

Refugees as Resources in War

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Between July 14 and 18, 1994, approximately 850,000 people fled Rwanda into Eastern Zaire, joining several hundred thousand Rwandans who had departed in the previous month. By August between 1.7 and 2 million Rwandans lived in makeshift camps in Zaire and Tanzania. It was the largest and quickest mass exodus in history and the most deeply misunderstood. Western publics, largely ignorant of the region, knew that genocide was occurring. Western media, which had only provided limited coverage of the genocide itself, rushed to record the flight of the refugees. Their pictures and films led people to believe that the displaced were escaping the genocide, a belief that was tacitly encouraged in the advertisements of many relief organizations that portrayed the displaced as victims.

Many of the displaced were victims, but they were not fleeing the genocide. By the middle of July 1994 the genocide that had killed more than 800,000 Rwandan Tutsi and moderate Hutu had come to an end, not because the international community had been galvanized into action by legal obligation or humanitarian solidarity, but because the Rwandan Patriotic Front (RPF), a largely Tutsi force that had been fighting the Rwandan government for three years, had prevailed. The genocide had been organized and directed by elements of the Rwandan government

and army that opposed a power-sharing deal with the RPF to end the civil war. When all seemed lost militarily, the leaders, soldiers, and militia who had planned and executed the genocide forcibly marched hundreds of thousands of Rwandan Hutus out of the country, fueling their fear that the RPF would seek retribution for the genocide. With hundreds of thousands of dead lying in villages across Rwanda and nearly 2 million Rwandans in flight, observed one of the architects of the genocide, “the RPF will rule over a desert.”

The genocide’s organizers and killers blended into the refugee camps in Zaire and used the exodus to attract humanitarian aid. That very assistance enabled the militia to regroup and conduct attacks across the border in Rwanda. Although some officials within the Office of the United Nations High Commissioner for Refugees (UNHCR) diagnosed the situation as a hostage crisis and considered civilians in the camps forced evacuees, UNHCR and myriad relief organizations treated the problem as a refugee crisis. The United States, which refused to intervene to stop the genocide, did deploy military forces to provide relief, emergency sanitation, and clean water. Before the international aid arrived, many in the camps were suffering from cholera and dysentery, and more than 30,000 refugees died in the first several weeks there. As the survivors grew stronger, so did the perpetrators of the genocide, who quickly consolidated control within the camps. Although High Commissioner for Refugees Sadako Ogata brought this dilemma to the attention of the UN Security Council, no state offered military assistance to separate fighters from refugees in the camps. For two years the perpetrators used the humanitarian largesse of the international community to rearm, recruit, continue the war in Rwanda, and begin a second genocide against Eastern Zaire’s sizable Tutsi population. In October 1996 the camps were destroyed, the militias routed, and nearly 640,000 refugees returned to Rwanda. As in the case of the genocide two years earlier, what put a halt to the manipulation of the refugees was not international action spurred by empathy for the victims of the continued violence or outrage at the bastardization of humanitarian relief, but self-help by the former RPF, now the government of Rwanda. The “self-help” option chosen by the Rwandans was violent, protracted, and incomplete. Six years later in 2002, Eastern Zaire (now the Democratic Republic of Congo) was still a battleground between Rwandan forces, the remnants of the genocidal militias, and the armies of seven African nations.

According to UNHCR reports, militarized camps like those in Zaire now pose the single biggest threat to refugee security.¹ Although the great majority of refugee crises do not foment refugee militarization, about 15 percent do. In the 1990s this was the case in areas experiencing some of the most protracted civil and regional wars in the world: Sudan, Liberia, West Bank/Gaza, Afghanistan, Rwanda, Bosnia, East Timor, and Burundi.² Militarization, in turn, appears to be part of a larger strategy of warring parties to manipulate refugees and the entire refugee regime established for their protection. Hence some refugee camps become a breeding ground for refugee warriors: disaffected individuals, who—with the assistance of overseas diasporas, host governments, and interested states—equip themselves for battle to retrieve an idealized, mythical lost community. Facing military defeat at home, the warring party uses the suffering of refugees for its own political purpose: to siphon off aid, establish the international legitimacy of their cause, and, by manipulating access to them, ensure that they will not repatriate. As long as armies control refugee populations, they can demand a seat in negotiations.

This manipulation of the refugee regime has ramifications for international security. It has turned refugees into resources that can help prolong civil wars and threaten the security of surrounding regions. Any army that loses a civil war on its own turf need not admit defeat as long as it can regroup in exile, make claims on refugees, and use international assistance to recover. The conflicts in which refugee manipulation has taken place include not only some of the most long-running and bloodiest in the world today, but also cases that imperiled the stability of the receiving state. This occurred with Palestinian refugees in Jordan and with Afghani refugees in Pakistan. During the cold war, the United States, for reasons of national security, ignored humanitarian precepts and aided and abetted the manipulation of refugees by warring parties in Pakistan and Thailand. And since then, the United States has turned a blind eye toward refugee abuse in Congo, The Gambia, and West Timor, insisting that they are humanitarian problems.

In the absence of a response from the major powers or UN Security Council, the UNHCR and other humanitarian agencies and nongovernmental organizations (NGOs) face a huge dilemma of both practical and ethical dimensions: how to provide for the comfort and safety of refugees without furthering the political and military goals of those who control access to them and hence prolonging the war and their suffering.

Refugees as Resources in War

“Refugee manipulation” in the title of this book refers first and foremost to the manipulation of the refugee regime: the set of international actors, rules, norms, expectations, and capabilities that guide in the protection of the tens of millions who have been displaced across borders in the last fifty years. It is not taken to mean that the individual refugees who are part of larger crises lack agency. Clearly, there are cases in which refugees grant legitimacy to the warriors who militarize their camps and see them as either protectors or liberators. As aid workers with long experience in the field can attest, some refugees are skilled manipulators of the refugee regime. In the most egregious cases, however, refugees experience enormous coercion and propaganda, to the point that they resemble hostages whose power to decide their fate hinges disproportionately on the acts of others. Still other cases are murkier, with the truth lying somewhere in between: the warriors will make unsubstantiated claims to their right to control the refugees, and the refugees will try to choose between the bad that they know and the possibly worse that they do not know.

Refugee manipulation is not a new phenomenon. The most highly organized and protracted example can be found in the Middle East following the 1948–49 Arab-Israeli War, when the United Nations established the United Nations Relief and Works Agency (UNRWA) to provide relief to the hundreds of thousands of Palestinians displaced by the war.³ From the start, Israel’s neighbors saw the refugees as an asset in their struggle against what they considered an illegitimate state. Since resettling the refugees would have deprived the Arab states of evidence of Israel’s illegitimacy, the preferred method of caring for them was to build large temporary residences, which over time have become a permanent fixture in the Middle Eastern landscape and a reminder of the unfinished business surrounding Israel’s creation. Given a confined population without a state or citizenship, yet unable to integrate into existing states in the region, the situation was ripe for the development of a virulent nationalism based on hatred of Israel and the recruitment of young boys and men to fight in a war of liberation.

It is important to point out, however, that while the management of Palestinian refugees provides lessons for the modern refugee regime, it has not been part of the regime. UNHCR has no mandate to address the Palestinian refugee issue; at the time of the birth of Israel, the United States helped push for a special agency to specifically address this issue

(UNRWA). As we describe shortly, UNHCR and the refugee convention were created in the environment of the cold war, and hence the founders of the new regime assumed that refugees would be individuals fleeing political persecution. To them, the hundreds of thousands of Palestinian refugees produced by bungling international crisis management, the violent creation of a national state, and forced displacement by Israel were an exception to the rule.

It did not take long for UNHCR to conclude otherwise. In the 1970s and 1980s, refugee populations in Central and Southern Africa, the Horn of Africa, South Asia, Southeast Asia, and Central America were actively engaged in military activities that were intended to oust or destabilize the government in their countries of origin. In Palestine, UNHCR ducked the difficult issues of refugee manipulation, but in quick succession around the world, the agency had to face it head on.

During the cold war the manipulation of refugees and the refugee regime became part of the struggle between the superpowers, played out not by lone individuals crossing borders to seek political freedom in the West, but by large populations, sometimes in the millions, crossing borders to escape violence. Thus the United States aided the manipulation of Afghan refugee camps in Pakistan in the 1980s in order to create a potent armed force capable of defeating the Soviet army occupying Afghanistan, and it was willing to tolerate and abet Khmer Rouge control of Cambodian refugee camps along the Thailand border as a means of opposing the Vietnamese-backed regime in Phnom Penh. In a similar vein, if not circumstances, supporters of national liberation movements and the war against apartheid in South Africa actively supported the guerrilla armies that used refugee camps in Southern Africa as tools in their war against the region's white settler regimes. And sympathizers of Central American guerrilla movements abetted their control of Salvadoran refugee camps.

All of these situations challenged the ability to provide humanitarian assistance to noncombatants in need. Refugee status is predicated on non-combatant status, yet in all of these cases military and political groups abused the status of noncombatants to further their own ends. Two negative consequences followed. First, international assistance let the wars continue. Second, by blurring the combatant/noncombatant distinction, refugee camps became targets for embattled regimes that sought to destroy their enemies. As a result, international relief agencies faced tough choices: provide relief and turn a blind eye to its abuse, or withhold relief and allow noncombatants to suffer.

Lack of Scholarly Attention

Despite the pervasiveness of refugee manipulation, its effects on international security, and the ethical dilemmas it creates, little research has been done on the topic. Although many excellent articles have been written on refugee security writ large, refugee manipulation and its deadly effects are usually mentioned only in passing.⁴ Even the wider literature on international security, regional security, civil war, conflict management, and peacekeeping makes little mention of refugee manipulation.⁵ The few scholars who have addressed the problem disagree about its causes. The pathbreaking research of Aristide Zolberg, Astri Suhrke, and Sergio Aguayo called attention to what they called refugee warriors: “highly conscious refugee communities with a political leadership structure and armed sections engaged in warfare for a political objective, be it to recapture the homeland, change the regime, or secure a separate state.”⁶ In their view, refugee warriors are symptomatic of a political and economic crisis stemming from globalization, wherein the root causes of economic inequality and political repression have radicalized political opponents, prompting them to flee and organize to retake their homeland. According to these authors, external actors—host countries and great powers—have played a role in supporting refugee warriors. As they suggest, such support is not a new historical phenomenon, “but what is different about the contemporary world that makes refugee-warrior communities a special problem of our time, is first, the existence of a highly developed international refugee regime that can sustain large-scale civilian populations in exile for years, and second, the dominant ideology of democratic nationalism which makes a civilian refugee population a necessary adjunct for the warriors.”⁷

By contrast, Howard Adelman and Sarah Kenyon Lischer doubt that such root causes explain the emergence and sustenance of refugee warriors. In Adelman’s opinion, refugee warriors do not emerge in every refugee crisis, and the large-scale manipulation of the regime cannot be explained by how the refugees came to be refugees in the first place. If this were so, refugee manipulation would be far more endemic than it has been in practice. Instead, he argues, the emergence of refugee warriors is to be explained “by how regional states and the international system treated these refugee warriors; in other words, refugee warriors are not so much a product of ‘root causes’ but of failures—sometimes deliberate—in the management of conflicts and, more specifically, the management of

the plight of the refugees themselves, whatever the original causes.”⁸ When large-scale manipulation of the regime occurs, it is because powerful international actors block the resettlement of the refugees to third countries and aid and abet the militarization of the refugees. Lischer arrives at a similar conclusion after examining two periods in the history of a Bosnian Muslim refugee community in Croatia.⁹ During the first period, the community mobilized for violence and became a militarized force and staging area for renewed attacks in Bosnia; during the second period, the community was quiescent. These different outcomes, says Lischer, are a result of the external political environment. During both periods, there were warriors who sought to use the refugees for their purpose; but during the first period, the region was under the authority of Krajina Serbs, who encouraged the violence and shielded the refugees from international scrutiny, whereas in the second period it was under the Croatian government, which used coercion to stop the violent mobilization. The upshot of both the Adelman and Lischer arguments is that manipulation tends to occur when an opportunity structure is present.

The work of Adelman and Lischer also calls into question a second assumption of Zolberg and his associates: namely, that wherever refugee warriors exist, the refugee population is in sympathy with them. By way of example, Adelman cites the case of Rwandan refugees in Zaire and Cambodian refugees in Thailand, while Lischer notes that Bosnian refugees in Croatia had mixed feelings toward the warriors, but that these sentiments did not affect the degree of militarization of the refugees.

Extensive case research into refugee relief and warring parties in Central America, Afghanistan, Cambodia, and Rwanda leads political theorist Fiona Terry to conclude that a structure of incentives exists to prevent most NGOs from learning the unintended consequences of their assistance and allows them to be manipulated despite evidence that aid prolongs suffering. From an ethical perspective, she argues, there are instances in which NGOs must refuse assistance.¹⁰

The Refugee Regime in Crisis

The use of refugees as resources in war reflects a larger problem in the refugee regime. A yawning gap exists between the circumstances that prevail in refugee crises today and the norms and rules of the international regime established after World War II, along with its founding assumptions about states, wars, and flight. That regime and the leading role of

UNHCR in providing protection for refugees rested on the view that war and politics in the post-1945 era would look much like that of the pre-1945 era.¹¹ The world would consist of functioning states, refugees would seek asylum because of political persecution, and the numbers of asylum-seekers would be small enough to guarantee individual legal determination of refugee status. Instead, the post-1945 world has been marred by weak, dysfunctional states prone to civil wars; the flight of refugees is often precipitated by civil war and political persecution; and the numbers of asylum-seekers are often so high that UNHCR finds it impossible to render individual refugee determination. As the numbers of refugees increased dramatically from the 1960s to the 1980s, and as their home region moved away from Europe, the commitment of the European states to asylum and permanent resettlement as appropriate solutions for refugees waned. In its stead, UNHCR turned to repatriation as the leading solution to refugee crises. But since many of the civil wars of the post-1945 era were protracted, permanent refugee populations in neighboring states would increase. When such populations became militarized, this in turn reinforced the drawn-out nature of the wars. Since most civil wars themselves took place in regions marred by war, refugees from one war might find themselves seeking refuge in other war-torn states. In the 1990s, for example, between a third and a half of African refugees sought asylum in neighboring countries that were suffering from civil war.

The incorrect assumptions of the refugee regime crippled UNHCR, leaving it unable to cope with the manipulation of refugees by warring parties. Since some of the most powerful member states of the United Nations actively treated refugees as pawns in larger geopolitical conflicts, UNHCR lacked the tools needed to address manipulation. Ironically, when resettlement turned into repatriation, and UNHCR subsequently moved from an emphasis on legal protection of refugees to long-term relief and assistance, the organization inadvertently began supporting warring groups in their attempts to manipulate refugees.

Given the regime's weak responses to manipulation, refugee workers have tended to ignore or rationalize away the dilemmas they face, although some believe that one solution would be for the host government to provide security for the camps. But this solution rests on an outdated premise adopted in the atmosphere of the cold war. In today's world, many host governments are either complicit in the political and military manipulation of the refugees (as in Pakistan, Thailand, or Zaire) or lack capacity to protect them (as in Lebanon).

Although international legal obligations exist to prevent states from abetting the manipulation of refugee camps, all too often the host country is expected to provide security and reduce the military and political control of warring groups. It is important to recognize, however, that host states may be either incapable or unwilling to take measures to ensure the civilian character of refugee camps. They may be incapable because they are weak states that lack the capacity to maintain security, law, and order in refugee camps. They may be unwilling because they find militarized camps a useful foreign policy instrument for serving their national interests.

Similarly, relief agencies have tried to will the problem away, first by looking for technical solutions, such as moving camps 50 kilometers from borders, or by providing food through the women who live in the camps. Such solutions only detract from the larger underlying problem. Warring groups must control refugees to maintain their legitimacy in war and to bolster their claims as alternative states. Even though their sovereignty may be unrecognized (in the case of Cambodia, their sovereignty was recognized), they are ceded authority in all the functions that states carry out: deciding who belongs, extracting taxes, drafting young men to serve in battle, and doling out rough justice.

UNHCR has proposed a ladder of options for dealing with the problem, ranging from preventive measures at one end to the creation of an international military force that would separate soldiers from refugees at the other.¹² We discuss these options in chapter 6, but suffice it to say here that they will have little impact without a dramatic change in how the great powers perceive the problem. Manipulation of the refugee regime is a product of geopolitics and the state interests of neighbors, regional powers, and great powers. Absent an understanding of the role of UN member states in such manipulation, any calls for robust policy tools such as police and military intervention are likely to fall on deaf ears. The challenge for the international community is to make the recommended tools compatible with the incentives of interested states or to overcome their resistance or inaction in addressing the problem.

Approach of the Book

This book explains the various ways armed groups manipulate refugees, how and why international actors assist in this manipulation, and what remedies might prevent or reduce the ability of such groups to use the suf-

fering of refugees to their own advantage. We seek to answer five questions:

—How and why do warring parties manipulate refugees and the refugee regime?

—How and why do various international actors, including host countries, neighboring states, and major powers, aid and abet such manipulation?

—Why are refugee organizations ineffective in addressing such manipulation?

—What ethical dilemmas does the problem generate, and who loses when such dilemmas are resolved to the benefit of the warring parties?

—What can be done to address the problem?

Because research into refugee manipulation is so limited, we find it necessary to develop theory rather than test it and have chosen a case study approach for this purpose. Hence our findings about manipulation writ large are tentative and await further research, especially work incorporating larger datasets and quantitative methods. Nevertheless, the case study approach offers some real advantages in that it provides full details about the process of manipulation, as well as the ethical and practical choices of policymakers.

We examine three case studies of refugee crises in different parts of the world: Cambodian refugees in Thailand in the 1970s and 1980s, Afghan refugees in Pakistan in the 1980s, and Rwandan refugees in Zaire from 1994 to 1996. All three cases reflect different regional geopolitical concerns; two of the crises took place during the cold war and one occurred in the 1990s.

We chose these cases because they are what informed observers consider the toughest cases and the most widely cited examples of refugee manipulation. Each was the largest refugee crisis of its time: each involved over a million refugees. The manipulation in these cases was systematic, not piecemeal. In choosing the largest, most difficult cases, we felt confident that any solutions we reached would be relevant for easier cases. These cases, in terms of numbers and systematic manipulation, are closer to those seen in the 1990s than some other possible cases, such as Salvadoran refugees in Honduras, who numbered only about 20,000, an order of magnitude smaller than contemporary cases of manipulation, such as Timorese refugees in West Timor.

Moreover, these cases have intrinsic and continuing policy relevance for their regions and for the refugee regime. Of the three, only the Cambodian

crisis can be said to be resolved, but it remains a searing experience for the organizations that responded to the crisis and for their refugee workers. It was also the first case of manipulation to prompt much debate and self-examination within the refugee community. And, in contrast to its response in the other cases discussed, UNHCR refused to become involved with the border refugees under the thumb of the warring factions. For Pakistan and Zaire, the consequences of the refugee manipulation continue to be played out. Many of the refugee warriors in Pakistan, after years of encouragement and assistance of the Pakistani government, actively channeled through extremist, Islamic schools, are now attempting to topple the Musharraf government and sow terror in the country that was once their welcoming host. As for Zaire, it remains a battleground in Africa's first continental war, which was the direct result of the manipulation of the refugee regime by Rwanda's genocidaires.

The analysis of refugee manipulation in this volume follows a multi-level approach. First, the contributors describe what happens at the local level: they cite facts (numbers of refugees, numbers of armed personnel, ratio of refugees to population at home); analyze the political economy of the camps (where warring groups get money and arms, and whether and how much humanitarian aid is being siphoned off by the warring group); and explain how warring groups carried out the manipulation of the refugees. Next, the analysis moves to the political and economic relationship between refugees and the host country to determine whether the host country aided and abetted the manipulation of the refugees, whether the host country was unified in its relationship with the warring group, and to what extent the host country was capable of regulating the camps. The third topic of interest is the larger geopolitical context surrounding the manipulation of the refugees, which encompasses the backers and enemies of the warring group as well as the larger regional and global web of relations spun around the host and home countries, the refugees, and the warring group. Finally, we examine the norms and rules that guided the behavior of international organizations and nongovernmental organizations as they engaged with, responded to, and provided services to the refugees in question. In particular, we look at the organizational routines and habits and justifications of those who managed the refugee crises.

In chapter 2, Daniel Unger examines the plight of Cambodian refugees along the Thai border in the 1970s and 1980s. He concludes that international humanitarian assistance helped keep the Khmer Rouge alive at a time when it faced imminent military defeat. The Khmer Rouge's control

over refugees along the Thai border was absolutely essential to its claims of sovereignty and demand for international recognition. The United States, China, and Thailand promoted the survival of the Khmer Rouge in order to bolster the Cambodian opposition to the Vietnamese invasion of Cambodia. As a result, the governments of the United States, China, and Thailand were able to “hijack humanitarian impulses and succor in support of their goals.” These governments found mixed willingness among relief agencies to turn a blind eye to the manipulations of humanitarian aid. UNHCR, for one, refused to work within the militarized camps along the Thai border. In its place, the International Committee of the Red Cross (ICRC) and the United Nations International Children’s Emergency Fund (UNICEF) stepped in to provide food, medicine, and relief for refugee camps controlled by the Cambodian opposition. When they, too, blanched at the diversion of 50 to 80 percent of food and supplies to soldiers, they were replaced by the United Nations Border Relief Operation (UNBRO), heavily financed by the United States. At the time, Unger emphasizes, UNHCR came under intense criticism by its leading funders for not responding.

Unger argues that the ethical dilemmas faced by relief organizations in Thailand in the early 1980s were precursors to similar moral quandaries faced by NGOs and international organizations elsewhere in the world in the 1990s. Agencies had to ask themselves, should they “treat the geopolitical context as a given and interpret their mission within the constraints imposed by that context? Or should they instead follow their legal mandate as closely as possible, even if that might diminish their capacity, at least in the near term, to assist those in need?” If analysts are to weigh in on the debate, says Unger, they must construct counterfactual scenarios and judge whether alternatives would have promoted more or less suffering. He suggests that in the case of Cambodia, if relief organizations had not acted to alleviate the suffering of populations ensnared by the guerrilla groups, it does not follow that Thailand and China would have allowed the Khmer Rouge to disintegrate. It is possible that it would have still been resuscitated, but without the aid that allowed hundreds of thousands of refugees to subsist until a peace was brokered in 1990.

In chapter 3, Frédéric Grare examines another cold war case of refugee manipulation: the attempts by the Pakistani government to control Afghani refugees in Pakistan and turn them into a viable political and military opposition to the Soviet invasion of Afghanistan. In the 1980s Pakistan was home to approximately 3.2 million Afghan refugees, many

of them Pashtun who settled into Pashtun-dominated regions in Pakistan. Pakistani leader General Zia-ul-Haq, who as a young officer in Jordan in the early 1970s had witnessed the destabilizing potential of refugees and their leaders who were able to whip up nationalistic fervor, chose a strategy of strengthening the Islamic nature of the Afghan opposition. In order to prevent them from becoming a united force in Pakistani politics, the Pakistani government recognized seven predominantly Islamic Afghan parties in exile and mandated that all refugees entering Pakistan had to proclaim allegiance to one of the organized parties. International aid organizations worked with the Pakistan government to funnel most aid and assistance through the seven organized parties.

While military recruitment of young Afghans took place in the large refugee camps, their training took place in isolated venues removed from the camps and less vulnerable to cross-border attack or incursion. Saudi money and American arms were funneled into the resistance by the Pakistani intelligence services, which then used some of the men and matériel for their own purpose in Kashmir. A series of incremental decisions, all of them reasonable on their own terms at the time, concocted a heady geopolitical brew in the 1990s when the different Islamic parties, no longer unified against the Soviet aggressors, then attacked one another. Once again in the 1990s, the Pakistani government assisted the manipulation of the refugees, this time by the Taliban. The reverberations of Pakistani policies toward the Afghan rebels are being felt today.

In chapter 4, Howard Adelman tells the story of the Rwandan refugees in Eastern Zaire from 1994 to 1996. Recounting the events described at the beginning of this chapter, Adelman argues that the Rwandan case should have been a relatively easy one to manage. Those manipulating the refugees had committed genocide. There was no principle of geopolitical solidarity that could legitimate the control of the refugees, as had occurred in the cold war cases of Cambodia and Afghanistan. Those who had committed the genocide and regrouped in the camps were militarily weak and politically isolated. Yet international assistance strengthened the hold of the militias on the camps, where they recovered strength, imported arms, and then attacked Tutsi who lived in the area and carried out raids back into Rwanda.

As Adelman shows, members of the Security Council investigated the problem, assessed what military force would be necessary to separate combatants from the bona fide refugees in the camp, and in the end found few takers for the job. Humanitarianism became a fig leaf for inaction in

confronting the security problem. NGOs and UNHCR became accomplices to the manipulation of the refugees by insisting that the principle of voluntary repatriation should apply, even while recognizing that the people in the camp were more akin to hostages than refugees.

Various normative and legal issues concerning the political and military abuse of refugees are the subject of chapter 5, by Margaret McGuinness. Drawing on the work of Myron Weiner, McGuinness investigates the clash of norms inherent in cases of military and political control of refugees by warring parties, particularly between those who take a strict legal approach to their duties (whom Weiner labeled monists) and those who take an instrumentalist view of norms and laws, bending norms from situation to situation in order to best deal with difficult circumstances. In the case of refugee manipulation, McGuinness finds the battleground between monists and instrumentalists murky, because in such situations one can refer to three competing bodies of law: international law on refugees, humanitarian law, and human rights laws. And as McGuinness shows, “what is actually required of host states under the three bodies of law invoked by the Security Council is not always clear.”

It is essential, McGuinness concludes, to recognize the limits of legalistic approaches to the problem of refugee manipulation and to accept the need for political decisions that restrain those who seek to undermine the humanitarian nature of the refugee regime. As McGuinness notes, some within UNHCR and the refugee assistance committee are reluctant to adopt political solutions that label warring parties and states as offenders of the regime for fear of tarnishing their reputation for neutrality and impartiality. McGuinness counters that by insisting on narrow legal principles where parties are clearly manipulating the regime to their purpose, UNHCR “already operates in a manner that tends to erode the norms of neutral and impartial assistance.”

In chapter 6, Stephen John Stedman presents our conclusions. The manipulation of refugees by warring groups, he states, should be seen as attempts to create pseudostates, wherein the warring group uses the refugees to bolster its international legitimacy, its claim to power in its home country, and its military capabilities. Manipulation occurs for four reasons. First, warring parties gain resources in their attempt to fight their way to power. Second, other actors, almost always the host country government and occasionally regional states and major powers, encourage and support the manipulation. Third, the international refugee regime has not identified a consistent interest in, or approach to, stopping such

manipulation. And fourth, the major powers and the United Nations Security Council have approached refugee manipulation in the post-cold war era as a humanitarian problem and have failed to treat it as a security problem.

Stedman then scrutinizes proposals put forward by UNHCR to address refugee manipulation and argues that the organization suggests several policies that, if adopted by the Security Council and its member states, could greatly reduce the opportunities of warring parties to abuse the refugee regime. But Stedman faults the organization for ignoring the fact that the most powerful member states may have little incentive to adopt the recommended policies and for failing to specify what it should do in that case.

At a minimum, any solution must change the moral, political, and strategic conclusions of states that are implicated in the manipulation. For more robust solutions that attempt to roll back manipulation (such as military or police intervention), powerful states must be persuaded to define the problem as a security threat—not a humanitarian crisis—and to seek political and military solutions. But given that such robust responses may not materialize, Stedman argues, it is important for UNHCR as the lead actor in the refugee regime to develop an option for nonengagement. Such an option, however, should only be adopted when it is likely to shame powerful states to stop the manipulation or when depriving the manipulators of humanitarian assistance is likely to render them ineffectual.

Notes

1. United Nations High Commissioner for Refugees (hereafter UNHCR), *The Security, Civilian and Humanitarian Character of Refugee Camps and Settlements: Operationalizing the "Ladder of Options."* Doc. EC/50/SC/INF.4 (June 27, 2000).

2. Sarah Kenyon Lischer, "Refugee Involvement in Political Violence: Quantitative Evidence from 1987–1998," New Issues in Refugee Research Working Paper 26 (UNHCR, July 2000).

3. Howard Adelman, "Why Refugee Warriors Are Threats," *Journal of Conflict Studies*, vol. 18, no. 1 (1998). For a comprehensive treatment of UNRWA, see Benjamin N. Schiff, *Refugees unto the Third Generation: UN Aid to Palestinians* (Syracuse University Press, 1995).

4. See for example, Karen Jacobsen, ed., *Security in Refugee Populated Areas*, special issue of *Refugee Survey Quarterly*, vol. 19, no. 1 (2000); Gil Loescher, *Refugee Movements and International Security*, Adelphi Paper 268 (London: Brassey's, 1992); Myron Weiner, ed., *International Migration and Security* (Boulder, Colo.: Westview, 1993).

5. See the summary in Adelman, "Why Refugee Warriors Are Threats," fn. 11. Exceptions include Michael E. Brown, ed., *International Dimensions of Internal Conflicts* (Cambridge, Mass.: MIT, 1996); and Barry Posen, "Military Responses to Refugee Disasters," *International Security*, vol. 21 (Summer 1996).

6. Aristide Zolberg, Astri Suhrke, and Sergio Aguayo, *Escape from Violence: Conflict and the Refugee Crisis in the Developing World* (Oxford University Press, 1989), p. 275.

7. *Ibid.*, p. 277.

8. Adelman, "Why Refugee Warriors Are Threats."

9. Sarah Kenyon Lischer, "Militarized Refugee Populations: Humanitarian Challenges in the Former Yugoslavia," Rosemarie Rogers Working Paper 5 (Cambridge, Mass.: MIT, August 1999).

10. Fiona Terry, *Condemned to Repeat? The Paradox of Humanitarian Action* (Cornell University Press, 2002).

11. This section is based on UNHCR, *The State of the World's Refugees, 2000: Fifty Years of Humanitarian Action* (Oxford University Press, 2000); and Gil Loescher, *The UNHCR and World Politics: A Perilous Path* (Oxford University Press, 2002)

12. UNHCR, *The Security, Civilian and Humanitarian Character of Refugee Camps*.