SERIE RESEARCH MEMORANDA

TOWARDS A DEFINITION OF REFUGEES

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1. Introduction

In discussions on issues connected with refugees, there is often
considerable confusion as to who falls into that category. Are only
those who have fled political persecution in their home country to
be considered refugees, or also those who left for economic reasons?
If not, how should the distinction be made? Are there not also many
who flee their homes and become refugees within their own country?
What is the present relevance of the official UN definition?

These issues are discussed in this paper. It is argued that
one definition cannot serve for all purposes. The definition as laid
down in the UN Convention is intended for distinguishing between
genuine and spurious refugees on an individual basis, with a view to
determining whether or not they qualify for asylum in a state which
is party to that Convention. In many developing countries -
especially in Africa - this is not really an issue: it is not the
granting or withholding of asylum that matters, but the way in which
refugees are treated, the conditions for durable solutions, and
their impact on the country of asylum. These are the matters that
should be considered when discussing development strategies related
to forced migration.

For a definition to be useful in that context, it must satisfy
the following criteria:

(1)   It must refer to collectivities rather than to individuals,
        because the screening of persons in order to see whether they
        satisfy the criteria of the definition is normally
        impracticable in the case of large population flows in a
        developing country.
(2)   It must be simple to apply, in order to determine quickly
        whether a particular category is to be considered as refugees.
(3)   It must remain as close as possible to the Convention
        definition, as this still forms the basis for the obligations
        of contracting states and of refugee policy. As I shall argue
        below, I think the criticism of that definition has been
        overstated.

I shall begin by reviewing the Convention definition, its
stronger and weaker points. In the section 3, a sociological
definition is proposed which, I hope, satisfies the above criteria.
Finally, the implications of such a definition for refugee policy
are discussed.

2. The legal definition and its limitations

The official definition of refugees is formulated in the United
Nations Convention Relating to the Status of Refugees of 28 July
1951. According to Article 1 of the Convention, a refugee is

> *an individual who, owing to well-founded fear of being
> persecuted for reasons of race, religion, nationality,
> membership of a particular social group or political*

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*opinion, is outside the country of his nationality and
is unable or, owing to such fear, unwilling to avail
himself of the protection of that country; or who, not
having a nationality or being outside the country of his
former habitual residence as a result of such events, is
unable or, owing to such fear, unwilling to return to it*
(United Nations, 1951).[1]

The purpose of the Convention was to provide a legal framework
for dealing with the refugee problem in Europe which had existed
since World War I but had become particularly acute after 1945.
Refugees are of all times and places, of course. Throughout history
people have driven their fellow human beings into flight: invaders
displacing the native population in order to occupy its land,
civilians fleeing a combat zone (usually temporarily), or a defeated
pretender for the throne going into exile with his closest
followers. However, mass flight of citizens from their own state for
a prolonged period has been a comparatively rare phenomenon, and
subject to two conditions: wholesale persecution of particular
groups, and a road of escape. The former condition was rare in
ancient states, which were seldom racially exclusive or religiously
intolerant; the latter condition - which is emphasized by Zolberg
c.s. (1989: 6-7) - existed generally only for those who were near a
border or who had the means to travel long distances. Both
conditions are common exist in the modern nation-state: the
exclusivity of belonging to a nation leads easily to the persecution
of groups that do not fit into the national identity; and the
improvement of transport has made it easier to travel longer
distances. Hence the rise of the nation-state (since the late Middle
Ages in Europe) has contributed significantly to the phenomenon of
refugees.

Whereas escaping from one's country might be difficult,
finding another country to live in was not. Refugees were freely
admitted to other countries, and in the case of a country hostile to
the government from which they fled (which with the perennial
conflicts between states was not hard to find) they would often be
welcomed. While there were occasional rumblings about too many
foreigners coming in, border controls on movements of persons were
not usual. Nor were such controls deemed to be lawful: the consensus
among jurists was that while a government could exclude specific
persons from its territory, it had no right to stop people entering
a country on lawful business. In other words, anyone could enter
undisturbed unless he was expressly banned - the reverse of today's
practice where a border can be crossed only with the express
permission of the authorities. In the nineteenth century, this
doctrine was further strengthened by liberalism, which favoured the
uninhibited movement of goods, capital and persons - with a
consistency that has become less common among present-day liberals
(cf. Plender, 1988: 62-70).

However, towards the end of the century opinion and practice
were changing: international differences in wealth were sharpening
and at the same time becoming more visible - leading to emigration
from poor to rich areas and to jealousies against immigrants among
the indigenous population who did not want to see its newly-acquired
prosperity jeopardized; improved transport made it ever easier for
people to migrate over long distances; and the increased control of
states over their citizens raised questions relating to the need for
controlling immigration and to the legal position of non-citizens.

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The tendency to restrict the entry of foreigners reached its zenith during World War I, when the warring states imposed wholesale controls on persons crossing borders. After the war, these controls were not relaxed but maintained and taken over also by other states. They have remained with us to the present day.

This brought refugees into an awkward position: often unable to obtain a passport, they had to cross the border illegally; in the country of asylum they had no legal status, nor could they get one since they were unable to obtain the assistance of their home country's diplomatic representatives. But the host country had a problem too: without papers proving their nationality they could not be sent back to their country of origin, nor to any other country. It was this predicament that made the creation of international legal instruments dealing with refugees a necessity, and thus it was that the first High Commissioner for Refugees was appointed under the umbrella of the League of Nations in 1921. During the interwar years he and other League officials dealt with refugees from communism in Russia; with the 'population exchanges' in the Balkans in order to bring the ethnic map there more in accordance with the political map; and with the refugees from fascist Germany, Italy and Spain.

However, these waves sank into insignificance compared to the mass dislocations during and after the Second World War: prisoners of war, survivors of concentration camps, population groups deported by the Germans and the Soviets, the slave labourers in Germany, and the 14 million Germans who were driven out of their homelands in Eastern Europe. The search for solutions soon came to be entangled in the web of the Cold War: the Soviet Union wanted all refugees (with the exception of the displaced Germans) to be returned to their homes, whereas the Western countries insisted that those who did not want to return should have the right to remain in exile. This was, of course, because many were refugees from the Soviet Union and the other Communist-ruled countries in Europe. The agency that had been set up to solve the post-war refugee problem, the International Refugee Organization (IRO)[2] was plagued by this conflict, and at the instigation of the Western powers a new organization was set up which was to be based on a recognition of the right to asylum for those who fled from intolerable oppression; the thought behind it was, of course, that such oppression was to be found in the East and that refugees were people who fled from Communism. Those who did so were to be welcomed and could be used as a propaganda weapon. Thus was the United Nations High Commissioner for Refugees founded and the Convention signed in 1951. Understandably, the Soviet Union and its allies refused to participate.[3]

The Convention was clearly designed to deal with European refugees in the wake of the war. A clause even stated that it applied only to those uprooted as a result of events in Europe prior to the date of the Convention (Gordenker, 1987: 38). Even before the Convention, mass flows of refugees had occurred in what would soon be called the Third World - Hindus and Moslems fleeing Pakistan and India, respectively, and Arabs fleeing from Israel - but these were considered as outside the scope of the Convention. Soon, however, the High Commissioner became involved in assisting refugees outside Europe: Mainland Chinese in Hong Kong and Algerians fleeing their country during its war of independence were the first cases (Coles, 1989: 376), and more followed in the 1960s. The restrictions in the

Convention had become an anomaly, and in 1967 they were removed by a
Protocol which was signed by most of the 1951 signatories (United
Nations, 1967). Even so, the scope of both the Convention and the
Protocol remains restricted to those subject to persecution as
individuals. People fleeing from a war zone to escape the general
violence but not themselves singled out for persecution by their
government are not recognized as refugees. Nor are those in distress
because natural or man-made disasters have destroyed their
livelihood - the so-called economic refugees.

The above formula supposedly decides who is a refugee, not
only for the purpose of assistance by the United Nations High
Commissioner for Refugees but for all countries that are party to
the Convention. However, its application presents some difficulties
and ambivalences which has led Western countries to distinguish
between 'asylum-seekers' (i.e., those who *claim* that the above
definition applies to them) and 'refugees' (those of whom the
government of the host country has *decided* that they satisfy the
criteria). These difficulties revolve around the meaning of the term
persecution. The 1951 Convention was intended to provide a guarantee
to refugees; but as has been the fate of other international
treaties, its provisions have been interpreted by the signatories in
most diverse ways - today a person may be considered a refugee in
one country and not in another. Moreover, these interpretations
change over time: current practices in Western countries are
designed to keep out refugees from the Third World as much as
possible and are therefore much more restrictive than they were two
decades ago. With today's interpretations of the term 'persecution',
the majority of refugees from Eastern Europe in the 1950s and 1960s
would not have been accepted as such. Although the 1951 definition
could well be interpreted as meaning that wherever human rights are
grossly violated the individual's fear of persecution should be
regarded as well-founded, this interpretation is not accepted in any
Western country today.[4]

Third-World refugees
These legal definitions are obviously of great political importance,
especially as applied in the rich countries who try to recognize as
few people as possible as refugees. There, manageable numbers of
refugees cross well-guarded borders into an ordered society where
official registration is kept for all people. A person desirous of
asylum will have to be screened in order to see whether he qualifies
for it according to pre-established criteria. In developing
countries, notably in Africa, the situation is quite different.
Borders are long and loosely guarded. Many people travel across them
on foot, evading the benefit of immigration and customs formalities.
In most cases, political boundaries are a comparatively recent
phenomenon to them, not rooted in history as in Europe but
introduced by alien powers. More often than not, people on either
side belong to the same ethnic group. Civil registration covers only
part of the population, and it is difficult to say who is a national
and who is an alien. Sometimes even the people concerned cannot say:
they may follow a nomadic way of life which takes them now on one
side of the border, now on the other side. Under such conditions,
any policy on the admission of refugees is likely to have little
practical significance.

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Flows of refugees can be sudden and massive. In such cases where large streams of uprooted, hungry people pour across the border, it is easy to identify the refugees.[5] To screen them in order to assess whether the satisfy the legal criteria is not. African governments therefore tend to take a pragmatic view: when there is an obvious situation of distress in a neighbouring country and people leave that country in considerable numbers, it is tacitly assumed that they would not have given up their home and enter another poor country without compelling reason; hence they deserve to be regarded as refugees and are treated accordingly. This attitude is, in a way, similar to the position taken by European governments before the introduction of immigration controls.

To some extent this state of affairs has even been embodied in international law. In 1969, the Organization of African Unity (OAU) adopted a refugee convention of its own, in which the criteria for refugee status are widened. It adds to the UN Convention persons who "owing to external aggression, occupation, foreign domination or events seriously disturbing public order" in their home country are compelled to flee abroad (Melander, 1988: 14n). This was inspired by the occurrence, at that time, of large numbers of refugees in Africa from countries where a struggle was waged against colonial rule or white minority rule. It was felt that while the majority of these refugees were not subject to any particular persecution, they were nevertheless genuine refugees and ought to be supported by African states in the interest of the fight against European dominance. The political situation in Africa has changed much since then, but there are still many refugees to whom the OAU definition would apply - and not the definition of the 1951 Convention as presently interpreted. The principal difference between the two is that the OAU definition allows objective conditions in the country of origin as criteria for the status of refugee, while countries applying the 1951 Convention insist on evidence of persecution as an individual. As Coles comments, the OAU definition makes the determination of refugee status often a mere formality (1989: 378) - obviously a problem to Western countries when refugees recognized by an African country of first refuge want to resettle there. However, it fits quite well with the actual practice of most African governments.

Even the OAU definition does not include the so-called economic refugees. However, as I shall argue below, the distinction between them and political refugees is of little practical significance and questionable theoretical relevance. Should the OAU definition be taken as a basis for this study, then? I do not think so. Firstly, even the OAU definition is somewhat restrictive, as it does not clearly state that violation of human rights is sufficient reason to flee. Secondly, although it is necessary to discuss legal definitions in order to gain a perspective of the legal aspect of refugee problems, a legal definition is not the most suitable for identifying refugees as a target group for development strategies. The fact that the granting or withholding of asylum is not really an issue in African countries[6] (of which the OAU definition is an expression) is, I think, an additional justification for using a sociological rather than a legal definition. Were I to discuss refugees in Europe as a social group, I should perhaps have to use such a horrible term as 'asylum-seekers' to avoid the confusion surrounding official definitions.

3. A sociological definition

To say that I am looking for a sociological definition means that I regard refugees as a social category with particular characteristics of its own. I propose to define refugees as *involuntary international migrants*. Each of the three elements of this definition begs further questions: what are migrants? What is involuntary? What about internal refugees? These questions are discussed below.

Migration

There exists a large body of theory dealing with migration, and it has been contributed to by various social sciences: sociology, geography, economics, anthropology, and even social psychology. Everett S. Lee, one of the most influential theorists, defines migration as a "permanent or semi-permanent change of residence" (Lee, 1966: 49). This raises questions as to the temporal and spatial nature of migration: (1) what is 'permanent or semi-permanent?' (2) Is it the *intention* to stay away for a particular period that counts, or must one wait until a person has stayed away for a certain period before he can be labeled a migrant? On the spatial aspect: (3) how far does one have to move to be considered a migrant? Is moving to another house in the same village or urban neighbourhood migration? To another neighbourhood in the same town or to another village in the same region? (4) What constitutes residence? Where a person spends the night? Where he is officially registered? Such questions are discussed in Guy Standing's chapter on conceptualizing territorial mobility (Bilsborrow, Oberai & Standing, 1984: 31-59). Standing does not opt for a particular definition, but for distinguishing what he calls mobility status categories (*Ibid.:* 37). For a definition of refugees, however, it would hardly be relevant to go into these questions: the spatial aspect is taken care of by the epithet 'international'; and as for the time dimension, when refugees enter a country of refuge they may be expected to have come for an indefinite length of time - until the conditions necessitating their flight have changed, which is rarely less than a year.[7]

Of more importance than a definition of migration are classifications of migration in which a place is assigned to refugees. Such a classification is that of W. Petersen (1958). He proposes five broad classes of migration, each caused by a particular migratory force. They are: primitive, forced, impelled, free, and mass migration. The classes relevant to us are forced and impelled migration; Petersen regards both of these as governed by relations between the state and the individual. In the former, the migrant has no decision-making power himself. In the latter, he is largely passive but retains some power; his own will, however, is unimportant compared to the socio-political institutions demanding and directing the movement. Within each class, two migration types are distinguished: conservative (or defensive), i.e., directed at compensating for a disturbance of the existing social order; and innovative, aimed at changing the social order. Forced migration of the innovating type is slave trade, of the conservative type it is

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called displacement (e.g., forced deportation of ethnic minorities).
The coolie trade of the 19th century is impelled innovating
migration, while flight is impelled conservative migration.

Figure 3.1. Petersen's typology of migration

Relation	Migratory force	Class of migration	Type of migration	
			Conservative	Innovating
Nature and man	Ecological push	Primitive	Wandering ———— Ranging	Flight from land
State (or equiv.) and man	Migration policy	Forced	Displacement	Slave trade
		Impelled	Flight	Coolie trade
Man and norms	Higher aspirations	Free	Group	Pioneer
Collective behaviour	Social momentum	Mass	Settlement	Urbanization

Source: Petersen, 1958: 266.

A somewhat different conceptualization is that of Eichenbaum
(1975). He says there are two types of decisions to be made in
migration: the decision to leave the place of origin, and the choice
of where to go. Furthermore, there are also two categories of
decision-makers: individuals and social collectivities such as the
state. On the basis of these two criteria Eichenbaum proposes a
fourfold typology of migration: (1) individuals who make both types
of decisions themselves are labelled migrants; (2) those who are
forced on both sides are slaves; (3) those who move voluntarily but
do not choose their new residence are termed allocatees; whereas (4)
those who leave under force but choose their destination are
refugees.[8]

Involuntary migration
Standing (*op. cit.*: 44) also regards refugees as a subtype of
involuntary migrants. But what exactly is involuntary? Standing
addresses this problem, saying that the boundary line between
voluntary and involuntary is blurred. He suggests that one can use
an 'inclusion approach': voluntary means that the individual makes
the decision to move; or an 'exclusion approach': identifying
several types of involuntary moves - slaves, allocatees (indentured
or debt-bonded labour), and refugees (*Ibid.*). However, this does not
really address the problem of free will in migration decisions. As
Petersen recognizes by his use of the term 'impelled', it is usually
not sheer compulsion that pushes people into flight; except in cases
of deportation, there is still some choice as to whether to flee or
to stay put. Indeed, while 'involuntary' migration usually contains
an element of volition, 'voluntary' migration is sometimes so
strongly influenced by forces external to the individual that one
may wonder how voluntary it really is. This has led some Marxist
theorists to hold that the distinction is artificial. For instance,

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most people would consider the labour migration from Burkina Faso to the Ivory Coast as voluntary, but as Amin (1974: 31) points out, the incorporation of the former country into the world capitalist system produced a situation which made migration of at least some members of each rural community imperative for its survival.

I do not propose to discuss here the merits of Amin's views (see for a discussion Elkan, 1977), but it is at least evident that the distinction between voluntary and involuntary migration is highly problematic. Yet it is necessary if we are to arrive at a theoretical framework for studying refugees. It is, moreover, of considerable political relevance, in view of the controversy surrounding 'economic refugees' who are often supposed to be people who migrate for "reasons of purely personal convenience" (Goodwin-Gill, 1989: 9).

A way out might be provided by Lee's model, which considers that migration is influenced by four groups of factors: (1) push factors, i.e. negatively perceived aspects of the situation in the place of origin; (2) pull factors - positively perceived characteristics of the destination area; (3) intervening obstacles such as distance, cost and difficulty of travel, etc.; and what he calls personal factors (Lee, 1966: 49). We might then say that while most migrants take both push and pull factors into consideration, refugees are influenced principally by push factors: it is not some paradise at the other end which they seek, but merely an escape from the hell in which they live. Indeed, the discussion in Western countries around 'genuine refugees' and 'economic migrants' might be interpreted in terms of trying to decide whether an asylum-seeker was motivated by push or by pull factors.

However, there is a logical difficulty here, as György Szell has pointed out. Push and pull factors are not really distinct from one another: it is not the situation at one location in isolation that counts, but the perceived difference between of origin and destination (quoted in Wittmann, 1975: 23). It can be conceived as a single cause of migration, analogous to the potential difference in inducing an electric current (in this metaphor Lee's intervening obstacles could be compared to electric resistance).

The only solution I can think of is to see involuntary migrants in terms of *distress*: either they are physically forced to leave, or a serious crisis in their place of origin has prompted them to go; the same circumstances make it dangerous for them to return, a condition which does not normally apply to voluntary migrants. This is not a very precise concept either, but it does point to the situation at the migrants' place of origin as the cause of their migration. It is evidence of distress, and of the causes for this distress in the conditions prevailing at the point of origin that must determine whether a migrant is to be regarded as involuntary. It is thus necessarily a group characteristic rather than an individual one: all those belonging to a particular wave of migrants must be considered involuntary, regardless of possible differences in their individual motivations.

This remains, of course, fairly close to Lee's push factors; but it avoids the pitfall to which Szell pointed. It also indicates that in order to determine whether people are to be considered as refugees in the way I understand the term, one has to look at the objective conditions in the area from which they came. Gordenker takes a similar view; he defines refugees as "persons who have left their customary homes under the pressure of fear for their present

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or future lives, because of immediate, overt threats or - more comprehensively - clear denials of basic human rights whose enjoyment is required for continued life over a short or longer period" (1987: 63). Flight is distinguished from migration in that "the denial of rights is manifest and immediately present" (*Ibid.*).

Both Gordenker's formulation and my own are not far removed from the legal definition discussed in the previous section. Indeed, they ought to refer largely to the same people. The purposes of the legal and the sociological definitions differ, however: whereas the former must be a basis for assessing whether a person is entitled to certain rights, the latter is aimed at defining - as precisely as possible - a particular situation in which people may find themselves and which is taken to have an important effect on their behaviour.

It may be noted that I do not make a distinction between 'forced' and 'impelled' migration, as Petersen did. In the first place, it is not always clear to what extent involuntary migrants had any choice between moving and staying: is the situation where people are told to go away because their home area will be flooded by a dam really fundamentally different from one where their land is destroyed by a natural disaster? Were the Burmese Muslims told to leave the country or was life made impossible for them?

Secondly, the differences between 'forced' and 'impelled' migration are less fundamental than those between 'involuntary' and 'voluntary' migration, in terms of the problems which they pose. These problems are both practical and theoretical in nature. The social problems associated with integration are likely to be more difficult among involuntary than among voluntary migrants, because the former have been uprooted reluctantly - to begin with, their migration is itself a social problem. Measures to stem a flow of involuntary migrants are likely to be unsuccessful unless they can address the causes of migration at the point of origin; making the destination less attractive will not help, because that attraction resides largely in the absence of the crisis in the area of origin.

From a theoretical point of view, the larger part of the body of migration theory attempts to explain and predict migration; as such, it deals with 'voluntary' migration and is largely irrelevant to involuntary migration. Another part is concerned with the effects of migration: on the migrants themselves, on the host population, and (rarely) on the area of origin. Research on involuntary migrants is likely to differ substantially from that on voluntary migration.[9]

International involuntary migrants
The distinctive feature of refugees compared with other involuntary migrants is that they have left their country. This seems straightforward enough, but there are sometimes cases where it is not entirely clear whether a person should be considered a refugee or not. In the case of Ethiopian refugees in the Sudan, there are some who descend from recent Sudanese migrants into Ethiopia; although born in Ethiopia, they regard themselves as returned Sudanese, not as refugees - and they have Sudanese citizenship. There are also nomads who used to wander between Ethiopia and the Sudan, and who now reside permanently in the latter country; it is difficult to say who among these people should be considered a refugee. I propose that all those who were born in the country from

where they fled and have not obtained lawful citizenship in the country of refuge be considered refugees.

It is sometimes suggested that the term refugees should include also those who have fled their home area without having crossed an international boundary (often referred to as the internally displaced). Gayle Smith argues that "the cause of their displacement is often the cause of parallel refugee flows" and that "the objective needs of refugees and internally displaced are the same" (Smith, 1989: 17). The main argument for distinguishing the two, however, is that refugees are deprived of protection by their government (this is the rationale behind the 1951 Convention), and are aliens with few rights in the country where they reside. Smith says that the internally displaced are often disenfranchised as well; if she means by this that they enjoy few human rights in their own country and that little attention is given to them, this is undoubtedly true in many situations - although certainly not everywhere. Yet there always remain some important rights which citizens enjoy and non-citizens do not: aliens may be refused a work permit and a trading license; although this will not stop them from being employed or doing business, they will do so under worse conditions than those who are legally recognized. They may be refused entry into government schools or even health facilities. They may be deported back to their country of origin. The integration of refugees is generally far more difficult than that of internally displaced people. Although Smith is undoubtedly right in calling for more attention to the internally displaced, I think the distinction between them and refugees must be retained.

For the same reason, not all involuntary migrants crossing an international boundary should be considered refugees: where resident aliens are forcibly deported back to their country of origin (such as happened to Ghanaians in Nigeria a few years ago), they at least come to a country where they enjoy the protection of their government.

The political nature of refugee problems
Having defined refugees, it may be wondered whether a further classification is perhaps necessary. Apart from people fleeing persecution in some form or other (as defined in the 1951 Convention) and those fleeing a situation of war or widespread violence (as foreseen in the OAU definition), there are assumed to be many 'economic' refugees, i.e. people who flee because their means of existence have been undermined.[10] If this term refers to the motivation that has led people to leave their country, I think the psychology of flight is too complex to allow a distinction on these grounds (Cf. Murphy, 1955, quoted in Boesch, 1982: 56-58). It could be practically useful to distinguish 'economic' from 'political' refugees only if these terms refer not to a subjective motivation, but to an objective condition in the country of origin. Are there good grounds for such a distinction? Empirical evidence suggests there are not: all countries that generate large numbers of refugees have either an appalling human rights record, or a violent conflict within their borders - and most often both. Not all of these countries are among the poorest of the poor, whereas there are many desperately poor countries that are peaceful - and very few refugees come from there.[11]

Clearly, poverty is not a sufficient condition for causing refugees. Economic reasons have undoubtedly played a large part in prompting people to flee. However, these cannot be considered separately from the political situation. If many Eritreans and Tigrayans fled for economic survival, they did this because due to the civil war food relief could not reach them, or because the Ethiopian government's armed forces destroyed their crops and livestock. Is this a political or an economic cause? I think it must be recognized that there are no 'economic' refugees apart from 'political' ones. People who have crossed an international border in evident distress, coming from a country where objective conditions clearly indicate that people have good reasons to fear for their security, are refugees. To label them 'economic refugees' is to misinterpret their reasons for flight, and this misinterpretation can lead to disastrous mistakes, as De Waal's case study of Chadian refugees in the Western Sudan clearly shows: these people were assumed to have fled the drought rather than political violence, and hence they were expected to return home when the rains came; but they remained and were left without relief supplies (De Waal, 1988).

Rich countries may fear a mass influx of poor people who are only hoping to pick a grain of Western wealth, claiming refugee status only as a pretext. In Africa that problem does not really arise. There are, of course, numerous migrants from poorer to richer areas and many of them cross international borders: an example is the migration of Burkinabé to the Ivory Coast or of Ghanaians to Nigeria. But they are clearly distinct from the case of the Mozambicans who flee to Malawi or the Sudanese who flee to Ethiopia.[12] Refugees are people who migrate in distress, and this can be documented by looking at the situation in their country of origin. The distress is always partly economic, but it makes no sense to separate the economic aspect from the total situation. Among a mass of refugees there will always be people who have not migrated under distress but who seek to improve their social and economic position: in the case of Ethiopians in the Sudan, there are young people who expect a better chance of education abroad as refugees than they would have as residents in their own country. However, the number of such people constitute an insignificant proportion of the total.

4. Policy Implications

What are the implications of the definition formulated above for policies concerning refugees? Basically, its purpose is to provide a practical way of identifying a target group for development planning which has special needs and for which special assistance is often earmarked. When it is necessary to specify just who belongs to this group, we have at present only the legal definition to turn to, which in most cases cannot be applied in practice because such application would have to based on screening individuals which is difficult to do in cases of mass flight. It would also be largely irrelevant, because it is not the granting or withholding of asylum which is the principal issue concerning Third-World refugees but their treatment and position in the host country.

What Third-World governments do in practice is that certain groups of people are defined as refugees, usually because there is a specific interest in doing so. Thus, the Sudanese government defined the Eritreans who entered the country in 1967 as refugees, partly because it wanted to prevent them from strengthening the ranks of their Sudanese coethnics who were adversaries of the ruling party; hence, it needed UNHCR assistance in order to resettle them further inland (Karadawi, 1983). Senegal, on the other hand, did not define the large influx of Guineans fleeing the Sékou Touré regime as refugees, because it did not see them as a burden on the host country and because it did not want foreign meddling in its relations with its neighbour (Zolberg et al., 1989: 37).

Aid organizations usually follow the lead of the host government in deciding whom to regard as refugees, although in especially blatant cases they may define people as refugees even though the government does not (the Cambodians in Thailand being a case in point). While there are no recognized criteria, the accepted practice is that groups rather than individuals belonging to them are classified as refugees, and that policymakers attempt to stay reasonably close to the 1951 Convention, liberally interpreted.

That is what the above definition also attempts to do. Its purpose is to provide a common standard which systematizes current practice in the identification of refugees. That practice is not all that bad, but it is sometimes confused by discussions on whether or not particular groups should also be included in the target group (e.g., the issue of the internally displaced), and on whether all individuals in the group one is working with really deserve the status of refugees (e.g., the issue of 'economic refugees').

Assisting the spontaneously settled
When using the above definition as a criterion for distinguishing refugees as a target group for special assistance, a difficulty is bound to arise in the identification of the so-called spontaneously settled, i.e. those refugees who are outside the settlements organized for them by UNHCR and the host government. This group comprises the majority of refugees in Africa, who are virtually without aid today. If they are to be assisted, how should they be identified? Can they always be distinguished from nationals, and if so, would not special aid for them upset the applecart of social integration? Such problems could be met by an approach targeted on refugee-affected areas rather than on refugees as such. After an area has been identified as refugee-affected, a survey should be undertaken to estimate the number of refugees. Following the definition, refugees will be those who have immigrated from the country concerned since a situation of acute political distress can be said to have existed there. The same study should also assess on the one hand the economic and social position of refugees, and on the other hand the impact they have had on the host society and economy. Both types of data should be differentiated by socio-economic groups. In this way, it is possible to determine in what groups refugees are most concentrated; commonly, these will be the same groups that among the host population have suffered the heaviest burden of refugees. By focusing development programmes on such groups rather than on refugees as such, the largest and most needy groups of refugees are assisted, and at the same time an efficient contribution can be made to alleviate the burden of

refugees - assuming that such programmes are successful. Such an approach was used in a research project on Eritrean refugees in the Sudan in which the author participated (Kuhlman, 1990).

Notes

1. Apart from those covered by this formulation, the Convention also mentions some categories of persons that had been recognized as refugees by earlier treaties.

2. It was the successor of the wartime UN Relief and Rehabilitation Administration (UNRRA), which suffered even more from the same problem. It was compelled to assist in the repatriation of Soviet POWs, against their will and in many cases to their deaths.

3. In 1988, Hungary was the first socialist country to sign the 1951 Convention and become a member of UNHCR. At that time, Hungary had a large influx of refugees from neighbouring Romania to cope with.

4. Even more glaringly, it is common practice today (at least in the Netherlands) that only evidence of *actual* persecution as an individual is considered sufficient proof that the refugee's fear of persecution is well-founded!

5. Unless there happens to be a famine in the host country and some impoverished nationals try to pose as refugees in order to gain access to relief, as happened in the Sudan in 1985.

6. It is true that deportation of refugees back to their home countries - which is a gross violation of the 1951 Convention - has occurred in some African countries. However, this does not subtract from the fact that they had earlier been admitted or tolerated. There had been no suggestion that they were not considered as refugees.

7. In studies of rural-to-urban migration in developing countries, a person is often considered a migrant rather than a seasonal worker if he stays away for an entire agricultural season - which means that he abandons farming (cf. Amin, 1974: 6). Where people move back and forth between their village and another area within the course of one year, while continuing to participate in the rural economy, some authors speak of circular or circulatory migration (e.g. Chapman & Prothero, 1985; Mitchell, 1969: 175).

8. Actually, Eichenbaum's classification is more complicated than sketched here, because he also distinguishes between decisions influenced by society and decisions determined by society. Standing (in Bilsborrow, Oberai & Standing, 1984: 54),

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however, regards this refinement as academic, as decisions are never made wholly independently of society.

9.   Art Hansen and Anthony Oliver-Smith have devoted a book to involuntary migration (Hansen & Oliver-Smith, 1982), in which they present some case studies which illustrate the important similarities between different categories of involuntary migration - both refugees and internally displaced people. As for the latter, the causes of their displacement can be divided into disasters and development. People may flee because of war, persecution, famine, or some natural disaster such as an earthquake or a flood. On the other hand, they may have been forced to move because the area they live in needs to be used for some other purpose: a dam, a settlement scheme, a large plantation, an urban housing scheme, or a national park. Sometimes the proposed development is for the benefit of the relocatees themselves, but more often the benefit will accrue to some external party (Scudder & Colson, 1982: 267). Elizabeth Colson is a pioneer in the study of how involuntary migrants adapt to a new environment, through her research among the Gwembe Tonga in Zambia and Zimbabwe, who were displaced by the Kariba dam in the 1950s; the research has stretched over several decades and is highly relevant to the study of refugee integration (see, for instance, Colson, 1971).

10.   As a variant on this theme, 'ecological' refugees are sometimes mentioned, i.e. those who can no longer earn a decent living because of the deterioration of their physical environment.

11.   Zolberg, Suhrke & Aguayo point to some historical cases where persecution and oppression led to economic distress and, hence, to flight: Russian Jews in the 1880s, and the Irish famine of the 1840s (1989: 32). Their view on the nature of refugee problems is close to mine, and reflected in their definition of refugees: they regard a well-founded fear of *violence* (which is wider than persecution) as the distinguishing characteristic of refugees (*Ibid.*: 33).

12.   It cannot be denied, however, that there are cases where it is difficult to decide whether or not a particular group of international migrants consists of refugees. Chadians have migrated to neighbouring countries for decades, first to escape colonial exactions and after independence because of cultural oppression directed against the Muslim half of the population. As Chad had long been an exporter of labour, the political background to these migrations were little noticed and none of these migrants were recognized as refugees until the 1970s, when civil war produced new flows (Zolberg, Suhrke & Aguayo, 1989: 57-58). Perhaps a quarter of the population of Guinea-Conakry fled that country during the Sékou Touré regime, but the host countries concerned did not want international involvement and therefore never invited UNHCR (*Ibid.*: 37).

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