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Refugees: The Timeless Problem

Zara Steiner

Smash open an ant hill and the ants will scatter irretrievably. Two world wars, systematic deportations and the monstrosities of ethnic cleaning have uprooted millions of people. Across the planet, men, women and children are in turbulent motion. Call them refugees, displaced persons, migrants, stateless, they share a common destiny. Classical categories no longer apply. Camps, barbed wire, the bureaucracy of border controls, the erection of walls and forced repatriation are almost absurdly ineffective in the face of fear, economic need and despair. This is the age of the 'unhoused'. The ancient Greek word was *atopos*: nowhere at home can signify a curse, or in some cases, a blessing.

This book considers refugees in Europe in the four decades following the end of the First World War. However, as starting and closing dates for the European refugee crisis, 1919 and 1959 are highly problematic. There is nothing new about the condition of the refugee, only semantic changes as the causes of displacement alter. The story of the exile – the expelled forced to wander, and their reception outside the city gates – is one of the basic myths of Western civilization. *The Odyssey* underlines every aspect of the history of the twentieth-century refugee. Even the mass expulsion of unwanted groups has a long history – the Jews from Spain in 1492; the Huguenots (French Protestants) who fled France after the Revocation of the Edict of Nantes in 1685. With the development of modern states came an even clearer distinction between insider and outsider. The French Revolution established new dividing lines between citizens and émigrés/exiles/refugees. Only the citizen could claim natural and inalienable rights as defined in 1789. And from the seventeenth century onwards, as Paul W. Schroeder has so brilliantly shown, for purposes of convenience and security, states began to recognize certain rules and conventions that naturally affected the status of the expelled.¹ The nineteenth-century conception of nationalism brought new distinctions between those groups living together in territorial units with defined borders. They might or might not share common histories, languages and ethnic origins – real or imaginary.

It was perhaps fortunate that along with the development of the nation-state and the strengthening of the concept of nationalism, which often resulted in violent attacks on the 'other', the industrialization of western Europe and the United States encouraged the flow of immigrants from East to West and from Europe to the United States. Such

movements admittedly stimulated and spread the nativist, anti-immigrant and anti-Semitic sentiments, which, in part, had caused the outflow in the first place. Even using the dictionary definition of the term 'refugee' before 1951, that is, 'a person forced to leave his country for elsewhere because of religious or political persecution,' we can move the date of the modern European refugee crisis backwards, possibly to the movement of Jews from Tsarist Russia to western Europe to escape the pogroms of the late nineteenth century, pogroms that were of a different character than those of earlier periods; or to the refugees leaving during the Balkan crises at the very start of the twentieth century. Or we might begin with the flow of Russian refugees after 1917, a forced emigration that played a significant role in the popular imagination and which became so important for the young League of Nations. Some choose an alternative date, 1922, which witnessed the huge movement of people coming out of the collapsed Ottoman Empire. Entire populations were menaced or forced to migrate because of political, religious or ethnic ties. These migrations, including the forced exchange of populations, were closer to the plight and condition of the 'typical refugee' of today.

As a closing date, 1959 is even more problematic. It is true that by this time there were relatively small numbers of refugees living in collective centres, or, in any case, in non-permanent abodes, in western Europe. Most had come from eastern Europe but many were ethnic Germans. The number is estimated as less than 10,000 and their cases were handled on an individual basis, with local integration offered as the chief solution. By 1960, the 'Year of the Refugee,' the United Nations High Commissioner for Refugees (UNHCR) had set the coming year as a target to get rid of all the residual refugee accommodation centres, seen by many as the prelude to winding down the UNHCR itself. The argument made was that the crisis was over or else had taken on another definition, that of non-European refugees trying to get into Europe. We now know that this was just the close of one chapter in the European refugee story and, as I shall argue, the prelude to another, even within Europe. European countries, however, could not escape from the causes and consequences of the waves of refugees coming from Africa and Asia however much they would have liked to close their doors.

To speak of a beginning and end of the European refugee crisis would suggest a linear development, which neither was nor is the case. Rather, a series of catastrophic events (for some), either arising from changes in Europe or in the international environment, called for some form of action. Some groups and states worked out new responses and initiated experimental techniques in handling these later refugees. Others merely adopted old solutions, even when knowing of their limited value, in dealing with earlier crises. Worse still, there were times when there was no response at all. Neither individuals nor governments necessarily learn from experience. New institutions may be created but they do not generally develop greater competencies than the ones they replace. Changes in the nature of the refugee crisis have required different definitions and pose challenges for which no solutions have been found. The 1951 effort to create a general definition of the refugee was built on the experiences of the Second World War and the immediate post-war era, but it soon proved inadequate. Different from the protective measures included in the minorities treaties after the Great War, the treaty makers made the individual the centre of their concern, and not minorities, though this was still a state-bounded convention. The adopted definition is as follows:

a person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who not having a nationality and being outside the country of his habitual residence as a result of such events is unable, or owing to such fear, unwilling to return to it.²

Such a definition allows the state, and not, as in the case of the earlier minorities treaties, an international organization (the League of Nations), to retain a high level of subjectivity when deciding whether any asylum seeker really has a well-founded fear of persecution or not. Perhaps more pertinent to those who suffer forced migration today, the definition does not take into account the complex, sometimes complimentary, or even contradictory, reasons why a person or family decides to leave his country of birth or residence. For some, fear, but also the hope of economic betterment, schooling for children, welfare provisions, physical safety, or any combination of these factors and others, may contribute to the sense of having been forced to leave. And, of course, the definition adopted in 1951 declared refugees only as those coming from Europe, and/or those who actually managed to cross a national border in order to escape from the 'well-founded fear' of persecution. This is part of the reason why there has been such a proliferation of descriptions, 'internally displaced persons' or 'climate refugees' of those who leave. Nor does the 1951 Convention, nor indeed any of the texts before 1959, refer to the fact that refugee populations, as the 1969 Charter on Refugees adopted by the African Union later recognized, can be very destabilizing, and threatening both to the countries from which they leave and those they enter. The arming of refugee camps, unacceptable competition for resources, religious fanaticism among the refugees or their hosts have led to seditious and violent actions.

The limitations of these earlier conventions resulted in the search for new additions even before the ink was dry. The above-mentioned Charter of the African Union enlarged the definition of 'refugee' to include anyone leaving his or her country owing to external aggression, occupation, foreign domination or 'events seriously disturbing public order in either part or the whole of his country of origin or nationality'.³ In 1984, a group of Latin American governments adopted a declaration which tried to give greater objectivity to the 1951 definition of refugee.⁴ The term should include persons who flee their countries because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or any other circumstances which have disturbed the public order. Today, any new definition would have to take in actions which would further erode the distinctions made between refugees and internally displaced persons (IDPs) or environmental refugees. Admittedly, the prohibition of 'forcible return' found in the 1951 Convention has become part of international law. This means that even states not privy to the 1951 act are obliged under customary law to respect the principle of non-refoulement. The sanctions which require states to uphold this principle tend to be pragmatic. It is assumed that governments exist (not always true) or have a minimum level of competence and have an interest in being respected by other states. They have to accept the rules and conventions which all the other actors have sanctioned, even if

such states are run by a corrupt or incompetent government or one which is incapable of helping their own people. This is a contemporary problem, barely glimpsed in the post-war world of 1919 and not really understood in 1951.

What the chapters in this book demonstrate is the erratic nature of the refugee problem in Europe, its reappearance when reformers thought it would vanish, and the various forms this reappearance has taken. It follows from this account that the multiple attempts to deal with a question which has both internal and external consequences hardly charts a consistent line of development. No Whig history of refugee law is possible. The following examples illustrate only some of the chief crises and suggested solutions of the past. We know, for instance, when faced with the refugee problems created by the Russian Revolution and the Great War, the efforts of a few active individuals, like the Norwegian explorer, Fridtjof Nansen, could make all the difference. Operating under the League umbrella, and it was a very small umbrella, Nansen not only raised the funds but also negotiated the exit and the placing of hundreds of thousands of displaced persons during the 1920s. The settlement of the White Russians (though there were many reasons why France, in particular, was willing to accept large numbers) proved possible, but Nansen was less successful when it came to the Armenians and considered his failure to raise the necessary money to rescue them one of the greatest failures of his humanitarian crusade. The Nansen protection system, and the Nansen certificates, then passports, still in use, provided stateless refugees with a form of identification. In one important, but, alas, exceptional case, the coverage of the Nansen system was extended. In 1935, about 7,000 refugees were forced to leave the Saar. France, which acted as the host country, was able to enlarge the terms of eligibility beyond that of national affiliation. Provision was made to extend the Nansen protection system for people who potentially found themselves outside their home country, not as a consequence of war, but because of a political system that violated human rights.

Though there is still an intense debate about the minorities treaties and protection system adopted in 1919, it is fair to say that this was a step forward in extending the responsibilities of the international regime. Much has been written about the limitations of the system, its restriction to a special category of states and operating within narrowly drawn limits. The appeals process was cumbersome and the whole system favoured the state rather than those appealing against the violation of their rights. Yet it provided the basis for some form of legal protection for minority rights within the nation-state. The peacemakers, in creating states based on the principles of self-determination, realized that they had created new national minorities requiring protection against forms of discrimination by the ruling majority. The minorities treaties, most of which were concluded with the eastern European states or with the new Middle Eastern nations, did not apply to any of the victor powers. The treaties guaranteed not only the political and judicial rights of minorities but also provided legal protection for the free exercise of religious, linguistic, educational and cultural practices. The Polish treaty, a response to the recent pogroms in Poland, became the model for all the other treaties. David Vital has pointed out that this was the first time that the interests of the Jews as Jews were considered, both as individuals and as a collective.⁵ This remarkable recognition of the peculiarities and vulnerabilities of the Jews was and remained unique.

The system had some successes but also failures. Most of the states in eastern Europe abandoned democratic practices and were ruled by authoritarian governments which pursued centralizing policies and adopted legislative programmes discriminating against their national minorities. Even where democratic practices continued, as in Czechoslovakia, the hopes of the peacemakers that assimilation and the growth of toleration would ease the problems of the multinational state, proved illusory. The dominant nationalities ensured their continued political supremacy and discriminatory legislation was the rule rather than the exception. The sovereign state, the cornerstone of the League of Nations, proved to be both the begetter and the gravedigger of hopes to extend the fabric of internationalism. Paradoxically, during the 1920s, the Germans became the main spokesmen for minority rights. A majority of the petitions reaching the Minorities Commission came from the German minority living in Poland under the terms of the Treaty of Versailles.

It should be remembered, that during the 1920s, relatively large numbers of refugees were resettled with the help of the League of Nations. Some of the host countries were able to deal with the traumas of forced repatriation and managed to rehouse their newcomers. The Greeks, with financial help from the League of Nations, were host to almost 1.4 million refugees including old men, women and children. The chief blow to the permanent settlement of the refugee question came from the introduction of the US Immigration Act in 1924, which restricted entry to the United States and was aimed at cutting the numbers of immigrants from southern and eastern Europe as well as prohibiting the immigration of some groups entirely. As the United States was the favoured destination for most Europeans needing or wanting to leave their countries of birth, this became a major problem as the world depression deepened and spread. By the time of Nansen's death in 1930, nonetheless, it was thought that the Nansen Office, limited in its number of employees and always short of funds, could handle the refugees who remained in Europe and that the major European refugee problem was coming to its end.

History is never so simple. The spreading world depression and the arrival of Adolf Hitler in 1933 instituted a new chapter in the saga of the European refugee question. The former restricted the willingness of states to accept any new refugees; the latter resulted in four major waves of Jewish refugees coming out of Germany and the expanded Third Reich. After an initial flight following Hitler's accession to power, mainly to neighbouring European countries and with a clear intention to return to Germany when conditions improved, some 20,000–25,000 German Jews left the Reich in each succeeding year until the late 1930s. By the summer of 1935, two-thirds of those who left had been resettled, some 27,000 went to Palestine and 6,000 to the United States. While anxious to be rid of their 'parasites,' the Nazis not only imposed a heavy 'flight tax' on those who left but also did not want to release the foreign exchange needed to fulfil many foreign visa requirements. Neither the enactment of the Nuremberg Laws nor the new Reich Citizenship Law in 1935, both aimed at isolating and impoverishing the Jews, led to a massive increase in emigration. On the contrary, many Jews, like some Germans, believed that the new laws, by drawing a clear line between Jews and Germans, would halt the frequent acts of violence within the Reich. Some Jews who had left actually returned. Among those who had fled, many stayed in Europe, still hoping that conditions in Germany would improve and that they could go back. It was

due to *Anschluss* and *Kristallnacht* in 1938 that the relatively ordered expulsion of Jews gave way to a flood of refugees searching for places of safety and refuge.

No means were found, as happened with the White Russians and later with the Spanish Loyalists, to deal with the Jewish refugee problem. In 1930, a new and autonomous Nansen International Office for Refugees was created with a minute administrative budget. The Assembly of the League decided at the same time that it would be closed down at the end of 1938 on the assumption that that refugee problem was a temporary one for which solutions could be found. However, the advent of the Nazis raised the possibility that a new stream of refugees could be expected. Before Germany left the League in October 1933, an agreement was reached that a separate organization, only indirectly connected with the League, would be created for the German refugees. To underline its separate existence, it was located in Lausanne and an American, James G. McDonald, was made the new High Commissioner for Refugees. McDonald proved to be far more active than his appointees had hoped. Without League backing, he found himself at a serious disadvantage in finding places of refuge; many countries, because of the Depression, were raising new barriers to immigration. The High Commissioner's office did manage to resettle almost two-thirds of the refugees leaving Germany between 1933 and 1935, but McDonald knew that the problem would become increasingly difficult. His efforts to rouse the international community to take action in Berlin proved fruitless. No government would consider such collective action. It was not believed that any country should interfere in the domestic affairs of another sovereign state, least of all in such a powerful country as Germany. McDonald's plea in his resignation letter that the German refugee office should be brought, at least, directly under League control proved more acceptable, but the next appointees as High Commissioner were either weak or felt unable to do anything concrete for the relief of the Jews.

This tragic story included many missed opportunities. It is only necessary to look at the proceedings of the Evian Conference (6–15 July 1938) called by President Franklin D. Roosevelt, and attended by representatives from thirty-two governments and thirty-nine private charitable organizations, to recall the multitude of reasons given, even by governments which had previously received refugees, including Jews, for their inability to accept the thousands pouring out of the Greater Reich. Traditional and heightened anti-Semitism (little surprise that the Nazis hailed the Evian proceedings as absolving them from any particular blame for the persecution of the Jews), fear of confronting a powerful nation clearly on the rise, the large number of natives unemployed, the apprehension that their governments would have to take on the burden of relief and sustenance for the penniless Jews determined the outcome. With one or two exceptions, no state could find room for the 'unwanted' within its own borders. Nor were the efforts to raise the funds that might have paid the Nazis for assisting the emigration of their unwanted Jews successful. Even Jewish organizations in the United States, the most active groups in assisting the refugees, were reluctant to pay the sums demanded by the Reich authorities, a blackmail, which continued even after war was declared. In 1941, the Romanian government put a price on their 70,000 Jews – \$1,300 for each refugee. As the Reich Jews became more and more desperate and private organizations, mainly but not exclusively Jewish, brought increasing pressure on their governments, some of

the latter agreed to take more Jewish refugees, especially children, into their countries. The change in British policy was dramatic, partly in compensation for the severe cut in Jewish immigration to Palestine as a result of the White Paper of 17 May 1939. At the time of the Evian Conference, some 8,000 refugees had been admitted; by the outbreak of war, some 40,000 Jewish refugees from Germany and Austria as well as 7,000 from former Czechoslovakia had entered the country. Most were expected to move on to the United States, but the war intervened and the majority were given residence in the UK. The United States became the main place of refuge; the months between March 1938 and September 1939 marked the high point in US immigration policy with about 20,000 Germans admitted monthly under the quota system. Most were Jews or Germans of Jewish descent. This expanded entry created its own problems; opinion polls recorded an increase in anti-Semitic sentiment in both the United States and Britain. In 1933, according to German records, there were approximately 525,000 Jews in Germany; by the start of the war the number had dropped to well under half. At the start of 1938, 180,000 Jews lived in Austria; by July 1939, 97,000 had fled. Compared to recent refugee flows, the number seems almost small. Western governments did not confront Hitler because of the Jews. Apart from Germany, the refugee problem was never given a high priority in the capitals of the West. Few statesmen believed that the abuse of human rights was the concern of the international community. Hitler had turned back the international clock; the League's refugee regime could not respond to his challenge.

The rest is history. The descent into barbarism and the implosion of European civilization has left a permanent scar on Europe's post-war history, tarnishing prewar claims to moral superiority. The old Europe, which as the late Tony Judt, quoting Tadeusz Borowski, has reminded us, was 'an incredible, almost comical, melting pot of people and nationalities, sizzling dangerously in the very heart of Europe,' vanished.⁶ This old patchwork quilt, though periodically rent with massacres, pogroms and floods of refugees, was torn to shreds. In post-1945 Europe, thanks to the war, boundary adjustments, expulsions and genocide, hermetic national enclaves emerged, where any surviving minorities were too insignificant to challenge or disturb the prevailing political and cultural mainstream. Only a few countries, among them the Soviet Union and Yugoslavia, stood aside from this new seemingly collection of uni-national states.

Once again, despite the Shoah – and few had anticipated, even in 1941, the horrors that were to come – there were renewed hopes that the latest streams of refugees and displaced persons (an important distinction in terms of refugee policy) could be assisted and repatriated in the countries from which they had originally come. We are talking about thirty million people (the number much disputed): ethnic Germans sent out from the Baltic, from Poland and Czechoslovakia; Jews released from the concentration camps; people displaced by the bombings and the destruction of war; and those fleeing from the triumphant Red Army. During the years after the defeat of Nazi Germany, Europe was 'choked with refugees'. The Allies, led by the Americans, who alone had the material means to deal with this avalanche, looked to the Intergovernmental Committee on Refugees (IGCR), one of the few bodies created at the time of the Evian Conference and still functioning when war broke out, the newly formed United Nations Relief and Rehabilitation Administration (UNRRA), with Soviet as well as other Allied representatives, and finally the International Refugee Organization (IRO),

to repatriate the displaced. Some 5.25 million people were resettled or repatriated, but one can only despair at the innocence of the organizers who thought their task would be a limited one. Many refugees did not want to be repatriated; the forced return of Russians to the Soviet Union, admittedly in return for the far fewer number of Western prisoners of war, troubled the conscience of many Western statesmen for many years to come, as Harold Macmillan's memoirs clearly show.⁷ Others could not be repatriated because their homelands no longer existed, and some had neither the mental nor physical strength to deal with the repatriation process. Until the creation of the state of Israel in 1948, thousands of Jews were kept in detention centres waiting to leave. The so-called 'hard-core refugees' remained in the camps. Even the establishment of the state of Israel did not solve the problem of the Jewish refugees and the 'right of return' would lead, in time, to the creation of camps for the displaced Arabs, which would last not for months or two years as was thought at the time, but to half a century or more.

The next stage of the refugee regime building began with the Universal Declaration of Human Rights in 1948, the creation of the UNHCR in 1950 and the adoption of the 1951 Refugee Convention. These positive steps were limited in their coverage, Euro-centric and still left the state the determining factor in their administration. To be sure, references were now to the rights of individuals and the self-determination of people and not of national groups. Some rights, above all, the right of non-refoulement, applied to every individual, though not the right of asylum. An expansion of the refugee regime soon became necessary. In the 1960s and 1970s, as a result of war and the decolonization process, refugees were on the move in Africa. In 1964, they numbered about 400,000; by 1970, there were several million displaced men, women and children. At first, this barely affected the states of Europe. The British took no part in the settlement of Hindus and Muslims after the partition of India despite its bloody denouement. It did admit the Asians dispatched by Idi Amin from Uganda in 1972 and the emigrant question made its appearance on the British political agenda. For the most part, however, the chief response of European states, even when the Cold War spread into East Asia, was to keep these flows of new refugees away from their national boundaries.

The Cold War itself did not bring massive streams of refugees. The problem of displacement changed. The hermetically sealed states of eastern Europe would not let their dissidents go. At first, even after the introduction of the Marshall Plan, there was some movement, first into Czechoslovakia and then into West Germany, but as the divisions hardened, so did the views of Eastern bloc governments. The erection of the Berlin Wall in 1961 was intended to keep would-be émigrés in. Refugees caused the construction of the Wall – in 1989, they would cause its destruction. During the Cold War period, another change took place. The refugee, instead of being an unwanted burden on the state and a threat to its stability, became an anti-communist hero: a return to the status of many of the nineteenth-century exiles. In a sense, the treatment of the 200,000 displaced Hungarians in 1956 confirmed the new definition of the exiled. Not only were they made eligible for United Nations support but almost all were in permanent residence within two years. More money, much but not all of it American, was given for Hungarian relief than for the United Nations Refugee Fund. The change of emphasis in the early Cold War era to the focus on refugees fleeing communism demonstrated the politically determined nature of the refugee regime. The normative international

environment shaped national conceptions of identity and interest. The shift in the lines between West and East caused a repositioning of the state, both in the way refugees were regarded and the status they received. Historical experience has shown that refugees can help to determine their own fate; many made vital and outstanding contributions to their countries of refuge. The condition of being a refugee does not preclude something more than survival. Nevertheless, for the most part, refugees have been considered a burden and even a threat to the governments and inhabitants of other countries. For a brief time, and for very specific political or economic reasons, those escaping or leaving countries with communist regimes were given an unusually warm welcome.

The individual has become the bearer of human rights. There could and can be, however, no institutional barriers to the creation of new refugees. The ending of the Cold War and the collapse of the Soviet Union put into question some of the basic assumptions of the 1951 Convention. Large-scale refugee movements within and into Europe have become a reality. During the wars of Yugoslav succession of the 1990s, relatively large numbers of people were uprooted and sought refuge elsewhere. Ethnic cleansing in Kosovo led to the largest single refugee movement since the end of the Second World War. This time, however, unlike the practices of the 1930s, the intervention, albeit reluctantly, of the United States and the European Union (EU), the latter partly to avoid an influx of refugees into their own countries, resulted in action within the region. Increasingly, the response of the European states, often implemented by UNHCR, has been to address the causes of the displacement as well as to provide assistance in the countries or regions where they have occurred. This was particularly true of the swelling refugee problems in Africa. Here the problems were compounded by the absence of effective states, by governments in the hands of unscrupulous leaders and elites and/or continuing and bloody civil wars. During the 1990s the United Nations was repeatedly called on to provide humanitarian relief but also to act as mediators or peacekeepers. In Africa, most conflicts were within states and not between them. The actual incidence of IDPs soared, but the crossing of an international border was no longer a realistic alternative for most of the 'unhoused'. They were more likely to be the objects of the abuse of human rights by their fellow countrymen than as 'refugees' as defined and covered by the Convention of 1951.

Refugee flows continue today in large numbers and European states grapple with the age-old problems in their new and more complex forms. There are bound to be 'others' and the 'unwanted' as long as sovereign states, however defined, exist. Even the specifically European origins of these problems may lead to new crises. The linguistic differences in Belgium, the ever-explosive tensions between Serbs and Croats, between Turks and Greeks, tensions between the national minority groups in Russia and in the small countries bordering on its peripheries, each could produce new disposessions and expulsions and even flights. The continued arrival of refugees, internally displaced persons, asylum seekers, despite the efforts to maintain these distinctions, has eroded such categories. The greatest pressures at the moment come not from within Europe but from the Middle East, Africa and East Asia, where colour, cultural differences, religious hatreds, human traffickers and terrorists endlessly complicate both the reasons for flight and the difficulties of reception. Strangely enough, one of the remaining and intractable problems has been the refugee camps established in Haiti as a result of a

natural disaster there in 2010. Even as it was adopted, the Convention of 1951 was already out of date, and the subsequent protocols have failed to address the changing refugee agenda. Problems and solutions combine elements of both old and new, the tried and the untried. Efforts to extend protection in the countries or regions of refugee origin, however laudable, have the ‘potential to return the refugee to a situation in which her basic rights fail to be protected.’⁸

Has progress been made in the handling of these repeated crises? The answer must be ‘yes’ and ‘no’. ‘Final solutions,’ and, alas, the term must be used, still rest with the governments of the sovereign states. We have UNHCR, underpinned by a series of conventions, all of which were highly contested when passed and resulted from hard-won compromises. Its work is backed by relatively large staffs, compared to those of the 1920s, of technical experts. Activities are supplemented, complemented and contested, by other organizations and individuals also seeking to alleviate the suffering of ‘refugees’ or ‘internally displaced persons’. As in the interwar period, work is dependent on the financial support of governments, activists and private individuals, whose contributions may be centred on a particular problem, region, group and for a specific period of time. Our screens and papers are filled with pictures and reports of the latest refugee crisis, natural and man-made, and of conditions in the camps. The amounts of aid and assistance given would have astounded the early pioneers of international action. Progress has been made, for humanitarian, political and/or economic reasons. The members of the EU have set up mechanisms for dealing with the inflow of refugees. Some of these mechanisms are already being abandoned or modified, and there is still no single refugee regime. The debates on EU refugee policy have been intense and the tensions between national, political and humanitarian impulses that characterized the interwar period still exist today. Member states, nonetheless, have accepted some limitations on their rights to deal with refugees or IDPs from within the EU. The right of movement across boundaries, from member state to member state, is now guaranteed as is the principle of non-refoulement. The externalization of the European refugee problem, however, has shown the limits of progress beyond the borders of the EU. Traditional means, reminiscent of the pre-1939 period, have been resurrected, border controls introduced or reintroduced, quota systems adopted and failed asylum seekers – whether legal or illegal entrants, displaced persons, political refugees or economic migrants – are sent back, wherever this is possible, to their countries of origin. Many are held pending deportation in camps of one kind or another. The decisions are made by the people employed by the receiving state according to national laws though appeals to the court in The Hague may override some of these decisions. Techniques used in the 1930s and again in the 1990s are in use as member states assert their rights to control the inflow of non-EU refugees on grounds of security, economic necessity or the absence of the required qualifications. The new camps, some hardly better than the French camps for the Spanish Loyalists in the 1930s and 1940s, are intended not only to block entrance but also to facilitate the return of refugees to their homelands. Efforts have been made to look at the root causes of forced migration (McDonald did not labour in vain) and to provide some forms of protection in the countries or regions of origin. Practices vary according to the local situation but also to the political agendas of the receiving states. Camps differ from country to country; some asylum

seekers are welcomed by their neighbours but others are feared, hated as competitors for scarce resources and even attacked by their fellow countrymen. No single solution can be applied to the very different conditions of internally displaced persons. The creation of 'safe areas' in Kosovo in 1999 was a holding operation intended to cover the period of turbulence until resettlement within the original home territories could take place. Such hopes as they provided have proved illusory as have assumptions of the growth of toleration between ethnic groups. Safe havens in northern Iraq in 1991 and the creation of humanitarian zones elsewhere highlighted the blurring of lines between humanitarian and political responses. The UNHCR continues to grapple with the problem of who is a refugee and who is a migrant. The reasons for migration might be the violation of human rights, lack of economic opportunities or just hopes for a better life. Flight, as it has been for many decades, might be a necessity or an exercise of free will. The boatloads of migrants turning up on the shores of the southern member state in the EU, themselves under severe economic pressure, show only too well that there is no end in sight to the refugee problem.

The refugee crisis has long outlasted the period discussed in this book. Paradoxically, on a planet more and more unified by multinational and transnational enterprises and increasingly knit by the electronic abolition of frontiers through the internet, the refugee status and the problems it generates look set to persist. In the midst of economic and mass media globalism, fierce ethnic enmities, religious intolerance and ideological nationalism flourish. In consequence, distinctions between the migrant and the refugee, and the immigrant and the displaced person have largely lost their meaning. Internally generated despotism and racism create shanty towns and ghettos for the unwelcome. Most agree that new psychological understanding, better legal safeguards and a more coherent international regime are urgently needed. At present, the outlook is bleak. Under Nazism, Jews were compelled to wear a yellow star. Today for millions of women and men looking at the night sky, the stars have turned yellow.

Notes

- 1 Paul W. Schroeder, *The Transformation of European Politics, 1763-1848* (Oxford: Oxford University Press, 1994).
- 2 Convention Relating to the Status of Refugees, 28 July 1951: <http://www.unhcr.org/4ec262df9.html> [accessed 25 August 2016].
- 3 Convention Governing the Specific Aspects of Refugee Problems in Africa ('OAU Convention'), 10 September 1969: <http://www.unhcr.org/refworld/docid/3ae6b36018.html> [accessed 25 August 2016].
- 4 Cartagena Declaration on Refugees, 22 November 1984: <http://www.unhcr.org/refworld/docid/3ae6b36ec.html> [accessed 25 August 2016].
- 5 David Vital, *A People Apart: The Jews in Europe 1789-1939* (Oxford: Oxford University Press, 1999).
- 6 Tony Judt, *Postwar: A History of Europe since 1945* (London: Heinemann, 2005), 9.
- 7 Harold Macmillan, *The Blast of War, 1939-45* (London: Macmillan, 1967).
- 8 Emma Haddad, *The Refugee in International Society: Between Sovereigns* (Cambridge: Cambridge University Press, 2008), 185.