deluge in the number of people claiming this status. This prompted them to select 'persecution' as the operational criterion. Though the language of the United Nations does not explicitly state as to who is the perpetrator of this persecution, it is implicitly assumed to be

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[31] Ruthstrom-Ruiz, *Beyond Europe* pp.96-123.

[32] Goodwin-Gill, *Refugees in International Law*, Pp. 19-20.

the government which either actively initiates or encourages persecution or passively is unable or unwilling to provide protection to its people within its territory from elements within this society.[33]

Internally Displaced People

The internally displaced persons (IDPs) who should be of particular concern to the international community are those who, in effect, suffer alienation within their own country. Denied their birthright--the right of citizens to be protected by their own government--they are regarded as aliens in their own land. Identifying such internally displaced persons--in essence, those who are most similar to refugees--and seeking protection and durable solutions on their behalf, ought to be the highest priority for the international community in its response to IDPs.

The lack of clarity derived from a "working definition" of internally displaced persons drafted by a staff member at the UN Center for Human Rights and proposed by the UN Secretary General in 1992 is evident. That definition held the internally displaced to be:

persons who have been forced to flee their homes suddenly or unexpectedly in large numbers, as a result of armed conflict, internal

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[33] Holborn, *Refugees*, pp. 95.

strife, systematic violations of human rights or natural or man-made disasters, and who are within the territory of their own country.[34] This did more than define how the international community ought to treat persons who would qualify as refugees if they had been unable to cross an international border. It was broader than the 1951 Refugee Convention's narrow, persecution-based definition. By including persons displaced by armed conflict, internal strife, and systematic violations of human rights, it was more akin to the Organisation of African Unity's (OAU) 1969 Convention on the Refugee Problem in Africa, which includes persons fleeing "external aggression, occupation, foreign domination or events seriously disturbing public order."[35]

But the IDP working definition went beyond the OAU's wider formulation by including persons displaced by natural or man-made disasters.

The IDP's form a major part of the study as there are about 8 million to 10.5 million IDP in Africa. Out of these, about 4 million are in Sudan alone, Somalia has about 200,000 IDP's and an unaccounted number in Ethiopia and Eritrea. Since these countries comprise the Horn, the focus of our study, we would include this population also.

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[34] .Analytical Report of the Secretary-General on Internally Displaced Persons, E/CN.4/1992/23, 14 February 1992, para. 17.

[35] Bill Frelick, Aliens in their own land: Protection and Durable Solution for Internally Displaced Population, *USCR*, 1998

The regional approach

The 1950's and 1960's witnessed a shift in the refugee crisis from Europe to the Third World, and there was increased pressure to provide international assistance to population movements. The refugee flows that occurred at different regions bore different characteristics and hence different local responses. By and large Latin America despite its difficult political development produced fairly little refugees. But the massive outflows from Cuba and later El Salvador, Nicaragua, Chile and Guatemala severely strained the existing legal codes and prompted the Organisation of American States to urge members to accept broader obligations of the U.N. Convention. The umbrella doctrine of 'good offices' that gained ground during the 1960's expanded the role of the UNHCR and broadened the institutional concept of refugees. As Goodwin-Gill points out conditions of underdevelopment in Africa made individual assessments of refugee status impractical, and it was felt that although it might not be possible to establish a 'well-founded fear' on a individual case-by-case basis, people should benefit from the refugee status when there was no doubt that 'political conditions' had compelled the flight of the entire group in question. This broadened conceptualisation was further formalised by the Organisation of African Unity in 1969 through the Convention on Refugee Problem in Africa. Article I of the declaration

reaffirms the UN definition centring on persecution and then goes on to take the African experience into consideration and adds:

The term 'refugee' shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or whole of his country or origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.

Though this declaration came more as an expression of African solidarity against foreign domination and white rule in southern Africa, it nonetheless captured the emerging political realities of the continent where instability and upheavals of various degrees threw innocent people across international boundaries and where man made calamities coupled with natural disasters endangered the survival of entire communities.

The African Dilemma

The refugee situation in Africa of immense magnitude and dimension. Over the last few years, the intensification if internal conflicts around the world has resulted in unprecedented humanitarian tragedies and in some cases led to partial and in some case even complete collapse of the state. For sources and consequences of conflict, UN Secretary General, Boutro Boutros Ghali, has said, "Poverty, disease, famine, oppression, and despair abound, joining to produce 17 million refugees, 20 million displaced persons, and massive migration of peoples within and beyond

national borders".[36] Though the crisis is widespread, Africa is perhaps the continent most devastated by internal conflicts and their catastrophic fall outs. Out of the estimated twenty five million internally displaced people and seventeen million refugees, Africa accounts for over fifteen million internally displaced people and about six million refugees. The most obvious aspect of the crisis is that, by displacing so many people, both they, and ultimately the nation are deprived of their resource-base and the capacity of self-reliance. It is left to the international community to provide humanitarian assistance to these people. While this assistance might be vital in saving the lives of scores of people, it may also encourage dependency and undermining development as a self-generating and self-sustaining process from within. This reinforces the vicious circle of poverty, underdevelopment, competition for scarce resources, and ultimately conflict over state power and control over resources and distributive system.[37]

The African Horn has been always a stage of competing political interests. European empire builders conceived a hierarchy of 'superiority' and 'inferiority' with various degrees of 'equality' depending on the people's potential "for freedom and enterprise", meaning the possibility of

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[36] Francis Mading Deng, "Anatomy of Conflicts in Africa", in Luc van de Goor, Kumar Rupesinghe and Paul Sciarone (ed.,) *Beyond Development and Destruction. An Enquiry into the causes of Conflict in Post Colonial States*, The Hague, 1996. Pp. 219.

[37] Ibid., 219

their "development" or more accurately, exploitation. The colonisers were convinced that acting as "yeast and leaven" was part of their historical destiny.[38] Historically, the situation in the Horn has been even more complex. Incessant hostilities and suspicion have characterised relations from the colonial times to the present: Ideological incompatibility, territorial claims and counter-claims and competing external interests in the Horn have led to tensions and unending and violent armed conflicts. Clashes between Somalia and Ethiopia over Ogaden and Haud, Eritrean irredenta, radically shifting alliances and other factors have added to the political instability.[39]

Redefining Refugees

A study of the refugee categorisation would inevitably lead to posing some relevant questions. Is the present categorisation of refugees, according to the international law and regional endeavours, sufficient to situate the uprooted people? Should refugee status be accorded to anyone who asks for it? How does one categorise when people flee en masse? How can one reconcile the internally displaced people, who probably due to the lack of proximity to the international boundaries are

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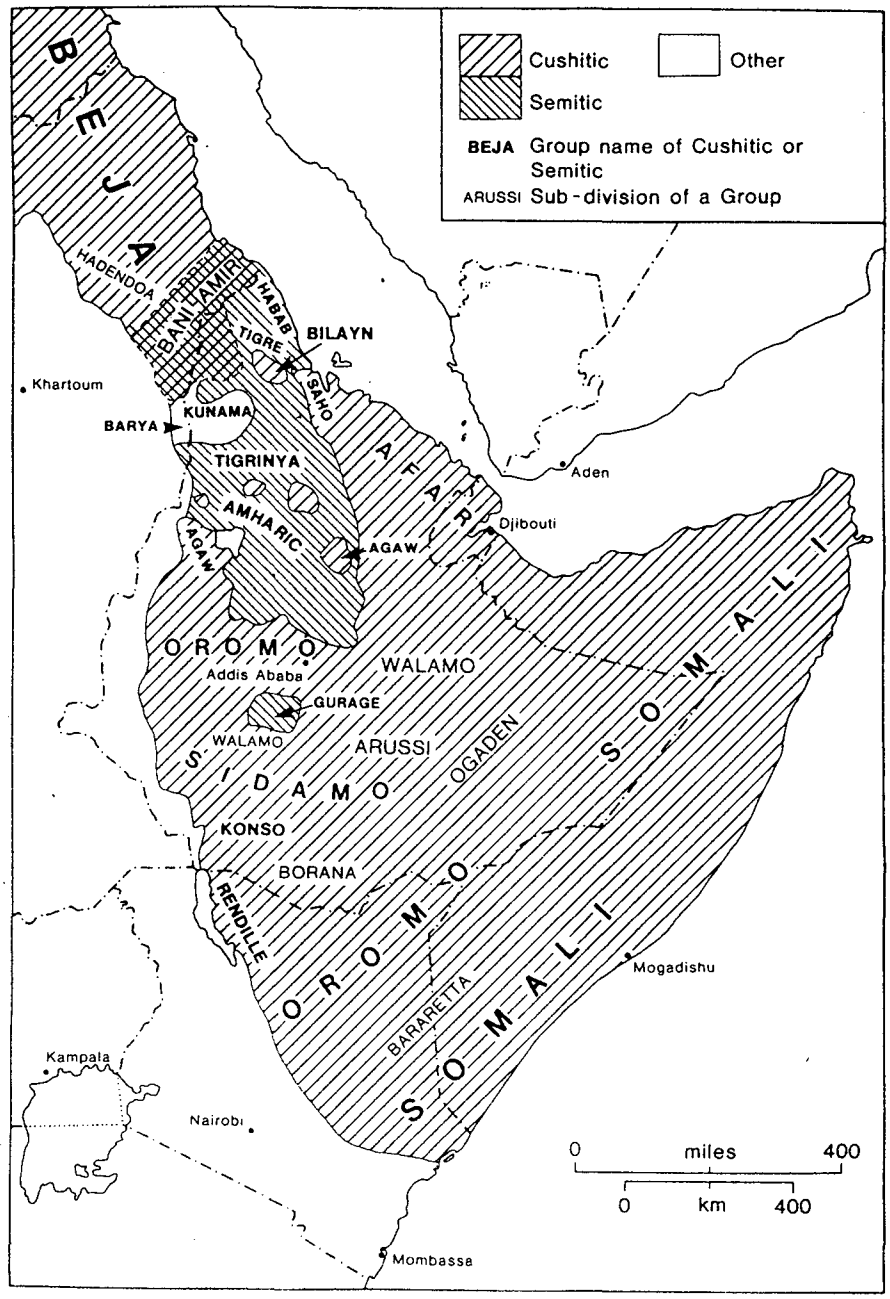
[38] Ronald Robinson, John Gallagher and Alice Denny, *Africa and the Victorians: The Climax of Imperialism*, Garden City, New York: Doubleday and Co. 1968. Pp. 3.

[39] Feraidoon Shams, "Conflict in African Horn", *Current History*, 73, December, 1977. Pp.199.

forced to remain? Should the internally displaced people be at par with the refugees who have crossed an international boundary? These and more, are the questions that have to be dealt with. For the purpose of this dissertation, a refugee would be one a convention refugee, that is, one who has crossed an international boundary. In addition, a person who is internally displaced would also be construed to be refugee. There could be a multitude of causes of the internal displacement. It would include people and population displaced by internal war, civil strife and external aggression. Though the United Nations has a special agency, the UNDRO, to deal with the population affected by natural disaster, this dissertation would include people who have been dislocated due to natural calamities like famine, whose cause can be located in the actions of man.



Languages and Peoples of the Horn of Africa

Chapter II

Geo-Political and Social Configuration in the Horn

The refugee crisis in the Horn of Africa has to be explored in the context of the historical set up of the region. Though the region had a fair amount of interaction in terms of the slave trade and the peripatetic nature of the tribes and clans, the European partition of the continent brought in its wake a varied nature of development in the countries. The only exception to the shared history of colonial rule was Ethiopia which at first was influenced by the competition amongst the colonial powers and later on was engaged in competitive state formation in the Horn. The present chapter would delve into the historical background of the region and try to trace the inter- and intra-adhesion between these countries. We look into the questions of ethnicity, language and boundary that have more often than not been a source of contention and conflict.

The Geographical Setup

The Republic of Djibouti is situated at the southern entrance to the Red Sea. It is bounded on the far north by Eritrea, on the west and south by Ethiopia and on the south-east by Somalia. The French involvement in the territory that now comprises the Republic of Djibouti dates from the

mid nineteenth century and was stimulated by subsequent Anglo-French rivalry for the control of the entrance to the Red Sea. [1] It constitutes a mini-state that, over the years, has been described as a 'crossroads' country at the intersection of Africa, the Middle East and Asia, the 'hell of Africa' due to its often inhospitable climate and 'eye of cyclone'- a reference to the country's once special role as an island of stability in the troubled region of the Horn of Africa. The country gained independence from the French in 1977.

Somalia's geographic position on the Red Sea[2] and Indian Ocean has long attracted foreign interests. Somalia is not a 'country' like any other. In many ways, it is neither 'African' nor 'Arab', although it is located on the African continent and has been considered 'Arab' in some ways.[3] The 'Arabness' of Somalia is due to its becoming a member of the Arab League in 1974. Though the Somali nation is an unquestionable reality, the Somali state is a much more ambiguous notion, which has for the time being receded into the grey zone of legal abstraction.[4] Somali

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[1] I.M.Lewis &Thomas Ofkansky, *Africa South of Sahara 1999*, (Europa Publications 28th ed., 1998), pp. 412.

[2] The Red Sea is an important sea lane, linking Asia, Europe and Africa, through the parts of Massawa and Sudan on the west coast of the Gulf of Suez, the Gulf of Aqaba by way of Sinai and the Strait of Tiran, and the Mediterranean Sea through the Suez canal.

[3] Gerard Prunier, Somalia: Civil War, Intervention and Withdrawal 1990-1995, *Writenet Country Report*, July 1995.

[4] Gerard Prunier, Somalia: Civil War, Intervention and Withdrawal 1990-1995, *Writenet Country Report*, July 1995

society, like many other nomadic societies of arid and semi-arid lands, is largely a product of its geographical and climatic environment. The land is very dry and it generally does not permit sedentary agriculture, except in the South in the Juba and Wabi-Shebelle rivers. This led to the difference between the 'pure' Somalis and the Southern Peoples. The 'scramble for Africa' in the nineteenth century divided this lineage segmented but culturally homogeneous population into five distinct colonial units:

a) Cote Francaise des Somalis- is the modern day Djibouti which gained independence in 1977 from French colonial rule.

b) Somalia Italiana- colonized by Italy. After the defeat of Italy in 1941, it came under the British military administration until 1948, when the United Nations brought it under the mandate of Italy. This lasted till the region got independence in 1960 and was immediately joined by the British part of the territory and combined to form the Somali Republic. This status lasted till 1990.

c) British Somaliland- colonized by Great Britain, it gained independence in 1960 and joined the Somalia Italiana to become Somali Republic as it existed between 1960 and 1990.

d) The Ogaden- conquered by Ethiopia between 1887 and 1895, became an integral part of the Ethiopian Empire and is called 'Region Five' of the present day Ethiopia.

e) The Northern Frontier District- colonized by the British as the northeastern corner of Kenya's Crown Colony. In 1963, at the time of Kenya's independence, the new government in Nairobi refused the local Somali demands for independence and reunion with the Somali Republic.

This five fold division transformed into an obsession for the Somali people particularly because they were somewhat 'united' between 1936 and 1948.This obsession was articulated in the Somali independence movement. 'Somaliness' was perceived in the 1940's and 1950's as a quasi-mystical quality which would enable the Somali people to override the difficulties both of creating a modern state in a Muslim stateless nomadic society and of creating that state from two distinct and almost totally antagonistic European traditions.[5] This led to a constant emphasis on the role of the state as a tool for the 'reunification' of all Somali territories under one government.

The Ethiopian state traces its history back over two millennia, reaching early prominence as the ancient city-state of Axum that flourished between the sixth and tenth century A.D.[6] Throughout its history, the

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[5] *ibid.,*

[6] Edmond Keller in William Zartman (ed.,) *Collapsed States: The Disintegration and Restoration of Legitimate Authority,* (Boulder, Colorado, Lynne Reinner, 1995.) pp. 125.

state expanded and contracted depending on the relative military power of the state leaders. The state had almost ceased to exist by the late eighteenth century and political power had become decentralised as the state regressed into feudal, regional compartments. Ethiopia was then only figuratively a unified state.[7] Centralisation of the region started only in 1855 and the present geographic boundaries were not formed until 1908. Thus began an era of expansion and consolidation of the Ethiopian empire under various emperors, which was marred by a brief albeit important occupation during the reign of Haile Selassie by fascist Italy between 1936 and 1941. The emperor was brought back to the throne with the help of the British and was able to manage a share for Ethiopia in the colonial spoils by getting the Italian coastal colony of Eritrea as federation. The federation was abrogated in 1962 and was unified with Ethiopia.

Eritrea, is one country whose history is inextricably linked to that of Ethiopia. Eritrea is a relatively small country with a varied terrain and climate: savannah and desert in the western temperate highlands in the centre and along desert coastal plain. This mainly arid coast, stretching for about a thousand kilometres along the Red Sea, gives Eritrea its strategic significance for, at the southern tip, the coastal strip extends to

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[7] *Ibid.*,

the straits of Bab al-Mnadab. Located on this coast at the ports of Massawa and Assab without which Ethiopia would be landlocked.[8] The coastal area is dominated by the Plateau, the northern extension of the Ethiopian highlands, and comprises the provinces of Hamasin, Serai and Akalai Gulzai. With the altitudes of between 6,000 and 8,000 feet, the Plateau is cut by both deep and shallow fertile valleys. It stretches northwards to the Northern Highlands of Sahel province, more stark and arid than those of the centre. It is these highlands that have provided sanctuary for bandits and were an excellent base for guerrillas to operate from. To the west are the Barka lowlands which stretch to the Sudan border. The seasonally flowing Barka river brings strips of fertile land to this area of scrub and semi-desert. In the south-west is an agriculturally richer area lying between the Gash and Setit rivers, the latter, with the Mareb, forming the south western border with Ethiopia.

'Eritrea' as we know it today had not existed before Italian colonisation.[9] Until 1890 Eritrea was a contested area. The Ottomon Empire, and later Egypt, its successor to the Ottoman positions on the coast, the Sudanese empires in the west and the Ethiopian empires to the south fought with

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[8] David Pool in I.M. Lewis (ed.,) *Nationalism and Self-Determination in the Horn of Africa* (London, Ithaca Press, 1983.), pp. 176, Melakou Tegegn in Abebe Zegeye & Siegfried Pausewang (ed.,) *Ethiopia in Change: Peasantry, Nationalism and Democracy.* (London, British Academy Press, 1994), pp. 45.

[9] Melakou Tegegn in Abebe Zegeye & Siegfried Pausewang (ed.,) *Ethiopia in Change: Peasantry, Nationalism and Democracy.* (London, British Academy Press, 1994), pp. 50.

each other for tribute.[10] The highland of Eritrea had always been a part and parcel of Abyssinian civilisation. Inhabiting the northernmost part of the Axumite empire, the Tigrean people of Eritrea have always been kith and kin to the people of Tigray. The highland of Eritrea had been ruled by the Abyssinian kings centred in Axum and Gondar, as an integral part of this empire.[11] With the waxing of European power the contest was for territorial control, a battle which ended when Italy, with the aid of Britain, established its colony on the Red Sea and named it Eritrea. Italy's invasion of Ethiopia in 1935 proved to be its undoing and was met with fierce resistance. With the outbreak of the Second World War and Italy and Britain being in the opposite camps, Britain launched a major offensive against Italy in its positions in Eritrea, Ethiopia and Somalia. In this it was joined by the Ethiopian forces and thus Eritrea came under the British rule. The ten years of British administration was marked by political turmoil and violence and thus in 1948 a referendum was held under the supervision of the Four Power Commission comprising USA, UK, USSR and France. As the Eritrean opinion was sharply, almost equally divided as to whether it wanted independence or union with Ethiopia, the matter was brought before the UN General

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[10] David Pool in I.M. Lewis (ed.,) *Nationalism and Self-Determination in the Horn of Africa* (London, Ithaca Press, 1983.), pp. 178.

[11] Melakou Tegegn in Abebe Zegeye & Siegfried Pausewang (ed.,) *Ethiopia in Change: Peasantry, Nationalism and Democracy.* (London, British Academy Press, 1994), pp. 50.

Assembly. Haile Selassie, the re-coronated emperor of Ethiopia sensed the growing importance of United States and quickly aligned himself the emerging super power. The UN Commission of Enquiry was divided in its findings and while the majority view was that Eritrea be federated with Ethiopia, the minority report suggested that Eritrea be granted independence. The shift in the stance of US and Britain, from wanting a partition of Eritrea to agreeing with the majority view, prompted the UN General Assembly to vote in favour of Eritrea being federated with Ethiopia. The federation lasted just about ten years before Ethiopia annexed Eritrea claiming it to be its lost territory. Thus began a thirty year war which resulted in thousands of people seeking refuge in neighbouring countries and many more being displaced within their own country.

The Republic of Sudan is the largest state in Africa and covers an area of one million square miles. The country exhibits a variety of geographic features from the desert expanses in the North to the flat plains of the heartland and to the rolling hills and mountain ranges along the western, southern and eastern borders. Two factors predominate the geographical features of Sudan: (1) the vastness of all regions; vast

cotton fields, vast deserts and vast swamps alike, making communications an overwhelming problem; (2) the river Nile.[12]

The Ethnic Setup

There are millions of people who have been forced to abandon their homes because they belong to a particular ethnic group. At a time when ideologically motivated movements are waning, ethnic conflicts that produce refugees are on the rise. Ethnic diversity, by itself does not produce violence. But ethnic violence is invariably accompanied by population dislocation. Africa stands testimony to this. Ethnicity itself is an imprecise concept. Ethnic groups are identified by their own members or by others, primarily in cultural terms such as language, religion, national origin, social organisation, tribe or race.[13] Since the society in the Horn of Africa, as in the rest of the continent, was defined by tribal identity, ethnicity played a predominant role in state formation. Though Somalia, Djibouti, Ethiopia and Eritrea had ethnic diversity by having people of various tribes, in Sudan religion constituted another source for diversity. This section would draw attention to the tribal and religious set up of the region.

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[12] Peter K. Bechtold, *Politics in Sudan: Parliamentary And Military Rule in an Emerging African Nation,*(New York, Praeger, 1976), pp. 4-5.

[13] Rudolfo Stavenhagen in Kathleen Newland, "Ethnic Conflict and Refugees" Survival, Vol. 35 (1), Spring, 1993. Pp. 83

The ethnic politics in Djibouti and the subsequent conflict in the country has resulted in it being slapped with the metaphor of 'boiling cauldron'.[14] It refers to the underlying tensions, particularly ethnic, beneath the veneer of calm and peace in this society, which boiled over in November 1991 when a guerrilla insurgency began to overthrow the regime of the incumbent president.

Djibouti is an ethnically diverse country.[15] The ongoing process of urbanization, specifically tied to the growth of Djibouti City and the construction of the Djibouti-Addis Ababa railway, has significantly transformed a society that historically was largely pastoral in nature.[16] The Afar and Issas peoples comprise the two dominant ethnic groups which historically inhabited the territory. The Issas constitute the largest ethnic group, roughly 33% of the population and inhabit the southern one-third of the country below the Gulf of Tadjoura and east of the Djibouti-Addis Ababa railway. Divided by the arbitrary imposition of colonial boundary, the Issas people spill over into both the secessionist Somaliland Republic (formerly British Somaliland and after 1960, a part of the Republic of Somalia) and Ethiopia. The Afars constitute the

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[14] Coined by a French journalist, Catherine Simon in 'Influx of Refugees Heightens Vulnerability', *FBIS*, Daily Report Sub-Sahara Africa, 28th July, 1991

[15] Peter Schraeder, "Ethnic Politics in Djibouti: From 'Eye of the Hurricane' to 'the Boiling Cauldron'", *African Affairs*, 92, 1993, pp. 203.

[16] *Ibid., pp. 204.*

second largest ethnic group, about 20% of the population, and inhabit the northern two-thirds of the country above the Gulf of Tadjoura and west of the Djibouti-Addis Ababa railway. Like the Issa people, the Afars too, divided by the ill-conceived colonial boundaries, spill over into the southern portion of the territory controlled by Eritrea and extend westward as far as the Ethiopian town of Nazareth.

Remainder of Djibouti's population is divided among five major groups, mostly residing in Djibouti City, which were not historically indigenous to the area. The Gadaboursis and the Issaks who are sub-groupings of the Somali peoples and comprise 15% and 13.3% of the population respectively, migrated from northern Somalia during the twentieth century. The main motive behind their migration was the opportunity of employment at the construction of the Djibouti-Addis Ababa railway and the expansion of the port at Djibouti City. Arabs, particularly Yemenis who predominantly work in the commercial sectors constitute about 6% of the overall population. 4% of the population comprises of the French and European nationals who work at nearly all administrative levels of Djiboutian government. Nearly 3500 belong to the French Legion. In addition to the sharing a common nomadic tradition that places a high value on livestock and virtues of bravery and individualism, a strong adherence to the Islamic faith, and an oral tradition that hold singers and poets in high esteem, the country's two dominant ethnic groups- the

Afars and the Issas have maintained strong social networks that form the basis of everyday life, especially within the rural areas.

Clanism is the Somali version of the generic problem of ethnicity or tribalism: it represents primordial cleavages and cultural fragmentation within Somali society.[17] While investigating the social causes of the worst civil war in the modern history of Somalia, one encounters numerous literature that adopt a mono-causal approach- that of attributing all the ills to the dictatorship of Siad Barre. This analysis is inadequate because it is more ideological than scientific in nature. The Somali people are said to have been divided into southern agro-pastoral and northern nomadic clans which have distinctly different cultural, linguistic, and social structures. The notion of Somali homogeneity is disputed by many scholars who contend that this perception is widespread because most of the scholarly works have been done on the Northern part of the country and the observations have been extended to the south as well. The myth of Somali homogeneity played a major role in the rise of nomadic clans to political predominance, and the appropriation of resources from less war-like clans and intensely religious agro-pastoral groups in and around the inter-riverine region.[18]

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[17] Hussein M. Adam in William Zartman (ed.,) *Collapsed States: The Disintegration and Restoration of Legitimate Authority,* (Boulder, Colorado, Lynne Reinner, 1995.) pp 70.

[18] Mohamed Haji Mukhtar," The Plight of the Agro-Pastoral Society of Somalia", *Review of African Political Economy*, Vol. 70, December,1996. Pp. 543.

Ethnically and culturally the Somali belong to the Cushitic ethnic group. Their closest kinsmen are the surrounding Cushitic peoples of Ethiopian lowlands and Eritrea- the traditionally bellicose 'Afar', the Oromo, Saho and Beja. Their immediate neighbours to the north are the pastoral Afar with whom they share Djibouti and who extend into Eritrea and Ethiopia. To the west, in Ethiopia, the Somali are bounded by the cultivating and pastoral Oromo; and in the south by the Boran Galla of Kenya.[19]

The Somali population is made up of five major clan-families (Hwaiye, Darod, Isaq, Dir, Digil-Mirifle); each one is subdivided into six or more clans and each clan is subdivided into subclans and sub-sub-clans, all the way to lineages and extended families.[20] After World War II, politicized clanism among Somalis favoured nationalism and a Greater Somalia concept. At other times, clanism has assumed a negative aspect- the abandonment of objectivity when clan and local/parochial interests must prevail.[21] A major factor in the Somali conflict is the struggle among clans for control of limited and increasingly scare

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[19] I.M. Lewis, *A Modern History of Somalia: Nation and State in the Horn of Africa* (Boulder, Colorado, Westview Press, 1988.)

[20] Hussein M. Adam, Zartman (ed.,) *Collapsed States: The Disintegration and Restoration of Legitimate Authority,* (Boulder, Colorado, Lynne Reinner, 1995.) pp. 70.

[21] *Ibid.,*

resources, especially land and water.[22] By far the greatest damages brought about by clan conflicts spread over large geographic areas have resulted from elite manipulation of clan consciousness.[23]

Ethiopia today consists, in all, of more than forty different ethnic groups, some of whom such as segments of the Oromo, Afar and Somali peoples to the south and east, continue to claim that Ethiopia, by incorporating them into the empire, violated their right to self-determination. The Semitic-speaking Tigreans and Amharas have dominated Ethiopia's political history since its foundation at Axum comprise a loose tripartite hierarchy of military aristocrats, clergy and lay peasantry. The Tigreans occupy the northern highlands of Tigre and Eritrea, sharing part of the plains with Cushitic-speaking and mainly Muslim Beja, Saho and Afar. As the Christian ruled state expanded over the centuries, its capital moved further and further south away from Tigre into the central highlands occupied by the Amharas who have monopolised power for the past five hundred years. During the 'scramble for Africa' the Amhara conquered, or acquired by the default of the other colonial powers, the territory which became the Ethiopian Empire of Menelik and later of Haile Selassie.

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[22] Mohamed Haji Mukhtar," The Plight of the Agro-Pastoral Society of Somalia", *Review of African Political Economy*, Vol. 70, December,1996. Pp. 543.

[23] Hussein M. Adam, Zartman (ed.,) *Collapsed States: The Disintegration and Restoration of Legitimate Authority,* (Boulder, Colorado, Lynne Reinner, 1995.) pp. 70.

Eritrea, before its colonisation by Italy comprised of four geographical regions: the highland plateau, covering about a quarter of the total area; the western lowlands; the Danakil region and a strip of land between the highland and the coastal plain. These regions, distinct in every sense, are inhabited by nine different sets of people, having their own distinct form of social, political and economic organisations, languages, history and religion.[24] Religious and political diversity had not only divided these peoples for centuries but also brought them in collision.[25] The Italian colonialism brought different constituencies that were later to form Eritrea. It also introduced a commodity economy and opened up factories, built highways and railways etc., The implications of this socio-economic change in historic terms was enormous. Each ethnic group, with its own distinct language, territory and history developed further cohesion among itself, acquiring the characteristics of a nationality.[26] If there existed a feeling of nationhood and oneness in Eritrea, it was experienced at the level of the ethnic identity of the different nationalities. Though Eritrea did register economic development compared to the rest of Ethiopia, as far as the psychological make-up of

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[24] Melakou Tegegn in Abebe Zegeye & Siegfried Pausewang (ed.,) *Ethiopia in Change: Peasantry, Nationalism and Democracy.* (London, British Academy Press, 1994), pp. 46.

[25] *Ibid.,*

[26] *Ibid., pp. 49.*

the people was concerned, fifty years of Italian colonial rule did not change the regional and religious distinctions based on the feudal ideology. On the contrary, the colonial policy of divide and rule only accentuated these distinctions. It was during the British rule that the restructuring of the tribal organisation took place. The former ruling clans considered that their position would be better assured through a political association between Eritrea and Ethiopia ruled by an emperor and aristocratic hierarchy. [27] The others that is those who were ruled favoured independence. Thus in northern and western Eritrea, there was a division along class lines underpinning the divergent movements. Thus these contradictions existed in Eritrea while it was struggling to wrest independence from Ethiopia.

In Sudan the Funj Sultanate emerged around the year 1504 through an alliance of the Funj and the Arabs. The nature of this alliance and the way it has been portrayed historically illuminates the capacity of 'tribalism' to negotiate and contest with the other structures in the current politics in Sudan.[28] It is predominantly the history of the Funj

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[27] David Pool in I.M. Lewis (ed.,) *Nationalism and Self-Determination in the Horn of Africa* (London, Ithaca Press, 1983.), pp.181.

[28] Mahmud El-Zain, "Tribe and Religion in the Sudan" *Review of African Political Economy*, Vol. 70,December 1996, pp. 523

Islamic Sultanate in which 'Islamic' coincides with 'Arab' that has been written. Historical continuity in terms of social formation and politics is traced to this Arab-Islamic foundation, particularly the Arab tribe. Tribalism in Sudan is derives its existence from that essentialisation and the process of reproduction related to it. The tribe is not seen as a structure affected by other structures in the same way as it affects them.

The alliance between the Funj and the Arabs established a political and administrative system based on the division of power between the Funj kings in Sinnar and the tribal leaders in their territories. This is important as it represents a system in which Africans were rulers and Arabs were subalterns. Under this system the tribes functioned as units of local self-government. The Funj kingdom can be considered a confederal, rather than a centralised state. It was the tribal ideology that gave the Sultan the right to monopolise trade, and also gave the tribes the right to impose taxes on caravans, even to rob them. The tribal ideology was accompanied by the appearance of Sufism as a religious and social movement transcending tribal boundaries. There was an attempt to forge unity at the ideological level. Sufism continued to develop within its own internal logic and in its relation to the tribal ideology. This development was abruptly halted by the Turkish invasion of 1821. Tribal institutions were linked to the new system of rule. The logic of this system was incompatible with the nature of tribe, an

institution that expressed the autonomy of pastoral societies. The British colonisation of Sudan can be considered an extension to the Turkish colonisation. One difference between the two rule was that the British accelerated trends that were set in motion by the Turks. It is in this second colonial period that the tribe became 'tribalist', sect became 'sectarianist' and culture became a source of domination and racism.

The designation of 'closed districts', the Southern policy of isolating that region, and similar restrictive laws of the colonial administration in the North are the roots of today's political calamities. It is in this context that present-day dualities of Muslim-Christian, Arab-African, North-South attain their contemporary meanings.

The Linguistic Setup

Language is basic to social interaction. Samuel Johnston declared ;languages to be 'the pedigree of nations'. Language is indeed the simplest and most obvious criterion of national identity and exclusiveness. The linguistic component in the growth of nationalist aspirations is very often stimulated when the language of government is not one's own mother tongue.[29]

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[29] I.M. Lewis (ed.,) *Nationalism and Self-Determination in the Horn of Africa* (London, Ithaca Press, 1983.), pp.9.

In the Horn of Africa, if one excludes the foreign languages Arabic, English, French and Italian, one finds two languages that rank as official languages, Amharic for the Ethiopian state and Somali for the Somali state. One language which had an ill-defined status as an official regional language in the former Ethiopian province of Eritrea is the Tigrinya, a Semitic language related to Amharic, although they are not mutually comprehensible.[30] The Imperial Regime followed varied policies regarding the use of Tigrinya, which was at times tolerant, sometimes restrictive in Eritrea and totally restrictive in the province of Tigre. The language was considered more as a cultural language and was treated as such. It was written in the traditional script, but there was no scope for expansion. The other Semitic language spoken by the major communities living in Ethiopia are Tigre and Gurage, but they have not official status. Another Semitic language, Harari, is not spoken by very many number of people.

The major linguistic groups in Eritrea are:

(1) Tigrinya- spoken by people who live in Plateau and are Christians. A considerable number belonging to the merchant class in the highlands speak Tigrinya but are Muslims.

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[30] Joseph Tubiana in I.M. Lewis (ed.,) *Nationalism and Self-Determination in the Horn of Africa* (London, Ithaca Press, 1983.), pp. 27.

(2) Tigre- speakers are people who inhabit the north eastern coastal plains and western lowlands and are predominantly Muslims. The original inhabitants of Massawa and its village hinterland also speak this language.

(3) Saho- spoken by people who live in the eastern edge of the Plateau and the foothills of the coastal plain of Aklai Guzai province. They are mainly pastoralists who practice Islam, but there are some who are settled agriculturists who are adherents of Christianity.

(4) Afar- are Muslims and mostly nomadic; they live in the harsh Danakalia Red Sea Coast. Some live in the ports of Massawa and Assab.

Apart from these linguistic groups the other languages spoken are the Beja by pastoralists who live in the Sudan, Baza, Baria and Bilen which is spoken in the market town of Keren. Most of these linguistic groups have their distinct cultural forms particularly in their songs and dances. Some Eritreans also speak Arabic.

The Somali language constitutes a critical element in the Somali identity. Somalis speaking different dialects generally comprehend one another. Linguists place the Somali language within the Afro-Asiatic family, a member of the Cushitic sub-family which includes among others the Aweera, Rendille, Afar, Saho and Oromo. Speaking Somali

provided its speakers with a basis for an identity that separated them from the other inhabitants of the Horn who speak related eastern Cushitic languages. The linguistic factor is an important aspect of the process of national differentiation among the peoples of the Horn- especially since they tend to share common physical characteristics and to some extent traditions and customs [31] The linguistic factor is also important in the historical assessment of the impact of Arabic on Somali culture and society. Islam, the Arabic language and culture have had a profound impact on the development of the Somali identity and nation. The Somali language helped the Somalis to gain a national consciousness and identity that sets them apart from the from other related peoples of the Horn as well as from the Arab peoples of the Peninsula. The Somali language which hadn't evolved a written form was the unifying language in the post independence Somalia. An increased consciousness developed to en-script the language which was done when the Supreme Revolutionary Council adopted a modified version of the language in Latin. This was also the case with the Republic of Djibouti where neither of the ethnic groups the Afars and the Issas had a dominant status.

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[31] Hussein M. Adam in William Zartman (ed.,) *Collapsed States: The Disintegration and Restoration of Legitimate Authority,* (Boulder, Colorado, Lynne Reinner, 1995.)pp. 32

It is against this divergent societal backdrop that the refugee crisis in these countries has precipitated. As is evident from the background to the geographical, ethnic and linguistic set up, the roots of the crisis can be traced to the diversity in the society. This diversity indeed set off a partisan political set up in which the dominant ethnic group favoured members of its own community. This was responded to by the increased polarization on the ethnic and linguistic lines and the emergence and manifestations of nationalism.

CHAPTER III

The Genesis of the Crisis

The African continent presents a dismal picture as regards its refugee population. We find that refugees from almost all African countries live inside every neighbouring nation. The crisis in the continent is compounded by the massive number of internally displaced population- a population that is almost like refugees, but is not accorded the status of one by the appropriate authorities, a population that lives in conditions of utter distress but receives little assistance from either the state or international agencies. In fact, internal displacement is almost a prelude to becoming a refugee. As mentioned in Chapter I, the condition of internally displaced is all the more pathetic and worrisome as they are still within the boundaries of the state that is supposed to protect them, but is unable or unwilling to do so.

One can trace the roots of this crisis to the systematic deportation of slaves in the 15th century, and the subsequent European partition of the continent in the 19th century. The situation further deteriorated after World War II. More recently, that is, after the attainment of independence by many African countries, the colonial legacies inherited made the nature of state conducive to generate major outflows of refugees. The only exception to this general rule was Ethiopia which,

though did not undergo the colonial experience, was fraught with irredentist and separatist movements in Ogaden and Eritrea. Added to this was the social revolution that it faced and the prolonged military rule aimed at centralizing the authority at the expense of alienating a major segment of the population.

Thousands of refugees were created in the Horn of Africa countries by (a) unrest in Ethiopia that resulted in the overthrow of the late Emperor Haile Selassie in 1974; (b) violence in Ethiopia under the military regime that replaced the monarchy; (c) the continued Eritrean guerrilla secessionist movement; (d) the warfare between Ethiopia and Somalia over Somalia's claim over the Ethiopian controlled Ogaden area and its nomadic Somali inhabitants; and (e) the prolonged civil war between the Muslim dominated North and the Christian separatists of the South in Sudan. Events included the transformation of the French territory of Afars and Issas into the independent republic of Djibouti and (f) as in any other part of the world, the politics of Cold War had its own role to play with Soviet Union and United States staging a major cameo in the region.

This chapter would first deal with the 'internal' cause of the refugee outflow. The attempt would be to adduce the cause of social dislocation to the nature of state that was inherited by the countries that underwent

the colonial experience, the partisan ethnic policies that turned out to be alienating a section of the population which resulted in conflicts of major proportions. Added to this would be the general economic underdevelopment that could be the cause as well as the reason for particular state policies which in turn generated and perpetuated conflicts. The latter part of the chapter would involve a study of the 'external' cause of refugee generation. This includes the regional and international interest in the Horn of Africa, how the interest of the countries in the region and away from it, dictated its policies and hence the movement of refugees. The ideological alignments would also be taken into consideration while assessing the international impact on these countries. It is also contended by some dependency theorists that the integration of these pre-modern societies into the world capitalist system had its own impact on the development path that they followed.

Internal causes of refugee generation

The Colonial Experience:

With the exception of Ethiopia, the rest of the countries under scrutiny underwent colonial rule. Though they were ruled by different European powers, they had all undergone one experience in common- exploitation. Be it the British, the French or the Italians, all of them followed a policy of discrimination and differential development. Internal war, which is a

result of political instability is, in turn, a major cause of pushing people outside their homes and beyond boundaries. The historical roots of this can be traced to colonialism. Colonialism as a determinant of modern African politics is as important as probably authoritarian regimes and Cold War influences. Colonial state building helped shape the social forces in Africa, and set the political stage for the post-independence period.[1] The colonial past was not necessarily a prologue to the African refugee crisis, but it was an extremely important pre-requisite.[2]

In contrast with the Eurasian continent, Africa was a land of extensive rather than intensive agriculture; its population was historically small, land was plentiful though the soil was poor. These factors encouraged the 'slash and burn' agriculture, which gave the soil long time to recover from usage and also encouraged continual relocation of social group as a whole. The lack of agricultural instruments prevented the accumulation of surplus. Hence there wasn't a great difference in the standards of living of chiefs and general population. Under these circumstances, when all the manpower was engaged in production and none could be spared for or shifted to administrative activities, it was very difficult to form even a rudimentary state. It was the establishment of colonial

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[1] Constance G. Anthony, "Africa's Refugee Crisis: State Building in Historical Perspective", *International Migration Review*, Vol. 25, Fall, 1991, pp. 575.

[2] *Ibid.*, pp. 575.

administration which marked the creation of contemporary state in Africa. European powers, espousing ideologies of imperial rule, established new, large scale, institutional frameworks with internationally recognised territorial boundaries which aggregated diverse people and societies. There were three models of colonial state building adopted in Africa which set the stage for a post independence drama of highly exclusionary politics, internal war and refugee flight:

a) The first established a dramatically bifurcated colonial administration, distributed resources in a highly unequal manner, and then championed the interests of one ethnic constituency during the process of de-colonisation. Britain followed this pattern in Sudan.
b) The second created an internal, administrative, ruling elite based on ethnic affiliation, allocated that elite a disproportionate share of educational and economic resources, and then during the de-colonisation designated a new political heir apparent. This policy was pursued by the French in its erstwhile colony of Djibouti.
c) The third encouraged all forms of traditional parochialism, making colonial administration highly fragmented, stifled any attempts at social or economic modernisation and relied upon the complete repression of new, African political organisation in an effort to prevent

de-colonisation from occurring. The Portuguese policies in its colonies demonstrates this practice.

The British for reasons of political ideology, created a colonial administration which radically separated the northern from the southern region. The British declared themselves concerned about the cultural distinctions between northern and southern Sudan and undertook the administrative bifurcation in the name of indirect rule. The stability which the colonial state brought with the separation of the north from the south served the British well, but at independence the consequence was a hotly contested battle for exclusive control for the state. The British were impressed with the Muslim culture of northern Sudan, and had great success in establishing their own administration there. They built on this success and went on to focus their educational and economic investments there. But the non-Muslim south remained cutoff from the developments in the north. A policy of indirect rule was adopted and it was strengthened after a rebellion by the northern elites, and the British instituted a policy of complete separation of the northern and southern administration. This policy was undertaken primarily to acknowledge the very different cultures of the north and south. However, it was done in such a way that perpetuated the differences. Southern administrators no longer attended annual political meetings in

Khartoum.[3] Christian missions were permitted in the south while they were barred from the north, and English was introduced as the language of modern education. The 1924 decision granted the Sudanese governor to completely close off the south from trade, travel and immigration with the north. Because there was so little economic investment in the south, this meant the south was cut off not only from the political but also the economic forces of change. At independence, the southern Sudanese were "largely uneducated, clearly unsophisticated and predominantly tribalized and tradition oriented societies".[4] The Northern Sudan, despite the rebellion witnessed immense growth with the British investing in the economic development, education and the integration of the local population into the colonial administration. Thus, the Southern Sudan was woefully lacking in any form of development that would make it comparable to the north. The policies of the British in the north especially that of introducing education was responsible for the awakening of nationalist consciousness and thus the demand for independence also came from the north. Though, the British responded to the increased criticism for their adverse policies in the south by adopting a policy of integration with the north, and taking the southern interests into consideration while de-colonising, these policies came

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[3] Constance G. Anthony, "Africa's Refugee Crisis: State Building in Historical Perspective", IMR, Vol 25, Fall, 1991, pp. 579.

[4] R.O. Collins and F.M. Deng, *The British and the Sudan, 1898- 1956*, Stanford, Hoover Institution Press, 1984, pp. 25.

quite late in the day and the state was founded on an unbalanced note with uneven economic development and social inequity.

Somalia was no different with a five-fold division, with Britain occupying two parts and the French and the Italians administering one each. The Ogaden was occupied by Ethiopia and later became the object of Somali nationalist obsession, and a cause of protracted war resulting in huge displacement of people. The policies adopted by the colonial powers were as diverse as both the ends of the spectrum. Though the British and the Italian Somalilands unified, the post-colonial state was heir to two completely different colonial traditions: the British administration in the North, which had barely imposed itself on its Somali subjects and had for the most part left their traditional customs of *xeer* (blood money) untouched, and the Italian fascist colonial rule in the South whose extremely authoritarian philosophy had led to the nearly complete destruction of indigenous forms of political and social control.[5]

The colonial experience of both Eritrea and Djibouti contributed to the resultant social dynamics. While Djibouti was under the French rule, Eritrea was colonised by Italy and later administered by Britain before being handed out to Ethiopia. In Eritrea the impact of colonial rule

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[5] Gerard Prunier, "Somalia: Civil War, Intervention and Withdrawal 1990-1995", *Writenet Country Papers*, July 1995.

brought about two transitions: the creation of manufacturing industry and a service sector in the highlands and the coastal areas around Massawa, increasing trade between the pastoral nomads of the west and north east and a tendency toward settlement by some sections in the predominantly pastoral areas.[6] Differential dependence on the modern sector developed. Besides an intensification of the differences between societies of pastoral nomads and peasants, historically there had been a conflict between the two. The two transitional populations were frequently in competition for land and grazing. This different pattern of social and economic change underpinned the division of the Eritrean liberation movement into two wings in the late 1960's. It was also at the toot of the divisions between the Eritrean political parties in the 1940's and 1950's compounded at that time by differing conceptions of Eritrean independence.[7] The British took over from where the Italians had left. While the Italian colonial administration brought about the integration and restructuring of Eritrean national society, the British administration created the framework for the political expression of Eritrean nationalism.

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[6] David Pool in I.M. Lewis (ed.,) *Nationalism and Self Determination in the Horn of Africa, 1983, pp. 178*

[7] Ibid., pp. 179-180.

Nature of State

The character of states in Horn of Africa is marked by the historicity of their emergence and socio-economic forces active in the state institutions.[8] Anamorphosis is a specific feature of states in the Horn. Their emergence is marked by an anomaly due to divergence between their socio-geographical boundaries and political frontiers.[9] The roots of the crisis were already present in the newly independent states. It is truism that colonial boundaries in Africa made no political sense. Social and cultural heterogeneity followed one set of rules, political territoriality another. For many contemporary African states, colonialism began a process of political centralisation which redefined the political character of social diversity in way which supported the work of indigenous state builders. Here the creation of institutions which cut across and embraced a highly diverse set of societies resulted in the growth of integrative independence movements. But for other African countries, the colonial experience was very different. Certain types of colonial rule established from the very beginning a narrower understanding of exactly who should inherit the central institutions of the state.

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[8] S.N. Malakar, "The Dynamics of Social Conflict", *Africa Quarterly*, vol. 34 (2), 1994, pp. 129.

[9] Ibid., pp. 129.

The first Somali refugees arrived in Ethiopia between 1988 and 1992, fleeing both civil war and famine in their country. Others arrived at the end of 1994, after new clan fighting had broken out. However, since 1995, in north-western Somalia, the home region of the majority of the refugees, a degree of political stability has been restored favouring the refugees' return. The post-colonial history of Somalia dates from 1960, when the former Italian colony of Somalia and British Somaliland, in the North united to form the Somali Republic. Though the Somali's had been generally 'united' in one form or another between 1936 and 1948, throughout the 1960's irredentist attempts to unite Somalis in Northern Kenya, eastern Ethiopia (Ogaden), and Djibouti failed.[10] Regaining the other three became a national goal which had precedence over any other and this almost obsessive driving force led to the refusal of the Somali Republic to sign the 1963 OAU charter which stated as one of its guiding principles the respect of the borders inherited from colonisation.[11] It also had a rather disastrous political effect. The Somalis had been an essentially stateless society and their vision of unity led them to rush unquestioningly forward into independence without a thought as to how their government was going to be organised. The state was thus both a foreign and an unquestioned entity. It was perceived as being two

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[10] Hussein B. Adam, in William Zartman (ed.,), *Collapsed States, The Disintegration and Restoration of Legitimate Authority, 1994, pp. 69.*

[11] Gerard Prunier, "Somalia: Civil War, Intervention and Withdrawal 1990-1995" *Writenet Country Papers,* July 1995.

completely heterogeneous things- a direct continuation of the colonial state, and, at the same time, a tool for the 'reconquest' of the lost Somali territories. Initially the duality of being colonised by different European powers was lost in the 'unitary' enthusiasm of independence. Obsessed with this national aim, the Somali people gave scant regard to their domestic politics, an oversight which was to prove costly.

The regime adopted for the unified Somali Republic of 1960 was a parliamentary democracy. It lasted from June 1960 to October 1969 in a constant state of confusion. There were up to 60 political parties, all expressions of the various clans and sub-clans. But after the elections were over the Somali Youth League, the nationalist party which had been nurtured by the British Military Administration between 1941 and 1948 gained prominence. Since the SYL was the only 'national' party with a support that was relatively broadly based across the clans, the various other parties which were in fact clan-based interest groups, rallied to the SYL dominated government in order to be able to benefit from the state. Thus the country lived with a myriad of parties and a de-facto single party.[12] The parliamentary and ministerial edifice, built on sand, was bound to collapse. The military, headed by General Mohammed Siyad Barre, grabbed state power on October 21, 1969.

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[12] *ibid.*,

The new regime stressed on the 're-unification of the Somali people'. But, in some ways the regime did try to foster national unity across the clans by introducing the written Somali language in 1970, near prohibition of the mention of clans and a program of road-building designed to link together the various areas of the country, all contributed to a form of national unity. But the monolithic vision of the state derived from the communist model was also in many practical ways a carbon-copy of the fascist colonial which had ruled Southern Somalia for so long. This, and the general preference given to Southerners in the administration, tended to antagonise the British trained northern elite. The coup d' etat that was attempted in 1978 against the now weak Siad Barre regime was repressed with severity. Since the coup was attempted by the officers of Majerteen clan, the entire clan was made responsible and retribution effected. Many young men of this clan fled to Ethiopia to escape the state sponsored brutality. It was after the failed coup attempt and the perceived clan-based political threat that Siad Barre adopted a clan based response. His regime, which in its 'socialist' heyday had prided itself on a unitary anti-clan ideological position now began to systematically use a clan system of political patronage in order to strengthen itself.[13]

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[13]Gerard Prunier, "Somalia: Civil War, Intervention and Withdrawal 1990-1995" *Writenet Country Papers*, July 1995.

The two major waves of refugees originating in Sudan since it gained independence in 1956 stem from the policies that were adopted by successive regimes toward the southern region and that are rooted in the historic stance of northern state-builders. Like their predecessors, the post independence rulers were determined to incorporate the south but failed to secure the consent of the governed and lacked the capacity to achieve their objective by force.[14] The institutional profile of the emerging state was shaped by the establishment of the unitary national assembly (1948) within which the south figured only as a cluster of constituencies. Both the leading parties, the Unionist and the Umma needed the support of the south, but the small southern elite launched its own Southern Party, which advocated federation. The replacement of British officials with northern bureaucrats committed to centralisation acerbated the demand for southern autonomy.

Despite the political accommodation, independence exacerbated inter-regional tensions. The spark came from the army. Rumours were rife that there was an impending mutiny by the southern troops against the northern officers and a huge contingent of the army was despatched to the Equatoria Province. The southerners feared large scale reprisals and killed their officers. The mutineers fled and emerged later as the

[14] **Zolberg et al.,** *Escape from Violence,* **pp. 50.**

nucleus of a guerrilla force. These events unleashed a wave of attacks against the northern merchants and officials throughout the region. Punitive actions followed, prompting more widespread resistance to the northern rule. Claiming the parliamentary politician's inability to cope with the country's problem, a coup was effected. Determined to bring about a final solution to the southern problem, the military government launched an 'arabization' policy, which entailed closing all the English-language educational institutions and eliminating all English speakers. Plan was also made to settle over a million Arabs in the south. Relations in the region continued to deteriorate and with political parties suppressed, violence was'nt far away. By 1963, the country was engulfed in a civil war. Over the next few years, the northern army and the government sponsored militias perpetrated a number of massacres against the civilian populations. Although these atrocities lent credence to charges of deliberate genocide, they may merely have reflected the Khartoum government's inability to control the remote provinces.[15] From 1960 on, southern politicians and intellectuals began fleeing to adjoining Uganda and Zaire.; massive population movements followed after 1963, as southerners sought havens in regions inaccessible to the ravaging government forces, within Sudan or in neighbouring countries. By the end of the conflict in 1972, estimates of the internally displaced ranged from 500,000 to as high as 800,000. In 1970, the UNHCR enumerated

[15] Ibid., pp. 51.

170,500 Sudanese refugees abroad. Civilian populations have been targeted and exploited by all sides in the war. A 1993 USCR study concluded that 1.3 million southern Sudanese had died otherwise avoidable deaths since 1983 due to war, war-related famine and disease, and Sudanese government policies.[16] Throughout 1984, the Sudanese ruler wavered between lashing out at his opponents and making conciliatory moves so as to establish a new power base. Meanwhile the economy was deteriorating rapidly. The northern region fell prey to a major drought; one-fourth of the army was engaged in the conflict, at a cost of between $300,000 and $500,000 a day; and with a annual debt service exceeding the total export revenues, the state tottered on the verge of bankruptcy.[17] Meanwhile, the war expanded with both the sides resorting to the scorched-earth policy and using food as a weapon. With no governmental controls, desperate food shortages fostered banditism throughout the region, with old antagonisms flaring up into bloody clashes that engulfed refugee camps as well. People fled where they could, mostly to the north, where reportedly as many as a quarter of million refugees were encamped around Khartoum, adding to the problems of famine and encouraging further anti-southern sentiments. At the end of 1986 the Sudanese refugee population in Ethiopia

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[16] USCR Country Report: Sudan, *USCR*, 1999.

[17] Judith Miller, *New York Times*, April 15, 1985.

numbered 131,599, and by mid 1987 it had risen to 179,285.[18] Refugees from Sudan Civil war in Sudan has pushed waves of refugees into Ethiopia since the 1980s, reaching a peak of more than 300,000 in 1991. Although most eventually returned home, continued warfare in Sudan has produced new refugee flows into Ethiopia since 1993.[19]An estimated 10,000 new refugees fled to Ethiopia during 1997. Most settled into a new camp with UNHCR assistance. Many of the new arrivals were in a "desperate state of famine," according to Ethiopian officials.[20]

The political inheritance of the French colonial rule in Djibouti conforms to the second pattern of colonisation as discussed. In a significant change in the pro-Afar policies that dominated the French political thinking prior to Djibouti's independence in 1977 the first Djiboutian government of the independence era reflected an important shift in French involvement in the internal Djiboutian politics.[21] The Afars who till the time of independence were the privileged lot, suddenly found themselves being discriminated against, and the transfer of power benefiting the other ethnic group- the Issas. Tensions boiled over in

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[18] UNHCR, *Refugee Update*, June 18, 1987.

[19] USCR Country Report: Ethiopia, *USCR*, 1999.

[20] USCR, Country Report: Ethiopia, *USCR*, 1999.

[21] Peter Schraeder, "Ethnic Politics in Djibouti: From 'Eye of Hurricane' to 'Boiling Cauldron'", *African Affairs*, 92, 1993.

November 1991 when the Front Pour le Restauration de l' Unito et la Democratie (FRUD), an Afar dominated organisation launched a guerrilla insurgency determined to overthrow the Issa dominated regime of President Hassan Gouled Aptidon. The insurgency in Djibouti pushed about 15,000 refugees into northern Ethiopia in the early 1990's. Though most of them repatriated, by the end of 1997, an estimated 5,000 refugees were living in Ethiopia.[22]

Revolution as a Refugee Producing Phenomenon

Ethiopia bears the sad distinction of being one of the poorest countries of the world. In the past three decades Ethiopia has been wracked by separatist conflicts, social revolution and war with neighbouring Somalia. While we would discuss the separatist conflict and war with Somalia under different sections, the potential of social revolution to generate refugees would be of immediate concern to us. The revolution was caused in part by the onset of a major famine, and the violence unleashed by the ensuing upheavals further undermined the population's ability to meet its subsistence needs. At the end of 1986 there were approximately 1.25 million Ethiopians abroad, mostly in the neighbouring countries of Sudan and Somalia.

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[22] USCR, Country Report: Ethiopia, *USCR*, 1999.

Social revolutions involve a radical and rapid redistribution of economic, social and concomitant political power among social classes and groups within largely agrarian societies marked by extreme structural inequality.[23] It is contended by Skocpol and Paige that for a revolution to be effected, the state should get weakened by some extraneous mechanism like a defeat in a war.[24] However, in the Third World, the process of state formation was not the result of lengthy historical interaction between the neighbouring states, but came into being by way of de-colonisation, involving relatively less struggle and hence often very weak to start with. While most states of black Africa are weak states as well, they lack the social formation that is conducive to social revolution, that is, a quite highly integrated society with a land based class system; upheavals are therefore more likely to take the form of localised uprisings and perennial coups.[25] Ethiopia is the exception that confirms the rule, since its pre-Revolutionary social organisation was more like that of medieval Europe or many parts of Asia. All successful revolutions, as well as most attempted ones, have produced major refugee movements. Refugees are generated in the first instance by the generalised violence and dislocation which typically accompany the onset of the revolutionary

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[23] Aristide R. Zolberg, et al., "International Factors in the Formation of Refugee Movements", *International Migration Review*, Vol. 20, # 2, 1986. Pp. 158.

[24] For a detailed study of states and revolution refer to Theda Skocpol, *States and Social Revolutions*, Cambridge University Press, Cambridge, 1979.

[25] Aristide R. Zolberg, "The Structure of Political Conflict in the New States of Tropical Africa", *American Political Science Review*, 52, 1967, pp. 70-87.

process itself, regardless of its ultimate outcome. This generalised violence might repeat itself if the counter-revolutionary agencies consolidate themselves and challenge the forces of revolution. The outcome itself would be responsible for certain types of flows. If the revolution succeeds, then the first wave of refugees would comprise of the ruling classes and their associates; and subsequently, people who are negatively affected by the exigencies of revolutionary reconstruction. In the event of the revolution not being successful, the resulting regime would most likely take an authoritarian form and institute repressive measures against partisans of the revolution. Related to this, refugee flows may be occasioned by the repressive policies of authoritarian regimes that seek to prevent the emergence of a revolutionary movement in the first place.[26] The initial refugee flow finds easy acceptance, but the second outflow is more problematic.

The roots of revolution in Ethiopia was embedded in a broad setting of a rural sector rendered highly volatile by the combined effect of ethnic and class cleavages. These cleavages were partly the unwitting result of land tenure reforms introduced in the 1960's, by which the Abyssinian aristocracy 'unambiguously dispossessed' the peasantry in the southern

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[26] Aristide R. Zolberg, et al., "International Factors in the Formation of Refugee Movements", *International Migration Review*, Vol. 20, # 2, 1986. Pp. 160.

non-Abyssinian region.[27] Clapham while negating the 'ethnic cleavage' cause of revolution posits the Ethiopian difficulties under the 'imperial regime' to be a result of a process of interaction with the capitalist world that converted the monarchy into a 'modernising' or 'military' autocracy. The process spawned new forces (classes and social groups) which became alienated from autocracy, which had already cut itself off from the country-side. Cash crop and economy and foreign support became the lifeline of autocracy- conditions that created and explosive combination of economic exploitation with ethnic differentiation in the south and meant progressive peripheralisation of the subsistence economy of the northern peasantry. Hence the problem was more structural than dynastic. The emperor institutionalised the Shoan Amhara dominance as a result of which other groups were severely under-represented. The emperor's futile efforts to secure the benefits of modernisation without changing the fundamentals were highlighted in the educational policy with the result that Ethiopia was lacking even to colonial Africa with respect to educational development as a whole. The emphasis on economic sphere was on industrialisation, which was accomplished by according land grants to foreign investors practically free and guaranteeing them monopolistic protection as well as a low wage labour force that was prevented from organising unions. Though land

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[27] Adhana Haile Adhana, in Abebe Zegeye & Siegfried Pausewang (ed.,) Ethiopia in Change, Peasantry, Nationalism and Democracy, British Academy Press, London, 1994. Pp. 13.

reform was necessary and agricultural development was considered impossible, land reform was never brought about as land formed the basis of the system of political domination. Foreign aid agencies' programmes to stimulate small scale commercial farming led to the expulsion of tenants and the takeover of the scheme by the large farmers. Overall, the substantial economic growth of the 1960's brought few benefits to the urban masses, except in Addis Ababa, whose inhabitants were personal dependants of the emperor, and none whatsoever to Ethiopia's peasants.[28] On the contrary, given Ethiopia's demographic expansion and erosion, the neglect of agricultural development steadily narrowed the peasant's margin of survival.[29]

In the early 1970's, drought prevailed across the entire continent, but whereas all other countries recognised the need for humanitarian assistance, and the victims were provided for both by their own governments and the international community, little was offered to the Ethiopians as the emperor refused to lend cognisance to existence of famine. But by the end of 1973, famine had claimed between 100,000 and 300,000 people in Tigray and Welo alone, the hardest hit provinces. Lot of people were rendered homeless in their attempt to search for means of survival. In the absence of structural change, the sheer

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[28] Zolberg et al., *Escape from Violence*, pp. 109.

[29] Ibid., pp. 109.

expansion of the scale of government, and the diversification of agencies vastly complicated the task of managing the imperial system by means of traditional techniques. In large measure, the regime of Haile Selassie collapsed because it could not effectively address the multiple challenges it faced, particularly in times of economic and political crisis.[30] Like the Haile Selassie regime before it, the Mengistu regime failed to effectively to address the 'national question'. It attempted to down play the issue by introducing a new social myth based upon the principles of "scientific socialism", which hold that ethnicity is not a legitimate organising principle; instead people are grouped into mass organisations based upon their economic or social roles and positions.[31] Though a regional reorganisation was brought into effect, it did not find favour with most of the nationalist movements and the fighting aggravated. In late 1988, with Ethiopia in throes of yet another famine and the regime under pressure from the nationalist movements, the Soviet Union crumbling under its own weight, declared its inability to provide military assistance to Ethiopia. An abortive coup attempt in 1989 heralded the end of the Mengistu regime, and within two years the state had collapsed. The week following Mengistu's flight there was a massive airlift of some 16,000 Ethiopian Jews to Israel.

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[30] Edmond Keller in Zartman (ed.,), *Collapsed States, The Disintegration and Restoration of Legitimate Authority,* Lynne Reinner, Boulder, Colorado, 1994, pp. 127.

[31] Edmond Keller in Zartman (ed.,), *Collapsed States, The Disintegration and Restoration of Legitimate Authority,* Lynne Reinner, Boulder, Colorado, 1994, pp. 130.

Nationalism and Self-Determination

Conflict has been linked to separatism and irredentism, primarily because of the survival of separate identities among populations whose geographical distributions do not coincide with the international boundaries of states that emerged in the wake of decolonisation.[32] In the separatist form, nationalist group (1) tries to secede from an existing state in order to form a new one outside the existing state, or (2) attempts to create a broad measure of regional autonomy, short of independence. Separatism may arise 'in situations involving a small number of large groups (in relation to population size) that are regionally concentrated.[33] Eritrean separatism originated as a response of the political class to recolonisation and authoritarian rule by Ethiopia after 1952. Initially the Muslim segments were most affected , but by the late 1950's, Ethiopia's stifling government and discriminatory policies alienated numerous Christian leaders as well. The Eritreans felt that their wish had not been taken into consideration while adjudging their fate. Hence, they unleashed a national independence struggle which continued for over 30 years before Eritrea finally gained independence in 1993.

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[32] Shah M. Tarzi, "The Nation-State, Victim Groups and Refugees", *Ethnic and Racial Studies*, Vol.14 #2 October, 1991. Pp. 447.

[33] Zolberg et al., *Escape From Violence*, pp. 242.

Eritrea was traditionally never a part of Ethiopia. It was colonised by Italy and later was under the mandate of Britain and both adopted different policies. Ethiopia got its share in the colonial spoils and it was on the basis of United Nations Resolution of December 1950 that Eritrea was federated with Ethiopia. The federation lasted until 1962 when the autonomy arrangement was dissolved and Eritrea was declared a province of Ethiopia. Between 1952 and 1961 when the Eritrean Liberation Front (ELF) was formed, a combination of Ethiopian repression and poor co-ordination between the nationalist groups considerably weakened the Eritrean nationalist movement. At the same time, Ethiopian repression and the concerted subversion of Eritrean autonomy alienated both those who had accepted compromise and many of those who believed in the viability of the union.[34] Political parties and trade unions, recognised in the Federal constitution, were dissolved. Newspapers were suspended and Eritreans were brought to justice before the Ethiopian courts. The oppression was so much so that even the main national language, Tigrinya was replaced by Amharic. Opposition to such developments crystallised in 1958 with the formation of Eritrean Liberation Movement (ELM). But, the lack of success of the nationalist movements in the 1950's and particularly the disenchantment with the

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[34] David Pool in I.M. Lewis, (ed.,) *Nationalism and Self-Determination in the Horn of Afirica,* Ithaca Press, London, 1983. Pp. 183.

peaceful means were the major factors in the establishment of ELF in 1961. By 1966, the insurgents had achieved control over most of rural western and northern Eritrea and were challenging imperial forces throughout the region. In 1967, the imperial regime staged a massive offensive, resorting to scorched-earth policy to terrorize Muslim populations of doubtful loyalty. This drove an estimated 28,000 refugees into the Sudan, where they constituted a pool for the recruitment of additional combatants.[35] One of the causes of refugee flights was the lack of unity and fratricidal struggle between the various nationalist forces. Between 1972 and 1974 the ELF and the Eritrean Peoples Liberation Front (EPLF) engaged in a bloody civil war, the second round of which was followed in 1981. Thus, the war between the Eritrean resistance movements and various Ethiopian governments was quite violent and took a heavy toll of the civilian population. Accordingly, civilians started to flee to Sudan as early as in 1965. The numbers increased particularly during the violent periods of the Ethiopian Revolution, which was marked by a series of massacres committed by the Ethiopian army, and the civil war between the two nationalist factions.[36]

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[35] Zolberg, et al., *Escape from Violence*, pp. 107.

[36] Gerard Prunier, "Sudan-Eritrea: Early Warning Note", Writenet Country Papers, April 1996.

External causes of refugee generation

The refugees as defined in international law embodies an 'internalist' vision.[37] In order that a person is adjudged a refugee, international law demands that the person should have crossed an international border. This implies that the location of the conflict is within the country of origin. Goodwin-Gill points out that it is essential that "the reasons for flight should be traced to conflicts, or radical political, social, or economic changes in their own country". Increasing amount of literature is dealing with the 'external' causes of refugee generation and locating the cause to factors like Cold War politics and the interest of the neighbouring countries.

Border Conflicts as Potential Causes

The conflict-generating potential of political boundaries stems largely from their characteristics as fine lines of political division which have to be located in natural and socio-cultural zones of transition.[38] Boundaries demarcate sharp discontinuities in political jurisdictions. Boundaries are also lines that designate the abrupt limits of political jurisdictions and the lines where separate political jurisdictions come into sharp contact. All of these important functions of political

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[37] Aristide R. Zolberg, et al., "International Factors in the Formation of refugee Movements", *International Migration Review*, Vol. 20, # 2, 1986. Pp. 160.

[38] Ravi L. Kapil, "On The Conflict Potential of Inherited Boundaries in Africa", *World Politics*, 18 (July), 1966, pp.657.

boundaries occur in a natural and socio-cultural environment in which sharp lines of division, limitation and contact are absent.[39] As recently as in May 1998 a border conflict between Ethiopia and Eritrea resulted in the displacement of an estimated 150,000 Ethiopians and 100,000 Eritreans. Eritrea and Ethiopia share a 600-mile border. A dispute over a small stretch of the border-a 156 square mile piece of land known as the Yirga Triangle-caused the current conflict.

Somali Irredentism

The Somali nationalist aspirations were manifested, when Somalia soon after its independence, claimed its right over Ogaden, a region controlled by Ethiopia. This region was inhabited by people who were more similar to the Somalis than to the Ethiopians. The Somali- Ethiopian war of 1977 was also the result of internationalisation of a local hot spot. It included the emergence of rival military alliances with the superpowers, the emergence of attendant arms race, the discovery of modest, but important deposits of oil and gas in the Ogaden that held promise for two developing economies, increasingly strident assertions of Ethiopian sovereignty over Somali nomads of the Ogaden, a corresponding increase in regional guerrilla resistance to Ethiopian assertions in the Ogaden;

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[39] Ibid., pp. 657.

and the emergence of Somalia as a viable national entity and military threat to Ethiopia.

The above internal and international long term and medium term factors combined to increase the instability of the region historically prone to conflict. The next chapter would briefly overview the refugee situation and the policy responses of the refugee regime.

Chapter IV

Policy Initiatives

As discussed in the previous chapter, the total or near collapse of the state is the product of armed conflict, communal violence and gross violations of human rights. The collapse, in turn, is attended by massive outflow of refugees and internal displacement of civilian population. It is the lack or loss of capacity to cope with the crisis that leads to the collapse of the state, and necessitates intervention of the international community.[1] Assistance to refugees and displaced persons involves a large number of international and country specific organisations and the expenditure of several billions of dollars annually.[2] The exact amount of money is not really calculable.

The UNHCR, along side other international agencies like the IRO, WFP, UNICEF etc., is engaged in providing primary emergency aid to new refugees. Since the 1970, the UNHCR budget has increased sixty-fold to a high of about $500 million in 1981, with United States, Japan, and the European Community countries as main contributors.[3] Even though the number of refugees and displaced persons has increased since 1981, the

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[1] **Francis Deng, in Zartman (ed.,)** *Collapsed States, The Disintegration and Restoration of Legitimate Authority*, **pp. 207.**

[2] **George Vernez, "Current Global Refugee Situation and International Public Policy",** *American Psychologist*, **pp. 628.**

UNHCR budget took a downward curve and plummeted to about $420 million in 1989. Added to this, are other voluntary agencies including Project Hope, International Relief Services, International Rescue Committee, Oxfam, Medecins Sans Frontiers and others, that provide food, health care, education, temporary employment, counselling and literacy instruction. Finally, both countries of first asylum and the countries of third asylum provide direct and indirect assistance to refugees, and asylum seekers settling with in their boundaries. This chapter would present a general overview of the factors affecting the policies of various agencies involved in refugee affairs. The agencies would include the institutions that form the international refugee regime, namely, the UNHCR; the regional organisation, the Organisation of African Unity; the host country responses and finally a brief look at the concept of 'durable solutions'.

Displacement and Repatriation in the Horn

More than 350,000 Sudanese were refugees in six countries at the end of 1997: an estimated 160,000 in Uganda, about 60,000 in Congo/Zaire, 60,000 in Ethiopia, 40,000 in Kenya, 32,000 in CAR, and about 1,000 in Egypt.[4] What added to the plight of the Sudanese, was the massive number that were internally displaced- up to 4 million people. As regards its hosting population from the neighbouring countries, Sudan

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[3] *Ibid.*, 628.

hosted approximately 365,000 refugees. A UN Commission on Human Rights report noted that "all Sudanese citizens living in areas controlled by the government of Sudan are potential victims of human rights abuses" and that the "basic trend of the past years toward a deterioration of the situation of human rights in the Sudan has not been altered"[5]

Massive humanitarian needs in Sudan, particularly in the south, overwhelmed international efforts in 1997. In early 1992, the civil war in Sudan produced a tragic, new group of refugees who- for a time, at least - focused international attention on the victims of conflict in the Horn of Africa. Some 12,500 young Sudanese boys, many of them kidnapped from their families and forced to join a rag-tag children's army, sought refuge in Kenya after wandering for five terrifying years across Sudan and Ethiopia.[6] Many saw disaster looming long ago in Sudan, a country that had been at war with itself even before its independence in 1956. In 1988, the late James Grant, Executive Director of UNICEF, began shuttle negotiations first with the government in Khartoum and then with the rebel leaders in the south, which finally brought agreements for a cross-border relief operation. Kenya, became the focus of the cross-border effort for the south, while another assistance program was started out of

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[4] USCR, Sudan: Country Report, *USCR*, 1998.

[5] *Ibid.*,

[6] Peter Kessler, Internally Displaced, Out of Sight, Out of Mind, UNHCR

Khartoum, to assist war-affected populations with food and other urgently needed medical supplies.

Relief aid to the people of Sudan is now overseen by Operation Lifeline Sudan (OLS), a joint UNICEF/World Food Program initiative. But despite its over five-year existence, relief activities in Sudan are a stop-gap initiative, barely staving off the effects of war and collapse of the local economy.

WFP targets some 61,000 metric tons of food aid to more than 2 million people Sudanese who, according to OLS, will find it difficult or impossible to survive during the "hungry months" from April to August.

Philip O'Brien, who recently stepped-down as Coordinator of OLS' southern sector, warns that Sudan's civil war, and particularly internecine fighting among rival rebel armies, has destroyed local grain stores and forced people from their traditional grazing and fishing grounds.

As the conflict seems never-ending, there has also been an alarming trend of abductions of relief workers and hostage-taking. Over 1995, nearly 40 aid workers were taken hostage in three separate incidents,

and OLS was forced to conduct more than 40 emergency evacuations of relief workers from locations in southern Sudan.[7]

More than 35 international and Sudanese non-governmental organisations now work under the OLS umbrella, fielding some 200 aid workers inside southern Sudan, with more based out of the capital, Khartoum. OLS was able to provide only 20% of the relief food needed from April to June, 1997. Logistical obstacles, funding constraints, and restrictions placed on OLS by the Sudanese government such as limiting access to civilians in select strategic locations, impeded the programmes effectiveness.[8]

Security for U.N. and NGO workers is a prime concern for OLS staff, the same problem faced by UNHCR and other agencies in nearby Somalia, where UNHCR has run a cross-border operation from Kenya since 1992, while also maintaining a permanent presence in Hargeisa, northwest Somalia.

"We don't lack a capacity to do programs," said O'Brien, who now heads UNICEF's emergency unit from New York. "[Problems are] more related to funding and security."

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[7] *ibid.*,

[8] USCR, Sudan:Country Report, *USCR.*

And just as UNHCR finds donor interest in Somalia difficult to maintain - despite having successfully repatriated more than 42,000 refugees from Kenya in 1995 - a major roadblock for OLS lies with donor contributions. If funds are not available when security conditions on the ground permit access, then little can be achieved and people go hungry.

"We need money to keep the operation going," O'Brien said. "Needs are not met to let the operation run successfully."

Assisting the internally displaced and other people affected by the general collapse of services due to Sudan's war is not cheap. OLS required some $107.6 million in 1996 for food aid and a variety of other activities, including health programs, guinea worm eradication campaigns, and livestock and veterinary programs targeting a total of 4.2 million beneficiaries in both the north and south of the country.[9]

In Somalia, UNHCR works to enhance the capacity of communities to cope with the strain brought on by the arrival of returnees and the presence of thousands of internally displaced persons. Recent organised repatriation operations have come from Kenya, but spontaneous

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[9] Peter Kessler, Internally Displaced, Out of Sight, Out of Mind, *UNHCR, 1998*

movements have also reduced refugee numbers considerably in neighbouring countries. Such spontaneous movements also serve to help relay information about the safety of clan areas back to refugees. Repatriation operations in 1996 included refugee movements from Ethiopia, Yemen and Djibouti. In Djibouti, about 100,000 were displaced due to internal conflict, but the situation has improved there. Even in Ethiopia, despite some new displacements in the last couple of years, it has come a long way since 1990 when up to 1.5 million Ethiopians and Eritreans were uprooted within the country.[10]

UNHCR has been assisting people to return to north-west Somalia, although insecurity in the area in 1995 prevented any organised movement. Regardless of the periodic lack of humanitarian space, Kyaw Zin Hla, head of UNHCR's North West Somalia office in Hargeisa, believes the organisation can do more to work with the clan system to assist people to return home.[11]

Ethiopia hosted more than 310,000 refugees at the end of 1997: an estimated 240,000 from Somalia, 60,000 from Sudan, 8,000 from Kenya and 5,000 from Djibouti. As many as 800,000 Ethiopian refugees have repatriated during the 1990's , including about 9,000 in 1997. An

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[10] Jeff Drumtra, "Scope and Scale of Internal Displacement in Africa", *Conference on Internal Displacement in Africa*, Addis Ababa, Ethiopia, October, 19-20, 1998.

[11] Peter Kessler, Internally Displaced, Out of Sight, Out of Mind, *UNHCR*

estimated 10,000 new Sudanese refugees arrived in Ethiopia during the year while around the same number of Somali's repatriated.[12]

Durable Solutions

A durable solution means the integration of refugees into a society: either reintegration into their homeland after voluntary repatriation or integration into the country of asylum if settlement is allowed or into a third country through resettlement.[13]

The heart of the problem of refugee assistance in developing countries, which has emerged since the mid-1970's, is "the massive arrivals of refugees in low-income countries, where no durable solutions are at hand". Massive arrivals refers to influxes of hundreds of thousands of refugees. Low income countries bear the main burden of refugees. A World Bank estimate suggested that more than two-third of the most poor countries of the world are involved or have recently been involved in refugee or refugee-like situations as sources, sanctuaries, or both. Developing country refugees are primarily rural, approximately 90% fleeing from rural areas to like areas in the country of asylum.

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[12] USCR, Ethiopia: Country Report., *USCR*

[13] Barry N. Stein, "Durable Solutions for Developing Country Refugees", *International Migration Review*, , Vol. 20 (2), 1986.

The countries that were used for empirical research demonstrate all the characteristics: the refugee situation is grave enough in that the refugee outflow is not a trickle, but a mass exodus; these countries are low-income countries and rank as some of the poorest in the world; the region has been a theatre of refugee generation by different countries and expelling them into each others boundaries; most of the refugee population that is the result of mass displacement is rural in nature and there is definitely a crisis in durable solution as repatriation is difficult because of the lack of faith of refugees in the regimes of their country of origin; the reluctance of host countries to harbour them long as they fear economic downturns and possibly political upheavals and the indifference of First World countries of third asylum that are generally reluctant to integrate this population.

Regional Response:

The Organisation of African Unity:

The post cold war era presents international organisations with increasingly complex problems concerning conflict resolution. The United States and the Soviet Union have increasingly withdrawn from active involvement in preventing and resolving regional conflicts in many areas around the world. Africa, in particular struggles increasingly with ethnic conflicts that are exacerbated by the continued availability of arms

dating back to Cold War rivalries.[14] In many instances the United Nations has responded to calls to intervene in these crises, including its missions to Somalia, Rwanda/Burundi. But faced with a growing number of demands for conflict resolution, the United Nations has been over burdened and is calling for more regional intervention efforts to be made. Here the role of OAU to keep peace in the region comes into prominence.

The OAU took some concrete steps to confront the refugee problem in Africa. It adopted the Convention Governing the Specific Aspects of Refugees Problems in Africa. As the preamble noted, there was concern in the continent "on the constantly increasing numbers of refugees in Africa", and that the leaders were "desirous of finding ways and means of alleviating their misery and suffering".[15]

But the OAU is plagued by institutional limitations like its charter. The founding principles have remained unchanged despite change in priorities. The principles still reflect the Organisations initial concern with independence and severely limit the types of actions the Organisation is allowed to take to resolve regional conflicts and to facilitate the achievements of its new priorities. Two of the most binding

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[14] Carolyn M. Shaw, "Organisation of African Unity and its Potential for Resolving African Conflicts", *Africa Quarterly*, Vol 38, No. 1, 1998. Pp. 1.

[15] Solomon M. Nkiwane,"The OAU and the Problem of Refugees in Africa", *Africa Quarterly*, Vol. 27 (3-4), 1987-1988.

principles to which members of the OAU are committed are the principles of sovereignty and non intervention. Though this was formulated keeping colonialism in context, it does not hold true in these troubled times. Added to this is the principle of territorial integrity, to uphold the boundaries of all the member states. It become very problematic in the event of internal factions seeking secessionism or other countries engaging in irredentism. This is in direct conflict with it's the OAU's policy to support self-determination in the horn. Though the OAU has a pretty evolved structure, there is limitation of leadership and organisation. The Secretary General of OAU is not as powerful as the Secretary General of UN. These and other limitations prevent the OAU from engaging in conflict resolution in Africa. A greater degree of autonomy from the dominant states, accompanied with some structural and institutional change is essential for the OAU to engage in refugee relief and conflict resolution efforts.

Chapter V

Some Conclusive Reflections

The suddenness of the shift of theatre of the twentieth century's refugees, from Europe to developing countries, caught the international community unawares. The response mechanisms, that had been developed to meet the first two European crises, was found to be in a fledgling state, and hence, had a limited capacity to react to the third wave of refugees emanating from the Third World. Before we proceed to highlight the need for the evolution of a better international refugee regime, it is essential to identify the causes of the crisis itself. Under what circumstances is a country or a region, likely to produce mass exodus? What is the course of the flow and how frequent would the flow be?

The study of the Horn of Africa, comprising the countries of Ethiopia, Somalia, Eritrea, Djibouti and Sudan suggests that, though the social dislocation was an unexpected consequence, the crisis was in the making for some time. The cause of the crisis, in Africa, in general, can be located in the violent de-colonisation struggle in Algeria, the onset of armed struggle in Portuguese Africa and the increasing violence between the north and south in Sudan. More specifically, the Horn had a crisis in the making right when the two parts of Somalia achieved independence

and attempted to unite with the other three; Ethiopia dissolved the Eritrean federation and annexed it, thus triggering a spate of nationalist violence; the Ethiopian revolution, which had its own roots in the policies of Haile Selassie, occurred and with the independence of Djibouti, where the ethnic differences seemed to be irreconcilable. Added to this was the Cold War politics, which to some extent, was responsible for the refugee generation.

Refugee production is rooted in geo-political structure. A nation-state produces refugees when it has a multinational population; the population disagrees about the structure of the state or economy; or the state implodes due to the lack of resources. While discussing the political bases of refugee production, it can be said, that in a nation-state that contains a heterogeneous population, each component would provide a basis for a new state. Any move to articulate this desire of forming a new state is met with severe disapproval by the existing state. This was very much true in the case of Eritrea which considered itself to be 'colonised' by Ethiopia. Added to this were the Ethiopian policies towards the Eritreans, which were, at times, integrative, and, at other times, persecutionist. Somali irredentism in Ethiopia was also a manifestation of this sentiment.

Another base for refugee production is the disagreement about state structure, that is, a disagreement about the preferred organisation of the state, economy and the society. A disagreement of this nature would bring in its wake a revolution or a violent form of social transformation. This was demonstrated in Ethiopia, where a Marxist regime took over, deposing an imperial ruler in 1974. Violent coup d' etat's in Sudan and Somalia also were a result of this form of difference.

The final political base for refugee production is 'state collapse'[1] or 'state implosion' [2] This happens when the power is held by one-party civilian or military government. Generally, the rulers of these weak countries, which are also amongst the poorest in the world, lack the institutional resources required for national security regimes. The characteristics of "state implosion" or "state collapse" include no sitting government in control and no operative justice system; crumbling infrastructure without the resources to maintain it; lack of schooling, organised medical care and other basic social service; primitive internal market and virtually no export market; and banking and monetary services that have become worthless. In such a situation it is easier for people to exit than to voice their difficulties. Somalia and Ethiopia underwent this "state

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[1] Concept of State Collapse is discussed by William Zartman in *Collapsed States: The Disintegration and Restoration of Legitimate Authority,*

[2] Concept of State Implosion is discussed by Aristide Zolberg, Sergio Aguayo & Astri Suhrke in *Escape from Violence: Conflict and Refugee Crisis in the Developing World* (New York, OUP, 1989).

collapse". The "state implosion" can occur for a myriad of reasons. It has occurred when supports inspired by Cold War were withdrawn. The United States and the former Soviet Union provided the ideological, economic, political and military support to those who controlled or challenged the government. Proxy wars, insurrections, resistance, and national political fronts permitted the great powers to compete for influence. The withdrawal of external support is not the sole cause of "state collapse". In the case of the Horn of Africa, "state implosion" was more a result of bad management, corruption, lack of legitimacy of the government, natural disaster or changes in the market forces affecting economies unable to adjust, than mere Cold War politics. While Cold War politics and its concomitant factors constituted the medium term causes of conflict, the colonial legacy, the state of the nature, the ethnic politics, the inherent underdevelopment, resulted in the forces of the society combining, to form the long term causes of conflict, which resulted in mass exoduses . These are the factors that are the 'root cause' of refugee generation in the Horn.

Identifying the root cause forms one facet to the refugee question, dealing with it adds another dimension to it. In order that the refugee generation is controlled or at least monitored, with minimum difficulties for the displaced population, it is essential to evolve a better refugee regime. Though 'durable solutions' was the preferred policy till now, the

reluctance of the host countries to accommodate mass influxes over a protracted period of time has necessitated evolving other means of dealing with the refugee problem. The General Assembly's Political Committee in 1980 generated the 'root cause' debate, and subsequent studies pointed to economic underdevelopment to be the root cause of refugee generation. Our study of the Horn shows that while economic underdevelopment surely makes up for one of the important cause of refugee generation, there are other systemic factors that combine and propel the people to move. While it is laudable to prevent refugee generation by attacking the root cause, any such move should not attempt to avert international flow. This would only aggravate their situation. Institutional reforms should be undertaken to prevent mass movement. This has to essentially focus on the political framework. Where ethnic cleavages exist there should be an attempt to recognise it through reforms like de-centralisation, coalition formation among community elite or weaken it by providing incentives for the formation of new groups across ethnic lines or the fragmentation of the existing groups. The ethnic group leadership should show moderation. Certain fundamental human rights are to be respected. It includes, freedom from most immediate form of life-threatening violence: mass killings, torture, "disappearances", fake encounters at the hands of the state or state sponsored organisations. In a situation where the state is unable to provide for the security of its population, the international community,

should come forward to help the endangered population. The international community should not wait for the crisis to happen for it to react and take curative or worse still, rescue measures. The policy of third country resettlement should be evolved further and the more economically well developed western countries should not shirk their responsibility by just providing for economic assistance and leaving the rest to the host country, which because of geographical proximity is left to grapple with the situation. The regional peace systems should be evolved and more power to resolve conflict should be given to regional organisations like the OAU, which, due to its knowledge of the region stand a better chance to resolve conflict. But as a final word, any refugee policy should be formulated in such a manner that it does not contribute to greater flows.

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