Edited by Cathrine Brun & Nina M. Birkeland

Researching Internal Displacement: State of the Art
Conference proceedings
Trondheim, Norway, 7 – 8 February 2005

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This publication presents papers from the conference Researching Internal Displacement: State of the Art, held in Trondheim, Norway 7–8 February 2003. The conference was organised by the Research Group on Forced Migration at NTNU in cooperation with the Global IDP Project of the Norwegian Refugee Council. The Research Council of Norway funded the conference. NORAD and the Development Studies and Co-operation Initiative at NTNU funded travel grants for 10 participants from the South.

The conference was the first in a series to support the objective of the NTNU Research Network on Internal Displacement. The Network’s core goals are to establish and run a database on internal displacement that includes research projects (ongoing and completed), publications and a catalogue of researchers. Through the conference and other network activities we aim to put internal displacement more firmly on the international research agenda and create synergy between different academic disciplines and between academics, practitioners and policy makers. The Network is administered by the Research Group on Forced Migration at the Norwegian University of Science and Technology (NTNU).

Research on internal displacement started relatively recently but has already contributed to broadening the wider field of refugee studies. The conference sought to identify the state of the art and display the diversity of IDP-related research. We are pleased to present this collection of full length papers from the two days in Trondheim, and hope they will make visible some of the heterogeneity and depth of the field. During the conference, the paper presentations spurred discussions on what research on internal displacement has achieved so far; on the relevancy of recent theoretical contributions to the social sciences and how they may broaden the scope of other disciplines; on methodologies and research ethics; and on what are the challenges and what should be the focus of IDP-research.

Our intention with the conference was to open up for a broad range of approaches through the papers presented. Here, 27 out of 34 presentations given during the conference are included. The proceedings start with a section of all the papers presented in plenary sessions. Then the papers from the parallel sessions are organised in the order they were given in the respective sessions. The conference programme is included as an appendix.

The papers from the plenary sessions can in many ways be described as more general than the papers in the parallel sessions, the latter being more related to specific projects and cases of displacement. This may mirror the status of IDP research today;
still many case-studies dominate the field and we think such studies are important to make visible the plight of the internally displaced and in order to understand displacement dynamics on the ground. At the same time, however, more and more research touch upon more generalist issues and may be more concerned with methodology and research ethics, the humanitarian regime and geopolitics, and the role of research for the millions of IDPs globally. The four parallel sessions were organised around the issues of *Living with displacement* (session one), *Researching displacement: Methodological issues* (session two), *Dynamics of displacement* (session three) and *Global issues: Policies of internal displacement* (session four).

As conference organisers and editors we would like to thank all the contributors for their input during the conference, and their cooperativeness during our work in producing the proceedings. The papers we present are lightly edited, but the content and possible errors of each paper are solely the responsibility of the individual authors.

We are grateful to our advisory group: Cecilia Bailliet of the University of Oslo, Birgitte Refslund Sørensen of the University of Copenhagen, Karen Jacobsen of the Tufts University, and Oddhild Günther from the Norwegian Refugee Council for their ideas in developing the network and their input before and during the conference.

Short versions of the papers in this conference proceeding have been published by Forced Migration Review as a special supplement to FMR issue no 17. It is available for download at [http://www.fmreview.org/](http://www.fmreview.org/).

**“House: loss, refuge and belonging”**

The next conference arranged by the NTNU Research Network on Internal Displacement will explore how the relationship between displacement and house has material, cultural, social, economic, legal and political dimensions: the house as a physical structure, the house and property rights, the house as shelter and security and the house as symbol of belonging and identity. The issues of home and belonging have received much attention in forced migration studies in recent years. The house may be considered as an embodiment of these aspects. The upcoming conference will take place 16-18. September 2004 in Trondheim, Norway.

Trondheim July 2003

Cathrine Brun       Nina M. Birkeland
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I. Introductory Remarks

It is a great pleasure to be here to address such an impressive gathering of scholars, academics, students, intellectuals and policy-makers, focusing on an issue that has been my primary preoccupation for over a decade as the Representative of the U.N. Secretary-General on Internally Displaced Persons. In this connection, I would like to say that our host country, Norway, has been in the forefront of the countries that have supported my mandate, both politically and materially.

To highlight the gist of the challenge confronting the international community in its response to the global crisis of internal displacement, let me tell you a few anecdotes from my own experiences in different parts of the world. During my country missions, I usually meet with the leaders, presidents, ministers and authorities at all levels, right down to the masses of the people who are displaced, the victims. Then I come back and report to the authorities: “This is what I have found. These are the problems. This is what your people are suffering from.” In one Latin American country, I asked a displaced community, “What would you want me to report to your leaders?” The response I got was, “We have no leaders there. Those are not our leaders. To those people, we are criminals, and our only crime is that we are poor.” They were thinking in socioeconomic class terms. In another country, in Central Asia, I asked the same question. There, thinking in ethnic terms, they said: “Those people are not our people. We don’t have any of our people among those people.” They felt excluded or totally marginalized. In an African country, the Prime Minister complained to a UN official that they were not providing enough food for refugees who had become a burden on his country. The UN official explained, “We have limited resources, and we are helping your own people who are affected by the war.” The Prime Minister
responded, “Those are not my people. The food you give to those people actually is killing my soldiers.” These were his citizens, nationals of his country, and yet he said, “They are not my people.” His people were the soldiers who were killing “those people.” So, you have here a national crisis of identity which leaves a vacuum of responsibility. People who are marginalized or dispossessed fall into that vacuum. Where do they turn but to the international community? And yet, when they do so, they get confronted with the obstacle of sovereignty.

In these opening remarks, I intend to focus on six themes: linking research, policy and action; an overview of internal displacement; the challenge of sovereignty as a constraint to international response; the way the international community has responded nonetheless; research into specific issues pertaining to internal displacement and the needed response; and the need to address the root causes of displacement.

II. Linking Research, Policy and Action

The objective of research is to acquire and generate knowledge on matters important to the human condition. Methods of acquiring knowledge can vary considerably. There are of course the schools, the books, the universities, and interaction with the knowledgeable and the not so knowledgeable. Even more broadly, there are contacts with a wide variety of people who can be sources of information or whose conditions themselves are informative, even without words.

Once generated, knowledge needs to be disseminated and applied, either transmitted academically through education, or transformed into policy guidelines for decision-makers, practitioners and other actors. In some countries, including the United States, where I now live, there is a close connection between universities, research institutions and think-tanks on the one hand, and policy makers, practitioners and activists on the other hand. In others, the relationship is tenuous, sometimes tense, and certainly not always cordial.

Some people believe that knowledge for knowledge’s sake is inherently valuable, even if it is not policy-oriented. Indeed, some scholars consciously try to distance themselves from policy issues or the implications of their work. In their view, the integrity of their research or scholarship rests in being policy neutral. Some scholars, however, believe that there is always a policy dimension to research and knowledge and that denying that linkage can only lead to normative ambiguity where what “is” and what “ought” are fused and confused. It therefore becomes important to
identify the researcher’s or scholar’s standpoint and normative position on issues in order to
delineate between what is descriptive and analytical, and what is prescriptive or postulative.

The issue may well be a case of cross-cultural differences of perspectives. In the African culture I
come from, knowledge is inherently normative and not value free. To be knowledgeable is
described in terms of “knowing the words.” This is not a formula for the mere accumulation of
factual information, but of knowing “the words of wisdom.” This, in turn, implies knowing what
is conducive to societal ideals of human relations: peace and harmony, unity and solidarity, and
respect for the dignity of the human being, indeed of all animate and inanimate objectives, as
creatures of God. This is another way of stipulating universal human rights that are inherent in
humanity and pursued by all cultures in varying ways.

To know “the words of wisdom,” that is to be knowledgeable, therefore means not only to have
the needed information on a specific issue, but also to address the problems involved, and find
solutions that are aimed at attaining the societal ideals of human dignity.

III. Overview of the Crisis and the Response

Let me now address the nature of the crisis of internal displacement and the way the
international community has responded to it. As indicated at the outset, internal displacement is
defined in terms of people being forced to leave their normal areas of residence and their homes
as a result of violent conflicts, communal violence, gross or systematic violations of human
rights, and other human-made or natural disasters in which there is an element of discrimination.
I say this because in most cases of natural disasters there is a spontaneous response on
humanitarian grounds to help people who have been affected. But in some parts of the world, as
indeed happened in the 1980s in Ethiopia and Sudan, where drought caused severe famine which
the governments tried to ignore, and pretended that it was not there; it was not until massive
starvation drew the conscience of the world, led by the media, to then pressure these governments
into admitting that there was indeed famine. The fact is that the initial denial had to do with
discrimination against the particular communities that were affected. Another related factor might
have been national pride or vanity, not backed by anything respectable. But, ultimately, the
situation became very different from the normal natural crisis, such as an earthquake, when the
world spontaneously rushes in to help.
There are other causes of displacement which are either outside or marginal to my mandate. Those are the ones caused primarily by most natural disasters, and those related to economic needs and migration to areas of opportunities, such as cities, as well as those caused by major development projects, such as dams. Some of these pose vast challenges that are not easily manageable under my mandate as defined by the relevant resolutions of the Commission on Human Rights and the General Assembly and the available human and material resources.

The numbers that fall within the mandate are estimated at some 25 million people in over 40 countries. If we were to add economic migrants and those who have been forced by development projects, we would be talking maybe of 40-50 million people around the world.

Among all the estimates of the displaced populations, the vast majority and the most vulnerable are women, children, the elderly, and the disabled. I have been to places, mostly camps, where you have scores of thousands of displaced people with only a small fraction of men. In one instance, with several thousand displaced people, only 25 were men. The rest were women and children. After I addressed the whole community in the camp, I asked for a smaller number of people, 10 to 15, to discuss in depth what the needs of the people in the camp were. All those who came were men. I said: “I thought there were only 25 men in the camp?” I was told, “Well, you asked for leaders”. What this example shows is that if you have such a large group constituting mostly women and children, and those considered qualified to discuss the problems are 10 out of the 25 men, then you begin to realize that you do not have anywhere near the insight needed into the needs of women and children in that context. This raises the issue of the power the displaced population have over the humanitarian services that are being rendered and the fundamental question of who decides what and with what consequences for whom.

In any case, all these people have been deprived of shelter, food, basic medicine, education, employment opportunities, and the community from whom every individual finds a fundamental sense of security. Had they crossed international borders, they would be refugees for whom the international community has a regime for protecting and assisting. The law that provides the basis for their protection and assistance is the 1951 Convention on Refugees. Institutionally, the UN High Commissioner for Refugees and (UNHCR) is mandated to implement that law and provide protection and assistance, which they do quite well.

Simply because the internally displaced have not crossed international borders, even though they have exactly the same problems in terms of the causes and the needs, there is no agency in the international community to protect them. Of course, the assumption is that because they are
within their own country, they should be protected by their own government. But here is the problem. These internal conflicts that generate internal refugees, as we might call them, have elements of an identity crisis, both as a cause and a consequence, including the official response. What does this mean? It means that the way the country is defined and the benefits accruing from that definition favor only certain groups. Those groups are the ones through whom national identity is perceived and others are marginalized or excluded. And when I say identity and identification with the nation, it is not simply a matter of labels, of saying that the country belongs to group X, culture X, or language X. It’s a question of the implications of those labels: who gets what in the shaping and sharing of power, national wealth and other opportunities. And if your identity defines what you can expect from the system and how you can be excluded, you can see that for the excluded or marginalized groups, there is a vacuum of responsibility, where what normally should be the state responsibility for its citizens is missing. The crisis is aggravated by the fact that any efforts to find a remedy from the international community are constrained by the obstacles of state sovereignty.

IV. The Challenge of State Sovereignty

There is a tendency, particularly in the more vulnerable third world countries, to see sovereignty negatively, as a barricade against international involvement, which means you are allowed to do whatever you want to do internally, as long as it is concerning your own internal matters. And that logically should therefore mean that even if your people are suffering, perhaps even starving by the masses, and you are not able or do not want to assist them, you do not allow the international community to come in and just see this negative view of sovereignty.

In fact, sovereignty was never meant to be that. Sovereignty was a means of making the states have control over their territory, their people, and establish law and order, so that there would be discipline in trade and international relations. The objective was to minimize crime and to foster an orderly international climate in which the states would maintain responsible control over their territory and their people. After the Second World War, when human rights became so prominent as global issues that transcended state barriers, and humanitarian concern also emerged as important to the international community, sovereignty began to be eroded as a consequence. So, neither originally, nor in the way it has been interpreted, has sovereignty ever been conceived as a way of closing doors to the concerns of the international community. Sovereignty is, however, still a very important concept in international relations. That is why, given the fact that internal displacement is an issue that falls within state sovereignty, there was concern over whether the
United Nations should get involved with the problems of internal displacement. And that is why it was decided by the Commission on Human Rights not to appoint a Rapporteur of the Commission or a Working Group for the issue, the usual mechanisms of the Commission, but to appoint instead a Representative of the Secretary-General. The understanding was that the Secretary-General’s Representative would be more sensitive to the concerns of governments about issues of sovereignty.

Even then my task was initially to study the problem for one year and to advise on whether this was really something the UN should get involved with and if so, through what kind of mechanism. In the recommendation I made in the study, I suggested that it was wise to continue with the position of Representative of the Secretary-General. I then decided that unlike other human rights mechanisms, my task would be largely diplomatic and a persuasive one, in which I would go to Governments, and enter into constructive dialogue on behalf of the displaced. I have so far undertaken twenty-five missions. In this dialogue, the first five minutes are crucial for trying to impress upon the President or the Minister of Foreign Affairs or other relevant authorities that I recognize the problem as internal and falling under the sovereignty of the state; that I come with respect for the sovereignty of the State; that my task is to see how the international community can assist the Government to help its own people. And then, once I notice a level of comfort and see that the dynamics of interaction are becoming more harmonious, I then go on to explain, politely, but affirmatively, that I do not interpret sovereignty negatively. Sovereignty is not a way of closing doors against the international community. In this world of intense interaction and interdependence, sovereignty is to me a positive concept, which stipulates state responsibility to provide protection and assistance for its people. If it does not have the means or capacity, it is expected to call on the international community to assist. If it doesn’t have the capacity and doesn’t want to call on the international community, at least it should welcome those who are generous enough to offer their assistance. Given an appropriate level of comfort, one can even add that the best way to protect sovereignty is to discharge the responsibilities of sovereignty and to call on the international community to assist in carrying out responsibilities. I have to say that of the twenty-three missions that I have undertaken, all my discussions have been constructive and conciliatory. No government has ever said to me, “I don’t care how irresponsible we are, this is an internal matter and none of your business.” So, to some extent, this approach does work.

The question is: what do we do when governments fail to discharge their responsibilities? There is an understanding that if a government does not discharge its responsibilities and masses of people suffer as a result, there will be consequences; the Government will be held accountable.
The legitimacy of a government depends on its discharging the responsibilities of sovereignty. But how credible is that threat? I mean, if I tell a Government, “If you do not take care of your people and large numbers of the people are going to die, the world is not just going to watch and do nothing. They will get involved. Whether they come to persuade you diplomatically or to impose some sanctions on you or even intervene militarily, they will not ignore the crisis.” How credible is that? I think that is one of the weaknesses of the UN system. There are numerous instruments with standards which imply or even make explicit such threats, but where enforcement is very limited or even lacking. I do believe, however, that we are much better off agreeing that there are standards to keep, so that when we do not meet those standards, at least we know we have failed and will try next time to do better. The world failed to stop genocide in Rwanda, but the world has also expressed a sense of guilt and has at least pledged not to allow that to happen again. If they allow it to happen again, they will feel even more guilty, and we will at least be even more committed to prevent future genocide.

V. International Response to the Crisis

The mandate of the Representative of the Secretary-General on Internally Displaced Persons was created in 1992. Although it has only been a decade since its creation, I believe we have done a considerable amount of work and the level of awareness about the problem has risen enormously. I have crystallized my role as that of a catalyst and an advocate to raise the level of awareness and consciousness within the international community.

One of our major achievements has been the development of a legal framework for protecting and assisting displaced persons. As I said earlier, refugees have the 1951 Refugee Convention, but internally displaced people do not have a legal framework. My assignment was to look into existing law and the extent to which it provided for their protection and assistance. This proved to be very controversial. Some people thought that there was enough law out there in human rights law, humanitarian law, and analogous refugee law and that there was no need to create new laws which might weaken existing standards. Others felt that what was there was dispersed over a lot of instruments. There was therefore need for a legal framework that would focus on the needs of the internally displaced.

After compiling and analyzing existing standards in human rights law, humanitarian law and analogous refugee law, we determined that there was indeed a need for a framework. We decided to develop such a framework in the form of Guiding Principles rather than a treaty, which would
have taken 15-20 years and which might also have been very controversial. As Walter Kälin’s book, Guiding Principles on Internal Displacement: Annotations, explains, these principles derive from existing standards in human rights law, humanitarian law, and analogous refugee law. By restating what actually exists, but in the form of soft law, we were able to have The Guiding Principles on Internal Displacement more easily accepted. At all levels, national, regional and global, they have been met with remarkable acceptance since I submitted them to the Commission on Human Rights in 1998. We have held workshops on the Guiding Principles at different levels; governments have incorporated them in their legislation; they have been used to formulate policies; and they have been invoked in a constitutional court. The Principles cover all phases of the problem, including how to prevent displacement, how to respond in terms of providing protection and assistance once people have been displaced, and how to find solutions leading to their safe return with dignity, alternative resettlement and reintegration.

Our second area of activity has been the development of institutional arrangements. What good is the law if you do not have the mechanisms for enforcing it? In developing appropriate institutional arrangements, we proposed several options. The first was the creation of a new agency similar to UNHCR for the displaced. But it soon became obvious that nobody wanted to create a new agency in the UN. So we suggested designating one existing agency to assume full responsibility for the displaced, but we found out that the problem was seen as too big for one agency. The third option, which met with consensus approval, was for all the UN agencies to work together collaboratively. This, of course, requires coordination. And that’s why the Emergency Relief Coordinator, who is also the head of the Office of Coordination for Humanitarian Affairs (OCHA), was given the responsibility to ensure that the internally displaced are protected and assisted. And within OCHA, there have been various experimentations with coordination. First, was a Task Force on internal displacement. Then, a Senior Inter-Agency Network was created to facilitate the work of the operational agencies. This was followed in 2001 by the creation of an IDP Unit at OCHA to see to it that all the operational agencies do their part to complement one another and bring assistance, relief, and protection to affected populations.

As I said earlier, I have carried out missions in those countries where there are problems of internal displacement. I usually begin by indicating to a Government that I would like to visit the country. And most Governments then extend a formal invitation to me. Some, who do not want to expose their problems to the world, are more reluctant to invite. In fact, it took me quite a while to persuade Turkey to invite me. I’ve just been to Turkey, as a matter of fact. Sri Lanka seemed initially hesitant, but eventually, I got an invitation and visited the country. Several others
have procrastinated in extending an invitation. Otherwise, most countries have responded positively. What is important, as I mentioned earlier, is that on all these missions my discussions with the governments have been quite constructive and productive.

However, the challenge goes beyond constructive dialogue. Basically, you come in with the United Nations plane or cars bearing the flag of the UN. You represent the Secretary General, the United Nations and the international community. And you go to these masses of people who are in desperate need for everything. By going there, you bring them hope. They feel elated that the world cares and will do something. And then as you leave, you wonder, “What if the world doesn’t do something? What if the world doesn’t deliver and prove that it really cares?” The hope these people had then turns into despair. Sometimes, one has to address some tough questions involving a choice: Do you get overwhelmed by the frustration that you have come and left without giving these people what they need? Or do you do what little you can and hope that it makes a difference? I choose the latter, and begin to negotiate with everyone who is in a position to do something: a colonel in the field, the local administrators, the governors, the ministers, the presidents, national and international NGOs, the civil society, the UN agencies in the country, and the donor community. I come back to report to the heads of UN agencies, to the Secretary General, to the Commission on Human Rights, and to the General Assembly.

In all of these country situations you plead; ironically the lower you go, the more likelihood that there will be immediate action and effect. And therefore the importance of persuading the colonel, the local police officers, and administrators to treat these people in accordance with internationally accepted standards. And then you leave, trusting that there will be a change, a difference. And, indeed, in some of the reports that give me a follow up and a feedback, I hear very heartening news about measures taken as a result of the missions. At the same time, there are always major gaps that remain and needs to be met.

The fourth pillar of the mandate is the development of the knowledge base on internal displacement. This aspect of the work of the mandate was initiated by the then Secretary-General Boutros Boutros-Ghali when he suggested to me as Representative of the Secretary-General that there was a need to study the problems of internal displacement in an independent research institution such as the Brookings Institution, where I was then a Senior Fellow. The critical questions he thought needed to be investigated were: Who are the internally displaced? Where are they? What are their needs? Who is providing for their needs? What are the gaps in providing for those needs? How can those gaps be filled? And, overall, who should do what to provide for a comprehensive response to this global crisis of internal displacement? Secretary-General Kofi
Annan reaffirmed the need for such independent research and advocacy outside, but in close collaboration with the U.N. system through my role as Representative of the Secretary-General. The first research product of the project was the two volume study on internal displacement: *Masses in Flight: The Global Crisis of Internal Displacement* (Cohen & Deng 1998a); *Forsaken People: Case Studies on Internal Displacement* (Cohen & Deng 1998b); and an abridged version of the two volumes, *Exodus Within Borders: An Introduction to the Crisis of Internal Displacement* (Korn 1999), prepared at the request of the Secretary-General Kofi Annan. All three books were published by the Brookings Institution.

This creative approach of having one leg within the U.N. system and another in the institution for research and advocacy was found in the Brookings-SAIS Project on Internal Displacement, which has supported the research agenda and the various activities of the mandate since 1994. I co-chair the Project with Roberta Cohen, a human rights expert and activist, who played a significant role in bringing the issues to the attention of the Commission on Human Rights and has been a close partner in the work of the mandate on behalf of the world’s internally displaced. The Brookings Project has developed close partnership with several institutions over the years, among them the Refugee Policy Group, U.S. Committee for Refugees, the City University of New York Graduate Center, and, most recently, Johns Hopkins School of Advanced International Studies (SAIS), from which the latest name, Brookings-SAIS Project on Internal Displacement, derives. In addition, the Project has collaborated very closely with other research institutions, agencies and organizations within and outside the U.N. system and in different countries and regions of the world.

The role of the Project has been of crucial importance, considering the limited resources available within the U.N. system. So has the funding that Governments and Foundations have provided to support the Project. I would like to express, at this point, my deep appreciation to those who have supported the Project, Governments and Foundations. Without their support, we could not have done much of what we have been able to do in the implementation of the mandate.

**VI. Research and Publications**

Although research has been introduced as one of the pillars of the work of the mandate, given the special interest of this conference on research, more elaboration is called for. The mandate of the Representative of the Secretary-General was initially tasked with studying the causes and consequences of internal displacement, the extent to which existing legal and institutional
frameworks provided the internally displaced with protection and assistance, and ways in which the international community could address the crisis. This one year assignment resulted in the mandate’s first report: “Comprehensive Study on Human Rights relating to IDPs.” This study was subsequently updated into a book, *Protecting the Dispossessed: A Challenge to the International Community* (Deng 1993).

As already indicated, the development of the Guiding Principles on Internal Displacement was a research undertaking that began with the compilation and analysis of existing legal norms relevant to IDPs. This resulted in a two-part study, *Internally Displaced Persons: Compilation and Analysis of Legal Norms, Part I* (United Nations Commission on Human Rights 1996) covering the protection needs of those who have already been displaced, while Part II dealt with *Protection against Arbitrary Displacement* (United Nations Commission on Human Rights 1998). In light of these reports, I was then requested by the Commission on Human Rights to develop an appropriate framework for the protection and assistance of IDPs. The development of the Guiding Principles itself was the result of a process in which a core team of international legal experts in the relevant fields of law worked closely with other experts in a broad-based process that involved representatives of relevant U.N. agencies, intergovernmental and non-governmental organizations. The Guiding Principles were presented to the commission to “take note” of the Principles, of the intention of the Representative to use them in his dialogues with Governments and other pertinent actors, and of the prior endorsement by the Inter-Agency Standing Committee (IASC) comprising the Heads of all the major agencies of the U.N. system, which had decided to bring them to the attention of their governing bodies and their field staff for the implementation in their relevant work on behalf of the IDPs.

Within a remarkably short period of time, the Guiding Principles have been widely disseminated throughout the world, have been translated into thirty-two major and local languages including all the official languages of the United Nations, have been the subject of relevant training sessions and national and regional seminars and workshops, and have guided legislation, policy, and even court decisions around the world. To give a few examples, Angola has utilized the Guiding Principles as the basis for their “Norms on Resettlement,” Georgia has revised its law on voting to allow IDPs to vote in local elections. Columbia’s law on IDPs was significantly inspired and guided by the Guiding Principles and the Columbian Constitutional Court has cited the Principles in two judgments. Uganda is currently reviewing a draft national law on internal displacement, based in the Guiding Principles. And one non-state actor, the Sudan People’s Liberation Movement and Army, SPLM/A, after having received training in the Guiding Principles, has
developed a policy on IDPs, which will soon be submitted to the appropriate authority for formal adoption.

Although a number of third world governments have recently expressed concern with the manner in which the Principles were developed, in particular, the fact that they were not negotiated by Governments and formally adopted, ongoing dialogue with these Governments is generating promising consensus and it is fair to say that the process can no longer be reversed, nevertheless, the concern of these Governments should, of course, and in fact are being given due consideration.

The development of appropriate institutional framework for IDPs also followed a similar research process, initially undertaken by experts in the field in broad consultation with U.N. agencies, intergovernmental and non-governmental organizations, and individual experts. In my initial study, as noted earlier, out of three options, the collaborative approach was preferred as the most practical and the Emergency Relief Coordinator who is also the Under-Secretary General for Humanitarian Affairs and head of OCHA, and chairs the Inter-Agency Standing Committee, was given the responsibility of ensuring that IDPs do not fall through the cracks of the U.N. system.

Since then, the coordination mechanisms of the ERC and OCHA have evolved. The first coordination body to be created was the Task Force on IDPs, which soon turned out to be a forum for discussions without any policy or operational role. This was then replaced by the Inter-Agency Working Group which assists the IASC with a comprehensive mandate that represents the capacities of all its member organizations. A Senior Inter-Agency Network was subsequently established for a specified period to oversee the functions of the operational agencies and to recommend ways of improving collaboration. In its report, the Network recommended the establishment of a Unit within OCHA to assist the ERC in its coordinating role, and specifically, to pay field visits to the affected countries, review the performance of the operational agencies in the field, and to make recommendations for improving the interagency response to the needs of IDPs. Although it is still too soon to evaluate the effectiveness of these arrangements in ensuring comprehensive protection and assistance for IDPs, the debate on the issues seems to have reached a dead end and no other options appear to be under consideration or promise better success in addressing the needs of IDPs.

Beyond the initial study and the work on legal and institutional arrangements, the Brookings Project in its various configurations has conducted a series of studies into various aspects of internal displacement. As noted earlier, a comprehensive and in depth study was undertaken at
the request of the then Secretary-General Boutros Boutros-Ghali. We began with a study that comprised two volumes with and abridged version. That study resulted in our first major publication, *Masses in Flight: The Global Crisis Internal Displacement* (Cohen & Deng 1998a); *Forsaken People: Case Studies on Internal Displacement* (Cohen & Deng 1998b); and *Exodus Within Borders: An Introduction to the Crisis of Internal Displacement* (Korn 1999). These books have helped to establish some of the basic characteristics of the crisis of internal displacement and to raise international awareness and understanding of the issues involved in internal displacement.

With these major studies, emphasis in our research work has shifted to looking into specific issues, themes and challenges in addressing the problems of internal displacement. The research undertaken by the Project generally aims at making an impact on policy and action on behalf of the internally displaced. The potential for impact lies in the direct connection of the Project to the mandate and therefore the U.N. system as well as the links with the NGOs and regional organizations. Some of the regional research projects are carried out in collaboration with local researchers as well as international experts in particularly relevant fields. Among the specific research projects that have resulted in publications are: assessments of donor policies on IDPs, including the United States and the European Union; distinctive features of internal displacements and response in the Americas; national human rights commissions and IDPs, drawing on the Sri Lankan experience; and internal displacement in Iraq, which includes policy recommendations for the United Nations, aid agencies, donors and the Government of Iraq. Several additional areas of research are currently being explored.

The activities of the Project, including its research agenda, are oriented toward stimulating and guiding policy formulation and action. An important aspect of our current activities is to disseminate the Guiding Principles and build partnerships with local, regional and international organizations. The Project has supported the preparation and distribution of a *Handbook for Applying the Guiding Principles* (Brookings Institution Project on Internal Displacement and OCHA 1999) and a *Manual on Field Practice in Internal Displacement* (Inter-Agency Standing Committee Working Group 1999). These resources are being utilized by local groups. Another significant and related aspect of our work is the organization of regional workshops and seminars on internal displacement which offer opportunities to promote the dissemination and application of the Guiding Principles and to engage with local groups. Discussion often focuses on exploring more effective strategies for dealing with internal displacement in the specific country or region concerned. Workshops and seminars have been organized at the regional level in Africa, Asia and the South Caucasus and nationally in Columbia, Indonesia and the Russian Federation as well as
with a non-state actor, the Sudan People’s Liberation Movement/Army, SPLM/A, in the Southern Sudan. The Project publishes reports on these meetings, which include recommendations for action, and are given wide distribution.

An important aspect of these workshops is that they facilitate coordination and cooperation with local groups on research and public education. As an example, the Project organized a public lecture series in Macedonia in 2001 to raise awareness of internal displacement in the Balkans in coordination with local groups working on these issues and will continue to be engaged in the development of a network of scholars on displacement issues in the Balkan region. In the South Caucasus, the Project supported research by local lawyers’ groups in producing a major study on the compliance of legislation in Armenia, Georgia and Azerbaijan with the Guiding Principles. The results and recommendations of this study already have begun to yield important results in terms of legislative reform. The study is being published by the Brookings-SAIS Project together with the OSCE and the American Society of International Law. It is hoped that this publication will stimulate and facilitate similar exercises in other parts of the world.

The Project continues to explore different areas of research on specific issues in addressing the crisis of internal displacement. One of the issues currently being researched is the responsibility, capacity and willingness of Governments to respond to the problems of internal displacement within their countries. This project aims at promoting more effective national policies and strategies in cooperation with the international community, where necessary. Among the countries currently under review are Angola, Colombia and Indonesia. An example of research into specific areas is the controversial issue of development induced displacement about which the Project will soon publish a report. The status of IDPs residing under the control of non-state actors is another area in which the Project is undertaking research aimed at facilitating constructive dialogue with these groups, an issue which is not easy to manage within the U.N. system. An example of a successful venture in this area was the workshop which the Project organized with SPLM/A in the Southern Sudan in collaboration with UNICEF. The Project also tries to make available to IDPs information on regional and international human rights mechanisms that may be useful in addressing their needs. The Project aims at examining the issues in the protection regimes for IDPs and refugees, towards developing a comprehensive approach to these two, often highly interlinked, groups of uprooted people. Finally, the Project has undertaken research and organized meetings on the question of when displacement ends, which is of practical concern to many organizations involved with IDPs.
V. Addressing the Root Causes

The point should be emphasized that displacement is a symptom of its causes – internal conflicts, communal violence, violations of human rights and human-made disasters. These causes are themselves the result of deeper structural problems, often rooted in acute racial, ethnic, religious and cultural cleavages and gross inequities within a country.

In certain parts of the world, notably Africa, colonial state formation resulted in ethnic groups being severed and brought together with other groups to form a state. Paradoxically, they were also kept separate so that the process of genuine national unification and integration was also impeded. Political and economic development began to favor some racial, ethnic and religious groups and regions over others, deepening the cleavages and engendering gross inequalities. These diversities and disparities were, however, superceded by the collective struggle against foreign domination.

With independence, conflicts began to surface, but were suppressed in the interest of national unity and accelerated social and economic development. Authoritarian rule under a dominant leader and in a one party system became the pattern. Democracy and human rights were postponed as luxuries of foreign origin. During the Cold War, this pattern of oppression and repression was given the awesome support of the control mechanisms of the bi-polar alliance system behind the two superpowers. Efforts at liberation within continued to be stifled by superpower involvement on opposite sides.

The end of the Cold War removed this external dimension as the major powers saw no strategic interests to defend. Governments became weaker. The Second Liberation from within was credibly activated. The cause of democracy, human rights and humanitarian concerns assumed priority as the bases for international interest in those third world countries, spearheaded by human rights and other non-governmental organizations. Sovereignty as a shield against international involvement and scrutiny began to be challenged. It was under these changed circumstances that the Human Rights Commission took up internal displacement for serious consideration.

The challenge which internal displacement presents for Governments and the international community is not only to address the needs of the displaced for protection and assistance and finding durable solutions that will lead to their return, alternative resettlement, integration and development, but even more importantly, to address the deep structural problems behind the
conflicts and human rights violations. Most of the people affected by these conflicts and forced to leave are ethnic minorities and the rural poor. Not only are the gross inequities they suffer integral to their displacement, but moving to urban centers and capital cities exposes them even more to the injustice and marginalization imposed upon them. Exposed to new opportunities and yet discriminated against in their new environment, they remain poised between a new context into which they do fit fully as citizens and their home areas to which they can no longer return to resume the old way of life. Displacement therefore challenges the status quo and calls for a new dispensation of justice and equality for all citizens without discrimination on the grounds of race, ethnicity, religion, culture or national origin.

In all my reports or statements on country missions, I always end on a note of advocating that behind the crisis of internal displacement lies the opportunity to address the underlying problems and undertake structural reforms that would make all citizens feel a sense of belonging on equal footing with the other nationals of the country. Unless this is done, these acutely divided societies can never enjoy full peace, security, unity, stability and shared prosperity.

VI. Concluding Remarks
To conclude, it is obvious that understanding the problem of internal displacement and the various issues it raises is essential to recommending and supporting improved responses to the global crisis of internal displacement. In recent years, there has emerged a burgeoning interest in research on internal displacement, as evidenced in our Project publication Selected Bibliography on Internal Displacement (Sánchez-Garzoli 2001) that was initially prepared to assist me in a course I gave at the City University of New York and which I am now giving at the Johns Hopkins School of Advanced International Studies in Washington. An inherent policy orientation in our work is to build upon the developing cannon of research in order to better protect and assist the internally displaced and promote an end to displacement.

This conference provides an important opportunity to take stock of the state of scholarship on internal displacement, identify areas in need of research and promote partnerships and networks among scholars who are engaged in the study of this critical global crisis that affects scores of millions in all parts of the world.
References


THE GLOBAL IDP PROJECT
MEETING THE CHALLENGE OF MONITORING INTERNAL DISPLACEMENT

Andreas Danevad and Greta Zeender

The Global IDP Project provides public information on conflict-induced displacement, training on the UN Guiding Principles on Internal Displacement and advocacy for displaced people. The Project has become a leading information source and centre of expertise on Internally Displaced Persons (IDPs), after six years of monitoring internal displacement worldwide. The Project was initiated by the Norwegian Refugee Council (NRC), an organisation that has actively promoted improved protection and humanitarian assistance to IDPs for over a decade. When the United Nations Emergency Relief Coordinator assumed greater responsibility for IDPs in 1998, he was also charged with promoting the collection and dissemination of information on IDPs. To support this function the UN Inter-Agency Standing Committee formally asked the Norwegian Refugee Council to develop and maintain the Global IDP Database.

Through its analysis of literally all recent country specific information on internal displacement the Global IDP Project is well placed to assess the nature of present IDP information and the relationship between academic research and the humanitarian community. There is a need for independent academic researchers to play a more active role than today both by collection and analysis of IDP information, and not least in the development of better conceptual and methodological tools to be used both by researchers and humanitarian practitioners.


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Background of the project

After publishing the first volume of Internally Displaced People: A Global Survey in 1998, the Norwegian Refugee Council – through its Global IDP Project – was encouraged by the humanitarian community to continue the research process by establishing an online mechanism to improve the accessibility of IDP information. The outcome was the launch of the online Global IDP Database (www.idpproject.org) in December 1999.

The backbone of the database has been a set of comprehensive country profiles that provide users with frequently updated information and direct access to source documents. Initially the database covered only the largest and most acute situations of internal displacement. However, increased funding and improved capacity made it possible to gradually increase the number of countries covered. By the end of 2002 the database monitored all the countries in the world where people have become internally displaced because of armed conflicts, generalized violence or systematic human rights violations and have not – according to available information – durably returned to their homes of origin or permanently resettled elsewhere in the country. The project continuously monitors emerging conflicts and during the first half of 2003 the number of countries covered by the Global IDP Database had increased to 52 – including new profiles on the Central African Republic and Nepal.

Analysing internal displacement at different levels

This global coverage has positioned the IDP Project to analyse internal displacement nationally, regionally and internationally and enabled the database team to undertake its own research and preparation of the second volume of A Global Survey in 2002. While the preparation of the country chapters for the 1998 volume was outsourced to a large number of writers using different methodologies, a strength of the latest edition is that it was prepared by a unified team using a common set of variables and terminology. The book can be used as a starting point for further descriptive research on internal displacement and as a useful tool for more comparative and empirical analysis.

The global analysis by the Global IDP Project aims both to quantify the IDP population and to identify common movement patterns and coping strategies, as well as to assess various response mechanisms. Due to its global coverage the project is now able to publish its own estimates of the size of the world’s IDP population. After allowing for various methodological weaknesses, the
Andreas Danevad and Greta Zeender

database team reported that towards the end of 2002 some 25 million people were internally displaced by armed conflicts and generalised violence.

To generate such estimates the Global IDP Project relies on information made available by a range of public sources. In some countries lack of humanitarian access makes it impossible to compile anything but a rough estimate. In some countries where estimates vary, a median figure using the highest and lowest available estimates is calculated. Having gained substantial knowledge of the politics behind IDP figures in various countries, the database team is able to critically assess the reliability of the various sources and, in most cases, choose the most conservative figure among available estimates.

**Table 1: Regional distribution of IDPs (2002) and refugees (2001).**
(Source: Global IDP Database; UNHCR & UNWRA)

A comparison of IDP estimates at the beginning and end of 2002 reveals large movements of people within countries affected by conflict during the year. More than three million people were newly displaced in 2002, while about the same number were able to return or resettle. In more than half of the affected countries there was movement in both directions: some affected populations were able to return, while compatriots in other regions were forced to flee.

The database team has also made an attempt to categorize the various IDP situations according to the intensity of the conflict and the movement patterns of the IDPs. This confirms that physical protection remains a major concern. At the end of 2002 around 11 million IDPs were struggling
to survive in extremely dangerous environments, unable to leave zones of ongoing conflict and exposed daily to gross human rights violations which could not be observed by humanitarian workers or independent human rights observers.

More encouragingly, the analysis showed that conflicts have stabilised in more than half of the 52 affected countries. Lower levels of lawlessness and chaos open up the possibility of finding durable solutions to displacement as long as there is sufficient political will on the part of national governments and the international community. The fact that people in these countries have on average been displaced for as long as 13 years underscores the urgent need to provide assistance with a more long-term development perspective, aimed at moving people out of the poverty trap caused by their internal displacement.

Translating a legal framework into an analytical tool

Information in the database is structured according to the UN Guiding Principles on Internal Displacement. Data for each country situation is accordingly broken down into categories such as background to the conflict, global figures, patterns of displacement, protection concerns, access to education, national and international response and so on. In this way, it is easily accessible to users who are interested in only one aspect of the situation of internal displacement. It is also easier to identify which aspects of the Guiding Principles are of serious concern or remain unaddressed in a particular country or region.

Making the best out of available information

The database team collects IDP relevant information from numerous internet sites as well as libraries, participation in humanitarian meetings and conferences, field visits, and personal contacts. Each and every country profile found in the database represents weeks of research, email correspondence and telephone conversations. Given the fragmented nature of the information, database information officers spend much time compiling small pieces of data in order to establish a clear and reliable picture of the situation. They must also work to fill gaps as best as possible in crisis situations where information is scant and the situation ever changing.

The database actively strives to collect and include information from all sides of a conflict. Every effort is made to present information in an objective and fair manner without judgement or bias. However, the database does not include information of a political nature that does not add
substantively to the understanding of the situation facing internally displaced populations. The most common sources in the database include governments, UN agencies, international and national NGOs, ICRC and Red Cross and Crescent Societies, IDP associations and groups, academics and individuals within a country. Where information is inconsistent or even contradictory, all sources are offered, allowing the user to judge the particular situation or issue for his or herself.

By the beginning of 2003 the Global IDP Database provided access to about 5,500 documents from more than 1,000 different sources. Used in the project’s global and regional analyses, this information base represents almost all publicly available internet-based information on IDPs produced by the humanitarian community, as well as academic research available through the Internet.

![Documents used by the Global IDP Database](image)

**Table 2: Documents used by the Global IDP Database**

As demonstrated by the graph above, humanitarian practitioners are the largest providers of quantitative and descriptive information on internal displacement. The limited availability of independent academic research appears to reflect a reality where research institutions have limited resources available with which to undertake independent studies of IDP situations. It also shows that the academic world and publishers have been slow to take advantage of opportunities provided by the internet to disseminate and share research findings and publications. However, it should not be overlooked that academics are also often humanitarian practitioners and that much
of the information on internal displacement produced by the UN and by non-governmental actors such as Amnesty, Human Rights Watch and Médecins Sans Frontières is of a high academic standard.

**Humanitarian information has a practical purpose**

Most publicly available IDP information is generated in order to help plan and deliver humanitarian assistance, rather than for purposes of academic research. This is reflected by the nature of available information, which is often fragmented with major geographical and thematic information gaps. Available information is often difficult to validate with regard to origin and reliability. Daily and weekly updates prepared by field practitioners generally have no medium-term equivalents, forcing observers to develop analyses from daily/weekly bulletins and more from non-specific agency annual reports.

In situations where regular access to the displaced is possible, in Uganda and Kosovo for example, humanitarian actors have increasingly invested in information collection and management systems. In these countries quality data is more regularly produced, compiled and shared with partners. However, common analytical tools for reporting on the human rights and humanitarian situations of IDPs are still at a nascent stage. Despite the widespread promotion of international human rights instruments and recent initiatives to improve humanitarian information management, terminology varies widely. Even when terms are commonly used, different actors often ascribe divergent meanings to them. How to define an IDP is perhaps the clearest example - and a reason for caution with regard to IDP numbers. But several other concepts that we often take for granted are not always clear. For example, ‘return’, ‘reintegration’ and ‘resettlement’ are often confused.

The need to quantify internally displaced populations is both a major practical and methodological challenge. Even if the UN Guiding Principles may give guidance about who should be counted, local circumstances often complicate the matter. When it comes to national figures, the Global IDP Project therefore uses estimates cautiously – being aware that these numbers are known to change radically over short periods of time and do not necessarily reflect the most recent situation on the ground. National figures may be understated or inflated – politicized by one actor or another. During its earliest stages, the project relied heavily on national figures produced by the US Committee for Refugees and the United Nations, nearly the only organizations publishing IDP statistics at the time. Over the last few years, however,
information officers have been able to collect global estimates from other sources, extending the ability of the database to track situations of internal displacement accurately.

Unfortunately, humanitarian actors in the field often shied away from reporting on issues related to the physical protection needs of internally displaced people. The work is often considered too politically sensitive, the risks to operational programmes too high, and concerns about staff security too great. However, in recent years, protection and advocacy work has moved slowly into the realm of humanitarian action, led most notably by agencies such as Médecins sans Frontières, or less known, but highly dedicated, civil society groups working bravely to collect and share valuable information about some of the most vulnerable populations in the world.

**How can researchers improve the availability and quality of IDP information?**

Researchers must be aware of the mixed quality of descriptive information presently available and the impact this can have on the validity of their analysis. Although more independent academic field research is needed to complement the information produced by the humanitarian community, it is even more urgent to develop better conceptual and methodological tools for qualitative and quantitative analysis of internal displacement situations. This is a challenge for academic researchers but also an opportunity for joint efforts between humanitarian practitioners and the academic community.
RESEARCHING TRANSNATIONAL APPROACHES TO IDP PROTECTION:
A LEGAL PERSPECTIVE

Cecilia Bailliet

Research on internal displacement within the field of law may be described as “cutting-edge” in the sense that the topic requires multidisciplinary perspectives both within and between academic disciplines. I shall provide a brief review of the methodology I have utilized in conducting my doctoral thesis, Between Conflict & Consensus Conciliating Land Disputes in Guatemala (UiO 2002), in order to provide a model for future studies. Given the limitations regarding length of the paper, I am unable to address the issues raised here in a substantive manner – I only highlight the topics and ask the audience to refer to the thesis for further discussion.

Because internal displacement may be described as a transnational problem, I conducted my research at various levels: First, at the international level, I assessed the work product of the committees behind the principles applicable to IDPs, cases & reports before the UN human rights committees, as well as the Inter-American Court & Commission of Human Rights. Second, at the national level, I reviewed the performance of government institutions, including the Constitutional Court and administrative agencies (including a conciliation agency), in preventing second-generation displacement in property disputes between potential, former, and actual IDPs and other groups in local villages.

Increased reference to the emergence of “transnational law” conducted by national lawyers, international institutions, NGOs, and popular organizations may potentially serve as a means to empower vulnerable persons or groups within repressive societies. This is accomplished via the establishment of linkages to influential persons within these entities who articulate an interest in liberating them from their marginalized existence. In this manner, it is a form of

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3 For a general overview of the international issues see Cecilia Bailliet, “Property Restitution in Guatemala: A Transnational Dilemma”, chapter prepared for Scott Leckie’s upcoming book on Restitution expected to be issued by Transnational Publishers 2003, distributed also to the IDP Global Database.
social capital, specifically “linking capital”. The elaboration of norms becomes uncoupled from the State and instead attached to people and movements. Instead of being pursued by States, the demand for and recognition of new protection categories and elaboration of a body of rights is promoted by local and international NGOs, academics, popular organizations, and expert committees outside the traditional framework of law-making.

In the area of internal displacement, we have witnessed the emergence of independent expert committees which elaborated new norms to recognize the IDP protection category deliberately avoided the political quagmire of the UN General Assembly (for example the Guiding Principles on Internal Displacement was created by a committee headed by the UN Rapporteur on Internal Displacement, Francis M. Deng, and the Declaration of Principles on Internally Displaced Persons was adopted by the International Law Association).

The legal researcher seeks to assess the normative clarity, legitimacy, enforcement potential, and empowerment function of the principles created to provide a framework for protection of IDPs. Because the Guiding Principles on Internal Displacement is a non-binding instrument which founds its legitimacy on the fact that it cross-references other international instruments within the field of human rights, humanitarian law, and refugee law, there is a need to understand the value of these layers of law. In particular, each right enunciated within the instrument requires such analysis. In my research, I assessed the rights to property, recourse (or remedy) and recovery/reparation (compensation or restitution) in order to understand whether IDPs actually have the necessary framework to assist them regain property upon return at the end of a war.

Upon assessing the norms themselves, I first review the various drafts of a definition of internally displaced persons from a variety of international and regional agencies. Regarding legitimacy, the fact that they were drafted outside the traditional law-making processes results in complaints by some governments who resent exclusion from the process. This has presented practical problems with respect to attaining access to IDPs. Regarding implementation some field staff of international organizations claimed that the category of IDP was too vague to apply in practice.

For example, one issue I discuss is the absence of cessation clauses – it remains unclear when an IDP is no longer an IDP thus we have ad hoc practice in terms of defining who is an IDP. I address the commentaries offered on this matter and conclude that they insufficiently address the role of property in determining cessation status. Many IDPs are deemed to no longer be IDPs in spite of never having been restored their homes or compensation for such. This is further complicated by the lack of clarity in mandates between UNHCR and UNDP. When
UNDP takes over, IDPs are re-classified according to community membership, rather than IDP status per se. Hence, unless they have received restitution before the transfer of mandate, they may potentially lose their claim and be forced to apply for loans according to their community peasant status.

I then review the status of the right to property and its restitution within the relevant general human rights instruments. Because the Guiding Principles are partially based on already existing instruments, it shares their biases and protection gaps. What I found was that there is a complete absence of clarity pertaining what we mean by a right to property as well as restitution. Specifically, there is disagreement pertaining whether the right to property is a civil and political right covering registered property as opposed to a socio-economic right applicable to the customary claims of indigenous people, peasants, etc who link the land to their rights to food, housing, work, and even the right to life. I also assess the wording of such rights in the specific instruments designed for IDPs and indigenous people. I found that the Guiding Principles reiterate the civil and political standard as pertaining the right to property (Principle 21 (1): No one shall be arbitrarily deprived of property and possessions), although noting the importance of taking into consideration the attachment of peasants and indigenous people to their land in another principle (Principle 9: States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands). The ILO Convention No. 169 provides somewhat more protection although it does not guarantee full title to indigenous people, the State may grant only use or possession rights.

I sought to understand whether there was divergence or conflict between the standards in the various instruments. The general human rights instruments do not set forth a right to restitution of property, and the soft law is vague. For example, one may consider the issue of choice, some instruments grant the power of choice over return and/or form of restitution of property to the State, others to the IDPs or indigenous people. Thus, the law is a reflection of the level of power of the State and society vis-à-vis each other. Regarding the Guiding Principles it grants power of choice over the form of reparation (which may either. compensation or restitution, thus there is no guarantee of attaining one’s land back) to the State (the ILA Principles are unclear). In contrast, ILO Convention No. 169 grants choice over form of compensation to the indigenous people. Thus the trend among commentators is to point to the legal language utilized within indigenous instruments in order to empower IDPs. Regarding return, the Guiding Principles places emphasis on the duty of the State to facilitate return, but a lesser duty to “endeavour to facilitate reintegration”, whereas the ILA Principles emphasizes the right of IDPs to return. Similarly, the ILO Convention recognizes the right of indigenous people to return whenever possible, but it remains unclear who decides...
this—the State or the displaced persons. Thus there is a lack of clarity between the layers of hard and soft law which render the design of protection strategies complex and leaves open the question regarding to what extent IDPs are actually empowered.

However, I wish to respond to the suggestion that the law may be limited in its ability to promote change. I believe that the law continues to play an important role in empowering victims of human rights violations, while also recognizing that its potential is improved when combined with perspectives from other disciplines. Examination of the case law of the Inter-American Court of Human Rights reveals how a multidisciplinary approach to interpretation of rights provides a framework for stimulating change in particular with regard to addressing the duties of the State vis-à-vis the society. For example, in the Awas Tingi case, the Court consulted members of the indigenous tribe as well as anthropologists and other experts in order to understand how to protect their property rights.\(^4\) The Court stated that the tribe’s tie to the land formed the fundamental basis of their cultures, their spiritual life, their integrity and their economic survival—“For indigenous communities, relations to the land are not merely a matter of possession and production but a material and spiritual element which they must fully enjoy, even to preserve their cultural legacy and transmit it to future generations. The Court elaborated an evolutionary and contextual approach to interpretation of the right to property, thus empowering indigenous people because it reflects their own definition of property”.\(^5\) Similarly, IDPs can assert claims based on recognition of their customary holdings.

The Inter-American Court of Human Rights is also embarking upon the creation of jurisprudence addressing transcendental rights. For example, the Court called for recognition of the damage to one’s future in the Loayza Tamayo Case.\(^6\) The Case involved a university professor who was forcibly detained by the National Counter Terrorism Bureau of the Peruvian Police. She was held incommunicado, tortured, raped, and kept in conditions amounting to cruel, inhuman and degrading treatment. After her release, she was forced to abandon her studies. She moved abroad, remained isolated, was subject to economic hardship, and suffered physical and psychological harm. Hence, she asserted that this had altered her life so as to interfere irreparably with the attainment of personal, family, and professional

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4 Awas Tingi Case, I/A Court H.R. Series C No. 79 (31 August 2001).
5 (One may also consider the UN Human Rights Committee’s view in the Hopu & Bessert Case against France, Communication No. 549/1993, in which the Committee interpreted the right to family as upholding the descendents of indigenous Polynesians’ claim to property containing an ancient burial ground. The Committee noted “It transpires from the author’s claims that they consider the relationship to their ancestors to be an essential element of their identity and to play an important role in their family life... “)
6 Loayza Tamayo Case, Reparations, I/A Court H.R. Series C No. 48 (1999).
goals. The Court recognized the call for reparation based on the loss of one’s life plan which “deals with the full self-actualization of the person concerned and takes into account her calling in life, her particular circumstances, aspirations, and potential of the person. Strictly speaking, those options are the manifestation and guarantee of freedom. An individual can hardly be described as truly free if he does not have options to pursue in life and to carry that life to its natural conclusion.” The Court cited the emergence of events which “radically alter the course in which life was on, introduce new and hostile circumstances” thereby impeding personal development. I found this decision directly relevant to IDPs in Guatemala whose “life’s plan” was in most cases intrinsically tied to the land which provided them with nourishment, identity, and security. Thus, in my study I argue for provision of restitution of property as a way of restoring IDPs’ “life plan”, thereby calling for the recognition of the protection continuum from past acts to present and future consequences.

The Court has also upheld the duty of the State to guarantee every person’s right to live with dignity in the Villagran Morales case which involved the killings of five street children by the National Police in Guatemala. The Court asserted that the State deprived the children of their lives even before the assassination, due to its failure to prevent the children from living in misery. It called for recognition of the indivisibility of socio-economic rights and civil and political rights in order to enable a person to fulfil a “life’s plan”. This decision also would support the call for restitution of property to IDPs in order to guarantee a basic standard of living.

These examples show a trend within the legal arena towards an adoption of multifaceted perspectives which are intended to empower human rights victims by assuring recognition of their values, norms, and interests. Such evolution suggests an improved protection framework for IDPs.

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The National Level: Placing The Law in Context

I examine legal pluralism at the national level by review of a case study: protection of IDPs in Guatemala. Many nations’ internal legal systems may be described as undergoing complex integration processes of a plurality of legal orders: international legal instruments, national law, and indigenous customary norms. Norms created at the international level are disseminated at the national level, thereby increasing societal demands and expectations which place pressure on a system which is often delayed in providing response due to counter pressure by status-quo minded elites. In addition, there is a growing movement of indigenous groups claiming recognition of their customary norms that partially base their legitimacy on the standards upheld in the international arena. Thus, the legal researcher will not be reviewing one legal system, but rather two or three that exist concurrently. The questions arising are to what extent do these systems interact with each other, what is the hierarchy of norms in terms of legitimacy and enforcement, and which system offers the best protection to IDPs? The state of legal pluralism allows for consideration that the law is as heterogeneous as the people to which it is applied, thus there is a link between law and identity. Rights argumentation is often precisely linked to identity, e.g. indigenous people assert a right to property based on historic title which is inextricably linked to their indigenous identity, in contrast landowning elites assert recognition of formal registry title.

Because internal displacement is often an indicator of state failure, I sought to review the nation’s internal legal system while concurrently discussing the political and economic context in which it functions. I sought to understand to what extent IDPs actually have access to justice (the right to remedy) – in the sense of provision of legal aid, translation facilities, etc. Second, I sought to determine whether the legal system is responsive or repressive to IDPs – does it seek to emancipate them from marginalization or does maintain an inequitable political and economic structure? This is linked to the actual autonomy of the legal system. Inequitable division of resources and exclusion from enjoyment of equal participation in civic life are phenomena that are often upheld by the law and its institutions. The law is never fully objective, it reflects the values and interests of its drafters as well as those who interpret and enforce the law. For example, in my research I explain how Guatemala’s penal code serves the landowning elite by providing them with a framework to pursue a policy of forced eviction of indigenous people and other peasants who assert customary claims to land. I also review how the Constitutional Court misinterprets indigenous practices thereby dispossessing indigenous people of their landholdings. Thus the law and the institutions applying it uphold inequitable economic structures. In part, one may argue that such practice may be remedied via legal reforms and provision of education on legal pluralism to the judiciary, but a true

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solution also requires a shift among the principle social actors to embark upon a policy of social justice. Hence, we move away from the law and towards politics & economics. Thus, I set forth the lack of autonomy of the law and utilized a multidisciplinary approach to explain systemic failures which promote conflict and displacement.

Finally, I sought to analyze the role of law in post-conflict situations as pertaining reconstruction of faith in the State as well as social trust, i.e. social capital. Second-generation displacement is often a result of failed peace consolidation, thus there is a need to design strategies to rebuild the networks between the State and Society. I examined data pertaining interpersonal trust, respect for the law, equality before the law, cognisance of rights, and confidence in the judiciary and other institutions. Such data assists one in understanding to what extent social groups consider the State and the law to be legitimate and responsive to their needs. High levels of corruption and impunity correlate with low levels of faith in the State, which in turn promotes disengagement from participation in civic life via formal mechanisms, such as voting but may increase informal participation, such as protest marches. In Guatemala, IDPs did not resort to courts but did participate in marches demanding land. Unfortunately, donors were frustrated by the lack of formal participation and withdrew funding without sufficiently addressing the significance of the rise in informal participation as a means of presenting demands. In addition, cognisance of rights is an indicator of the level of empowerment among people. IDPs who do not know that they have a right to formal recognition of their possession claims to property are unlikely to pursue registry initiatives.

I observed conciliation sessions in local villages in order to understand whether alternative dispute resolution proved more empowering to IDPs in the sense that it allows them to present their own stories and refer to norms outside formal law. I sought to understand to what extent were human rights norms and customary norms taken into account during negotiation. Finally, I also discuss intra-community divisions, anti-social capital, and the dark side of social capital (e.g. networks among powerful groups, such as narco-traffickers) to explain the limitations of law in resolving social conflicts. Further research in this arena would be beneficial.
Conclusion

The Guiding Principles and the ILA Principles have succeeded in highlighting the problem of internal displacement. However, examination of efforts to elaborate new guidelines pertaining to IDPs revealed limitations due to lack of legitimacy, normative clarity, comprehensiveness, and enforcement capability. By taking a closer look at the normative language within hard and soft law instruments relevant to IDPs, it was revealed that they are drafted cautiously and leave open protection gaps regarding the root causes and solutions to many internal displacement situations linked to dispossession of land. Because of these factors, I believe there is a need for the creation of a new instrument on internal displacement to be pursued within the formal law-making processes within the UN which will serve to recognize the identity of IDPs (including terms for cessation of such status) and establish criteria to comprehensively guarantee the rights to property (in the expanded socio-economic/hybrid sense), restitution, and remedy as key elements to attaining human dignity and assuring equal participation within society.

Nevertheless, it is clear that the elaboration of emancipatory norms are meaningless if the structural background context remains unchanged. The juxtaposition of quantitative social capital indicators to qualitative case studies at the micro level serves to highlight the fact that norms do not function in a vacuum. What purpose may an IDP’s right to reparation serve if there is no effective land distribution program or no financing for the compensation program? Implementation of international human rights standards is contingent on the existence of national social systems (politics, law and economics) that promote equality in terms of access and participation of all citizens. In countries in which social systems are dysfunctional, as evidenced by their lack of transparency and corruption, the law becomes an instrument of repression of marginalized groups, instead supporting inequitable divisions of resources and power within societies. I sought to highlight the importance of designing strategies to address the symptoms of state failure and internal conflict – inequitable distribution of resources, inequality, and absence of the rule of law in order to successfully prevent second-generation violence and displacement. In Guatemala, the low levels of confidence in the political and legal systems reflect the situation of impunity and corruption plaguing the State as well as discriminatory practices within the courts. Without responsive institutional mechanisms at the international and national levels, marginalized groups such as IDPs may be limited in their ability to attain true emancipation due to denial of equal rights; hence attainment of social cohesion is sacrificed.
Postscript: The Purpose of Research

I believe that research within the field of internal displacement should seek to have a direct impact in promoting a change in policy and protection strategies. For example, the consequences of my research were: First, the inclusion of Guatemala’s IDPs on the Global IDP Database, thus reversing prior policy decisions made among international bodies to declare the IDP situation “over”; second, assistance to UNDP for a report to donors on how to improve the conciliation agency in Guatemala, third, provision of information to COHRE for use in its reports on forced evictions; fourth, stimulation of further research on cessation of IDP status\(^9\); fifth discussion of the lack of a single voice within Norway regarding protection of IDPs due to the application of internal flight alternative to countries experiencing internal displacement crises\(^{10}\). Finally, it is hoped that my study provides lessons for application in other countries embarking upon transition to peace and seeking to prevent second-generation displacement.

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RESEARCHING REFUGEES: SOME METHODOLOGICAL AND ETHICAL CONSIDERATIONS IN SOCIAL SCIENCE AND FORCED MIGRATION

Karen Jacobsen and Loren B. Landau

Abstract

Social scientists doing fieldwork in humanitarian situations face a dual imperative: research should be both academically sound and policy relevant. We argue that much of the current research on forced migration is based on unsound methodology, and that the data and subsequent policy conclusions are often flawed and/or ethically suspect. The paper identifies some key methodological and ethical problems confronting social scientists studying forced migrants or their hosts. These problems include: non-representativeness and bias; issues arising from working in unfamiliar contexts including translation and the use of local researchers; and ethical dilemmas including security and confidentiality issues and researchers are doing enough to ‘do no harm’. The second part of the paper reviews the authors’ own efforts to conduct research on urban refugees in Johannesburg. It concludes that while there is no single ‘best practice’ for refugee research, Refugee Studies would advance its academic and policy relevance by more seriously considering methodological and ethical concerns.


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Refugee Research and the Dual Imperative

Social scientists, whose research focuses on humanitarian or forced migration issues, are both plagued by and attracted to the idea that our work be relevant. We want to believe that our research and teaching will contribute to our theoretical understanding of the world while actually helping the millions of people caught up in humanitarian disasters and complex emergencies. Most forced migration research therefore seeks to explain the behavior, impact, and problems of the displaced with the intention of influencing agencies and governments to develop more effective responses.\(^3\) Compared with non-humanitarian fields, there are relatively few studies that do not conclude with policy recommendations for NGOs, the UN or national governments (Castles 2003; Black 2001). In part, this policy orientation stems from our subjects, whose experience of violent conflict, displacement and human rights violations inhibits us from treating them simply as objects for research. Many of us take seriously David Turton’s admonishment that research into other’s suffering can only be justified if alleviating that suffering is an explicit objective (Turton 1996, 96). A large subset of the refugee research literature consists of reports by human rights organizations like Amnesty International or Human Rights Watch, which document and expose human rights abuses with the intention of pressuring governments to protect refugees and promote their well being (e.g. Lawyers Committee for Human Rights 2002; Human Rights Watch 2002).

At the same time that our work seeks to reduce suffering, refugee-related social science aspires to satisfy high academic standards, both to justify its place in the academy and to attract scarce funding for social research. But as our work becomes more academically sophisticated, many of us have the nagging suspicion that our research is becoming ever more irrelevant for practitioners and policy makers. We fear that our analysis does not address current crises, that the language and concepts we use are too arcane or jargonistic, and that the questions we ask (and purport to answer) are interesting only to other academics, not to the whose who work in the field, or to those refugees and IDPs and war-affected people who live the situations we study.

This is the dual imperative: both to satisfy the demands of the academy and to ensure that the knowledge and understanding our work generates are used to protect refugees, influence governments, and improve the ways institutions like the United Nations or Non-Governmental Organizations do their work. How do we address the dual imperative so that our work can be both academically rigorous and policy relevant? While many see policy relevance and theoretical sophistication as mutually exclusive, as social scientists trained in

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\(^3\) This article does not address the refugee research conducted in more technical areas like public health, public nutrition, and refugee legal protection, where the express purpose is to influence program improvement in such organizations as WHO, WFP, UNHCR and related NGOs.
logical argument and methodological rigor, our work can provide a solid empirical basis for policy and advocacy efforts. Indeed, this is the kind of research on which policy should be based. Effective and ethical research requires that our methodologies be sound and that we explicitly recognize and critique the limits and strengths of our approaches to generating both data and knowledge. In this paper, we discuss several—by no means all—methodological problems that commonly arise in refugee and forced migration studies. We then offer some broad guidelines for how we might address these concerns without lapsing into the kind of academic abstractness currently characterizing much recent scholarship in political science, sociology and anthropology (Economics might be a candidate too, but there is almost no economics research published in refugee studies.). The article concludes with a discussion of our own efforts to put these principles into practice in our current research on urban refugees and migrants living in Johannesburg.

Social scientists’ desire to influence refugee policy through their research gives rise to two questions. First, are the analysis and conclusions based on sound principles of inference (descriptive and causal) and data collection practices? Refugee research employs a wide range of quantitative and qualitative techniques, from personal case histories to large-scale surveys, but good research demands that researchers reveal and explain their methods (King 1995; Ragin 1994). Being able to follow the researchers’ approach enables us judge for ourselves whether their findings are valid or not. We can recognize the quality and limitations of the data, replicate the study if need be, or compare the data with those of other similar studies (King 1995). Much of the work published on forced migration is weakened by the fact that key pieces of the research design are never revealed to us. As discussed below, we are seldom told how many people were interviewed, who did the interviews, where the interviews took place, how the subjects were identified and selected, how translation or local security issues were handled. Unless such information is revealed, authors run the risk of being even less accountable in their policy prescriptions than the oft villainized UNHCR and international aid agencies. The considerable logistical challenges facing researchers does not justify ad hoc research design, obfuscation, or exaggerated claims.

Second, is field research conducted in an ethical way? Research into marginalized or vulnerable populations like refugees, some of whom might be engaged in illegal or semi-illegal activities, raises many ethical problems. The political and legal marginality of refugees and IDPs means that they have few rights, and are vulnerable to arbitrary action on the part of state authorities, and sometimes even the international relief community. In conflict zones, or in situations of state collapse, there are few authorities willing to protect refugee/migrant communities from those who may do harm to them, including harm that arises from researchers’ actions and the products of their inquiries (see, for example, UNGA
One largely unacknowledged problem is the issue of security breaches arising from confidentiality lapses by the researcher, other problems relate to the impact of researchers’ presence.

These two questions relating to sound methodology and ethical problems occupy much of the remainder of this paper. We argue that refugee studies, and humanitarian studies in general, reveal a paucity of good social science, rooted in a lack of rigorous conceptualization and research design, weak methods, and a general failure to address the ethical problems related to researching vulnerable communities. One reason for the lack of rigor is that there is a strong tendency towards what Myron Weiner used to call ‘advocacy research’, where a researcher already knows what she wants to see and say, and comes away from the research having ‘proved’ it. Although those falling into this trap are often well meaning, this kind of research risks doing refugees a disservice and potentially discredits other academics working in the field. It encourages widespread acceptance of unsubstantiated facts that bolster a sense of permanent crisis and disaster. For example, in the western media, but also in policy circles, we often hear reference to the ‘growing number’ of refugees. Yet according to the most recent UNHCR figures (UNHCR Statistical Yearbook 2001, 19), the global refugee population in 2001 remained virtually unchanged at an estimated 12 million, and there were 40% fewer newly displaced refugees (less than 500,000) than in the year 2000 (820,000).

This is not to diminish the problems of forced migrants, but merely to point out that while inaccurate and embellished numbers might sometimes help the cause of advocating for refugees, they also provide fodder for those whose interests may be opposed to favorable refugee policies. Many myths about refugees propagated by host governments and xenophobes have a weak empirical basis; in counteracting these myths we want to ensure that our work is not similarly undercut by shoddy arguments and contradictory evidence.

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4 This article does not address the refugee research conducted in more technical areas like public health, public nutrition, and refugee legal protection, where the express purpose is to influence program improvement in such organizations as WHO, WFP, UNHCR and related NGOs.

5 In a recent Boston Globe editorial (January 18, 2003, p.A19), the author states: “the number of refugees and internal exiles worldwide [has swelled to] more than 45 million.” Of these, he said, nearly 20 million refugees worldwide “have fled their homes out of a well-founded fear of persecution.” According to UNHCR, of the 12.0 million refugees in 2002, only 2.9m (24%) were granted refugee status on the basis of having fled fear of persecution (i.e. Convention refugees). Most of the world’s refugees and IDPs are people displaced by war and conflict-destroyed livelihoods, not by persecution. Even if we include the 3.7m Palestinian refugees (not included in UNHCR counts) the number would add up to 15.7m. The widely cited number of 25 million IDPs is almost entirely unsubstantiated, based on little rigorous research and really amounts to an educated guess.
The tendencies discussed above point to the need for greater conceptual clarity, especially regarding definitions. As a start, it is helpful and necessary to specify whether a study uses a technical or legal definition for ‘refugee,’ or, as we do in the project described below, a definition that is more expansive. The need for definitional clarity also applies to other terms borrowed from the social sciences and freely employed in refugee studies: ‘human security,’ ‘social or human capital,’ ‘empowerment,’ ‘gender,’ ‘grass-roots,’ ‘participation,’ even ‘violence’. These terms remain widely used but ill defined in advocacy and policy circles, perhaps as a way to build consensus or increase chances for funding. As social scientists, however, we must be clear about our concepts, variables and hypotheses, and how these will be evaluated and measured.

Clear conceptualization is an important first step, but only does a little to correct the prevalence of inaccurate and unsubstantiated assertions and inferences. This unfortunate tendency reflects the methods we use to conduct empirical research on forced migration. Unlike more established social science research, which is confronted with vigorous disagreements about normative assumptions, data collection techniques, conclusions, and recommendations, most refugee-centered research faces little critique of its methods. Much of the published research, including human rights reports and journal articles, are based on researchers going to source countries where they produce a “composite drawn from dozens of documents, interviews, conversations, and observations culled by the author” (Cusano 2001, 138). This kind of statement is often all that is said about the study’s methods. Conclusions are critiqued, but this critique is often based on normative or pragmatic principles (e.g., is the proposed solution politically feasible or does it go far enough in protecting refugees), rarely on the study’s methods. When methodological challenges are raised, those few researchers who actually spend time in remote refugee camps, or crime-ridden urban ghettos of refugee hosting countries in Africa and Asia simply justify their approach by claiming ‘ground truth.’ Field experience, however extended or challenging, is by no means a guarantee against poor methods.

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6 For example, a recent collection of case studies on IDPs, to which we also contributed a chapter, sought to show, in the words of the book reviewer (JRS (Vol.15(1), p.123), “that IDPs are actors in their own right wherever they are—in isolated areas or in large camps.” The reviewer found that – no surprise – the findings do confirm that IDPs are actors in their own right! But the methods involved in these case studies left much to be desired. For one, none of the case studies presented alternative hypotheses. We all set out to show that IDPs actively respond to their displacement by pursuing a variety of survival strategies, and lo, we found this to be the case. Every case study had only the briefest section on methodology, which generally referred to the use of “semi-structured and open-ended” interviews, or the widespread use of PRA (Participatory Rural Appraisal). We were seldom told how many people were interviewed and by whom, how the subjects were identified and selected, what variables and hypotheses were being examined, and so on.
The remainder of the paper discusses some key methodological and ethical problems and dilemmas arising in fieldwork where the research subjects are affected by conflict and displacement, either as refugees or IDPs, or their hosts. Among the many issues that could be raised, we concentrate on those related to representativeness, bias, causal inference, and the shortage of statistically analyzable data. The ethical problems we focus on concern the dilemma surrounding the imperative to ‘do no harm’, issues of security breaches—for subjects and researchers, and the potential uses and misuses of collected data. Our intention in raising these concerns is not to promote a single research approach or best practice, but rather to encourage further discussion and attention to the ways we collect and use field data. We begin our discussion with a content analysis of the methods commonly used in refugee studies.

How Do We Study Forced Migration?
A Content Analysis of the Methods Sections of Volume 15 of the
Journal of Refugee Studies

In order to explore the methods used in the study of forced migration, we conducted a content analysis (summarized in Appendix A) of the latest complete Volume (15, 2002) of the Journal of Refugee Studies, a multidisciplinary journal exploring all kinds of displacement. We chose this journal because, inasmuch as ‘refugee studies’ is a delimited area of study with its own accepted standards of knowledge production, this publication defines the parameters and standards of the field.

In the four issues of Volume 15 (2002), there were a total of fifteen articles and five Field Reports,7 of which all but two focused specifically on refugees or IDPs (as opposed to institutions, policy, or refugee law). Of the eighteen studies with the displaced as their subject, eight carried out their research in countries of first asylum (CFA) or internal displacement,8 and the remainder (ten) were conducted on resettled refugees in the US, UK, EU, Israel and Australia. In each of these eighteen articles we looked for:

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7 There was also one Editorial Introduction summarizing the Special Issue on Religion, one “Refugee Voices” essay, one Conference Report, and the usual Book Reviews, none of which were included in our analysis.

8 The research sites were South Africa, Mozambique, Ethiopia, Palestine, Azerbaijan, Tanzania, Mexico, Ukraine and Uzbekistan.
Data collection methods (e.g. surveys, unstructured interviews, archival materials);
(2) How the sample/subjects were selected (including data collection period and number of subjects);
(3) The use of local researchers in the field and whether translation was involved.

In our content analysis, we found the following:

Sampling
It was notable that only four of the studies were explicit about how they identified and selected the people they interviewed. Fully half of the studies (nine) said nothing about their subject selection. One study referred to the use of “snowball” techniques (i.e. where a first subject is asked to refer the researcher to others she could approach, and a sample is built up through this networking of the community) but with no details of how this was done. In one rather startling case, the selection method was based on refugee interviewers being nominated by an NGO, and then each interviewer choosing and interviewing ten refugees over a two-month period. To foreshadow arguments raised below, this violates a number of research protocols about bias and confidentiality. In almost no cases were subjects randomly selected, the technique best suited for making broader generalization. On the positive side, in all but one case, the number of research subjects interviewed was clearly stated, ranging from N=15 to N=950. The period of data collection ranged from six months to two years, with an average of about a year.

Interviewing technique
In all the articles, data collection methodologies relied on interviews of some kind. These were described as: “focus groups”, “open-ended” or “semi-structured” interviews, and “in-depth life history interviews”. The interviews were generally carried out by the author/researcher, usually as part of a team including local research assistance. These interviews were sometimes combined with other methods such as participant observation (PO), archival research, and Participatory Rural Appraisal (PRA) techniques. PRA refers to a range of techniques designed to enable the community to participate in defining variables and measures. Usually focus groups are assembled and participants are requested to engage in a variety of exercises. For example, they may be asked to draw a timeline beginning with their first displacement and including major developments, which then leads to a group discussion observed by the researcher, who does not direct the discussion beyond “questions for clarification” (Vincent & Sorensen 2001, 177). To facilitate cross-discussion within the community, the researchers “summarize all points and pieces of information on cards that are displayed for all participants to see and comment on.” (Vincent & Sorensen 2001, 178). Other PRA techniques include individual narratives, social mapping, time-use and resource mapping exercises (Whitaker 2002)
(discussed further below). Interestingly, none of the studies was carried out in a refugee camp.\(^\text{10}\)

**Translation and Use of Local Researchers**

The issue of language use and translation of interviews was rarely addressed. Only one study stated that the interview guide or questionnaire used had been translated from English into the local language and then back-translated to English to ensure linguistic equivalency. In some of the studies where it was clear that translation was required, no reference was made to the potential problems raised by the use of a local translator (we discuss this below). Other issues related to the use of local researchers, including confidentiality problems and compromised security, were never addressed.

The content analysis presented above is not representative of all studies on refugees and IDPs, but it reveals some methodological weaknesses and ethical problems that, judging from our own experience, characterize much of the work in the field. In the next section, we discuss some problems associated with the predominance of small-scale, interview-based studies. In the concluding section of this article we discuss how we have attempted to addresses these concerns in our own ongoing research project.

**Methodological Weaknesses and Ethical Problems**

Much of the published research on refugees and IDPs is based on data that has been collected in the ways just described—through a relatively small number of interviews conducted without apparent reference to accepted, systematic sampling techniques. In-depth interviews, which are essentially exploratory conversations between subject and researcher, have pluses and minuses associated with them. On the plus side, they can give us a rich store of descriptive and anecdotal data, which suggest patterns, variables and hypotheses for further study. In areas or circumstances about which we know very little, these descriptive data reveal much about how forced migrants live, the problems they encounter, their coping or survival strategies, and the shaping of their identities and attitudes. For some research questions and purposes, including those of organizations seeking to address specific, narrowly defined problems or country-based issues, this kind of data will be sufficient and useful. However, when such data are assumed (by non-researchers, like policy makers) to represent

\(^{10}\) This absence of the camp frame is contrast to other non-social science kinds of research on refugees and IDPs such as that carried out by epidemiologists, nutritionists and other more technical fields. A casual perusal of refugee public health studies in The Lancet, for example, revealed that most of the research on refugees occurred in camps.
the totality of a refugee population’s experience—or presented as if they do—they become highly problematic.

Studies based on small-samples, in-depth interviews often have problems that limit their ability to satisfy the demands of academic credibility and responsible advocacy. Unless very carefully selected, non-representative studies, especially those with small samples, do not often yield enough cases or the right kind of cases to allow us to test competing hypotheses and causal relationships (Ragin 1992; Savolainen 1994). Nor do they allow us to conduct comparative studies across different groups in a single location, or across time and space (i.e., longitudinal and geographic comparison). To illustrate the difficulty of testing hypotheses without a large data set, consider the following example: diasporic networks are widely considered to be a key resource providing money, information and contacts that enable people to flee conflict zones and seek asylum in safe countries. But without a large enough data set, we cannot test the significance of networks compared with other factors like government policies, household resources, or socioeconomic background, all of which influence a person’s ability to seek asylum. The only way to weigh the strength of a particular variable (like networks) or hypothesis (like the role of networks in asylum seeking or migration) is to generate a large enough data set that will allow a range of competing variables and hypotheses to be tested. This satisfies the most fundamental prerequisite of good social science: allowing for the possibility that one’s hypothesis, however near and dear, could be proven wrong.

The most common, but not the only way, to generate data sets that permit statistical and comparative analysis is through surveys based on representative (random) samples of the target population. The inclusion of a ‘control group’—members of the host population living amongst the refugees, or similar people remaining behind in a country of origin—further improves the data’s quality and our ability to test competing hypotheses and causal claims. Unfortunately, there are currently very few data sets based on large-scale surveys conducted by social scientists of self-settled (i.e. those living outside of camps) refugee or IDP populations. The survey data we do have tend to focus on public health or nutritional issues, usually in camp settings and often during the emergency phase of displacement.11 One particularly understudied population is urban refugees and IDPs, a large and seemingly growing population of forced migrants.12 Existing research on them has been sparse and

11 UNICEF in Colombia has collaborated with PROFAMILIA (www.profamilia.org.co) on household surveys among IDPs in Bogotá, focused on health oriented issues. Macro International (http://www.measuredhs.com) which carries out demographic and health household surveys around the world, have no surveys aimed specifically at displaced people.
12 Urban growth rates across much of Africa are high, averaging nearly 5% in cities like Nairobi and Cairo. Two capital cities, Maputo and Dar es Salaam, have had growth rates of more than 7% over the past five years
unsystematic in design, much of it carried out with relatively few informants participating in informal interviews. As discussed below, our own research tries to remedy these shortcomings with mixed success.

The following paragraphs outline some general challenges for refugee-related research. We then focus on challenges related to collecting representative data.

**Construct validity**
Construct validity refers to the strength and soundness of the measures used to operationalize the variables under investigation. When we ask questions (or try to measure something), are the responses an accurate indication of what we are exploring? For example, when we try to understand how refugees reconstruct their livelihoods, how do we operationalize the complex idea of a ‘livelihood’? We have to ask specific questions that explore the range of variables constructing a livelihood. But how can we be sure that our questions are really capturing everything that makes up a refugee’s livelihood? We might be missing key parts, because we do not know to ask about it. For example, if we do not know about the role of remittances in a refugee’s livelihood, we are unlikely to include this question in our interview schedule. Under these conditions, we say that the findings are not valid (or lack construct validity). Discussions of ‘marginalization’, ‘discrimination’, or ‘networks’ must be similarly precise. If we do not define and construct our variables carefully, we run the risk of examining something different from what others exploring similar concepts have been researching. This is not necessarily to be avoided but it will mean that the results are not comparable nor will they necessarily contribute to a generalizable understanding.

Validity is recognized as one of the strengths of in-depth interviews and other qualitative methods like participant observation. Researchers who are able to spend long periods of time (more than six months) gain the trust and familiarity of their informants and their community. Their conclusions are less likely to be based on (often mistaken) preliminary impressions or to be swayed by politically loaded statements presented to the researcher as fact. While there are potential problems with reliability of the data, including whether refugees are telling the researcher what they think s/he expects or wants to hear, it is likely that over time inconsistencies will be revealed.

(Simone 2003). Although there is little hard data, it is likely that the influx of both refugees and economic migrants constitutes a significant part of this urban growth.

14 Wits University (Johannesburg) and Tufts University are currently collaborating on a survey of urban refugees in Johannesburg, and we hope to extend the survey to three other African cities, Maputo, Dar es Salaam, and Khartoum (IDPs).
However, qualitative methods like participant observation or PRA\textsuperscript{15} also raise both validity and ethical problems, some of which are aggravated by the extended periods of time researchers spend in the field (Wedekind 1997; Jarvie 1969). Open-ended interviews, for example, give much discretion both to the person doing the interview and to the respondent. Their conversation-like tone can potentially prompt particular responses, or inadvertently direct the answers, an unconscious process often difficult to avoid even by trained researchers. Refugees and IDPs might (consciously or unconsciously) be reluctant or afraid to tell researchers their true views, or they might wish to promote a particular vision of their suffering. Their responses could be part of their survival strategy. Refugees are unlikely to tell researchers anything that might jeopardize their (the refugees’) position in the community. After all, why should a refugee tell a researcher anything that is not in their interests?

Construct validity is a problem in all research, and it is not resolved by extended exposure to the research population, or by in-depth interviews. Indeed, people living or working amongst refugees may be more likely to accept a particular ‘imagined’ history. This is discussed further in the next section.

**Reactivity**

One problem related to participant observation and other kinds of qualitative studies of communities arises when researchers become deeply involved and familiar with their informants (Kloos 1969). Anecdotal reports from the field describe situations where the researcher has been incorporated into refugees’ survival strategies (e.g., through sustained use of the researcher’s car to transport goods for sale, or lending/giving money and other goods), or has offered advice and information about livelihood strategies, rights, and so on. This is a methodological problem known as reactivity: where the active presence of the researcher can potentially influence the behavior and responses of informants, thereby compromising the research findings. While it can be argued that all research affects subjects, clearly there are matters of degree, and the greater the researcher’s involvement, the greater the effect is likely to be. While reactivity problems occur in all field research, when informants are like refugees -- marginalized, poor and powerless -- the methodological problems shade into ethical ones.

The researcher’s involvement with the community can lead to the kinds of ethical dilemmas and difficulties linked to the idea of doing no harm. One problem many of us have faced is how to exit from the research site after being befriended by refugees. Other problems concern implicitly or explicitly condoning or enabling illegal behavior, or taking sides in armed

\textsuperscript{15} The problem of construct validity also occurs in participatory rural appraisal (PRA) techniques that are popular among field researchers. When villagers are asked to do wealth-mapping are we really getting a measure of the wealth distribution in the village? Although PRA should be used as only one among a variety of measures, in much reported field research it is the only one.
conflicts. Most social scientists who have worked in the humanitarian field know of researchers who have helped people commit illegal acts, such as smuggling goods or people across borders. Academics have been known to engage in quasi-military activities, taking sides with rebel groups and aiding them with information. (In one troubling case we heard of, an academic involved with Burmese Karen rebels on the Thai border, invited graduate students doing research in the refugee camps to accompany him – “as an adventure” – when he passed information to the rebels.) Even if the researcher does not actively promote illegal activities (however innocuous), their tacit approval—especially when the researcher is seen as an authoritative outsider—raises ethical concerns that need to be considered. Of course, one must also recognize the possibility that active protest against a certain activity may simply drive it underground, making it invisible to the researcher while doing nothing to stop it.

**Bias, translation and the ethics of using local researchers**

Hiring local assistants and working with partner organizations in the field to help with interviews, translation, identifying subjects and the like, is so widespread and seems to be such an obviously win-win situation it rarely warrants discussion. Western researchers work with local researchers because it is widely believed that teaming up with local researchers yields better results. Local assistants are believed to “be in a better position to recognize and understand culturally biased strategies and provide appropriate analysis”; and “do their research less obtrusively” (Vincent & Sorensen 2001: 13). In addition, working with local organizations and universities builds academic and research capacity, while, perhaps, assuaging researchers’ guilty concerns that they are the only ones profiting from the research.

While the use of local researchers can potentially increase the reliability and validity of our data, there are some ethical and methodological problems worth considering. The first, and potentially most significant from an academic standpoint, is the risk of biased response resulting from the use of translators or local research assistants. Conducting an interview or survey in the refugee’s language when the researcher is not fluent in that language can result in translation problems and inaccuracies. (Translated questionnaires should be back-translated into English (or the original language of the questionnaire) to test for linguistic equivalency.)

Second, using research assistants from the same country or area as the respondent risks transgressing political, social, or economic fault-lines of which the researcher may not be aware. In highly sectarian countries, like Congo or Burundi, it is quite possible that a research assistant may be associated—by name, appearance, accent, style of dress—with a group the respondent either fears or despises. This will undoubtedly influence the quality of the data collected. That the research assistant may be affiliated with a group at odds with the refugees being interviewed also raises the possibility that information will be used against a particular sub-group.
The problem of “doing no harm” in refugee research is particularly difficult to anticipate or control (Leaning 2001; Anderson 1999). When refugees are interviewed the information they reveal can be used against them either in the camp or in their areas of origin. Refugees and IDPs can become stigmatized or targeted if certain information is known about them, for example, that a woman has been raped, or that a refugee has access to particular resources. In focus group discussions there can be no confidentiality, and what may be inadvertently revealed—even when questions are carefully designed—cannot be fully controlled even by diligent researchers. Problems of confidentiality also arise when local researchers, especially those who are also refugees, know the subjects. The risks associated with local researchers and the potential for placing them and the research subjects in compromised positions should be carefully assessed. (We address this further in our discussion of snowball sampling below.) Consider the following:

December 1998: Bethlehem, West Bank:
I sat surrounded by students. My Jewish Israeli friend, who had served in the Israeli Defense Forces, stood a little distance away, unnoticed, as I talked with twelve Bethlehem University students, while conducting research for my thesis (Israeli/Palestinian student perceptions of final status issues) After conversing for some time, a few of them divulged their Hamas identity in order to put their responses in context, not knowing that a former IDF person stood nearby. I immediately recognized my mistake. 16

Many researchers do not adequately consider how their inquiries put our subjects at risk, particularly in conflict zones or hosting areas where the displaced are highly vulnerable. The following are just a few additional concerns:

- Warlords, or other figures of authority may disapprove of information being given out and may impose a ‘culture of silence’, and enforce it with the threat of harsh punishments. The simple act of asking questions becomes loaded in the political pressure cookers that are conflict zones.

- As westerners engaging with or seeking permission of non-state actors and authorities like warlords or rebel leaders, we may be legitimizing their presence and granting them a source of power and influence, especially if resources like cash or access to transportation are involved.

• Unanticipated consequences of researchers’ actions may only be revealed over quite long periods of time—after the researcher has left. The presence of Westerners is always associated with resources of some sort, and researchers’ contact with local people may put them at risk for future targeting, either of the benign family-related kind, or by more malignant actors who view them having access to resources.

Missing Control Groups
In order to causally link variables (e.g., refugee status and public health problems), one must either identify a ‘smoking gun’—where a specific event has been directly observed (such as a cholera outbreak in a refugee camp) that cannot be explained equally persuasively another way (cholera is endemic to the region and frequent outbreaks occur at that time of year)—or draw casual inferences from limited data. As it is almost impossible to personally witness or find documentation linking different variables, many social scientists rely on comparative studies to help eliminate competing hypotheses and isolate those factors that may be accounting for what is being observed (Ragin 1994; Przeworski and Teune 1970). One of the simplest—although not always practicable—ways of doing this is through comparison of two groups, one of which serves as a ‘control’ (see King, Keohane and Verba 1994; Lieberson 1994; Landau 2003).

Much social science research on refugees, however, lacks any kind of control group, making it difficult to assess the extent to which refugee-related variables cause the particular problem being discussed or whether other social, political or economic factors common to everyone living in the research area account for the variance. For example, a common research topic is the study of security problems in refugee camps, yet few studies are designed in such a way as to compare the security problems of refugees in camps with those living outside of camps. Nor are the security problems of refugees compared with those of the non-displaced (the host community). If the goal is to do more than simply describe how refugees are living, but to explain why they are living in a particular way, a study should include both refugees and non-refugees (such as nationals) in their sample.

Problems of Representativeness
One of the most significant problems of small-scale studies is that while they yield in-depth and valid information, they are not necessarily representative of the target population about which the researcher wishes to make claims. As such, they do not allow us to make accurate descriptive inferences about the groups in which we are interested. For example, interviews with urban refugees belonging to a particular church or welfare organization, or those living in a particular part of a city, are not representative of all the urban refugees in that city. Policy
recommendations aimed at helping a particular refugee group can have different consequences for the majority who were excluded from the study, or negatively affect the surrounding host population, potentially furthering xenophobia or anti-refugee sentiment.

For a group of refugees to be a representative sample, they must have been randomly selected from the population as a whole, i.e. every person (or household) in the target population must have had an equal chance of being selected to be interviewed. For a variety of reasons, which we now discuss, this is very difficult to accomplish in refugee research:

**Lack of a Clear Sampling Frame**
Except in camp situations, the size and distribution of the forced migrant population is almost never known. In the case of urban refugees and IDPs in African cities, there are no studies, census or otherwise, which have yielded an accurate count. Research into self-settled refugees in rural settings, and all IDP populations, faces similar problems. At best there are rough estimates, often based on the number of officially registered refugees although not all refugees (even in camp settings) are formally registered by refugee agencies like UNHCR and NGOs, or by the relevant host government department. Counts like the government census omit many urban migrants and refugees whose ambiguous legal status means they choose not to reveal their presence to government bureaucracies and thus do not appear in official statistics. In other instances, governments (or aid agencies) may actively suppress the presence of certain refugee groups or exaggerate the numbers of others for political or economic reasons (see Crisp 1999). The fact that many urban refugees and IDPs live in shanty towns that are recently constructed and often lie beyond city limits further reduces the chances that they will be included in census surveys or urban plans.

**Problems of Access**
In humanitarian situations, access to forced migrants who do not live in camps is a major problem, both for researchers and practitioners. The difficulties stem from logistics (remote areas, bad roads, hidden communities), security problems, and lack of trust. These difficulties mean that large numbers of the displaced are omitted from studies. Researchers tend to concentrate their activities in camps (or in resettlement countries) where refugees are more easily accessible, and where they can be identified by officials or aid organizations. Even when working with local organizations that are known and presumably trusted by the refugees, many researchers (including ourselves), find it difficult to gain full access to the refugee community we wish to study. Field constraints, including security problems, time limitations and logistical issues make it very difficult for researchers to match up with randomly selected subjects. In any particular refugee community, there are groups of people who are particularly difficult to reach, due to norms of public display, voice, or simply their work and living conditions. Insecure conditions, coupled with widespread distrust, may also
mean people are less likely to agree to be interviewed. The difficulties of exploring the range of views held by the women in a community is particularly well known, as is that of other more “hidden” social groups, including the poor and those living in remote areas. In many studies we are told that the interviewers met with a number of “representatives” from the community. But those who come forward or agree to be interviewed may not be representative at all.

Snowball Sampling

These problems mean that most refugee researchers rely on “snowball” sampling approaches. Although the specifics vary, the researcher almost always begins by contacting a local body, such as a religious or refugee organization or an aid agency that is familiar with the refugee community and requests their assistance in identifying and approaching potential research subjects in the community. This initial ‘core’ group of subjects is then interviewed and asked to name others who might be willing to be interviewed, and thus the “snowball” sample is built.

There are two problems with this approach, one methodological and one ethical. Unless done very carefully, a snowball selection approach runs a high risk of producing a biased sample. Unlike a random sample, where everyone in the target population has an equal chance of being selected, a snowball sample draws subjects from a particular segment of the community, and they are likely to be similar in certain ways – the same religious group, for example, or those who are beneficiaries of an NGO (see for example, Sommers 2001). The sample will, almost by definition, exclude those who are not part of the organization (or their friends). Ethically, ‘snowballing’ increases the risk of revealing critical and potentially damaging information to members of a network or subgroup. Many researchers ‘test’ the validity of their findings by reporting them to their respondents and asking for their opinions. These findings can, for example, include sensitive information about political, religious, or personal affiliations, which can create problems amongst the group. Levels of wealth (or poverty) or access to opportunities can also be revealed in ways that will negatively affect respondents’ relationships with each other.

While the difficulties of refugee research often make it very difficult to meet desired standards of randomness, there are tested and accepted techniques that enable researchers to avoid many of the worst pitfalls associated with ‘convenience’ sampling. Through the use of these techniques it may also be possible to produce a sample that is ‘random enough’ to subject the data to statistical analysis. Where it is impossible (or not desirable) to use such techniques, researchers must be very explicit in recognizing the limits of their claims. Doing otherwise means those policies recommended for one group may, on the assumption of representativeness, end up harming other refugees (and hosts) not included in the sample.
The Johannesburg Project: Putting Principles into Practice

The remainder of this paper discusses some of the data collection problems we encountered in the course of conducting a survey of urban refugees and migrants in Johannesburg in February-March, 2003, and the ways in which we have sought to address them. Among other things, the Johannesburg Project sought to produce data that would be comparable with other data sets over space and time. We wanted to understand not only how forced migrants come to and live in Johannesburg, but how they interact with South Africans and how South Africans perceive or value those interactions. The project seeks to addresses gaps in our understanding of Africa’s urban refugees and migrants from conflict-affected countries, an increasingly important issue throughout the continent (see Human Rights Watch 2002). The survey will be followed by a second round of more focused qualitative and quantitative projects. The survey and follow up studies will eventually be modified and replicated in Maputo and Dar es Salaam. Apart from providing general insights into the experience of urban refugees, the project addresses three primary questions:

1. What are the factors that structure migrants’ journeys from source country to capital city? In particular, how do urban refugees mobilize transnational networks during their flight?

2. What is the nature of urban refugees’ linkages with their countries of origin and how do these ties affect their livelihoods? Do continuing obligations to families and communities in source countries lead to the remittance of money and goods?

3. How does the frequency and nature of contact between urban refugees and the local population affect group loyalties and affiliations? Do overlapping economic and social interests lead to increased trust among groups and the declining importance of ethnic or national loyalties?

The project began with a survey (N=737, conducted in February-March 2003) of six migrant communities from conflict-affected countries (Angolans, Burundians, Congolese (both Republic of Congo and Democratic Republic of Congo), Ethiopians, and Somalians) and a control group of South Africans, living in seven central Johannesburg suburbs (Berea, Bertrams, Bezuidenhout Valley, Fordsburg, Mayfair, Rosettenville, Yeoville). Our target groups were not always officially designated refugees or asylum seekers, but rather people from conflict-affected countries in Africa, who were living in Johannesburg neighborhoods with high concentrations of African migrants.
In designing our inquiry we consciously tried to address three primary concerns identified earlier in this essay:

- In order to make both descriptive and causal inferences we attempted to use a representative sampling strategy and included a control group of South Africans;
- We used interview techniques that would allow comparable data and replication;
- In the use of local researchers, we sought to address problems of bias and confidentiality.

Given the lack of precedents, our efforts were both a methodological experiment and an empirical inquiry. The remainder of this paper describes our initial research strategy, how we modified it to meet unpredicted problems, and a brief discussion of how these modifications affect the study’s methodological, theoretical and political relevance.

**Sampling**

Good census data would have allowed us to make population estimates and develop a precise sampling frame. Unfortunately, poor census data and the bureaucratic invisibility of our target groups made it impossible to obtain a perfectly random sample. The most recent South African census (2001) results had not been released when we were planning our research. The previous census, conducted in 1996, provided a benchmark of sorts, however our target areas have experienced massive demographic changes since 1996, making that census much less useful to us. Even if the 2001 census data were available, they are unlikely to reflect the true composition of the population living in our target areas. While the census asked questions about nationality, it is unlikely that all immigrants would reveal their status to a representative of the South African government, and census officers were not allowed to ask for identity papers.

In order to work around this problem and to ensure a reasonably representative and random sample, we used a combination of multi-stage cluster and snowball sampling. We began with discussions with key informants who helped us identify those neighborhoods with high densities of our target populations. The City of Johannesburg’s existing administrative demarcations divide these neighborhoods into smaller areas, called ‘enumerator areas’ (EAs). Within each of the targeted neighborhoods, we randomly selected 100 EAs (30%). In neighborhoods with fewer than six EAs, we randomly selected two to ensure that these areas would be represented in the sample. Within each of the EAs, we then randomly selected six migrants from our target populations and four South Africans, for a total of 1,000.
We included this relatively large ‘control group’ of South Africans in order to make claims about the effects of flight, legal status, xenophobia, and remittances on the lives and attitudes of forced migrants. Were we to have focused exclusively on forced migrants communities, it would have been very difficult to infer these factors’ effects on the lives, attitudes, and experiences of our target populations. Gathering data on citizens living in refugee-populated areas also allowed us to explore the economic and social interactions between South Africans and non-nationals and to probe into the sociological foundations of the antagonism that often exists between locals and migrants.

Interview Techniques and Strategies
The survey used a questionnaire that contains some 300 coded questions covering basic demographic, experiential, and attitudinal variables relating to our three main questions. The questionnaire was initially written in English and pilot tested in Johannesburg and Boston with more than 50 refugees, immigrants, and ‘locals’. The questionnaire was revised, re-tested in English, and translated into Amharic, Somali, Swahili, Portuguese, and French by native speakers who had participated in the pilot testing. It was then back-translated into English by native speakers who had not previously been involved with the project. We then met with the translators to identify differences among the translations and to reach suitable compromises.

To conduct the interviews, we began with a two-phase plan. In the first phase, an experienced South African ‘supervisor’ randomly chose households in the selected enumerator areas and recorded the nationalities of all of those who were approached. This allowed us both to make relatively accurate population/demographic estimates and to select randomly from within the household. In order to accomplish this latter task, the supervisors asked the person answering the door who in the household met our selection criteria and then, having selected randomly from those who did, that individual was asked for an interview. If that person was not present, the interviewer was to return at a later time. Once a potential respondent agreed to participate, an interview appointment would be scheduled within a few days, in the respondent’s language of choice. In order to limit the influence of unforeseen political divisions or personal affiliations, these interviews were to be done by Wits University students who were fluent in the appropriate language but neither refugees themselves nor the respondents’ co-nationals. Mozambicans, for example, were slated to interview Angolans, Congolese to interview Burundians, and the like. The only exception to this was in the case of Somalis because it proved impossible to identify suitable (i.e., non-refugee) interviewers who could speak Somali but were not themselves Somalis. In this instance we ensured that our field-workers were not working in their areas of residence.
Problems faced in conducting the Johannesburg Survey

For a variety of reasons, it proved impossible to stick to our strictly defined sampling and interview strategy. Some difficulties could have been avoided or predicted through more elaborate preparation, while others were surprises to all of those involved in conducting the research. While some problems (especially those involving security) may be unique to Johannesburg, we expect they will confront any researcher exploring the often hidden lives of urban refugees.

The first problem occurred when, for security reasons, building managers denied our interviewers access to the large apartment blocks that make up much of Johannesburg’s inner city. This meant hundreds of people could not be part of our sampling, spoiling the idea of randomly selecting respondents. In the buildings and residences we were able to access, we also faced considerable challenges. For one, the multiplicity of languages used by Johannesburg residents (both South African and foreign) made it next to impossible for a single field-worker to approach all households and make interview appointments. In many instances, when we were able to communicate with potential respondents, they simply ‘changed’ their nationality to make themselves ineligible for our survey.\(^\text{17}\) In one notable instance, an audibly francophone respondent with a Congolese flag on his wall insisted, in heavily accented English, that he was in fact a Nigerian. Others simply would not agree to be interviewed, fearing perhaps that our field-workers would return with a gang of thieves or, worse, representatives from South Africa’s Department of Home Affairs (the department responsible for immigration matters). Others suspected that we were attempting to mobilize support for the African National Congress and wanted nothing to do with us. Still others demanded payment or immediate benefit for their participation. Even agreement to be interviewed was not a guarantee, as many potential respondents simply did not show up at the appointed time.

We were also severely constrained by Johannesburg’s security situation. Although the city rarely lives up to its *Escape from New York* reputation, our field-workers could not safely work past dusk, meaning we were unlikely to select those people who had full-time, day-time employment. Even working during the day did not ensure our fieldworkers’ security. In one incident, a field worker was greeted at an apartment door by a man wielding a pistol and chased into the street. Another field-worker was chased out of a building and then surrounded by a group of young Congolese convinced she was working for the Department of Home Affairs. In an ironic twist, a young Nigerian man threatened one of our fieldworkers when he was told he did not fit our selection criteria.

\(^{17}\) This is a challenge we have not faced alone. Brehm’s (1993) work highlights the almost universal problem of low response rates in survey research and the potential bias this introduces.
Adaptation

Faced with these challenges, we set about revising and compromising our sampling strategy. We decided that each interviewer would set up 10 interviews in each of the enumerator areas (EAs), trying to maintain the balance of 40% South Africans and 60% migrants. We replaced our interval strategy with a snowball technique: interviewers were told to select people wherever they could be found as long as the respondent’s residential address was contained within the specified EA. In order to limit bias as much as possible, we used multiple entry points (nodes) for our snowball sample within each of the approximately 100 EAs. In each EA, interviewers selected 6 foreigners and 4 South Africans. In some EAs, more foreigners were interviewed if adjacent EAs did not yield enough.

Using this strategy, we were ultimately able to conduct almost 750 interviews, half of which were South Africans. Our revised strategy forced us to abandon our initial counting/population estimates, and we were unable to ensure that we met our quotas for each of the target groups living in these areas. As a result, we had much larger than expected numbers of Congolese and Angolan respondents and many fewer Ethiopians and Burundians than originally intended. Whereas our original sampling strategy would have created a data set skewed in numbers to meet our purposes, the nationalities represented in our current sample reflects the relative population sizes in the UNHCR’s refugee statistics for South Africa.

In addressing some logistical problems, we created others. For one, the sample probably over-represents men as they were more visible and willing to participate. It also probably over-represents ‘short-timers’ and the poor, as people who have lived in Johannesburg for extended periods or have succeeded economically are likely to have moved on or to more desirable neighborhoods. Because we were not able to meet our quotas, we are not able to make statistically sound comparisons between all the immigrant groups (although we can between the Angolans, Congolese, and Somalis and between South Africans and Non-South Africans). As noted above, we are also not able to make reliable population estimates.

Options not followed

Given different restrictions and resources, it may have been possible to avoid many of the problems we encountered. With more time, we could have negotiated access to buildings in advance. We might also have conducted a preliminary survey to allow us to develop a more accurate and representative sampling strategy. However, apart from being expensive and time intensive, the problems we faced in getting people to identify their national origins would have greatly diminished the utility of such an exercise. As it is, we will have to rely on questionable South African census data. We might also have traveled in teams comprised of various language speakers so we could have done interviews ‘on the spot’. This would have
been expensive (we would have had to pay people for full days’ work rather than per interview), and would have been highly visible, drawing additional attention to people who would often prefer to remain hidden. We might also have relied, as many previous studies have done, on refugees or co-nationals to conduct the interviews. While this might have improved access and the response rate, the possibility of bias and even more politicized responses was a risk we were unwilling to take.

The Findings: Imperfect but Valuable

Although we do not have accurate estimates of the number of forced migrants in Johannesburg, and although our sample is not perfectly representative, our study has yielded useful, challenging, and comparative demographic data, and is important for a number of practical and theoretical reasons. Our comparison with a South African ‘control’ group allows us to make causal inferences—linking citizenship with various experiences—that would have remained only speculative had we focused exclusively on migrants. Our inclusion of South Africans also allows us to explore both sides of interactive phenomena: economic and social exchange, processes of integration and assimilation, and xenophobia.

Preliminary analysis of the data has already yielded several surprises. For example, expectations about the transnational links between migrants and their source countries seem not to be what other studies suggest. By revealing unexpected contours of the migrant community, the data raise new questions about migrants’ motivations for coming to South Africa, their plans for integration and future movement, and the role of religion and religious organizations in their lives in the city. The final results of this survey will be available in the coming months (by August 2003), and a version of our data will be made public via a website in 2004.

The data are replicable and comparable. We are planning a similar exercise in Maputo and Dar es Salaam, which will allow us to compare the experience of refugee groups in those two cities. In addition to this geographic comparison, we are in a position to conduct longitudinal studies by replicating the survey in all three cities at a later time.

We also believe that ‘reactivity’ has been minimized by our use of non-refugee/non-national interviewers, although there is still likely to be bias in our sample. However, whereas ethnographic research often hides (de facto) the ways in which data are collected and analyzed, a careful reader or critic can review our questions or challenge our descriptive and causal inference based on collected data. This transparency is important not only for scientific reasons, but to ensure that any policy recommendations coming from the study can be empirically substantiated. Indeed, the data we have collected allows us solid information that will allow us to develop strong advocacy strategies. Not only are our data more reliable than
the government’s, but because they covers multiple groups we can try to ensure that policies intended to help one refugee group will not hurt another. Perhaps more importantly—especially in a highly politicized and xenophobic climate—our inclusion of South Africans allows us to advocate policies that are beneficial to both refugees and hosts.

Conclusion
From an academic and advocacy perspective, the benefits of rigorous methods in refugee research outweigh the costs. Data that are scientifically and ethically collected create a powerful tool for policy makers, and better methods will enable the still marginalized field of refugee studies to enter into productive and critical debates with the social sciences, which have so far remained at a remove from the field. The social sciences hold a wealth of methodological and theoretical traditions that will enrich and strengthen refugee studies. We believe it is time to move in their direction, not least because ‘mainstreaming’ could increase the chances of refugee research being funded, which in turn will help individual academics committed to refugee-centered research.

In closing we wish to reiterate that there is no single, ‘best’ way to ensure that refugee-centered research is ethically and scientifically sound and policy oriented. We have outlined a number of concerns, but every academic discipline requires that particular procedures be followed and standards met in the production of knowledge. Every approach has its strengths and weaknesses depending on the research questions and the conditions under which they will be explored. However, we believe some of the following principles are common to all research and will help meet the demands of the dual imperative:

First is a willingness to be proven wrong. Only by accepting that one’s assumptions or pet hypotheses might be incorrect will we be able to learn what refugees are doing, who they are, and what they need.

Second, in order to allow others to evaluate our conclusions, we must be explicit about how we have collected our data—drawing particular attention to issues of sampling, translation, and use of local assistants—and the techniques we have used to draw conclusions. Even in qualitative research, such revelations are important if others are to replicate a study and try to build a more general understanding of a specific phenomenon.

Lastly, as researchers we must be critical of each other’s methods and logics of inference, even when we agree with their substantive conclusions. Doing this will require a change in the refugee studies ethos. Rather than simply highlighting the new and different ways
refugees have become victims of politics and politicians, we must dedicate more time to research methods. Refugee journals should demand more explication of the methods used in the research they publish. Although some will see these requirements as unnecessarily academic, we believe they will ultimately strengthen the ability to advocate on behalf of the world’s displaced.

Bibliography


Hines, D. and Balletto, R. Assessment Needs of IDPs in Colombia.


**Appendix A**

**Articles in JRS Vol. 15 (2002) that focus on refugees or IDPs**

<table>
<thead>
<tr>
<th>Authors</th>
<th>Research in CFA or Conflict zone?</th>
<th>Policy Recommendations?</th>
<th>Data collection (DC) method</th>
<th>Translators used?</th>
<th>DC period/sample size (n)</th>
<th>Subject/Sample selection criteria?</th>
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<td>MI</td>
<td>No (South Africans in London)</td>
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<td>1990/N=15</td>
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<td>No (Canada)</td>
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<td>June 99-May 00/N=32</td>
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<td>AA et al</td>
<td>No (Scotland)</td>
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<td>Interviews-- in English with translator support in some instances</td>
<td>??/N=26</td>
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<td>EMG</td>
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<td>CM</td>
<td>No (Somalis resettled in Australia)</td>
<td>“interviews and group discussions” and PO</td>
<td>Yes</td>
<td>Apr00-Aug01/N=42</td>
<td>snowball</td>
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<td>SL</td>
<td>Yes (displaced Mozambicans in Mozambique and S. Africa)</td>
<td>“Informal interviews, PO, over 90 extensive oral life history interviews, .. surveys, review of district level reports.”</td>
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<td>96-99/N=??</td>
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<td>Aug96-99/N=150</td>
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<td>Two summers (96, 99) and Dec01/N=15</td>
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<td>PAD</td>
<td>No (Resettled Somalis in USA)</td>
<td>Not stated</td>
<td>Not stated</td>
<td>Not stated</td>
<td>No criteria described</td>
<td></td>
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<tr>
<td>YDG</td>
<td>Yes (people involved in government resettlement program in Ethiopia)</td>
<td>“interviews, sample surveys and observations”</td>
<td>Not required</td>
<td>93-94 and 98-99/ interviews N=35, surveys N=368</td>
<td>Interviewee selection not described; surveys = “systematic random sampling technique”</td>
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<td>Country/Region</td>
<td>Methodology</td>
<td>Data Collection</td>
<td>Description</td>
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<tr>
<td>AHA et al</td>
<td>Yes (displaced in Palestine)</td>
<td>Part of epidemiological study of PTSD, self-reported checklist given to subjects</td>
<td>Not required – but assistance in explaining questionnaire from field researcher</td>
<td>Jun-Dec 98/N=661</td>
<td>Clearly described (random selection)</td>
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<td>SFP et al</td>
<td>Yes (IDPs in Azerbaijan)</td>
<td>Survey - part of epidemiological study of reproduction. Health, Administered by trained female Azerb. Interviewers who did not live in the community</td>
<td>Survey translated into Azerbaijani then back translated to English.</td>
<td>May-Aug 99/N=601</td>
<td>Clearly described (clinic based sampling design)</td>
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<tr>
<td>EM &amp; EO</td>
<td>No (resettled refugees in EU)</td>
<td>In-depth interviews and some semi-structured questions. NGO identified refugees to be interviewers</td>
<td>16 interviewers most themselves refugees in refugee language</td>
<td>“two months”? N=143</td>
<td>Each of the 16 interviewers selected ten refugees (?)</td>
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<td>BEW</td>
<td>Yes (locals and refugees in Tanzania)</td>
<td>Semi-structured interviews and PRA ?? Four Tanzanian assistants. Interviews conducted in Swahili</td>
<td>96-98/N=950 snowball</td>
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<td>EFKM</td>
<td>Yes (Guatemalan refugees in Mexico)</td>
<td>“interviews with leaders” No – researcher is Spanish-speaking</td>
<td>Sep 97-Mar 98/N=181</td>
<td>No criteria described</td>
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<td>GU</td>
<td>Yes (Crimean Tatars in Ukraine and Uzbekistan)</td>
<td>Semi-structured and life history interviews, PO, archival research ?? Not stated</td>
<td>97-98/N=53</td>
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<td>Aug 99-Jan 00/N=??</td>
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ANTHROPOLOGICAL CONTRIBUTIONS TO FORCED MIGRATION STUDIES:
CRITICAL ANALYSIS AND ETHNOGRAPHY

Birgitte Refslund Sørensen

Abstract

In this paper I argue that social anthropology’s main contributions to forced migration studies are critical analysis and ethnographic field research. Critical analysis enables us to deconstruct the ‘field’ and ‘categories’ of forced migration as natural and to consider them as political constructs produced in and by particular power relations. Ethnographic research, the hallmark of anthropology, allows us to see in more details how different actors are positioned and related within the field, and how these positions and relations shape people’s views and actions. In other words, ethnography makes it possible to grasp the particular complexities and dynamics of local situations of forced migration that are concealed by aggregated statistical data and presentations based on generalised categories.

Introduction

The present paper is a response to an invitation to reflect on what my discipline, social anthropology, has to offer the field of forced migration. And as the subtitle and the abstract already reveal, I believe that among some of the more significant contributions are critical analysis, which force to the foreground questions pertaining to the constitution and reproduction of the subject matter in focus (here forced migration), and ethnographic research by which the inside perspectives of people involved in and affected by forced migration are extracted and drawn attention to. Finally, I suggest that on the basis of its general theoretical and methodological approach anthropology has developed a number of unique themes that help in generating a more comprehensive and dynamic understanding of forced migration. I shall return to these three dimensions and discuss them in more details shortly. But before I do so, I want to stress the fact that forced migration, which I believe to be one of the most unsettling social, political phenomenon of our time, is such a complex phenomenon that no

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single discipline can rightly claim to cover all its facets. Forced migration involves and affects global, national and local structures and actors, and it touches upon and shapes political, economic, legal, demographic, environmental, health, social, and cultural aspects of life. Forced migration then, calls for multi- or cross-disciplinary approaches, in research as well as in practice, and this should be borne in mind when reading my suggestions for what social anthropology has to offer. Because while I do believe that anthropology has much to offer and that its skills and insights are indispensable, I fully recognise that anthropological research leaves many pertinent questions unattended and unanswered, which are best taken up by other disciplines.

**Engaging with forced migration**

Compared to labour migration, which had already become an important research focus of social anthropology in the 1950’s, the study of forced migration, both development-and conflict-induced, is a more recent concern of anthropology. However, today one can almost talk of forced migration as a sub-discipline of anthropology, since a large number of anthropology departments encourage and carry out research in this field, and also offer courses on different aspects of forced migration to their students. And as a consequence a strengthening of the anthropological conceptual vocabulary and analytical models relating to forced migration is taking place. Of course, it can still be debated to what extent these developments would satisfy Fredrik Barth’s call for a more rigid conceptual language and more sophisticated models, which he considers imperative in order to make anthropological knowledge relevant and accessible to other disciplines, policy-makers and practitioners (Barth 1997). And his point is valid, not least because it seems that a growing number of anthropologists interested in forced migration and other social problems do not limit themselves to an intellectual ambition of understanding the phenomenon better. Many anthropologists in this field also share the ambition and hope to contribute in a constructive manner to the reduction of forced migration and its negative consequences, either by making their research relevant and available to other critical actors or by getting more directly involved in policy-making or humanitarian assistance themselves. However, treading this path is an endeavour full of traps and risks.

The involvement in political projects of social transformation is far from new in social anthropology. Many of the discipline’s honoured forefathers were working for colonial governments and an even larger number of their descendants found employment with development agencies and consultancies. It may be that some of them shared the colonial rulers’ or the development agency’s view of the cultural other as uncivilized or underdeveloped and also shared their employers’ vision of modernisation. But many more
have probably worked from an aspiration of trying to reduce the harm done by such modernisation projects designed in the image of the West and have aimed to formulate alternatives to mainstream development. As there is a growing demand today that anthropologists and other academics, notably from the social sciences and humanities, should ‘be relevant to society’, it is particularly interesting to reflect on a few of the dilemmas or difficulties that past experiences of ‘being relevant’ have created for anthropology and anthropologists.

One common point of criticism, mainly from within the discipline, has been that applied anthropology rarely incorporates or contributes to the theoretical development of the discipline. However, this point can quite easily be refuted, and need not disturb the applied anthropologist too much, I believe. To illustrate, the occupation with international organizations and local voluntary organizations among ‘applied anthropologists’ has made a fruitful contribution to a new conceptualisation and conceptualisation of the traditional ethnographic field and actively demonstrated how the ‘cultural islands’ of yesteryear’s anthropology are immersed in the global world. It has also contributed with new insights in contemporary forms of political culture and political practice and a reconceptualisation of ‘the political’, which is relevant for a further development of political anthropology.

The second point of critique is a far more troubling challenge to deal with. The argument is that even though many anthropologists have entered ‘the practical field’ out of a sincere wish to show solidarity with ‘ordinary people’ and to give voice to their concerns, this engagement seems inevitably to result in a reproduction and even reinforcement of the power structures that marginalize people in the first place. This has especially been the case where the anthropologist has accepted the rules of the game, and been content with adding knowledge about local social structures and cultural values, gained from long periods of ethnographic field research. Although more ethnographic knowledge appears a step forward, as it introduces specificity as a possible basis for decision-making, it has been challenged as a strategy because the anthropologist’s efforts to help does not seriously challenge or dismantle the governing discourse about ‘self’ and ‘other’. It could even be argued that in so far as the anthropologist also uses a specialized language, she contributes to the dominance of the experts over ordinary people in determining the political agenda. The anthropologists, as Grillo has it, “become caught up in the development process as ‘experts’ who can bridge discursive gaps” (Grillo 1997, 25-26). So instead of standing shoulder to shoulder with ‘people’ against exploitative and marginalizing forces, the anthropologist has become an accomplice in exploitation and marginalisation. Based on this reading of the achievements of applied anthropologists, Arturo Escobar advocates for complete dis-engagement or a rejection of ‘development anthropology’ and a return to a more critical ‘anthropology of development’.
Researching internal displacement, NTNU Trondheim 7-8 February 2003

(Escobar 1995, see also Grillo 1997). In the remaining parts of this paper I shall elaborate on first, the usefulness of critical theory, and next, the value of ethnographic research, hoping to establish a constructive path in-between the two extremes of simply providing ethnographic knowledge to existing institutions and programmes, and a retreat to theoretical critique and deconstruction with little attempt to provide alternative solutions.

Forced migration as a field of power

In brief, critical theory explores social processes from the vantage point of power, and owes much to Michel Foucault, although it is not limited to his work. One of the more significant points emerging from his research is a shift from considering power as something that a person or an authority possesses to seeing its existence and reproduction in social relations between people. Also, according to this view, power is not simply a form of oppression exercised by some kind of elite over its subjects, but takes on a much more subtle form. Power, according to a Foucauldian perspective, must be seen as a productive force that manifests itself by lending authority to particular points of view, which are translated into cultures, institutions, language, relations, practices, etc. A final subtlety about modern forms of power is that it conceals the way it operates, partly by “engineering conditions so that, consent of the public comes ‘naturally’. That is, by extending hegemony over a population and ‘naturalizing’ a particular ideology as common sense, it becomes incontestable, inviolable and beyond political debate” (Shore & Wright 1997, 24). Moreover, this is a type of power, Shore & Wright assert, “which both acts on and through the agency and subjectivity of individuals as ethically free and rational subjects,” as it involves people in governing themselves (Shore & Wright 1997, 6).

In the following sections I shall discuss humanitarian policies, categories and projects as such ‘products of power’ and attempts at installing particular definitions and shaping behaviour with the consent and active participation of people themselves.

- The production of policies

In a general sense, a policy is an identification of a problem as well as a prescription for its solution. Policies are generally perceived as a rational and effective means to achieve more desirable outcomes, and in that sense we all believe in and accept policies as appropriate responses, though we may of course disapprove of a particular policy. In the introduction to “Anthropology of Policy” (1997), an inspiring and thought provoking volume, Chris Shore and Susan Wright point out that at the same time as “citizens are becoming alienated from an increasingly remote and commercialised policy-making process” … “the frontiers of policy
are expanding”, so that, “policy now impinges on all areas of life” (op.cit., 4). And this is not only true for Europe and North America, but a global phenomenon. And they suggest that anthropologists pay more attention to this phenomenon, and even argue, “policies are inherently and unequivocally anthropological phenomena” (op.cit., 7). Policies, they continue, can be regarded “as cultural texts, as classificatory devices with various meanings, as narratives that serve to justify or condemn the present, or as rhetorical devices and discursive formations that function to empower some people and silence others. Not only do policies codify social norms and values, and articulate fundamental organizing principles of society, they also contain implicit (and sometimes explicit) models of society” (ibid.).

One burgeoning field for policy is the development area. Alberto Arce (2000) and others have claimed that when it comes to understanding present-day international relations, “the language of development frames our understanding of contemporary problems” (Arce 2000, 33). At the most general level, development policies reflect an image of socio-economic development as a linear process informed by an evolutionary conception of society and usually entails a strong belief in modernisation and technology and introduces the West as the yardstick for measurement of progress, and this image also defines the universal goal of development. After several decades with remarkable continuity in the understanding and practice of development as concerned with growth or poverty alleviation, the past decade has created radical changes in the sense that the development domain has incorporated numerous new dimensions, all stressing political issues like security, human rights and democracy, which are becoming the new goals to be achieved. At this level we thus experience a departure from the ‘anti-politics’ (Ferguson 1990) associated with previous development interventions. Among other things, this shift in the perception of development’s objective has far-reaching implications for the type and number of actors, and affects the allocation of resources and responsibilities and the delineation of mandates and authority. Wickramasinghe, who writes about recent changes in development in Sri Lanka, captures the significance of this shift well, when he asserts that, ”The 1990s have witnessed a drive of development from the single goal of poverty alleviation to holistic aims of redesigning the state and society of the country” (Wickramasinghe 2001,15 see also Jenkins 2001).

One could see this development as a laudable effort to effectively address contemporary socio-economic and political challenges and needs, but one could also argue that this is an example of how the frontiers of policy are expanding so as to enable a tighter control over a growing number of relationships and activities, where, in other words, policies work as ‘instruments of governance’ (Shore & Wright 1997, 3). The field of forced migration can be taken as an example: From the first perspective one would regard the new government policies that are developed with the aim of regulating migratory movements, and the policies
to assist different categories of migrants in reconstructing their livelihoods that are developed by development and humanitarian agencies as rational and benign responses that mainly aim at reducing conflict and poverty. From the second perspective, however, it is obvious that the same policies define what (some consider) are acceptable and legal forms of movements; how they should be regulated and by whom, just as they establish different categories and classifications of people (e.g. economic refugees, de facto refugees, internally displaced people, host populations), which serve as the basis for determining access to assistance, resources and rights (see also the following section). They produce new patterns of exclusion and inclusion. But more than that, they also legitimise particular kinds of intervention, as all policies in fact do, in that they point to a gap between how the situation is and how it ought to be.

I consider the point about intervention very important in this context, because interventions, typically in the form of projects, create more or less enduring interfaces between policymakers, operational actors and possible support institutions, on the one hand, and target groups and their surroundings, on the other (Long 1992). As I remarked in the section on forced migration as a field of power, power today operates on and through the agency and subjectivity of individuals, and these interfaces or ‘policy communities’ as Arce terms them (Arce 2000, 35) seem to constitute a new and constantly expanding ground for power to work, as I shall illustrate in the section on projects.

In that regard, it is important to note that the expansion of policy implies not only the identification of new problems and target groups, but also the emergence of more and new actors on the scene. And here special attention should be paid to the increasing role of non-governmental organisations (NGOs) and community-based organisations (CBOs), which today perform many of the same roles that used to be the exclusive obligation of international organisations and state institutions. In fact, many multilateral and bilateral donors now prefer to channel their development and humanitarian aid directly to NGOs, who assume new roles as contractors and partners and who may even be involved in policy-making. In illustration of the increasingly blurred boundaries between governmental and non-governmental actors, the World Bank and other development agencies now operate with terms like GONGOs (government organized non-governmental organizations) and BONGOs (bank organized non-governmental organizations), (Ferguson & Gupta 2002).

Over the years many arguments have been voiced both for and against the growing importance of NGOs in humanitarian and development assistance, and I agree with Werbner that this is a field that needs much more analysis (Werbner 1999). However, this is not the place to go into a thorough discussion of the possible benefits and risks of this set-up. But in
the present context, it is worth remarking that whereas repressive regimes are easy targets for criticism of abusing power and suppressing people, and their policy initiatives would usually cause suspicion, NGOs are institutions that are generally perceived as benevolent actors. Regardless of many examples of the contrary, NGOs are generally considered to have strong local roots and to be natural and honest representatives of a local constituency. And they are supposed to know the local culture and to be able to formulate appropriate projects. In short, one can say that they possess a large amount of ‘moral and social capital’ that governments do not, and this facilitates their acceptance and legitimacy and may, when the capital has real value, also lead to excellent results on the ground. However, as the studies by Werbner (1999), Wickramasinghe (2001) and Strathern (2000) eloquently show, the NGOs also play a more dubious role in introducing and imposing new means of (self)-control and regulation. But before I proceed to that discussion in the section on the production of projects, I first discuss the production of categories.

• **The production of categories**

In a general sense, humanitarian categories are meant to classify people affected by natural or man-made disasters and can be seen as the outcome of policies and the basis for interventions and projects. From a critical point of view, such categories and their apparent objectivity, which is achieved through objectification and generalization of lived experiences, should always be challenged and their underlying assumptions often tied to particular interests revealed. As Alberto Arce puts it, the aim of the critical scholar is to examine “linguistic representations and the extent to which they produce rather than reflect their objects of intervention” (Arce 2000, 37, my underlining).

In “Encountering Development”, Arturo Escobar discusses how a particular set of development categories was developed by the West in order to produce and legitimise a world structure in which the West assumed a hegemonic position. And he argues that over time these categories, which classified territories as either undeveloped, underdeveloped, developing or developed, or as belonging to the 1\textsuperscript{st}, 2\textsuperscript{nd}, 3\textsuperscript{rd} or 4\textsuperscript{th} world, gradually became common terms, used to describe how the world is. In other words, they became naturalised in everyday parlance and their emergence as a result of asymmetric global power relations was concealed or ‘forgotten’. But as Shore and Wright remind us we need to “unsettle and dislodge the certainties and orthodoxies that govern the present” (1997, 17).

Now let us examine some of the terminology we have adopted to think about forced migration induced by armed conflict, and the behaviour they motivate and legitimise. At one level, the global categories discussed by Arturo Escobar have been supplemented with a new typology
of states, including for example ‘failed states’, ‘proxy states’, ‘asylum countries’ that seeks to establish a new hierarchy of nation-states based on criteria of government capability and stability. But it is not only national territories that have been reclassified and given new political status in the wake of mass forced migration. Armed conflicts and forced migration have also generated a number of new subject categories such as ‘demobilised combatants’, ‘war prisoners’, ‘refugees’, ‘internally displaced persons’, ‘vulnerable groups’, ‘war widows’, which stress roles in conflict, victimization and kinds of vulnerability, and which partly override other means of identification as they become the primary basis for allocation of humanitarian aid and other forms of assistance. The same processes have re-defined local geographical space as ‘war zones’, ‘cleared areas’, ‘army camps’, ‘refugee camps’, ‘asylum countries’ with immediate consequences for mobility of ordinary people, armed combatants and development and humanitarian actors alike, and with different modes of governance and sources of authority. And they have established a new vocabulary for social needs and conflict-related problems including ‘post-conflict reconstruction’ and ‘post-traumatic stress disorder’, as well as particular forms of assistance and treatment, for example ‘capacity-building’, ‘reconciliation’, and ‘therapy and rehabilitation’ are developed. Rather than seeing assistance and treatment as a rational response to emerging problems, the present perspective suggests that the problem and its solution are seen as constituting one entity, both the outcome of productive power.

Despite obvious differences among the categories, they also share certain traits. First, all the categories are gross generalisations and objectifications of a far more complex reality. This is inevitable, and not in any way particular for humanitarian categories, but nevertheless it is important to emphasize. In her research on refugees, Liisa Malkki has demonstrated how humanitarian actors adopt objectification and generalization strategies, when they refer to what is in fact a large and heterogeneous displaced population and instead create “the essential refugee” (Malkki 1995). In so doing, they decontextualise particular events and rob the individual refugee of her particular history, identity and other circumstances that make her situation conceivable and meaningful to herself. In another paper Malkki elaborates on that point and suggest that, “The net effect of the administrator’s views, I will argue, was to depoliticize the refugee category and to construct in that depoliticised space an ahistorical, universal humanitarian subject” (Malkki 1997, 234). To the extent that humanitarian categories are always generalizations, there is always a significant mismatch between the category and the reality it claims to represent, which current discussions regarding the difficulty to distinguish refugees, IDPs and host populations from each other on the ground or the even more perplexing question concerning how to determine when displacement starts, and when it ends, illustrate. This is perhaps banal, but still important to recall as these
categories are eventually normalized and made the basis for policy-making and project planning, and also shape public opinion on these matters.

The second issue I want to bring up is the point briefly suggested before, namely that policy categories always encourage and legitimise different kinds of intervention by pointing to the gap between ideal and reality. In the case of humanitarian categories, a common feature seems to be that most are defined by lack, deprivation and needs: refugees and IDPs are deprived of the security that a home can provide, they need shelter, food, water, sanitation, medicine and lack the skills and resources to get on their feet again. Development and humanitarian subjects, in other words, all require intervention. Alex de Waal gives the argument another twist when he suggests that the invention of new categories in a particular policy field constitutes a cynical move to ensure the survival of the organisation itself in an increasingly competitive environment by constantly contributing to the expansion of the policy field by ‘discovering’ (read: producing) new needs and lacks uncared for (De Waal 1997).

The final point concerns what I call the moral character of humanitarian categories. Shore & Wright argue that policy (in general) achieve an illusion of standing above morality through objectification and universalisation and a pragmatic orientation towards efficiency (1997: 10). But in the context of humanitarian aid, it can be argued that morality plays an additional role. De Wall suggests that “humanitarianism is hugely self-justifying: it may even be the paradigm of a secular human enterprise that does not need to succeed in order to justify itself” (1997:4). In other words, what he argues is that humanitarian activities are perceived as benign per se. In both cases, the link to morality results in positioning policies or categories in a realm beyond questioning and hence justifies and legitimises humanitarian interventions, while the power at work is concealed (De Waal 1997, Shore & Wright 1997; see also Moore 1993). And as Werbner (1999) and Strathern (2000) and others have cautioned us, humanitarian and other moral interventions may, despite prevailing rhetoric, in fact ‘do harm’ to individuals, communities or even whole societies. For that reason alone, it is important that critical voices aim to bring humanitarian activities back into a realm where it can be questioned and debated, and where alternatives can be worked at.

The above remarks have stressed some of the aspects that the categories we employ when thinking about and responding to forced migration have in common, and how they operate in a field of power relations. But if we are to understand some of the nuances of forced migration and related policy interventions, it is necessary to identify and scrutinize the more specific assumptions and certainties that are associated with any particular category and which affect the forms of intervention and kind of treatment that members of the category will
receive. To illustrate this point I shall briefly discuss the category of ‘internally displaced people’ with the aim of making explicit a few of the core assumptions that guide analytical and practical work relating this category.

First, it is common for policies and projects directed at IDPs to consider them as a localized group. This makes perfect sense in so far as a distinctive defining feature of IDPs is that they remain within the national territory. So while refugees are per definition global or transnational, because they have crossed an international border, IDPs are local. Another aspect that may have contributed to the image of IDPs as highly localized, is the tendency (at least in some places) to flee and settle in community-based groups and thus to re-invok e a sense of village and community. However, field research carried out for a volume on the response strategies of internally displaced people (Vincent & Sorensen 2001) showed that in order to deal with the ordeals of displacement, many internally displaced people would have or create networks, which would not necessarily be limited to the locality, but could involve relatives, friends or acquaintances in other parts of the country or even in other countries. The setting up of a communication shop with access to international calls and the Internet by young IDPs living in a camp in Sri Lanka supports this point. The significance of global or trans-national networks in re-establishing livelihoods is well recognized in studies of migrants and refugees, but because IDPs are thought to be ‘local’ or perhaps due to political agendas this dimension of the lives of those classified as IDPs is systematically disregarded. And even when it is extraordinary for IDPs to have such an extensive global network, it is a reminder that the humanitarian gaze is particular and partial in specific ways.

Spatial and temporal frameworks are often linked, so it should be no surprise that the narrow local focus is often matched with a short timeframe that stresses the temporary-ness of IDPs. Like refugees, internally displaced people are expected to return, resettle and integrate, as soon as the causes of forced migration have been removed. As I have discussed elsewhere (Sørensen 1996) it is common for development agencies to operate with linear phase models, which have the practical advantage that they clearly demarcate the appropriate time and space relevant for planning, while at the same time installing a degree of predictability and sense of control. Their disadvantage, I would argue, is that they ignore both distant history and longer-term future and thus fail to acknowledge that IDPs live full lives, where memory as well as aspirations and ambitions for the future have an impact on the present – and where being a forced migrant only constitutes a partial identity. Again, the ethnographic research carried out for “Captured Between Borders” (Vincent & Sorensen 2001) gave several examples of how people would operate with a much longer temporal frame than would the agencies. And the most interesting point was perhaps that the ideas and plans that people made for the future in many cases could not be captured by the naturalized view of ‘return, resettlement and
reintegration’, which generally speaking restricts itself to restoration or a back to normal. On the contrary, many IDPs were agents who envisaged and prepared for more radical changes in livelihoods, which could only be identified by asking people about their visions, just like the expansion of the historical perspective revealed that forced migration, often perceived to be sudden and unexpected, had been anticipated and prepared for several years before it actually happened.

The final point concerns the assumption that IDPs and refugees always want to go home. The first problem that we encounter is that the term ‘home’ is a badly understood notion in itself. Do we mean back to where they stayed before displacement, to their birth village, to the place where they have relatives who can support them, to the place where they own land, house, or other assets, or do we mean to whatever place they feel at home or would like to make a home, or perhaps a place with good opportunities for establishing a safe and secure livelihood? In most cases humanitarian organizations think of one of the first perceptions of home, and as Malkki has suggested this may have to do with a view of the territorialisation of national culture and a concomitant perception of people’s identity as rooted in this territory (Malkki 1992). But to naturalize this view is to standardize people’s experiences and to acknowledge only certain strategies that displaced people develop. Again the ethnographic research carried out for “Caught Between Borders” (Vincent & Sorensen 2001) showed that many people who had been forcefully displaced wanted, not to go home, but to move on and to establish a new home in places with no bad memories attached, with security and most important with good opportunities for education and employment.

A critical, and sensitive approach would be to try and understand what particular refugees or IDPs understand by ‘going home’ and to accept that like for all other people the fact that you are born in a place and may even still have family there, does not mean that you want to stay there for the rest of your life. And in fact, when livelihood opportunities are better elsewhere the decision to move on and create a new home elsewhere may be a sound one and should be given full support. Maybe the assumption that displaced people want to go home in the sense of returning to a particular place where they have roots, should be replaced with an assumption that displaced people want to have a place where they feel at home, a perspective that allows for more ambiguity in the term and places emphasis on home as a social process rather than a building or site?

The reason for including a discussion of categories and their underlying assumptions here has been to try and show how a diversity of experiences, aspirations and plans are turned into a far more limited number of standardized experiences and solutions. I now move on to a
discussion of development and humanitarian projects, which I regard as the site or arena where the categories and assumptions are produced as natural.

- **The production of projects**

Projects are the conventional form of development and humanitarian intervention and a direct outcome of policy, designed on the basis of and also targeting selected policy categories. Projects are generally perceived as rational solutions to identified problems, but from a more Foucauldian perspective, projects can also be seen as sites of contestation or as sites where new values and norms of conduct are adopted and internalised (Arce 2000). It is this latter point that I wish to discuss here.

Projects are a linear process with several distinctive phases (e.g. needs assessment, project designing, implementation, evaluation). The division of the project into such phases with specific objectives and practices attached generates a sense of control and predictability, which is again the basis for infinite replicability of the same structure, and as such the project can be seen as a typical bureaucratic construct (Hobart 1993). Each phase, however, can also been seen as constituting an interface, where project staff and beneficiaries meet and interact, and as points where values and norms of conduct are communicated, monitored and evaluated. Several earlier anthropological studies of development have also pointed to these interfaces, but whereas they have either stressed these as spaces where the development authorities could exert a kind of oppressive power, or as ‘battlefields’ where different forms of knowledge and perspectives could be confronted with each other and negotiated (Long & Long 1995), I stress their capacity as spaces where a certain kind of socialization and internalisation takes place.

Even earlier forms of development projects moulded in a top-down manner and employing high technology could be seen as containing this dimension, but with the current stress on ‘participation’, ‘empowerment’, ‘partnership’ and ‘capacity-building’, socialization and internalisation has been strengthened. Or to put it differently, one could say that as NGOs, CBOs and beneficiaries have been forced to assume a greater role in implementation, projects have become a new opportunity for power to work on and through the subjects. The new rhetoric suggests that by becoming more active, or participating, in carrying out needs assessments, building schools and roads, etc., local organisations and groups are empowered, but this conceals another implication which is that the NGOs and CBOs become directly involved in disseminating, regulating and controlling behaviour, and that people are now becoming responsible for their own development. In the words of Strathern, “governance has become reconfigured through a veritable army of ‘moral fieldworkers’ (NGOs)” …
“’management’ is heard everywhere as an idiom of regulation and organization” (Strathern 2000: 2).

One aspect of the new development ideology that I find particular interesting and an obvious object for critical analysis is the emphasis on management that Strathern also notices (although in a very different context). Sampson speaks of a ‘project culture’ (Sampson 1996) and Strathern calls it ‘audit culture’ (2000). What they both refer to is the growing involvement of partners and beneficiaries in a process of bureaucratisation, where they have to learn different kinds of counting, accounting, reporting, monitoring and evaluation tools, etc., which are justified as means to achieve more efficient and sustainable projects, but which nevertheless also introduce different mechanisms of regulation and self-regulation. People learn to adjust their experiences and concerns to the mandates of present donor organizations. This is reflected in the ready-made ‘lists of needs’ that some communities in humanitarian zones are able to present to the organisations that visit to identify projects. They soon learn which activities and objects they can get funding for and which not, and they know the priorities of each organization. And not least, they learn to communicate these needs in the approved ‘project format’. And as soon as a local organisation or a community receives funding they are confronted with the next level of the bureaucratic mode of power that requires monitoring and constant reporting. And for that end, constant training in management, accounting, report writing and in values like accountability and transparency are provided to the local partners and to the beneficiaries.

Training, or in the new rhetoric, ‘capacity-building’ is an important component of contemporary development and humanitarian projects with considerable amounts of financial and human resources earmarked for workshops to this end. And while it can be appreciated for its efforts to provide education and training in political environments that have seen these services interrupted for long periods of time, and to assist people in obtaining qualifications for employment and improvement of livelihoods, critical analysis alerts us to its more dubious outcomes. First, in many cases there is no guarantee that training will lead to employment, as displaced populations typically encounter obstacles such as hostility from host populations, lack of capital and resources, insufficient political support to become self-reliant and independent, etc. In this context, one course often succeeds the other, continuously postponing the hope for economic stability and prosperity. Instead the course diplomas become the main social capital to be used in social relationships. Second, many training activities seem to focus on skills and capacities that are primarily relevant to ‘project culture’ and of only marginal relevance in the local, more traditional socio-economic setting such as training in English (and project jargon), computer skills (and report writing) and management (of projects), and as such seem to be more in the interest of donors and their project staff than
to the local population. As Pottier has it, “Whatever the PRA pundits say about relaxed settings, participatory workshops are structured encounters marked by hidden agendas and strategic manoeuvres” (Pottier quoted in Grillo 1997, 9). Now, one could of course argue that ‘education and training is always good’, and I partly support that view. However, when the training courses become part of a strategy to bureaucratise people’s lives in the sense of imposing standardization and regulation, I get concerned, because I see how they threaten to reduce diversity and the range of what is possible and to move attention from ‘doing the right thing’ to ‘doing things the right way’

As I hope to have illustrated, critical theory can shed new light on forced migration as a field of power relations, where in addition to the people who have been displaced, politicians, policy-makers and project staff are key players, and where all have vested interests in creating and defining the reality of forced migration. However, for somebody aiming at making a constructive contribution to the field by applying knowledge to practical solutions, critical theory has its limitations as it concentrates on deconstructing the field without offering real alternatives, except withdrawal and disengagement. While I share the concerns expressed by Escobar, Wright and others, that the anthropologist risks becoming part of the problem rather than the solution, I would argue that critical theory may be fruitfully combined with thorough ethnographic research, which has the potential of offering more constructive perspectives. I have already given some sketchy examples of how ethnographic evidence could contribute to alternative views and ‘truths’, and in the following section I shall elaborate on the potential of ethnographic research and what is required of it if it is to support the critical perspective just outlined. Admittedly, my approach does not succeed in dismantling the existing unjust global order, but I believe it does challenge some of the certainties that support and contribute to its reproduction, and it may help to identify and justify alternative goals and ways that are more ‘experience-near’ (Geertz 1979).

**Ethnographic field research**

Ethnographic field research plays a central role in anthropology as a discipline, and most anthropological studies are based on field data. I shall not go into a long discussion of ethnographic research and the many different qualitative research tools, which are discussed at length elsewhere, but only highlight a few of its central aspects. In ethnographic research, the researcher aims to become familiar with and understand the world from the informants’ point of view. In order to achieve this inside perspective, she mixes with people in different settings and situations, and learns from her own and their (inter)actions, experiences and reflections. It is also characteristic of ethnographic field research that the researcher refrains from determining what is significant in advance, and allows the focus of investigation to
Ethnographic research can contribute to the study of forced migration in many different ways. It may complement the deconstruction of the generalised categories implied in critical analysis and show, which categories are meaningful on the ground and how. Do people employ humanitarian categories like ‘refugees’, ‘displaced people’, ‘hosts’, etc., and for whom and in what situations are they used, and what normative qualities do they carry with them? Or do they employ and reinterpret existing criteria for social differentiation, e.g. kinship terms, in order to incorporate a situation of displacement, as when resettled families are welcomed and included in existing kinship relations as a means to normalisation and integration. Ethnographic research may in other words reveal existing and emerging patterns of exclusion and inclusion, and show how social positions are classified, defended, rejected and negotiated in the wake of displacement and humanitarian interventions. Ethnographic research also allows for issues that are important for people’s lives to emerge, even when they are regarded as less important from the official policy perspective, and this may either result in a different focus altogether or in a re-contextualisation of people’s lives.

By starting the investigation of forced migration and its socio-economic, political and cultural consequences from the point of view of those affected by it, displaced people are restaged as actors with considerable agency, instead of being cast as passive victims.

The fact that good, ‘old-fashioned’ ethnographic research can help us to grasp the dynamics and complexities of forced migration as lived experiences certainly speaks to its advantage. At the same time, it is imperative that anthropology does not satisfy itself with its traditional way of working, but continues to develop its methodology in reflection of shifting interests and conditions. And here we can learn important lessons from critical theory to reformulate the goals and methodology of ethnographic research.

First of all, critical analysis urges us to reconsider the ‘field’. In a draft paper, Carolyn Nordstrom asks, “Where is war?” The question at first appears peculiar, because we all know where war is. It is in the battlefields. However, Nordstrom convincingly argues that in order to understand and address armed conflict, we need to expand the conventional “war field” that consists of the armed combatants in the battlefields only, and include the armament manufacturers, the arms dealers, the people living in peaceful areas far away from the violent confrontations, but nevertheless influenced by or influencing the dynamics of war.
businessmen speculating in and often benefiting from wars, etc. If we were to pose a similar question regarding the proper delimitation of the current field, forced migration – and I think that is a good idea – we would likewise have to move away from exclusively considering the refugees, the internally displaced people and the different kinds of refugee and transition camps as our object of research. In addition to these categories of “forced migrants”, we would have to include in the field for example government institutions where political responses are formulated and policies developed, and the armed forces and combatants who try to regulate and use forced migration as part of a war strategy. It would also embrace the private sector companies, who play a role as entrepreneurs making the most of the situation, legally or otherwise. Other key actors in the field are the international donor community and the humanitarian organizations that live from assisting the displaced populations. Diaspora communities or the Internet, where some displaced people link up with other Diaspora groups or political support groups constitute yet other possible sites that may shed light on forced migration. In all these sites the methods of ethnographic research could be employed to develop a better understanding of the internal perspectives and interests in forced migration, and taken together all of these inside perspectives would contribute to a more comprehensive picture of the dynamics of forced migration.

The traditional ethnographic field research was typically situated in one locality and focusing on one or a few social groups. But to grasp the complexity of social issues like forced migration, this delimitation of the field is inadequate. Instead George Marcus argues for a ‘multi-sited ethnography’, where “ethnography moves from its conventional single-site location, contextualized by macro-constructions of a larger social order, such as the capitalist world system, to multiple sites of observation and participation that cross-cut dichotomies such as the ‘local’ and the ‘global’, and the ‘lifeworld’ and the ‘system’” (Marcus 1995, 95). Multi-sited ethnography, in the words of Marcus is moreover strategically situated, and “attempts to understand something broadly about the system in ethnographic terms as much as it does its local subjects” (op.cit., 111). “Multi-sited research,” Marcus adds, “is designed around chains, paths, threads, conjunctions, or juxtapositions of locations in which the ethnographer establishes some form of literal, physical presence, with an explicit, posited logic of association or connection among sites that in fact defines the argument of the ethnography” (op.cit.: 105). Likewise, but explicating the work of power more, Akhil Gupta & James Ferguson urge anthropologists to reconsider the ‘field’ in fieldwork. Concretely they suggest that the view of a field as ‘the local’ (a geographical site and a taken-for-granted space) is replaced with a focus on ‘location’, which they define as a field constituted by power relations and supporting “a mode of study that cares about, and pays attention to, the interlocking of multiple social-political sites and locations” (Gupta & Ferguson 1996; see also
Hyndman 2000). And as I hope to have illustrated, forced migration appears to be one good example of an issue that would benefit from being studied as a location.

**Concluding remarks**

In the present paper I have outlined what I consider to be some of the strengths of anthropology to the study of forced migration. Let me conclude with a few remarks about how I see this anthropological contribution in relation to the multi-disciplinary effort that I also argued is necessary. Today it is commonly accepted that local ethnography about kinship relations, cultural values, indigenous knowledge, and even subjective experiences of social processes is valid and can be of value to development or humanitarian interventions as a supplement to expert knowledge from other disciplines on national and customary law, macro- and micro finance systems, water availability and soil quality, etc. It remains a challenge, though, how to incorporate or coordinate these different strands of knowledge, as any such effort is usually marred by the lack of understanding of each other’s professional languages, but also by inter-disciplinary competition.

As I have also argued, an equally important contribution stems from anthropology’s adoption of critical analytical perspective and its attention to how certainties and truths are produced by different actors, including anthropologists themselves. This is an approach that focuses as much on asking the right questions, as it does on providing answers. It is also an approach that values unpredictability over predictability as the basis for new insights. And it is a kind of research that requires the ability to be attentive, flexible and creative more than skills in developing rigid research designs to test pre-defined hypotheses. Finally, the anthropological approach values and defends diversity and specificity over the general and the typical. And these are often much more difficult perspectives to reconcile with the research approaches of other disciplines with a more positivist or naturalist approach, not to mention the challenges we meet when trying to apply our skills to policy- or project making, because here it is revealed that some disciplines have fundamentally different conceptualisations of truth, science, validity, etc. (Rabinow 1986). However, this is a challenge that I at least am willing and prepared to take up in the hope that we can make constructive contributions to the understanding of forced migration as well as real improvements for those whom we today call the displaced populations.
Literature


THE PLACE OF IDP RESEARCH IN REFUGEE STUDIES

Howard Adelman

Introduction

What is the place of IDP research in refugee studies? What should it be? My suggestion is that there is a prior question. It is necessary to understand why the focus of IDPs arose when it did. What political agenda was behind the definition and the mode of institutionalizing the program? What relationship has the IDP program to the current developments in handling refugees? Put another way, why did refugee studies begin and expand in the early eighties separate from immigration studies? Why did it take twenty more years for displacement studies to begin a presumably similar trajectory of growth? This essay suggests that there are power and interest factors behind research initiatives that influence the development of a discourse about displacement.

After a brief description of the development of the epistemic community and the way it placed displacement studies within refugee studies, I analyze the difference between the concept of displacement in the policy arena versus that found in several interesting research studies on displacement after displacement research began to be separated from the refugee area. Beside the category of refugees forced to move and cross borders, three categories of displacement emerged - those who flee because of war or tyranny within borders (IDPs proper), those displaced by large-scale economic development projects such as dams (DIDs), and those displaced by natural disasters (NIDs). The three categories of displacement differed not only in terms of causes but in terms of the decreasing amount of coercion required to induce displacement as one moves from one category to the next. The latter was important because the stress on degrees of coercion within borders correlated with degrees of responsibilities assigned to states for their own members. This contrasted with the older stress in “traditional” refugee studies that focused on who had the right to claim membership in a new state.


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The policy area appeared to parallel developments in the research field. The policy definition of the guiding principles on displacement included those who flee or are induced to move because of natural or man-made disasters as well as those who flee within borders because of armed conflict or human rights abuses. However, the policy and research conceptions diverged because the policy area emphasized horizontal displacement, that is, those obliged to flee their homes within the borders of a state. The research literature introduced two other categories of displacement. Vertical displacement referred to those forced to lose social status and/or economic income. Internal displacement referred to those who lost language and culture because of the activities of the dominant majority. In fact, the latter two conditions of displacement could come about without any physical movement, as when the territory used by nomadic populations becomes more restricted or when stasis rather than movement was forced on a population as the norm.

After setting out these distinctions, but without offering any explanation, the paper takes a radical historical turn. From the emphasis on the contemporary intellectual structures created by policy as distinct from research interests, I focus on an issue of conflict over the categories of displacement and refugees in the debate over the status of Jewish refugees in 1946 following some historical background on the competition for majority status and cultural and economic dominance between the Arab indigenous population of Palestine and an immigrating population of Jews who came back to a land in which they had once been the majority. The dominant empire – then the British – shifted its support in the twenty years from 1917 to 1937 from the minority to the majority. However, the British Empire was in decline; in the ten years between 1937 and 1947, it became bankrupt. As the British Empire disintegrated, other political and economic forces took over. The British fought a rearguard effort to resist the Jewish immigration tide in the face of the development of a regime that then favored Jewish immigration to the area.

That regime shift came to a head in the conflict over the terms governing the conduct of the International Refugee Organization (the IRO) in debates at the United Nations. British and Arab efforts to resist these changes ended in defeat. The Jews left over in the concentration camps of Europe and those who had fled westward to avoid living under communism were classified as refugees and not as displaced. Thus, they were not forced to return but made up a population of a quarter million that wanted to move to Palestine, in good part because western closed doors still did not welcome Jews. The American dominance in world affairs after World War II began its ascent with its support for Jewish immigration to Palestine.
This paper is about the place of IDP research within the frame of refugee studies. I argue that the category and concept of an “IDP” and that of a “refugee” are value loaded terms carrying with them a heavy weight of historical and political baggage. The interrelationship between the two terms is even more burdened. The second clause of the *Guiding Principles on Internal Displacement* (UN: OCHA 2001, 1) defines internally displaced persons or groups as those “forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.” I suggest that this definition of IDPs, and the restriction of the use of the term “refugees” to individuals who cross state borders, may have a political agenda behind the distinction.

When I suggest that the terms IDP and refugee are value-loaded concepts, I do not mean that some people do not like to be labeled as an IDP because they feel they are depersonalized or because they found the term demeaning or degrading, or resisted being labeled a refugee because they associate refugees with victims. The terms are valued-loaded because the definitions arise out of a particular historical and political context and are intended to serve specific political agendas. Ostensibly, the definition and the guiding principles applied to IDPs are intended to give citizens the idea that they have rights and to empower them. The definition is an exercise in nation-building dedicated to a nation of equal citizens in which sovereignty resides with the people, and the government is responsible for protecting all its members without favor. This is a liberal republican definition of a state in a context that can also be used to set in place the moral and normative machinery to justify intervention in a state to protect large groups of people who are being persecuted and relocated within the state.

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3 Cf. Francis Deng’s opening address to the conference on displacement at Trondheim, Norway, 7-8 February 2003. Francis insisted that he respected the sovereignty of states at the same time as he insisted that sovereignty means responsibility for the members of that state, thus significantly qualifying his respect for sovereignty. Cf. also the international report sponsored by the International Commission on Intervention and State Sovereignty (ICISS) *The Responsibility to Protect* (Ottawa: International Development and Research Center, December 2001); it has a complementary agenda.

4 The promoters of the definition may also stress the use of diplomacy to protect the members of other states, while other states, including the only hyper-power, the USA, may rely on coercive diplomacy and even coercion offering the same rationale but with their own protection as the primary interest. In other words, even if the means and motives differ, the same moral ideology provides a rationale for diplomatic as well as coercive intervention.
Controversial cases rather than obvious ones often yield the most fruitful insights into these issues. Hopefully, this essay will provoke research that may provide a partial explanation of why the UN chose not to place the responsibility for IDPs in a new self-standing independent distinctive international regime, or even place the issue of the internally displaced within an existing international institution such as the UNHCR. Instead, the international community adopted the soft option of creating an office that would encourage collaboration among agencies with only guiding principles rather than a separate convention with a distinctive international legal weight.\(^5\)

The methodology will be interdisciplinary, first utilizing philosophical conceptual policy analysis and then the tools of historical research and critical theory applied to a policy case analysis.\(^6\)

**Epistemic Regimes - Immigration, Refugees and the Internally Displaced**

An introductory textbook on immigration emphasizes demography, government policy, citizenship and transnationalism, racism and cultural diversity, public attitudes, enforcement, humanitarian policies and programs, social, cultural, political and, most extensively, economic integration, legal and justice issues primarily focused on refugees, health, and education.\(^7\) There is nothing about displacement, for immigration is concerned primarily with intake. If one shifts from immigration issues, within which refugees occupy a disproportionate space, to issues of forced migration, displacement is given pride of place now approaching rough equivalence to the issue of refugees. Dividing the realm of forced migration into IDPs and refugees is not reflected in how the problem traditionally appeared in most research centers for knowledge production about refugees. Displacement was subsumed within the category of refugees. Four categories of refugees were distinguished:

\(^5\) Nick Van Hear, inspired by Professor Chimni, proffered one hypothesis. He suggested that the sudden new interest in the internally displaced may have a great deal to do with western states’ increasing reluctance to deal with refugee asylum claims. The rationale that an IDP regime promotes stability, since most people want to stay in their home country with people with whom they share values and a common world view, and that it places the primary responsibility for protecting and assisting the citizens of a country on the home state, reinforces that hypothesis. This requires exploration. Another hypothesis suggests that Norway and Canada back the new regime to reinforce their status in the international community as moral powers.

\(^6\) Contrast this method with Karen Jacobsen’s large scale quantitative approach, Birgitte Sorensen’s anthropological field research using in depth qualitative person interview techniques and Cecilia Bailliet’s efforts to survey international law and human rights instruments to distill principles that will provide the greatest protection as well as identify gaps in the international legal regime.

Political refugees with a well-founded fear that they will be persecuted as individuals because of their politics, race, religion, etc. who are outside their state of origin and who are eligible to claim convention refugee status;

Humanitarian refugees who move because of political tyranny and frequently civil wars between or among different ethnic and linguistic groups over land, resources and power;

1) Disaster refugees produced when the coercion is natural -- floods, drought, hurricanes -- normally within a political jurisdiction;

2) Developmental refugees or the larger category of “forced economic migrants” when the coercion is man-made -- impoverishment and starvation because of the political mismanagement of the state.

The above categorization did not distinguish between movement within the borders of a state or across borders except for convention refugees. They were all called refugees. Further, they are distinguished not by the degree of coercion used to induce movement but by the rights accorded to that category to claim membership in another state. Only political refugees were given that right. Development, disaster and humanitarian refugees had no such rights to claim membership. The categorization reflected the politics of the time in which an indigenous population through its instrument, the state, sets the rules for entry and membership for those applying for membership or temporary protection. Given that categorization, separate centres for displacement studies were not established. I know of no research center for displacement studies in a North American university, though that capacity now exists at Brookings. That does not mean that displacement is not studied. It only means that research on displacement has not been systematically organized in a research center in universities. At my own university, the Centre of Refugee Studies (CRS) and the Centre for Excellence in Research on Immigration Studies (CERIS) share the same suite of offices and the same receptionist. Any research on the displaced is a subordinate activity within refugee studies.

I am not making any claim that displacement studies should or should not be separate from refugee studies to reflect the division between those forced to flee within borders and those who are forced to move and cross borders. I am merely pointing out that knowledge systems and how they are organized to produce knowledge are part of and often reflect the politics and priorities in dealing with a problem. Knowledge production is not divorced from history and politics. Since efforts are now underway to establish research centers on displacement as well as a global network, one can anticipate the development of even more research centers on displacement separate from and independent of refugee studies. Such a development will represent the
relatively innocent conflict for an independent place under Plato’s intellectual sun for displacement studies. However, that academic development will not be independent of but will reflect to some degree the historical and political status of displacement in the political firmament of our time. Research scholarship is not an enterprise independent of the political debates of the time even if ideally research is rightfully defined as having such independence. However, the independence of that scholarship and the productivity of the research will be enhanced to the degree that research comprehends the way in which intellectual debates and constructions reflect the politics of time and place.

**The Current Conception of Displacement**

Displacement has both a descriptive and an evaluative dimension. It is normative in at least three senses. Displacement is something that occurs to a person so that an individual is perceived to be to some degree or other a victim of another’s actions. Secondly, displacement is part of a discourse in which stasis or lack of movement is seen to be the norm and movement seen to be abnormal. Thirdly, displacement is associated with coercion defined as a reduction in the options of choice available to the person(s) displaced so that even those “obliged to flee” to avoid the effects of armed conflict are classified as displaced.

In the descriptive as distinct from normative characterization, displacement refers both to persons who are the active recipients of enforced relocation in space and from place, but also to the displacement of language and culture. Within the descriptive depiction of displacement, a number of distinctions are made, the main one between “internal displacement,” that is a loss of language and cultural identity, and external or physical displacement. Physical displacement is further subdivided into a horizontal displacement from place and in geographical space, and a vertical displacement in terms of downward displacement in income and/or status. So there are three dimensions to internal displacement, horizontal geographical displacement, vertical social and economic displacement, and an internal displacement in identity.

Further, Lund (cf. fn. 6) noted five sequential diachronic or historic stages in the displacement of the *Veddas* in Sri Lanka:

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8 At the January 2003 conference on forced migration at Chiang Mai in Thailand, I had the distinct pleasure of providing a commentary on two excellent presentations. One was Ragnhild Lund’s paper entitled: “Representations of Forced Migration in Conflicting Spaces: Displacement of the *Veddas* in Sri Lanka.” The other was a paper by Peter Penz, the current director of the Centre for Refugee Studies at York University to which I belong. This analysis is inspired by those two papers.

9 Lund, 8: “mobility is something extraordinary”; Deng also stresses stability as the norm.
1) greater and greater restrictions of territory in which to engage in their nomadic ways to practice hunting and gathering;
2) nomads forced to settle and stop migrating and earn their keep through crops and selling their labor in the name of progress, a process that was neither physically coerced nor voluntary either but one that entailed the displacement of the Veddas;
3) development-induced displacement as a result of the Mahaweli Dam Project just south of the Jaffna Peninsula in Sri Lanka undertaken in the name of progress for both those in power – the Sinhalese – as well as the education and advancement of the Veddas that was accompanied by the greatest “internal displacement” with the greatest loss of language and culture\(^\text{10}\);
4) displacement as a result of the war between the Tamils and the Sinhalese triggered by an attack by Tamils on the Sinhalese military in which the Veddas are totally uprooted from their home territory\(^\text{11}\);
5) an effort at redress and restoration of land rights in principle in the 1990s, but without an enforcement mechanism and where few actually benefit.

The first situation was a case of horizontal displacement accomplished not by forcing or obliging anyone to flee or even move. Rather, the boundaries within which they could move were constricted. The second was a case of “forcing” settlement and insisting on a fixed place and space rather than a case of inducing flight in the name of enhanced vertical mobility. The third is one of development displacement. Only the third case falls within the current definition of the displacement regime but without the focus on internal displacement, that is a loss of language and cultural identity.

The aim is not to make any claim for preferring one taxonomy above another. Rather, the taxonomies of scholars reflect and reinforce one discourse or another and are not independent of such discourses. Given this taxonomic framework, we can now take up the historical case of the displaced Jewish refugees in 1946.

\(^{10}\) Cf. Tesfaye Leta Hordofa’s paper on the Karrayu Oromo in the Upper Awash Valley in Ethiopia and Renu Modi’s paper on the displaced produced by the Sardar Sarovar Project in India and the Kariba Dam project in Zambia presented at Trondheim.

\(^{11}\) Cf. the paper on the Kurds in Turkey by Esra Erdem, Neset Ozevin and Ceren Ozselcuk as well as the paper by Bediz Yilmaz which both stress both horizontal and vertical displacement.
A Case Study of Jewish Refugees in 1946

a) Competition of Principles, Power and National Movements after WWI

After WWI, what we now call the internally displaced within failed empires, were merely the refugees that were ready to be transferred by the international community to their respective nation states. In the dissolution of the empires and the beginning of the construction of a global nation-state system that would take the rest of the century to complete, the system of dealing with refugees was not based on a right of refugees to claim membership in a state nor the degree of coercion imposed on the displaced, but the coercive displacement and exchanges of large population groups to fit them within different nation-states. Thus, in the dissolution of the Ottoman Empire, large numbers of Greeks and Turks were moved from their homes and relocated within the national boundaries of the new Greece and Turkey respectively, a regime system now anathema to international norms but then the dominant and accepted norm for dealing with displaced or refugee populations.

My case study is not the Greeks and the Turks or the residual problem from that exchange, Cyprus, but the problem of immigrants, refugees and displaced populations in the neighboring territory of Palestine. Before the full-scale war of 1948, before the United Nations recommended partition in 1947, before the debate over the destiny of Jews left in concentration camps after WWII that I will discuss, the focus of the conflict in Palestine was on demography, self-government and restrictions of land purchases. The issue was over vertical displacement, competition over political control because that meant control over internal displacement, that is, over which language, culture and way of life would dominate a territory. On the one hand, the minority national group in the area, the Jews, aspired to increase their numbers in Palestine. On the other hand, the majority national group, the Arabs, resisted that increase. Thus, in the first fifty years of the conflict, the central issue was over the rights of Jews to immigrate to Palestine. In the words of the first Prime Minister of Israel, David ben Gurion, "the only problem that matters (is) Jewish immigration".  

Palestine at the time was not a separate state with sovereign control over who could enter as members. Palestine came into existence as a political entity separated from the Turkish Empire as a territory and placed under the political jurisdiction of the United Kingdom. The Supreme Council of the victors of WWI at San Remo on 25 April 1920 allotted Britain the mandate for Palestine. Article 22 of the Paris Peace Conference of 1919 provided that, until the community was able to stand alone, a Mandatory power would provide only administrative advice and assistance

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under the proviso that, "the wishes of these communities must be a principle consideration in the selection of the Mandatory". Thus, the League of Nations designated Palestine a "Class A" Mandate, meaning that the mandatory power was just to render temporary administrative advice and service. Nevertheless, the final terms confirmed by the League Council on 22 July 1922 repeated the Balfour Declaration in the Mandate for "the establishment in Palestine of a National Home for the Jewish people," but qualified that pledge to assert that "nothing shall be done which may prejudice the civic and religious rights (note, not political rights) of the existing non-Jewish communities, or the rights and political status enjoyed by Jews in any other country". When the Balfour Declaration referred to "rights" of the indigenous population, it referred to non-political rights. Political rights, however, were assured for Jews in other countries. Article 6 explicitly called for facilitating Jewish immigration "under suitable conditions" but without prejudice to "the rights and position of other sections of the population". Thus, the Declaration already circumscribed the sovereign right of an indigenous population to determine who and how many others could become members of its community.

The influx of Jewish co-nationals of the minority would eventually threaten the majority status of the dominant group, particularly since the Jewish emigrants identified themselves with a distinctive Jewish nationalism -- Zionism. The majority of inhabitants of Palestine, to the extent they identified with any nationalism, identified with the Arab nation. Arab nationalists believed that the Arab Nation should be the exclusive national identity in Palestine in the same sense that the Palestinians now claim that the Zionists wanted “to create and exclusive Jewish state in Palestine”\(^\text{14}\), where exclusive is “characterized by a Jewish demographic majority.”\(^\text{15}\) Given this

\(^{13}\) When the Palestine Mandate Agreement between Britain and the League of Nations was signed with the Balfour Declaration incorporated into it, the Zionists acquired their first international binding pledge of support; consequently, their political claims to Palestine were greatly strengthened. In fact the mandatory agreement was framed largely in the interests of Jews. For example, it provided for (1) the incorporation of the whole of the Balfour Declaration; (2) the recognition of the 'historical connection of the Jewish people with Palestine'; (3) the establishment of a Jewish agency to be 'recognized as a public body for the purpose of advising and cooperating with the Administration of Palestine in such economic, social, and other matters as may affect the establishment of the Jewish population in Palestine'; (4) the facilitation of Jewish immigration and 'close settlement by Jews on the land' provided that the mandatory ensures 'that the rights and position of other sections of the population are not prejudiced'; (5) the right of each community to maintain its own schools; and (6) the use of Hebrew, as well as Arabic and English as official languages.

Fred J. Khouri, The Arab-Israeli Dilemma. Syracuse: Syracuse University Press, 1968, pp. 16-17. [Note: a third edition was published in 1985, but these references are to the first 1968 edition; further, the headquarters of the press is now in New York.]

\(^{14}\) The Right of Return, 5.

\(^{15}\) Ibid, 7.
opposition by Arab Nationalists to Jewish immigration, particularly a Jewish immigration identified with a rival nationalism, conflict seemed inevitable. The Arabs did not want their territory to be used as a homeland for a nationalist movement, even if that territory had been the ancient homeland of the competing nation. Further, the Arabs denied that the Jews comprised a nation and that the minority indigenous Jewish population had national minority rights.

The Arabs backed up their claim for possession of the territory and the right to determine its future with reference to a series of international agreements and commitments for Arab independence and self-determination in Palestine -- British government pledges during the First World War as set out in the correspondence between Sir Henry McMahon and Sherif Hussein of Mecca, the Wingate telegrams, the Hogarth assurance re the Balfour Declaration, General Allenby's communication to Prince Feisal, the Basset Letter, the Declaration to the Seven, and the Anglo-French Declaration of 1918. Those pledges and commitments contradicted the Balfour Declaration but were not endorsed by the League of Nations. The Balfour Declaration was.

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16 Sharif Hussein of the Hejaz negotiated with the British on the basis of the Damascus Protocol whose terms were set by Arab nationalists from Syria and Mesopotamia skeptical of Britain. In the ten letters exchanged, beginning on 14 July 1915, Hussein set forth the demands for independence. In the responses, dated 24 October to 23 December 1915, McMahon agreed to recognize and uphold the independence of the Arabs in regions that excluded some Arab areas -- such as Aleppo, Beirut, and Adam -- but not Palestine. On the basis of these understandings, the Arab revolt began against the Ottoman Empire. The secret Sykes-Picot Agreement of 16 May 1916 dividing the Arab world into French and British administered areas and zones of influence as well as an internationalized Palestine clearly contradicted the Hussein-McMahon correspondence. When Hussein learned of the secret treaty via the Bolsheviks in December of 1917, Sir Reginald Wingate, the High Commissioner in Egypt in early 1918, confirmed Britain's pledges to the Arabs. When the Balfour Declaration was published in November, Commander David Hogarth assured Hussein that Jewish settlement in Palestine would only be allowed insofar as would be consistent with the political and economic freedom of the Arab population. When Arabs were recruited to join the revolt, they were assured they were fighting for national liberation. The British on 16 June 1918 formally and publicly confirmed that the future government of the territories would be based upon the consent of the governed. Seven Arab spokesmen drew the open conclusion, not refuted by the British, that Britain would not dispose of Palestine without regard for the wishes and inhabitants of Palestine. The final confirmation of British and French policy was contained in a 8 November 1918 press communiqué assuring that the national governments in liberated areas "shall derive their authority from the free exercise of the initiative and choice of the indigenous population". Cf. Khouri 1968 for an excellent summary of the series of reassurances about self-determination by the Arabs in Palestine. The McMahon-Hussein correspondence itself can be found in the British Command Papers (Cmd.) 5957, 1939 and in E.L. Woodward and R. Butler, eds., Documents on British Foreign Policy, 1919-39 (London, 1952), iv, 487. George Antonius, The Arab Awakening (London, 1946), pp. 257, 288, 431f., 433f. quotes or cites the Wingate telegram, the Hogarth communiqué, the Declaration to the Seven and the Anglo-French Declaration of 1918. Cf. both The Institute of Palestine Studies, The Partition of Palestine 29 November, 1947: An Analysis (Beirut, 1917, p. 2) and the UNSCOP subcommittee report written by Sir Muhammed Zefrullah which both cite this history of pledges to provide a
Beneath the debates over past promises and pledges and overriding international binding legal covenants and the political issue of two nationalisms in conflict, two principles were in contention as well. One principle was that each nation in the world had the right to self-expression in a specific territory and the protection of a state to guarantee and secure the collective well-being of that nationality, a principle to which the Jews appealed. The second principle was the right of an indigenous population to self-determination in the territory in which it lived. Both principles were based on the primary principle on which the League of Nations was founded - the right of nations to self-expression in a territory. Further, both derivative principles were subject to the reality of state power. The League of Nations was not set up to destroy or challenge the power of existing states on the principles of extra-national self-expression or self-determination. These principles were only applicable in areas where a vacuum in state authority had been created as a result of the dissolution of empires following World War I.

The Arabs, while opposing the Balfour Declaration, interpreted its provisions incorporated in the Mandate as favouring them for they contended that the Mandate's terms guaranteeing the "position" and "rights" of the indigenous majority went further and included the right of the Arabs to remain a majority and the political right eventually to have a state that would express the Arab nationality of that majority. Within the state that would emerge, the Jews would be viewed as individuals with minority rights, but not national rights.

Winston Churchill recognized the contradiction between the two principles and summed up the contradiction between considering the ‘rights’ of the indigenous population and creating a homeland in Palestine for the Jews. "The difficulty about this promise of a national home for the Jews in Palestine is that it conflicts with our regular policy of consulting the wishes of the people in the mandated territories and of giving them representative institutions as soon as they are fit for them, which institutions, in this case they would use to veto any further Jewish immigration." The Churchill Memorandum of 1 July 1922 clarifying the Balfour Declaration seemed to move in the direction of the Arab position, for it prevented "the disappearance or the subordination of the Arabic population, language or culture in Palestine," what we have called internal displacement. Further, the Jewish national home was defined as "the development of the existing Jewish


community” as a source of national pride for Jews everywhere rather than a community that would
grow through immigration until ready for self-determination. Though Churchill’s memo tried to
reconcile the two positions, it did so by emphasizing a resistance to vertical displacement of either
group, without addressing the issue of competing national rights and the implications for horizontal
displacement. More specifically, the so-called clarification memo did not address the three core
Arab claims -- the right to guaranteed permanent majority status, the right to a state representing
that majority nation, and the granting of only minority and not national rights to the Jews.

b) The Battle over Immigration in the Interwar Period

Jewish immigration was the major threat to the Arab vision. The right of Jews to immigrate to
Palestine to reinforce a minority as a national presence was indeed incompatible with the Arab
majority's desire eventually to have the state eventually express its national identity exclusively.
The Arabs in Palestine had risen in violent protest in the 1920's to defend their convictions.\(^{18}\)
They fought Britain in a full scale revolt in 1937 after Jewish immigration from Europe in the
early 1930's had increased the Jewish percentage of the population from 7% thirty years earlier to
over one-third just when the politics of immigration shifted to the issue of refugees.\(^{19}\) Jews were
not simply suffering in Europe from a heritage of persecution that periodically manifested itself
in pogroms. Hitler had come to power in Germany in 1933. By 1937, it was clear that the anti-
semitism of the Nazis was now dictating government policy. Jews, who had suffered
government-instigated discrimination, were now being persecuted. Jews in flight from
persecution were becoming refugees in desperate need of a safe haven.

The Arabs, driven by their opposition to Jewish nationalism, opposed the use of Palestine as a
sanctuary for Jewish refugees. In fact, the riots of 1936, which became a full-scale revolt in 1937,
were in part motivated by the fear that the plight of the Jewish refugees in Europe and the
reluctance of other countries to take in those refugees would inevitably result in the Jewish

\(^{18}\) The Shaw Commission in 1929 and the Hope-Simpson Royal Commission in 1930 noted that Arabs
feared that Jewish immigration would make them a minority in their own country.
\(^{19}\) In the Fall of 1946, when the United Nations considered the Western Samoan trusteeship agreement,
China and India pressed for an amendment providing immigrants with equal rights to the indigenous
population. However, those supporting paramount indigenous rights won, meaning immigration would have
to be controlled though. On the basis of this argument and the more general consideration that the U.N.
charter spoke of equality of rights The Arabs supported the majority position. The significant difference
between the Western Samoan and Palestine cases was that the League Mandate incorporated the Balfour
Declaration’s undertaking to assist Jewish immigration and create a Jewish homeland in Palestine.
minority becoming a majority.\textsuperscript{20} The British Cabinet, on July 4, 1936, agreed to suspend immigration into Palestine in 1936.\textsuperscript{21}

Britain set up the Peel Commission in 1936 to examine the conflict between Arabs and Jews in Palestine and the political future of Palestine. Was the Jewish homeland to develop as an independent state, a part of a federal state or within a bi-national territorial state? Was the Arab nation, which still constituted the majority, to be given control over the territory given their absolute denial of any national rights whatsoever to the Jews?

In the Report of July of 1937, the Peel Commission attributed the underlying cause of the Arab revolt to the desire of the Arabs for national independence and their hatred and fear of the establishment of a National Jewish Home. The Commission recommended freezing immigration at 12,000 per year for five years and partition.\textsuperscript{22} For the Arabs, resolving the conflict by partition was anathema. They escalated the rebellion and claimed that the Mandate was invalid. In any case, they argued, partition ran directly counter to the terms of the Mandate. “It was not, and could not have been, the intention of the framers of the mandate that the Jewish immigration to Palestine should result in breaking up the political, geographic and administrative economy of the country. Any other interpretation would amount to a violation of the principles of the Covenant and would nullify one of the main objectives of the Mandate.”\textsuperscript{23}

The Peel Commission, however, went further. It advised that, "the most strenuous effort should be made to obtain an agreement for the exchange of land \textit{and population}" (my italics). This

\textsuperscript{20} cf. Khouri (1968), p. 211.
\textsuperscript{21} Britain held off the announcement until certain conditions were met. Ormsgy-Gore, the new Colonial Secretary, proposed that the suspension of immigration would only last for the term of the Royal Commission, and would be announced following the restoration of law and order and the commencement of the Commission's work. For the first time, and against the principle of a Mandatory policy accepting advice from an outside power -- a policy that would be reversed with the creation of the Anglo-American Committee of Inquiry -- Arab states were introduced to mediate the conflict. Initially a representative of Ibn Saud and, subsequently, Nuri Said of Iraq almost reached a successful conclusion. But the Jewish Agency successfully managed to exploit the delays and conflicts and obtain the Colonial Secretary's official denial and repudiation of the premature publication of the results of the negotiations -- which included the suspension of immigration. Cf. Michael J. Cohen, \textit{Palestine to Israel: From Mandate to Independence} (London, 1988) Ch. 9, pp. 68-77 for an excellent account of this issue.
\textsuperscript{23} Institute for Palestine Studies, 1967, op. cit., pp. 10-11.
echoed Churchill's early characterization that the implementation of Zionism presumed a policy of population transfer (cf. fn. 13) and suggested that in the last resort, "the exchange would be made compulsory." The precedent cited was the Convention of Lausanne (1923), which provided, on paper, apparent international legal sanction for the compulsory exchange of populations between Greece and Turkey.

The Peel Commission was not the first or only body to consider an exchange of populations as part of the solution to the Palestine dilemma. Chaim Weizmann and the British Colonial Secretary discussed an exchange of populations. Ben Gurion also, after tremendous agonizing over the issue, concluded, "We must uproot from our hearts the assumption that the thing is not possible. It can be done...we must prepare ourselves to carry out the transfer provision." The Labour Party Executive of Britain in 1944 recommended that, "the Arabs be encouraged to move out as the Jews move in."

c) Post-WWII Debates Over the Displaced and Refugees in the United Nations

The Peel Commission recommendation for partition, let alone a consideration of an exchange of populations, was moot. The British Government had rejected the Peel Commission recommendations and went even further. In the 1939 White Paper, the limitation on Jewish immigration was made permanent. Seventy-five thousand Jewish immigrants would be allowed to enter Palestine over a five-year period and any subsequent increase would require the acquiescence of the Arabs. The British repudiated the Balfour Declaration and their commitments under the League of Nations just at the time of greatest need for a sanctuary for Jewish refugees. The issue was no longer merely an opportunity for Jewish immigration and national aspirations. The Jews were desperate. The British denied the Jews a haven from Nazi atrocities they so desperately needed at the time, though Britain had not endorsed the principle of self-determination of the majority.

24 Peel Commission, ibid, p. 80.
25 In fact, the Convention simply sanctioned an exchange of populations that had already taken place and the resettlement of those refugees. The Convention did not sanction forced expulsion, but resettlement once expulsion took place, an important though subtle difference.
28 In the report of the Permanent Mandates Commission to the Council of the League, the Commission unanimously stated that, "the policy set out in the White Paper was not in accordance with the interpretation which, in agreement with the Mandatory Power and the Council, the Commission had placed upon the Palestine Mandate." (Permanent Mandates Commission, Minutes of the 36th Session,
However, with the outbreak of World War II, the report and the League itself became irrelevant and the White Paper remained the basis of British policy. Neither legal authority nor moral principles (either of natural self-expression or of self-determination), but the self-interest of the powerful to keep the Arab states on side in the face of the aggression of the Axis powers governed the outcome. Even when faced with the most pressing humanitarian issue -- the plight of refugees with no sanctuary to take them in -- the policy limiting immigration remained in force. The vast majority of European Jews had been condemned to death.

Those concerned with virtue might hope that the world war that followed and the death of six million Jews through the Holocaust would make a difference to both the Arab and the British positions. Only one hundred thousand debilitated skeletons of European Jews were left in the camps at war's end. The determination of the Arabs, and their ally, Britain, was revealed in their combined fight to resist transferring the international responsibility for the remnants of European Jewry to Palestine.

The roughly 100,000 Jews left in the Nazi concentration camps at war's end were soon joined by another 150,000 Jews fleeing different parts of Eastern Europe that were under or about to come under Soviet control. What was to be done with these refugees? For the Jewish refugees with Zionist convictions, who believed Zion was the only place where they would be both safe and fulfilled, Palestine was the obvious destination. Practically speaking, Palestine was also the only option as well for most Jewish refugees who were not ardent Zionists given the reluctance of Western countries at that time to resettle Jews. The only other option was repatriation to the countries from which the Jews had fled, an unacceptable option for the Jews.

The Arabs, assisted by the British, fought the pressure for entry of Jewish refugees from Europe into Palestine by two means in the international diplomatic arena. They fostered the idea of repatriation of the Jews and they tried to prevent Jewish resettlement in Palestine. The battle first took place in the discussions in the Economic and Social Council (ECOSOC) over the draft constitution of the International Refugee Organization (IRO).²⁹

The Arabs fought to make the objective of the IRO, in dealing with the Jews, repatriation and not resettlement. To prevent resettlement in Palestine, they tried to introduce conditions to resettlement, namely the consent of neighbouring countries and of the indigenous population. They also wanted the IRO to have exclusive authority to settle European refugees through repatriation. They suggested that all private organizations working for resettlement transfer their assets to the IRO for that purpose.

The important point for the purposes of this chapter is that, in the IRO constitution, a distinction was made between refugees -- pre- or post-war victims of Nazi or fascist regimes or of racial, religious or political persecution -- and displaced persons (D.P.s) who were displaced in the course of or after World War II. As far as the D.P.s were concerned, the IRO was "to encourage and assist in every possible way the early return to their countries of origin". If Jews were classified as D.P.s, that classification would direct the IRO to arrange for their repatriation.

If Jews were classified as refugees, then Palestine was the obvious place for them to be resettled, given the terms of the Mandate and the limitation of other options. As the Report of the High Commissioner for Refugees submitted to the Twenty-First Ordinary Session of the League of Nations Assembly had once noted, "Palestine alone has made a contribution of any size in reference to large-scale or group settlement of Jews."

In the first effort, the Arab countries, led by Egypt, attempted to set repatriation as the goal of the IRO for all persons, whether refugees or D.P.s. Mr. Kamel, the delegate of Egypt, proposed amending paragraph 2 of the Preamble of the Draft Constitution of IRO to require serious reasons to justify resettlement. Though defeated, on November 19, 1946, Kamel tried again unsuccessfully by proposing the deletion of the phrase "concerning displaced persons" from Annex I section IB. Passing the amendment would have meant repatriation was advisable for both refugees and displaced persons.

These attempts to dry up the source of Jewish immigration to Palestine were not restricted to the Arab countries. The United Kingdom played a leading role. The British delegate, supported by

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30 Annex 1, para. 1(b), Draft Constitution of the IRO, A/127.
32 21st meeting of the Third Committee of the United Nations General Assembly of the United Nations on November 12, 1946.
33 Cf. Robinson, op. cit., p. 15.
the Lebanese delegate, opposed the provision\(^{34}\) (which passed) defining German and Austrian residents of Jewish origin as "refugees". The opposition was argued on what could be said to be a very high moral principle -- the ostensible high ground that the provision was merely a backhanded attempt to clear Europe of its Jews, in other words to accomplish Hitler's goal of making the German-speaking parts of Europe "Judenrein".\(^{35}\) Though the British acknowledged the difficulty Jews would have in living in places where they had been so persecuted, they admitted their real motives when they declared their "fear that the new provision might well involve the new IRO in schemes for Jewish immigration into Palestine, a matter which is being separately dealt with by bodies specially concerned with that problem".\(^{36}\)

The Arab effort then shifted to preventing resettlement of Jews in Palestine by placing specific conditions on resettlement. Dr. Malik of Lebanon\(^{37}\) attempted to qualify where the IRO could resettle refugees. He proposed that refugees could not be resettled where they "will create political difficulties in the countries of resettlement or in neighboring countries" or "without the consent of the peoples of the countries of reception and without full consultation with the States members of the United Nations most directly concerned".\(^{38}\) These efforts were also defeated.

In September 1946, the Lebanese representative brought forward an Egyptian proposal in the following form: "No group of refugees should be moved with a view to temporary or permanent settlement into any state or territory contrary to the wishes of the Government or the people of that state or territory."\(^{39}\) This new principle was to be added to the general principles of the Constitution of the IRO. Further, the Lebanese delegate added the following amendment to a proposal previously submitted by the United Kingdom: "In case of admission of refugees to trust territories, the wishes of the people of these territories should be taken into account."\(^{40}\)

Both proposals were defeated. New amendments were proposed as a compromise requiring that the IRO consider as one factor in resettlement evidence of genuine apprehension and concern...by the indigenous population of the non-self-governing country in question.\(^{41}\) This amendment was

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\(^{34}\) Cf Annex 1, Part 1, Section H, para. 3.


\(^{37}\) On June 19, 1946, at the Fifth Meeting of the Committee of the Whole on Refugees and Displaced Persons of ECOSOC.

\(^{38}\) E/86, p. 6.


\(^{40}\) E/AC.13/1, p. 3-4.

\(^{41}\) A/C.3/61.
passed and included in paragraph 1(g) of Annex 1 of the IRO constitution. With reference to settlement in Palestine, the amendment was pointless. Though Palestine might appear in ordinary language to be a "non-self-governing territory," Palestine, in fact, did not fall under the United Nations Charter's or IRO constitution's definition of a "non-self-governing territory"\textsuperscript{42}, for the latter excluded Class "A" Mandates.

It was clear to all that these legal manoeuvres were aimed specifically at stopping Jewish migration to Palestine. An attempt was even made to give the IRO exclusive jurisdiction over the D.P.s and refugees by transferring the assets of the Jewish Agency and the JOINT (the American Jewish Joint Distribution Committee) to the IRO. All these proposals failed. The clearest indication of support for the Jewish refugees going to Palestine emerged in the Committee on Finances of the IRO that, in its 1947 budget, provided for the use of German reparation funds to resettle 100,000 Jewish refugees, with the funds to be transferred to the JOINT and the Jewish Agency.

All attempts to inhibit resettlement of Jewish refugees in Palestine via the IRO constitution having failed, the Arabs made a final attempt to keep the refugees in Europe. In the first session of the United Nations General Assembly, the Egyptian delegate, again supported by the British, introduced a resolution against persecution and discrimination against religious minorities in Central Europe, arguing that these minorities had "an absolute right to be on equal footing" with other citizens of the country.\textsuperscript{43} The implication, of course, was that the Jewish refugee problem should be dealt with at its source and not through resettlement. The attempt to bar discrimination ended up being so watered down that it was eventually passed as a motherhood clause without any particular applicability to Jews in Europe.

The Arabs, backed by the British, were defeated in the attempt to make repatriation the exclusive function of the IRO or to include Jews in those slated for repatriation. Even when repatriation was argued on the highest morals grounds of equality, non-discrimination and the opposition to a Europe free of Jews, the Arabs and British were unable to succeed in targeting the Jews for repatriation. When the major efforts focussed on resettlement, they were unable to hedge the resettlement plans with conditions that would exclude Palestine as a target area for resettlement of the remnants of European Jews. The Jews, who had no votes in the U.N., won every single moral and legal battle in the issue of resettling Jews in Palestine.

\textsuperscript{43} A/BUR/51.
But Britain was in charge of Palestine. Britain controlled the gates of entry. And whatever sympathy existed for the Jews, Britain stubbornly clung to its commitments of the White Paper restricting Jewish entry into Palestine. Power, not law, and certainly not moral principles, seemed to be the determining the fate of the remnant of European Jewry. Further, though the series of decisions on repatriation and resettlement were clear and unequivocal, the Arabs and their British ally continued to interpret the IRO constitution in such a way as to restrict the access of the Jews to Palestine. For example, in the committee examining the minority report of the UNSCOP, the following section was included:

(a) Genuine refugees and displaced persons constitute a problem which is international in scope and character (see first paragraph of preamble to the Constitution of the IRO);

(b) Refugees and displaced persons should return to their countries of origin (see second and third paragraphs of preamble and article 2, paragraph I(a));

(c) Only in cases where refugees cannot be repatriated should steps be taken to resettle them elsewhere than in their countries of origin (see article 2, paragraph I(b));

(d) In the performance of its functions, the IRO should act in accordance with the purposes and the principles of the United Nations, in particular as regards the resettlement of refugees and displaced persons in countries able and willing to receive them (see article 2, paragraph (I);

(e) In addition, the IRO should carry out the functions set forth in its Constitution in such a way as to avoid disturbing friendly relations between nations (see Annex I to the Constitution, paragraph I(g));

(f) The IRO should exercise special care in resettling refugees or displaced persons either in countries contiguous to their respective countries of origin, or in non-self-governing territories, and should also give due weight to any evidence of genuine apprehension and concern felt in regard to such plans, in the former case by the country or origin of the persons involved, in the latter case by the indigenous population of the non-self-governing territory in question (see Annex I, paragraph I(g)).

Subcommittee 2 was set up by the General Assembly of the U.N. meeting as an Ad Hoc Committee following the receipt of the UNSCOP majority and minority reports and was not bound by the recommendation of partition. The subcommittee included representatives of Afghanistan, Egypt, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen under the

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The subcommittee report proposed a Draft Resolution specifically on Jewish Refugees and Displaced Persons to read in part:

“Considering that Palestine, despite its very small area and limited resources, has absorbed a disproportionately large number of Jewish immigrants and cannot take any more without serious injury to the economy of the country and the rights and position of the indigenous population;

Considering that many other countries with much greater area and larger resources have not taken their due share of Jewish refugees and displaced persons,

1. The countries of origin should be requested to take back the Jewish refugees and displaced persons belonging to them, and to render them all possible assistance to resettle in life;

2. That those Jewish refugees and displaced persons who cannot be repatriated should be absorbed in the territories of Members of the United Nations in proportion to their area, economic resources, per capita income, population and other relevant factors;

3. That a special committee of the General Assembly should be set up to recommend for acceptance of the Members of the United Nations a scheme of quotas of Jewish refugees and displaced persons to be resettled in their respective territories, and that the special committee should as far as possible, work in consultation with the International Refugee Organization or its Preparatory Commission.”

It was clear that as far as Britain and the Arabs were concerned, the wishes of the refugees themselves counted for nothing. The rulings of international bodies counted for little more. Law and moral claims seemed to be mere backdrops. When the law and moral issues conflicted with political, military and material interests, a rhetoric of higher moral principles might be used --- equality, universality -- but the law was construed to support the positions already adopted.

Further, there would be no recourse to morality or law to resolve the dispute, particularly when the series of rulings on the IRO constitutional disputes about refugees had been so clear.

Conclusion

I am not suggesting that the same forces of realpolitik are behind the new soft IDP regime. I am suggesting that some political agenda may be behind the new displacement regime. It is the duty of scholars to unpack the interests and power concerns that lay behind the creation of regimes, quasi rights and a new moral agenda. Nor do I suggest that the moral, international law and regime developments can be reduced to state power and interests. My emphasis is on clarifying the nature of the concepts in policy approaches as distinct from though overlapping with research results. We must undertake research to uncover any political agenda that may be behind their development. The debate over norms, though they may be fought over independently of group interests, may also be a reflection of disputes over power. That does not mean that the legal and moral normative debates and of regime structures could be reduced to power issues, but only that they may complement and reinforce a power struggle.

The implication is, of course, straightforward. Current efforts to define displacement studies separate from refugee studies, while emphasizing only horizontal displacement and neglecting vertical and internal displacement, may reflect similar underlying power struggles. One of the major tasks of a self-conscious research effort is to use critical theory, structural and historical analysis to try to discern what that power struggle is about.
REFLECTIONS ON REGIME CHANGE

Astri Suhrke

How do concepts about displaced people change? What are the parallels between the development of the international refugee regime and equivalent policies and support structures relating to IDPs? Why is the current IDP regime lightly institutionalised and weak in comparison with the mechanisms and processes dealing with refugee flows?

The development of the international refugee regime was a process that reflected problem-solving concerns at the state level as well as hegemonic state interests. At times, it was also an agency-driven process. In many of the major displacement crises since World War II refugee problems have been seen as problems of international order. In recent years, the first major expansion of UNHCR and its activities occurred in the 1970s, and was the result of the impact of the Indochinese refugee crisis. Here the US played the role of a hegemonic actor and was a driving force behind regime expansion. A similar surge in activity happened in the 1990s in response to crises in the Balkans.

The end of the Cold War has opened up space for new ideologies. Sovereignty is now interpreted in terms of the rights of both states and individuals. Yet, the idea of human rights and ‘individual sovereignty’ has its limits. As we haltingly move towards a new regime for IDPs, what is now striking is the absence of a state ‘promoter’; a powerful nation playing a role akin to that undertaken by the US to expand the international refugee regime in the 1970s. Yet, there have been moments of expansion.

The defining event that pushed the IDP issue over the threshold of attention and led to institution building was the Gulf War. Security Council resolution 688 authorised humanitarian assistance to all those in need in Northern Iraq without any mention of whether the Kurds in need of assistance were refugees or IDPs. The US made a major breach in the wall of sovereignty by demanding that IDPs in Northern Iraq should be internationally supported without regard to the government of Iraq.


This is a summary of an oral presentation.

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While not milestones, further steps followed. In 1992, the UN Secretary-General appointed a Special Representative for Internally Displaced Persons, Dr Francis Deng. During the mid-1990s, he was instrumental in articulating a set of Guiding Principles for rights of, and support to, IDPs. In 1992 a central UN office for humanitarian affairs was established, later renamed OCHA. Although not generally an operational agency, and weak relative to the heavy UN agencies, OCHA has an over-all responsibility for coordinating assistance to IDPs. To that extent, the office represents a further institutionalisation of responsibility for this population. In these and related regime-building activities for IDPs in the 1990s, smaller states (such as Norway) and international NGOs were important actors. This new, light IDP regime has been able to be developed with the tacit permission of the US acting as a ‘passive’ hegemon.

Since 11 September we are facing a dramatically different situation and a new world order. What are the implications for IDPs? Two different scenarios can be envisaged.

- Are we embarking on a protracted humanitarian interlude? As the US again becomes an active hegemon will action on IDP issues be subordinated to the ‘war on terror’? This may entail weak or a strong support for IDPs, depending on how it fits in with the agenda of the US. It therefore does not entail a regime but ad hoc and unpredictable responses.
- As the dust of the second Gulf War clears, will slow and piecemeal regime building again come to the fore as it did during the 1990s? In that case, are we talking about regime building proper where a range of actors work to strengthen international and state institutions for a more robust IDP regime?

Amid this uncertainty it is incumbent on IDP researchers to rigorously unpack the concepts, policies and justifications used by political actors when they define IDPs and develop mechanisms to offer them assistance and protection.

Basic questions should also be revisited. A fundamental question underlying the demand for an international regime to assist the IDPs is the assumption that IDPs constitute a particular category of persons that, by virtue of being internally displaced, have particular needs, and, further, that these needs can best be met through a separate institutional structure of support, that is, a separate regime. This is not necessarily self-evident. A contrary assumption holds that the needs of IDPs can be met through the various existing agents of humanitarian assistance (such as ICRC, NGOs, WFP, UNICEF and UNHCR) in a patchwork manner and under existing human rights codes. Institutionalising a new category of beneficiaries could risk creating vested interests at the international aid level that serve to perpetuate such needs and related dependencies.
WHEN DOES INTERNAL DISPLACEMENT END?¹

Erin Mooney²

Good afternoon.

To be the last speaker after a busy and most stimulating couple of days normally may not be a coveted slot on a programme. However, in this case, the subject lends itself well to its placement on the agenda. Specifically, my presentation focuses on the question: when does internal displacement end? By this, I should clarify that the issue is not when will the global crisis of internal displacement cease to exist (though clearly that is goal). Rather, it is a question of when should internally displaced persons no longer be considered as such.

Some might query whether it is too early to even be asking this question. It is only in very recent years, after all, that awareness and concern has been raised of the plight of internally displaced persons, their specific needs and vulnerabilities, and that focused attention has begun to be devoted to developing effective international and national responses. There are, however, a number of compelling reasons for addressing this question.

- Organizations and researchers engaged in compiling IDP statistics need to know when to stop counting. They point out that one of the reasons why it has been difficult to reach agreement on IDP figures has been the lack of clarity on when an IDP should cease to be considered as such. This was, for instance, a topic of considerable discussion at the last international seminar on internal displacement held in Norway, in November 2001 (NRC and NTNU 2002). It also has come up in several sessions of this meeting.
- Operational agencies, NGOs and of course Governments require data on the number of internally displaced in order to formulate programmes and policies addressing their needs. Yet, because of varying interpretations as to when displacement ends, the figures they use often differ dramatically, impeding a coordinated approach.

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Third, because such programmes inevitably cease in the event of decisions that displacement has ended, leading displaced populations to effectively disappear as a specific group of concern, it is critical to understand the basis on which such decisions are made and the extent to which these decisions match objective realities on the ground.

It is also important to know when internal displacement ends in order to know at which point national as well as international responsibility, attention and resources, should shift from a specific focus on the needs and vulnerabilities of internally displaced persons to a more holistic, community-wide approach supporting rehabilitation and development for societies as a whole.

Certainly, internally displaced persons themselves are entitled to know when the entitlements and benefits, as well as any risks and restrictions, that their designation as such entails, will end.

Moreover, bringing to an end for internally displaced persons their often really very tragic and precarious state of existence surely must be an ultimate goal shared by all those concerned with their plight. Indeed, the Guiding Principles on Internal Displacement (1998) stipulate that “displacement shall last no longer than required by the circumstances” (Principle 6.3). Understanding what these circumstances are, and when displacement can and should be considered to end, therefore is actually very important for the application of the Principles themselves.

Clearly, answering the question of when displacement ends is not simply an academic exercise; it can have a tremendous impact on the lives of internally displaced persons and respect for their rights.

In very recent years, there has emerged a keen interest among a variety of different actors engaged with internally displaced persons to address the issue of when, in any particular situation, the phenomenon of internal displacement can be considered to have ended. I take it as a sign that this is a shared interest among several of you here today, not only that I was invited to speak on this topic but that so many of the papers presented in the parallel sessions have touched on this theme. Indeed, it strikes me that the question of when internal displacement ends is an issue that strikes a chord with virtually all of the stated research themes to be addressed at this conference:
• the concept of internally displaced person
• causes of internal displacement
• livelihood strategies
• local integration and the relationship of displaced persons with host populations
• issues of identity: how displaced persons see themselves and how others see them
• the relationship between the places where displaced are located and places they fled from
• even the relationship between internally displaced and migrants and refugees abroad

Accordingly, it seems to be an issue that could usefully be integrated into the future agenda for research that has been taking shape in the course of this conference. Before pinpointing specific suggested aspects of this issue in need of further scholarship, let us first consider the current state of the art.

I. The Current State of the Art

Simply put, decisions on when internal displacement ends are made, if at all, on an ad hoc and arbitrary basis. Moreover, the methodologies used and, consequently, the conclusions reached, differ among actors, often dramatically. To give just one example: the Global IDP Database reports that estimates of the number of internally displaced persons in Guatemala range from zero to a quarter of a million. Increasingly, organizations working in the field or engaged in the compilation of statistics are pointing to the need for consensus and specific criteria on determining when an internally displaced person should cease to be considered as such.

In response to these requests, the UN Office for the Coordination of Humanitarian Affairs (OCHA) has turned to the Representative of the Secretary-General on Internally Displaced Persons for advice and guidance “indicating when generically an individual would not only become an IDP but … should no longer be considered under this category.” Though “the question is not new,” OCHA noted, “the answer has hitherto been quite elusive. Operational demands, however, increasingly dictate the need for a coherent response” (McAskie 2001).
II. RESEARCH INTO THE ISSUE

Starting last spring, the Brookings-SAIS Project on Internal Displacement began to explore the issue, working in collaboration with Georgetown University’s Institute for the Study of International Migration. After preliminary research undertaken through a desk study, we circulated a discussion paper as well as a legal commentary on the issue, followed by an options paper (Mooney 2002, Kaelin 2002, Forbes Martin and Mooney 2002). These documents provided the basis for consultations convened in Washington and Geneva with international agencies, international and local NGOs and researchers to discuss different options for approaching the issue of when displacement ends. These and other documents prepared in connection with this research project are available on our website (Brookings-SAIS Project on Internal Displacement www.brook.edu/fp/projects/idp/idp.htm).

Allow me to explain the three different lenses through which we first looked at this issue and then briefly describe the actual picture that has begun to come into focus.

1. The Guiding Principles on Internal Displacement

The first lens through which we examined the issue was the main point of reference for all of our work: the Guiding Principles on Internal Displacement. The Guiding Principles, which spell out the rights and guarantees pertaining to internally displaced persons in all phases of displacement, do not contain a cessation clause as to their application. This was not an oversight on the part of the drafting team but a deliberate decision. It was determined by the fact that the definition of “internally displaced persons” used in the Guiding Principles is not declaratory but is descriptive in nature, denoting the factual situation of being displaced within one’s country rather than conferring a legal status to be granted, much less revoked. This does not preclude states or other actors from introducing administrative measures, such as registration for the purposes of proving entitlement to special assistance targeting IDPs. However, from the standpoint of international law, such registration processes have no bearing on the descriptive reality of being internally displaced. Because being an “internally displaced person” depends on the existence of objective facts, and not a process of legal recognition, this classification in principle continues to apply to people so long as the factual situation of internal displacement continues to exist.

An end to internal displacement would therefore be contingent on a change in the factual situation that the term denotes. For instance, if an internally displaced person flees or migrates to
another country, he or she ceases, by definition, to be in a situation of internal displacement and instead becomes a refugee, migrant or national of another country, whatever the case may be.

For those persons who remain in their country of origin, the Guiding Principles envisage three possible solutions to their situation of internal displacement:

- **Return** to their home areas or place of habitual residence
- **Integration** in the localities where they go to once displaced
- **Resettlement** in another part of the country

The Guiding Principles specify a responsibility on the part of the national authorities to facilitate these three solutions and further stipulate a number of conditions to be met:

- Return or resettlement must occur voluntarily and in “safety and dignity” (Principle 28)
- Those returning or resettling must not suffer discrimination as a result of having been displaced and in particular must have the right to participate fully and equally in public affairs, and to have equal access to public services (Principle 29.1)
- Furthermore, the authorities have a duty to assist internally displaced persons to recover or receive compensation for property and possessions destroyed or of which they were dispossessed as a result of their displacement (Principle 29.2)

These additional provisions suggest that return or resettlement requires much more than simply the physical movement of returning or resettling.

2. **The Refugee Experience by Analogy and Implication**

The second lens through which to examine the issue was to consider what the refugee experience offered by way of analogy. Refugee law, after all, does contain cessation clauses in Article 1C of the 1951 Convention on the Status of Refugees, which stipulate six circumstances under which an individual would no longer be eligible for refugee status and the international protection it affords. Of all the grounds mentioned, only paragraph 5, allowing for cessation if “the circumstances in connection with which [s/]he has been recognized as a refugee have ceased to exist”, could be applied to internally displaced persons by analogy. Even then, however, this provision concerns the cessation of a legal status, which, as noted earlier, is a concept alien to international law on internal displacement as well to human rights generally, on which the Guiding Principles are largely based (Kaelin 2002).
Though analogies with refugee law therefore are not very helpful to the discussion of when internal displacement ends, our findings suggest that it is nonetheless very important to recognize the possible implications that application of the cessation clause for refugees can have on the temporal nature of internal displacement.

On the one hand, application of the cessation clauses for refugees can and often has led to an automatic assumption that internal displacement has ended as well. For instance, UNHCR’s decision to end refugee status for Mozambican refugees worldwide as of 31 December 1996 was a decisive factor in the determination that there were no longer any internally displaced persons in the country. Yet, that same month when the Representative of the Secretary-General on Internally Displaced Persons visited the country, he found that “despite the decision by the Government and the donor community to no longer target displaced groups, this in no way means that all internally displaced persons have returned.” Among the reasons cited by the displaced were “a lack of confidence in the durability of peace, sometimes coupled with a reluctance to return to the area where they had experienced terror.” (Profiles in Displacement: Mozambique 1997). This case suggests that the return of refugees or cessation of refugee status is not necessarily a determining factor of when internal displacement ends.

Indeed, the cessation of refugee status may actually lead to an increase in the number of internally displaced persons. For instance, refugees may be compelled to return to their country but still be unable to return home and even may be displaced anew, this time internally. This rather notoriously was the case in Bosnia after the Dayton Agreement; a similar phenomenon has been occurring in Afghanistan in the context of the mass refugee returns that have been taking place over the past year.

The implications that the cessation of refugee status can have on situations of internal displacement suggests the need for an integrated and comprehensive approach to the issue of when displacement ends that takes into account the effects of such determinations on both groups of forced migrants.
3. Experiences of Internal Displacement
The third lens through which to examine the issue of when internal displacement ends is, unsurprisingly, actual situations of internal displacement.

Section III of my Discussion Paper (Mooney, 2002) provides a number of snapshots of how this issue has been handled in different countries by Governments, international agencies and organizations engaged in compiling statistics. More case examples continue to be collected. Due to time constraints, I will simply highlight just a few of the different criteria for making decisions on when displacement ends that have been revealed though examination of these cases.

Mention already was made yesterday of the policy of the Government of Colombia to consider internally displaced persons as such for 3 months, with a possible one-time 3-month extension -- and this only if they register with the Government (many are unable to do so for a number of reasons). In this case, the duration of internal displacement appears to be determined by the capacity or readiness of the Government to provide emergency humanitarian assistance. It is worth pointing out that the Constitutional Court of Colombia has challenged this provision, noting that termination of the legal condition of an internally displaced person according to Colombian law may not correspond with their actual situation on the ground (Constitutional Court of Colombia, Decision T-327/01, 2001).

In Croatia, internally displaced persons can be stripped of their classification as such and the benefits this entails simply for failure to complete household chores in the state-run communal centres where they are staying (Beau 2003). In this case, the classification as “internally displaced” ends as a method of punishment, and for the most minor act of omission. In this connection, it is relevant to recall Guiding Principle 3 (2) affirming that “internally displaced persons have the right to request and to receive protection and humanitarian assistance from the [ ] authorities. They shall not be persecuted or punished for making such a request.”

Clearly, less arbitrary approaches to when internal displacement ends are required.
IV. Towards Criteria

Our research and analysis has revealed three possible sets of criteria for determining when internal displacement ends:

1) **Cause-based criteria:** One way to look at the issue would be to focus on the causes of internal displacement and consider the existence of “changed circumstances” from those that had compelled flight in the first place to signal an end to displacement, e.g. end to a conflict or a change in government such that there no longer is a well-founded fear of persecution.

The experience in post-conflict Bosnia and now Afghanistan, however, suggests that even when the immediate causal factors of displacement cease to exist, a durable solution to the plight of displaced persons does not necessarily follow.

In the reverse scenario, when the cause of displacement persists indefinitely, for instance when displacement is due to a conflict that appears to have no end in sight, one must ask whether it is in the best interests of the displaced to continue to consider them as such? Governments, after all, may find it politically expedient to maintain internally displaced persons in a state of limbo -- unable to return in the absence of a peace settlement but equally unable to integrate -- sometimes for decades, such that internally displaced persons effectively become hostages to this label. In Georgia and Azerbaijan, internally displaced persons are unable to return in the absence of a peace settlement and yet also are impeded from enjoying their full rights as citizens and integrating in the localities where they currently reside; they report being told that if they insist on their full rights as citizens, for instance to vote, while displaced, they will lose the right to one day return home.

These examples demonstrate how basing decisions on simply cause-based criteria can end displacement prematurely or, as the original causes persist, perpetuate a state of displacement indefinitely and to the detriment of the displaced.

2) **Solutions-based criteria:** Another possible approach is to place emphasis on when internally displaced persons return to their home communities or (re)settle in another community (either in the country of origin, including possibly in the locality where they have resided once displaced, or in another country).
The possibility of return is the criterion favoured by the U.S. Committee for Refugees. On this basis, USCR deemed displacement to have ended in Guatemala in 1998 (on the basis that the conflict had ended in 1996). Similarly, in mid-2002, both the Government and international agencies in Sierra Leone decided that there are no longer any internally displaced persons in the country. In both of these cases, these decisions have been strongly challenged on grounds that include: lack of safety in areas of return; inadequate reintegration assistance; the lack of property compensation for the internally displaced; the problem of illegal occupation of land; and the inability of displaced persons who returned to vote, access public services or obtain identification documents for their children.

Rwanda provides an example where the mass resettlement of internally displaced persons as part of the “villagization” programme led the UN to determine that there were virtually no internally displaced in the country. Yet, those resettled were found to lack basic services. Moreover, reports from both within and outside the UN voiced serious doubts as to the voluntariness of the operation.

These cases raise the question of whether the simple act of return or resettlement, a mere change of address, is an adequate basis on which to deem displacement to have ended?

3) Needs-based criteria: A third possible approach would look for when the needs and vulnerabilities specific to internally displaced persons and resulting from their displacement no longer exist. The displaced need not necessarily have permanently resettled or returned, and may still be in need (due to poverty or disability for instance), but they would no longer have specific needs, different from the rest of the population, which can be attributed to their displacement and which require special attention.

The Guiding Principles point to needs that would be relevant in this regard, including: the ability of internally displaced persons to access the protection and assistance of their governments; and non-discrimination in exercise of their rights, including access to public services and the right to vote.

These three sets of criteria, it must be said, are not mutually exclusively and indeed include overlapping elements. Based on our findings and the consultations held, however, the appropriate weight to give to each of these options is becoming clearer. Fundamentally, the issue
of when displacement ends is emerging as one of ensuring a durable solution to internal displacement and to the specific protection and assistance needs and vulnerabilities it creates. Central to this approach is the need to define what a durable solution for internally displaced persons entails. Experience on the ground in actual situations of internal displacement, as well as the Guiding Principles, suggest that key elements include:

- return or resettlement must be voluntary, and in safety and dignity
- non-discrimination of returned/resettled internally displaced persons compared with rest of the population, such that there is effective reintegration
- ability to reclaim or receive compensation for property lost as a result of displacement

In essence, then, the issue of when internal displacement ends really is about ensuring that internally displaced persons have options: to return, to resettle or to integrate locally; and that these options are effective and durable. It follows that criteria for when internal displacement ends must therefore include benchmarks as to the effectiveness and durability of solutions.

V. Next steps

To further test this hypothesis, we have sought to broaden our research base and perspective by inviting a number researchers with different areas of relevant expertise to contribute their views on the issue, which will be published in a special issue of Forced Migration Review later this spring.

In parallel, we are continuing work on refining and further elaborating criteria on the issue, to be presented to the UN for discussion in the Inter-Agency Standing Committee, which is comprised of the UN and other major international humanitarian, development and human rights agencies, and in which forum the issue of when internal displacement ends also has repeatedly come up.

We will also convene a meeting with donors and international financial institutions, together with selected countries affected by internal displacement, to get their perspective on the issue and refine the criteria as necessary. I must stress that in discussing with donors the issue of when displacement ends, there is a need to safeguard against an approach to the issue that is simply resource-driven and seeks an exit strategy for international programmes in support of internally displaced persons. On the contrary, even when displaced persons return, resettle or integrate locally, international attention and resources will still be needed to support the durability of these
solutions which, as noted earlier, is required for the state of displacement truly to be considered to have ended. In other words, return or resettlement is really just the beginning of what will be a gradual process of reintegration that requires support; for some time after returning or resettling, internally may still have distinct needs requiring particular attention. Longer term, resources will no doubt still be needed, but could likely switch to more generic, community-wide approaches based on vulnerability rather than whether or not a person was displaced.

VI. LINKS TO A BROADER RESEARCH PROGRAMME

Our work in developing criteria for when displacement ends and reporting back to the UN with guidance as to how to approach this issue is expected to wind up in the coming months. However, even once the criteria are finalized, this should by no means be the final word on the issue. On the contrary, the challenge then becomes one of applying the criteria as a benchmark as well as a basis for advocacy in support of truly durable solutions for internally displaced persons. Indeed, to support effective application of the criteria, whole new areas of research will open up.

In keeping with the aim of this conference to identify elements of a future research agenda, strictly on the subject of when internal displacement ends, I have identified at least eight possible research questions that might follow:

1. The application of the criteria being developed will require some sort of monitoring mechanism, if only by an informal network of researchers and organizations covering the different countries of internal displacement around the world – that in of itself opens up quite a large area of potential research.

2. The criteria we are currently developing focus largely on displacement due to conflict, human rights abuses or persecution i.e. people who for the most part would be refugees if they crossed an international border. Additional criteria likely will be required for situations of displacement due to natural disasters and, separately, development. Our Project will be publishing a study this spring on development-induced displacement, which together with the work of others, including several of you at this conference, should provide a solid basis for exploring this issue in the case of development-induced displacement.
3. Further analysis of how national legislation treats the issue of when displacement ends. Some important work in this regard has begun, covering the OSCE region, but more comprehensive and systematic analysis, covering other situations of displacement would be most valuable.

4. The emerging consensus points to the critical importance of the durability of solutions for displaced persons. However, for internally displaced persons as well as refugees, there really is not a lot of information and analysis on what happens to people once they return or resettle. Assessment of the conditions upon return, resettlement or local integration is essential to determine the durability of these solutions and to identify areas where support is required to underpin them. This, in turn, should inform us further about the issue of when displacement ends.

To fill this gap, I believe, challenges us as scholars and practitioners who focus on internal displacement to not confine our concern for victims of internal displacement solely to the period while they are uprooted. To ensure that the specific needs and vulnerabilities of the internally displaced are effectively addressed in the solutions-phase will require, I would suggest, the continued engagement of persons with expertise in internal displacement, even after the displaced return home or resettle.

5. Related to this, it would be beneficial to begin to compile best practices for supporting the durability of return or resettlement as well as effective reintegration.

6. Understanding and resolving the root causes of displacement is critical to ensuring an effective end to displacement through the sustainability and long-term stability of the solutions pursued. Research into various dimensions of the root causes of displacement is a particular focus which the SAIS Center plans to dedicate itself to exploring, and seeks to establish partnerships with researchers and practitioners from countries of internal displacement.

7. There is also need to consider the influence of urbanization, whether as a mixed cause (together with conflict for instance) for the original displacement or as a reason why internally displaced persons decide not to return. In studying first-hand different situations of internal displacement, we often have found that internally displaced persons, particularly those displaced from rural areas into the city, frequently discover enhanced economic opportunities and access to public services such that they, especially the
younger generation, are unwilling to return to the “way things were” before displacement, even when return becomes possible. This phenomenon warrants special attention. Our understanding of it could benefit from the expertise of researchers in demography, sociology and architecture, to name just a few disciplines.

8. The notion of “home” is complex and very personal. As one of the papers presented yesterday illustrated, it can be much more a metaphysical concept than a geographic one. Moreover, the strength of an internally displaced person’s attachment to “home” may be predominantly nostalgic rather than necessarily a reliable indicator of an intention to return to the place from which he or she was displaced. At the same time, however, the criterion of voluntariness of return or resettlement demands that the views of internally displaced persons must not be taken out of the equation altogether. Explorations into how internally displaced persons perceive themselves and the duration of their state of displacement would enrich our understanding of the issue, and from the critically important perspective of the internally displaced themselves. This would be especially important in cases of protracted displacement. The fields of anthropology and sociology would be among those perhaps well placed to make a contribution in this regard.

Developing criteria on when displacement ends therefore opens up various new areas of possible research which have a place for researchers from many different disciplines (including law, political science, anthropology, sociology, demography, architecture and statistics) as well as for a broad base of empirical evidence drawn from experiences from different situations the world over. Moreover, given the number of countries involved, filling this gap will really require a truly global network of scholars, of precisely the type this conference seeks to foster.
REFERENCES


Constitutional Court of Colombia, Decision T-327/01 of 26 March 2001.


SENSE OF IDENTITY OF MADURESE IDP:
GOING HOME OR GOING AWAY FROM HOME?¹

Sherly Saragih Turnip²

Background of the Study, Objective and Research Questions

Sense of Identity

Amir is a 45 years old Madurese who have been living all his life far away from Madura island. His family moved to Kalimantan before he was born by a government internal migration project. Later he had managed to improve his social economic status and become one of respectable member of community; he had fortune and considers himself as a Kalimantan person than a Madurese, his original ethnic group. When the conflict happened in the place where he lives all his life, he cannot believe that he too had to flee from his home and friends. He brought his family to one of the camp in Pontianak and hoped that it will only for a short time. He wanted to go back to his home, have his business run again and live the social live he used to have. But that was six months ago. Now he becomes more skeptical about the idea of coming home again. He almost lose his believe in himself and start to become someone that his family never know before. But yet, he still doesn’t want to go back to Madura island.

Identity is a concept that connected a lot with adolescents, while actually the formation of it neither starts nor ends during adolescence (Breakwell 1986, Santrock 1996). It is a process which happen almost all life long and has opportunity to be reshaped and refine or even change. One of the most comprehensive theories of identity development has been told by Erik Erikson. The theory is about solutions to the questions about oneself such as who am I? what am I all about? What am I going to do with my life? What is different with me? (Santrock 1996).

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Identity is treated as a dynamic social product residing in psychological processes which cannot be understood except in relation to its social context and historical perspective (Breakwell 1986). It is seen as a product of the biological organism with its social context. The model of identity which is used to present this study is a social psychological one. Identity from this model seeks to link intrapsychic and socio-political processes and show how both are necessary in the working of identity (Breakwell, 1986).

The identity processes have different components in many model of identity, but there are two processes which are recognized by almost all models. These are the process of assimilation and accommodation, and the process of evaluation. Assimilation refers to the absorption of new components into identity structure while accommodation refers to adjustment that occurs in the structure so it can find a place into which to fit the new element. Evaluation entails the allocation of meaning and value to identity content both new and old (Breakwell 1986, Santrock 1996). The processes of identity formation are guided by three prime principles; 1. produce uniqueness or distinctiveness; 2. continuity across time and situation; and 3. have feeling of personal worth or social value (Breakwell 1986).

As it is understood that identity is the product of the interaction of the individual with influences in the physical and social world, identity formation indeed greatly influenced by the condition of the environment of the person. Conditions of the social setting where the person lives often result in identity modification of that person. The extent and speed of identity modifications following social change are likely to depend upon: the degree of personal relevance, the immediacy of involvement in social change, how much revision of identity content and value is demanded, how negative the change is required is deemed to be (Breakwell 1986). The social change in the environment can be supportive or threatened to identity. Conflicts and wars, which had happened within Indonesia and caused forced migration is one of the social conditions that can threat identity.

**Description of IDPs Condition in Indonesia**

Conflicts and wars in several areas in Indonesia had caused a large number of IDPs and the number is increasing everyday. By December 2002 the number of IDPs is approximately 1,421,674 persons in 297,691 families (Ministry of Manpower, 2002). They live scattered all around Indonesia and there are also 70,000 refugees from East Timor. From the data, average number of person in one household is 5 (4.7), thus can be estimated that 70 % of the IDPs are women and children (including adolescents) (No specific data available). Almost all of them have
been through a long period of forced migration from their homes to save locations where they live now. Most of the displacement started around 1999 and up to now most have not found permanent resettlement yet. Some of them live in IDPs camps and some live with their relatives in these new places. Most of the IDPs are still waiting for the relocation arranged by the government, when some of them have decided to start their live as normal as possible and not waiting for further help from authority. They still depend on the government (local government and national government) in deciding the solutions for them (Kompas 2001).

While the solutions have not formed yet, the IDPs have to go on with their lives and try to cope with daily living activities and problems. Among the problems, there is mental health related problem. Many of them reported have Post Traumatic Syndrome although the prevalence is not clear, but when it’s come to war, the prevalence of Post Traumatic Stress Disorder (PTSD) is estimated 6-7% (Fullerton et.al. 1997).

Some of the mental health problems among IDPs are difficulty to sleep, nightmares, easily startled, depressed, irritability, less tolerance, high suspiciousness, increase of domestic violence, aggravation of alcohol abuse and gambling. There are also lack of motivation in doing daily live activities such as working and schooling, pessimistic, anxious and avoidance behavior, withdrawal, increased aggressiveness, and hidden feeling of revenge to the opposite side that cause their displacement (RAMH report from Indonesia 2001).

Among children and adolescents, problems above are also found and in addition they have problems and difficulty in school. They become less disciplined, often fighting with each other (at home or school), only interested in playing around camp areas, refuse to go to school. Adolescents also change significantly in their aggressive behavior; they join some gangs and plan to take revenge in the future. Their orientations toward the future become different than other adolescents who don’t have experience with conflicts and violence. They seldom think about the importance of education to improve their live condition or think about things they want to do in the future (RAMH report from Indonesia 2001).

**Description of the Conflict in Sampit Kalimantan**

Sampit is a city in Sambas Region, at the central Kalimantan province. The local ethnic group is called Dayaknese and they have many triads and have different religion. Despite the varieties, most of them still have the same sense of identity which is Dayaknese. Melayunese is a name given to people who came from Sumatera Island. They are usually moslem, and Dayaknese who
are moslem sometimes identify themselves also as melayunese. But in general Melayunese often refer to those people come from Sumatera.

Madurese, who are originated from Madura Island, an island on the north side of East Java province, have migrated to Kalimantan since Japanese invasion in 1942. They were sent as labor (romusha) to work at the farms and mines. At that moment, Madurese, Dayaknese and Melayunese live side by side at peace. They used to do social, economic, cultural and religious activity together. Many Madurese become trader and they sell things to other ethnic groups. They visited each other during religious holiday and they respected each other rituals (there are many dayaknese still have their own traditional religion) (RAMH report from Indonesia 2001). By the time the conflict happened, a lot of Madurese in Sambas are born in Sambas. Most of them know that their ethnic group is Madura but they rather be called Sambas people.

The conflict started on February 2001 in Sampit and spread out all over Sambas region and even in the whole province just in a short time. The riots had taken many lives of the people from the three ethnic groups, and also caused psychological impact to the community, such as post traumatic stress (PTS). The impact which is not only found among the three ethnic groups involved, but also affects the community who share the same neighborhood.

Most of the Madura IDPs and their families live under threat of Dayak population before they move out from Sambas region. Some of them witness the killing of their families, and some have seen or heard from far away while they were running out from their villages. These have caused traumatic condition among the IDPs. They become very vulnerable to noise, very alert to outside stimuli and easily misinterpret things. Some IDPs show some post traumatic stress symptoms such as high intensity of sadness, crying, sleep disorder, lose desire to conduct daily activities, daydreaming, lose the appetite, withdrawal, do not able to take care of the family, higher aggressiveness, depression, hysteria, lower threshold of stress or emotions acceptance, higher irritability etc.

When they have to flee from Sambas, not all of them leave to other cities in Kalimantan. Some choose to leave the island of Kalimantan and it seems that the most reasonable place to go is to Madura Island. The government of Indonesia also encouraged that choice by providing transportation to Madura Island. At first, coming to the island was like the best solution and everybody in the island were welcoming them. But after several months new problems have arisen and one of the problems is that there are differences on the way of living between the IDPs and the Madurese who never leave the island (RAMH Report from Indonesia 2001).
Objective of This Study

In spite of many publications about Madurese IDPs’ in all of the mass media in Indonesia and also in foreign media, there was little research conducted on IDPs in Indonesia especially on the area of mental health. This study hopefully can contribute an insight to those who responsible for the management of IDPs in Indonesia (especially for the Sampit conflict); and in general to give idea about the importance of mutual respect among many ethnic groups living together in Indonesia. Thus the objective of this study was:
- To identify the sense of identity of Madurese IDPs to Madura island after the riot.

Research Question

To fulfill above objective, a research question had been raised:

How do Madurese IDPs perceive their identity regarding to ethnic membership?

Material and Method

Description of Subjects

The study was conducted to 6 Madurese IDPs who live in camps in Pontianak, the capital of West Kalimantan province. Subjects were taken by accidental sampling, one of non probability sampling technique (Kerlinger 2000). Researcher simply picked persons who fulfill the criteria as IDPs from Sampit conflict and appear most visible to be interviewed at that time. All participants were asked to give inform consent and due to the situation at that time gave oral ones.

Material

Instrument of the study is a set of open questioned which is very flexible and administered according to the subject responses. All of interviews were recorded with tape recorder with permit from subjects. Researcher conducted interview by herself. After the interviews finished, researcher analyzed the narratives.

Method

This study used qualitative methodology with in depth interview as the main tool. The analysis was done toward narratives and the presentation of result merely based on the research question.
Results

Description of Subject
All of the subjects were born and lived in Sampit almost all of their lives. They also went to school in Sampit together with people from other ethnic group including Dayaknese and melayunese, but most of them just go to elementary school. They use madurese language, with different dialect. All subjects can read and write simple articles.

Summary of subjects is described in the table below:

<table>
<thead>
<tr>
<th>No.</th>
<th>Gender</th>
<th>Age</th>
<th>Marital status</th>
<th>Previous job</th>
<th>Present job</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Male</td>
<td>45</td>
<td>Married</td>
<td>Businessman</td>
<td>Construction worker (not regular)</td>
<td>Fled with all family member</td>
</tr>
<tr>
<td>2</td>
<td>Female</td>
<td>25</td>
<td>Married</td>
<td>Sell vegetables in market</td>
<td>None</td>
<td>Fled with all family member</td>
</tr>
<tr>
<td>3</td>
<td>Female</td>
<td>42</td>
<td>Married</td>
<td>Own small shop</td>
<td>Have small shop</td>
<td>Fled with all family member</td>
</tr>
<tr>
<td>4</td>
<td>Male</td>
<td>29</td>
<td>Married</td>
<td>Construction worker</td>
<td>Construction worker (not regular)</td>
<td>Fled with all family member</td>
</tr>
<tr>
<td>5</td>
<td>Female</td>
<td>45</td>
<td>Married</td>
<td>Sell things in market</td>
<td>Construction worker (not regular)</td>
<td>Lost husband in conflict</td>
</tr>
<tr>
<td>6</td>
<td>Female</td>
<td>36</td>
<td>Married</td>
<td>Private employee</td>
<td>none</td>
<td>Lost husband in conflict</td>
</tr>
</tbody>
</table>
Madurese IDPs perception of their identity regarding to ethnic membership

All of the subjects identify themselves as Sampit people, even though they realize that their parents came from Madura island.

“I was born and raised in Kalimantan, my food come from this land and although I may originated from different place….this is the place which give life to me and my family….I do everything to live here” (subject 1).

“We came from madura, but we are Sampit people……all of my live was there and I madurese ...it’s only my blood...not me” (subject 2).

The facts that many people of their ethnic group had been killed in Sampit and Sambas did not change their sense of identity as Sampit or Sambas people. They still have a lot of hope and believe that the whole things were a temporary disaster and that they can come home soon.

“I don’t want to think about going anywhere but just stay in this camp. That way I’m sure that we all will go back home soon. That’s where I belong, no place else, not even Madura and thinking about not able to go back is useless!” (subject 3).

“I’m scared about what had happened back home, but I cannot imagine live in other place than Sampit” (subject 4).

Somehow the preferences of future relocation also affected by the lost they suffer in the conflicts. IDPs that lost family member in the riot tend to agree to be moved to Madura Island. Although they believe that life is not going to be easier there.

“I think I’d rather stay here (in the camp) for a while, I’m not ready to go back home but if they want to send us to Madura, it’s okay I guess. That will be difficult though....I don’t know anybody there” (subject 5)

“I like it here in Kalimantan, but maybe if I can find a job here, I’ll stay. If not, government can move me to Madura....I don’t know what else I should do. I’m afraid to go back to Sampit” (subject 6)”. 
The IDPs sort of modify their identity from a community who live in a nice decent place, become the community who live in a camp, become poorer than they used to and live uncertain life. But it seems that the modification do not lead to identity change from Sampit madurese and become Madurese who live in Madura island. The process of assimilation took place when the IDPs adjust the new situation in the camp into their selves. Accommodation occurred when they make the camp have social structure like the one they used to have.

“I just have to accept that everything change now. We have to work very hard and there are people who perceive us as competitors in market. If a woman has to work as hard as men, then I don’t mind……..after all I don’t have anybody helping me right now” (subject 5)

“It’s better now that we have a leader in this camp. Before it was rather chaotic and I thought a bit unfair to widower like me……” (subject 6).

From the responses of the subjects, it can be seen that even though the social condition affecting their lives right now is almost impossible to give individual uniqueness or distinctiveness, and may lead to the feeling of lost personal worth and social value, yet they manage to maintain the continuity of their identity across time and situation while they were doing some modification toward them.

“Now I’m not very respected anymore…I think…people just see me as one of IDP and they don’t know who I used to be. Even my family and children are more reluctant to me……well…maybe that’s what I have right now…maybe there will be a change later….but it’s still better here than go to Madura, I don’t have anybody there and I will be more nobody there” (subject 1).

Discussion
The number of IDPs in Indonesia is very high. This needs a certain strategy to deal with them. Government which is still in a quiet unstable condition cannot afford to support them for all time. That’s why there are many non governmental organization taking part in supporting IDPs. But still the existence of IDPs itself must be taken into account too. Among all of the possible solution, relocation is one of the most feasible ways. They can be moved to a new place as soon as possible, and do not need to wait for reconciliation between IDPs and local community in the place where they have the conflict.
For Madurese IDPs from Sampit and Sambas, government came to the idea that there should be no problem at all by putting them in their island of origin. Since the host population who will receive them is the same ethnic group with IDPs, it’ expected that the relocation will be easier and both community can mingle so well. This idea is based on the opinion that people from the same ethnic group must have special bonding between them, and have the same habits, values and lifestyles. It is assumed that they have the same identity: Madurese.

Despite the idea that all Madurese will have the same identity toward themselves, it is found that Madurese IDPs who have been living for generations in Sampit and Sambas do not identify themselves as pure Madurese. As Breakwell (1986) mention that identity is the product of the interaction of the individual with influences in the physical and social world, then identity formation indeed greatly influenced by the condition of the environment of the person. It is relevant to the sense of identity of Madurese IDPs. They perceive themselves as Sampit or Sambas people because they have lived different live in Kalimantan. Their values and lifestyles have shifted from the Madurese in Madura island. The social condition in Sampit and Sambas are very different from Madura. There are many other ethnic groups living together in Sampit and Sambas while there is almost no other ethnic group living in Madura island.

This study was conducted 7 months (September 2001) after the displacement of Madurese in Sampit and Sambas took place. Maybe during that time span IDPs are more likely to have big expectation of going back home. Therefore they might simply do not think that big modification of identity is necessary. The extent and speed of identity modifications following social change are likely to depend upon: the degree of personal relevance, the immediacy of involvement in social change, how much revision of identity content and value is demanded, how negative the change is required is deemed to be Breakwell 1986). Maybe the time interval was not long enough; they see the problem detached from themselves.

Actually the IDPs have modified their identity from Sampit people who live in Sampit become IDPs from Sampit. The adjusted themselves through assimilation and accommodation. But the modification do not require dramatic change as not identify themselves as Sampit people anymore because they do not see the necessity of doing so. The modification of identity among IDPs is found to be useful as the mean of survival. By modify a bit of their old identity to the new, they become less frustrated and stress because they can accept the new social condition better.
References


Report from the team of Rapid Assessment of Mental Health Needs of Displaced Persons in Indonesia; 2001


INTERNAL DISPLACEMENT AND GENDERED ECONOMIC STRATEGIES IN TURKEY\textsuperscript{1}

Esra Erdem, Neşet Özevin, Ceren Özselçuk\textsuperscript{2}

Introduction

The Kurdish problem, in its historical and conjunctural specificity, continues to be one of the most politically sensitive issues in Turkey and in the Middle East at large. Since the 19th century, state ideology has relied on the articulation of discourses of secularization, centralization, westernisation/modernisation, and nationalism to enunciate an identity of Kurdishness in terms that effectively excluded Kurdish identity from the politico-social space (Yeğen 1996). In other words, in its shifting identification of Kurdishness with reactionary politics, tradition, economic backwardness and tribalism, Turkish state ideology has defined and redefined the “Kurdish question” as the left-over of a pre-modern past; it has simultaneously prohibited the Kurdish identity to access any legitimate political space for articulating claims of recognition on its own terms. In effect, “Kurdishness” has been relegated to the status of a problem that is to be corrected and remedied, if not altogether denied. Through this exclusionary practice at the politico-social level, the identity of Turkey as an ethnically homogenous, centralized and modern nation-state has been constituted and secured. However, in the course of the last 80 years, the attempts of the state to consolidate its hegemony along these lines have led to as many as 29 uprisings of ethno-political character. The last of these uprisings has ravaged the country (particularly the eastern regions) between 1984 and 1999. Beside the 30,000 people that died, the vast number of internally displaced Kurdish civilians (local NGOs report a number


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of around three million people) constitute only the most visible human costs of this "low intensity war".³

In this paper, we will try to lay out a research agenda to analyse the economic dimension of displacement with a view to offer a better perspective on the much needed and desired economic and political transformations by Kurdish IDPs. The paper is structured as follows: First, we present a brief overview of the extent of internal displacement and the different forms in which it took place in the Turkish context. In the second section, we discuss and point at the shortcomings of the major development discourses that implicitly or explicitly claim to address the economic plight of IDPs. We emphasize how the capitalist modernization paradigm underlying existing development agendas produces a particular representation of IDPs as economically and culturally deprived, inferior and passive. Such a representation, we contend, curtails a serious and dialogical engagement to understand the needs, capacities as well as the distinct character of economic relations and practices of IDPs; it limits their economic options to low wage, low skill, casual wage labour in the formal and informal capitalist sectors.

Drawing upon the critical works of economic anthropologists and geographers, in the third section, we elaborate the theoretical framework of our research project as well as the concomitant research goals and methodology. The theoretical framework we deploy seeks to rectify the narrow and exclusionary scope of the modernist development paradigm through expanding the definition of “economic development and recovery”. This allows us to (1) recognize the existence and economic value of community based and noncapitalist economic practices that characterize the predisplacement and contemporary settings of IDPs, and (2) mobilize them for community rebuilding. In conclusion, we briefly drive home the implications of our research on the democratization process in Turkey in the postdisplacement context.

³ The number of IDPs is not known precisely: Government officials claim that around 350,000 people have been affected, while local NGOs argue that the figure of those displaced between 1984 and 1999 may be as high as 4.5 million (Barut 2002, 5). The US Department of State and the US Committee for Refugees regard a figure of up to 1 million as credible (Norwegian Refugee Council 2001).
The Extent and Forms of Internal Displacement in Contemporary Turkey

While there have always been migratory movements within and out of south-eastern Turkey, in the 1990s forced migration became the major determinant of population movements in the region (TMMOB 1998, 27). In his comprehensive report regarding the issue, Barut (2002) characterises the internal displacement of Kurds in contemporary Turkey as a tragedy resulting from a political structure lacking in pluralism, democratisation and human rights. As civilians caught up in the armed conflict between Turkish security forces and the PKK in the East and Southeastern provinces of Turkey, they have been forced to flee their villages and have, for the most part, been unable to return since then (Global IDP Project and Norwegian Refugee Council 2002).

According to Peker (2000), internal displacement in Turkey resulted from (1) the evacuation and/or burning down of villages by Turkish military forces (either due to the strategic location of the village or as revenge attacks on villages not believed to be "credibly cooperating with the state"; (2) villagers' anxiety about their safety in a region experiencing armed clashes; (3) the coercion experienced within the context of the "village guard system", a local security force instituted by the Turkish authorities; (4) deprivation of sources of economic livelihood (food rationing and denial of access to grazing grounds).

These forms of displacement have been ranked by Barut as follows according to their causal relevance (2002: 31-38):^5

1. Actions by security forces and regulations related to the state of emergency (83.7%)
2. The village guard system (70.3%)
3. Anxiety about one's own safety (65.5%)
4. Evacuation of villages (60.9%)
5. Denial of access to grazing plateaux (38%)
6. Food embargoes (30.2%)
7. Poverty (25.7%)

Through these forms of internal displacement - which lack any legal basis - 3438 villages were evacuated between 1989 and 1999 (5), accompanied by widespread human rights abuses.

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^4 For a general overview of the different forms of migration in Turkey and their complex effects on rural transformation, see Akşit (1998). For an empirical research looking at the socio-economic and cultural data on seasonal and permanent migration within the Southeastern Anatolia, see Akşit et al. (1996).
^5 Multiple answers permitted.
(Mazlum-Der 1999). In what Peker (2000) calls a "collective and systematic injury of rights" -the dimensions of which have been confirmed by a recent report by the United Nations (United Nations 2002) - those affected have neither received compensation, nor has the vast majority been able to return to their villages or been given the choice of settling in a new locality of their choosing. Given this situation, it is not surprising that merely around 20% of IDPs even attempted to take legal steps against this injustice and 0.2% got positive results from this process (Barut 2002, Tables 48 and 56). As IDPs have sought shelter and employment with relatives and acquaintances originating from their village, the population of larger cities within the region and beyond has increased dramatically in the 1990s. The cities that were particularly affected by an inflow of IDPs, and which now host a number of shanty towns in which IDPs are concentrated, include Diyarbakır, Batman, Van, İçel, İstanbul and İzmir.

Although we lack representative data on IDPs, the 2139 interviews Barut conducted in the above named six cities probably constitute the most comprehensive database available today. Based on this data, Barut reports the following summary findings regarding internal displacement in Turkey:

- The substantial majority of IDPs (81.7%) originate from rural areas, with the head of household typically engaged in agricultural activity -predominantly as small peasants or landless agricultural workers (13, Table 24).
- 72% of internal displacement occurred in the 1990-1995 period (14).
- Oftentimes whole families, rather than individual persons, were subjected to internal displacement. 86% of internal displacement can be characterised as mass displacement, involving a large proportion of the village residents. In 41% of the cases, the entirety of villages were subjected to displacement (Tables 41, 43, 46).
- IDPs have predominantly settled in shanty towns on the outskirts of cities (39). The average IDP household size is 8, consisting of the nuclear family and close kin (Tables 2, 100).
- The main factors determining where IDPs settled after displacement were the existence of kin or co-villagers in that city, geographical closeness to the place of origin and the possibility of finding a job (Tables 75-81).
- IDPs face serious problems relating to unemployment, health, nutrition, shelter, safety, discrimination, police harassment, lack of public services after displacement. (Table 69-70; 104; 211-233. See also TMMOB 1998, 50).
• 94% of respondent IDPs would like to return to their place of origin if they could (Barut 2002, Table 405). Other sources put the figure somewhat lower, at around 70%.6
• The main obstacles to return are as follows (Barut 2002, 188; TMMOB 1998):
  (1) The fact that the structural reasons leading to displacement are still in place.
  (2) For landless peasants, economic anxieties are a major disincentive to return.

Current economic perspectives for IDPs in Turkey

Having outlined the general situation of IDPs, in this section we look at the economic dimension of displacement within the context of two major economic development discourses in Turkey, which have significant consequences in terms of the economic options facing IDPs. They are respectively the enhancement of the (global) capitalist market economy, and the push for regional development through the Southeastern Anatolian Project (GAP).7

We argue that both discourses are inadequate to address the specific needs and diverse capabilities of IDPs, and fail to contribute to the process of economic democratization in Turkey. Underlying both perspectives is the prevalent modernisation paradigm which restricts economic practices and subjects within the terms imposed by the development/underdevelopment dyad. This particular process of development, driven by capitalist industrialization, is premised on the eradication of the archaic and traditional social relations and institutions that hamper “development” while subjecting the “deprived” populations to a set of economic, cultural and political transformations which are to reform, rehabilitate and develop them (Gibson-Graham and Ruccio 2001).

In the particular context of Turkey, the "modernization qua capitalist development" discourse has structured the economic space within a binary that ords a hierarchical relation between a dominant, dynamic, and developed economic identity and a subordinate, stagnant, backward/underdeveloped one. The dominant economic identity, in lining up with other privileged signifiers such as being pro-western, modern, capitalist, formal, urban, industrial, and global, is argued to reign over and ultimately obliterate the inferior and devalued economic identity which is positioned in a chain of equivalence to being eastern/Kurdish, premodern,

7While GAP could be seen as merely the regional adaptation of the capitalist market economy model, we like to examine it as a separate development discourse, since within the various projects lumped under GAP, we perceive some openings for enacting participatory regional economic alternatives to capitalist industrialization.
noncapitalist (feudal), backward, informal/illegal (for instance, engage in smuggling), rural, peasant, and local. In this bifurcated economic space, the economic identity of the Kurdish populated southeastern region is constituted as necessarily lacking, deficient and dependent. Hence, within the modernization paradigm the naturalization of capitalism as the logic of development is overlaid with ethnic codes whereby the meaning of underdevelopment is condensed with being Kurdish.\(^8\)

What needs to be emphasized for the purpose of our project is the way in which the modernization paradigm that we briefly sketched above informs and constrains the economic rebuilding efforts of displaced communities. We argue that the two major development discourses mentioned focus on a narrow, patronizing and capitalocentric understanding of what counts as economic development and productive economic activity.\(^9\) Such an approach disregards the non-capitalist economic activities and relations as well as non-marketable skills of IDPs as economically irrelevant, and forces the latter into the straitjacket of an "economic sameness" subjected to the logic of a globalised capitalist market economy. The already prevalent identification of Kurdishness with a lacking, backward and illegal economic identity further bolsters the image of IDPs as being deprived of having any valuable economic knowledge and potential, and portrays them as dependent on outside/expert knowledge and resources, especially “capital”. Hence, the pre-displacement economic livelihood activities of IDPs are undervalued; their local resources, knowledges, and needs are rendered invisible. The potential for a more democratic definition of sustainable economic recovery that comes with the recognition of economic difference is thereby foregone.

\(^8\) While the critique of the Third World development concepts and practices is becoming a widely recognized research agenda after the pioneering study of Escobar (1995), so far it hasn’t made significant inroads into the reassessment of the development paradigm in the Turkish context (Sirman 2001). This has contributed to a naturalized understanding of the economy structured by the dictates of capitalist industrialization to which other/inferior forms of economic relations will ultimately subsume to. In our view, such an understanding has the unfortunate consequence of diverting research interests from examining and evaluating the economic, cultural and political dynamics of various non-capitalist and non-market economic practices in Turkey.

\(^9\) We borrow the term capitalocentricism from Gibson-Graham (1996). Gibson-Graham defines capitalocentric economic discourses as those in which “the other forms of economy (not to mention noneconomic aspects of social life) are often understood primarily with reference to capitalism: as being fundamentally the same as (or modeled upon) capitalism, or as being deficient or substandard imitations; as being opposite to capitalism; as being the complement of capitalism; as existing in capitalism’s space or orbit.”(6).
Enhancing the capitalist economy

We would like to turn now to examining more closely the visible and potential economic implications of the two development perspectives on the economic livelihood strategies of IDPs. The first of these, namely the free market economy model – advocated and implemented by IMF structural adjustment programs – articulates the hegemonic development discourse in Turkey. According to this model, the establishment of a liberal economy based on private property and free markets in goods, finance and labour is the prescription for economic growth and prosperity. Within this scenario, IDPs get integrated into the local economy in the post-displacement setting in accordance with the human and financial capital that they bring with them; the need for specific programs directed towards IDPs does not arise if markets are allowed to function free of interference.

The approach of the self-regulating market clearly has not worked in the last 5-10 years that IDPs have spent in the post-displacement setting. IMF policies have generated a severe economic stagnation, significant deterioration in income and wealth distribution and unemployment in Turkey in general.\textsuperscript{10} Consequently, migration from impoverished rural areas in the Southeast of Turkey to the metropolitan cities and western regions has not brought about the prosperity one might have expected. Instead, poverty and the social problems that come with it abound among IDPs. Barut reports that in the cities, merely 7.1% of female and 28.4% of male IDPs are engaged in economic activities "outside the home" (compared to 13.7% for women and 29.7% for men in the pre-displacement setting) (Barut 2002, 25). As these figures suggest, unemployment among IDPs is a major problem, exacerbated by the ethnic discrimination that Kurds face in the western provinces of Turkey (Bora and Can 2000). Furthermore, the vast majority of available jobs involve casual, poorly paid, unskilled work in the informal sector. Around half of the respondents were reported to be earning less than 100 million TL (roughly $60) per month and child labour has become more frequent. TMMOB data underlines the decline in purchasing power and the extent of casual employment among male IDPs (32-35, 40), reporting that in 1996, a staggering 96% of IDPs in Diyarbakir were living below the poverty line (38). Consequently, it can be argued that the free market mechanism has not been able to address the economic plight of IDPs.

\textsuperscript{10}For a critical assessment of the deteriorating effects of structural adjustment policies on distributionary dynamics and social policy in Turkey, see Boratav, Türel and Yeldan (1994), Yeldan (1995) and Boratav, Yeldan and Köse (1999).
The Southeast Anatolian Project (GAP)

A second development discourse that is of pertinence to IDPs is articulated around the GAP. GAP started in the 1970s as a large scale infrastructure project based on the generation of hydro-electrical energy and irrigation through a network of dams. In the meanwhile, it has become a "multi-sector, socio-economic regional development program" aimed at "integrated, sustainable development". Besides the dam project, GAP aims at restructuring the agriculture based economy of the region in order to develop a modern agro-industry oriented towards the cultivation of high value, globally marketable products and their local processing. The GAP administration cooperates with various domestic and international governance structures, institutions, civil organizations, etc. on the development of organized industrial zones, free trade zones, SMEs (Small and Medium Enterprises), as well as the creation of informal sector jobs which will support and supplement the region's future as an agriculture based export centre. To this end, investments in infrastructure, consultancy services and credit subsidies are provided for potential domestic and foreign entrepreneurs. GAP often times wedds the motivation of these projects to a social concern aimed at the "development of human resources, the achievement of equality and fairness in the process of development and the development of a participatory democratic culture and society in the region". In this context, resettlement projects for those affected by the building of dams, the improvement of social service delivery to rural areas through the centralisation of settlement in "central villages", as well as projects aimed specifically at women, youth and micro enterprises in the region have been developed and are being implemented as pilot projects.

There are two major points of critique to be made about the GAP project: First, in this comprehensive project about the region, the fact of internal displacement and its impact on the regional economy are not mentioned even once. As confirmed by United Nations (2002), no policies have been developed to address the specific needs of IDPs whereas according to Barut (2002) and TMMOB (1998), displacement has led to a sharp decline in the regional agricultural output as most peasants experienced substantial damage to their land, orchards, animals and homes; vast areas of fertile land have remained unused and forests have been burned down (Barut 2002, Tables 60-65). The "central village" project has been severely criticised for not taking into account the social, economic and political effects of war on the region (Ziraat Mühendisleri Odası 2001).

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11 [http://www.gap.gov.tr/Turkish/Ggbilgi/gnedir.html](http://www.gap.gov.tr/Turkish/Ggbilgi/gnedir.html); own translation
12 [http://www.gap.gov.tr/Turkish/Ggbilgi/gbilesen.html](http://www.gap.gov.tr/Turkish/Ggbilgi/gbilesen.html); own translation
Secondly, despite the rhetoric about the participatory character of the projects, there is little evidence that there is actually any scope for IDPs to influence the decision-making process.\(^\text{13}\) Rather, it appears that the economic projects of GAP are generally focused on a top-down approach of developing the capitalist potential in the region, predominantly through the creation of favourable conditions to attract western entrepreneurs and capital into the region (including micro-enterprises, which are seen as the seedbeds of future larger firms).\(^\text{14}\) Capitalism is positioned as the defining centre of economic identity, ignoring the pre-displacement productive potentials and local economic knowledges of the region that can be deployed in fostering non-capitalist forms of economic activities. In this context, the social projects within GAP seem to be geared towards little more than rendering capitalocentric economic projects feasible. However, we do believe that social projects targeting specific groups such as women (like ÇATOM, the multi-purpose social centers) and youth and some of the participatory local development projects targeting landless and small peasants have the potential to be re-channelled to address the situation of IDPs in the region. For this to happen, IDPs organised in NGOs must take the letter of the social projects literally and engage in a political struggle to carry out such projects in a truly democratic, participatory manner.

**The research agenda**

The above described political economy of internal displacement in Turkey constitutes the starting point of our research project, aimed at developing gendered economic strategies to help IDPs rebuild their livelihood and their communities, as they are entitled under the United Nations Guiding Principles on Internal Displacement (United Nations 2001). To this end, we plan to undertake field work in selected cities (İstanbul, Diyarbakır, Van, Mersin) that have experienced a substantial inflow of IDPs in order to

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\(^{13}\) For instance, the "central village" project has been perceived by IDPs as a form of forced settlement and "open prison" which is being planned and administered against IDPs’ will and as a threat to their “way of life, culture and livelihood practices.” (http://www.özgürpolitika.org/2001/06/06/hab14b.html.)

\(^{14}\) In this context, it’s telling that investments in the region by Western capitalist conglomerates (such as Tramstürk and Koç-Ata) have been receiving a lot of media attention as exemplary initiatives by western businessman to provide wage employment for the economically ravaged Southeast (Financial Times Survey: Turkey, 20 November 2000, and Cumhuriyet, 17 October 2000).
(1) map out the inventory of pre- and post-displacement economic activities in which IDPs engage in;
(2) document the distinct ways in which these activities empower or restrict male and female IDPs in their struggle to regain their economic livelihood and rebuild their communities;
(3) based on (1) and (2), assess the adequateness of existing economic development discourses for IDPs;
(4) in light of world-wide gendered best practices, articulate new gendered understandings of economic development within the framework of a participatory research model.

We find support for our project in Peker (2000), who argues that - apart from the struggle for the right to return or resettlement - the most important tasks in relation to internal displacement are: (a) the successful integration of IDPs to social and economic life in their current place of residence; (b) the development of programs that address the specific needs of women and children - two groups that have suffered disproportionately from internal displacement; and (c) community organising among IDPs to help sustain and rebuild networks of solidarity.

To facilitate such a process, we plan to conduct interviews with IDPs, local community leaders, NGOs and local authorities. The decision to conduct field research in four different locations stems from these cities' distinct economic profiles, which enables us to tap into a broader set of economic livelihood strategies pursued by IDPs. Van is one of the launching sites for IDP targeted model village projects; Diyarbakır is part of the GAP project; Mersin has a vibrant industrial sector, a free trade zone and provides access to employment in the tourism industry along the Mediterranean coast. İstanbul is a metropolitan city with a well developed market economy that can soak up access labour, particularly through the informal sector.

Our intervention is directed at dislodging the representation of economic rebuilding from the modernist vision of capitalist development. We found that not only the mainstream economic development discourse is focused on a free market based model of capitalism, but practices of NGOs in Turkey have tended to reproduce this capitalocentric discourse as well. GÖÇ-DER, for example, has on various occasions stated that while in the pre-displacement rural economy men and women were engaged in productive agricultural activities, in the post-displacement setting they have been reduced merely to the status of being unproductive consumers (Barut 2002; Diken 2001, 181). In other words, the social and economic potential of non-marketed economic activities for rebuilding communities and securing livelihoods is not recognised.
Most commentators on the situation also argue that IDPs' economic and cultural backwardness constituted the main obstacle to alleviate their economic predicament. According to Barut's study, only 5.5% of female and 15.3% of male IDPs have had schooling beyond the level of primary school education. 61% of women and 29% of men are illiterate. Among this latter subgroup, a large proportion does not speak the official language, Turkish, which creates obstacles in their access to the labour market (Barut 2002, 26). Added to this, is the observation that (male) IDPs hold the dominant view that women should not work outside the home, which restricts the family income to that which can be earned by its male members (TMMOB 1998, 39).

Indeed the dominant held view in both the right and the left economic discourses is to explain the underdevelopment of the Southeast as the outcome of the patriarchal gender relations and the feudal/asiatic production relations that characterize the “premodern” nature of the Kurdish society (White 2000). Our aim in this project is neither to romanticize economic difference as a value in itself, nor to gloss over the repressive and exploitative gender, ethnic and class relations that afflict the current and pre-displacement settings of IDPs. What we argue is that the diverse and complex economic practices and relations of IDPs (such as independent/family farm production, husbandry, extended family household labor etc.) can’t simply be belittled as economically unproductive, underdeveloped, and culturally backward. Such a totalizing and disempowering economic representation prevents us from understanding the dynamics of alternative economic relations on their own terms, and instead assigns them the role of archaic forms which are to be transcended in the telos of development. Concomitantly, it silences the different understandings of “development” and “rebuilding” as well as the different modalities of social resistance which are already articulated by the IDPs to transform their current social and economic problems, without reverting to a prior assumption on the emancipatory prophecy of the modernist paradigm based on capitalist development.

Hence, we seek to redefine the concepts of development and economic recovery in such a way that would allow us to work within the transformatory potentialities and limitations of the economic practices IDPs have engaged in. For this, we draw upon the postdevelopment literature, the works of cultural anthropologists as well as economic geographers who theorize a new and expanded understanding of the economy and economic development that is more inclusive, community oriented and open to articulations of economic and cultural difference (Gudeman 2001; Escobar 1995; Gibson 1999: Gibson, Cameron & Veno 1999; Gibson-Graham 1996, 2003; Kretzmann and Mcknight 1993). Especially, we are inspired by the work of Gibson-Graham who have documented the relevance of community models of economic organisation within the context of deindustrialisation in Australia and the United States. They argue that the hegemonic
industrial restructuring discourse positions economic subjects as either victims or customers of capitalist development, and thereby creates a sense of powerlessness among communities facing deindustrialisation. Their project is based on an action-research that tries to cultivate the self-transformation of local economic subjects, who are acted upon and subsumed by the global economy, into subjects with economic capacities, who enact and create a diverse economy through daily practices...\textsuperscript{15}

With this objective, Gibson-Graham document the ways in which non-capitalist and non-market economic activities such as household labour, neighbourly exchanges and production, self employment, cooperatives, self-help groups, barter, gift giving, caring labour etc. can constitute essential components of people's economic livelihood strategies towards efforts of community rebuilding.\textsuperscript{16}

We think that a similar approach can be applied in the field of IDPs and refugee studies. Our working hypothesis is that there are numerous paid and unpaid economic activities, rendered invisible in mainstream economic discourse that IDPs carried out, currently do, or potentially could engage in which reflect the diversity of IDPs economic capabilities. Thus, we aim to map these activities in order to construct a novel understanding of economic space and economic identity with respect to Kurdish IDPs. In this participatory process, the goal is to destabilize the terms of the modernist development discourse with its ethnicist overtones and injunctions. In particular, we would like to produce an economic representation that repositions IDPs from being the always already underdeveloped subjects into agents with the economic knowledge and capacities to transform their economic predicaments.

Furthermore, we attempt to redress a crucial imbalance characterising former studies on IDPs in Turkey, namely the male bias inherent in the research design. From the international literature on IDPs, we know that internal displacement can affect men and women differently; they may have gender specific needs and develop gendered ways to cope with displacement (Benjamin and Fancy 1998; Corrin 2000; Gammage and Fernandez 2000; Women's Commission for Refugee Women and Children 2001). As noted in the Handbook for Applying the Guiding Principles on Internal Displacement, ‘displaced women have the best sense of what is needed for themselves and their family members and they often have very good ideas about how best to respond to these needs.’ (Brookings Institution Project on Internal Displacement 1999, 40). Looking at the two

\textsuperscript{15}Gibson-Graham (2003, 10).
\textsuperscript{16}Gudeman (2001) underlines this approach by pointing to the economic community building capacity of such acts even if they do not involve the generation of monetary income.
major studies conducted on Kurdish IDPs in Turkey, however, we find that 73% of Barut's interview partners were men (Table 9) and interviews in the TMMOB study were also conducted with the male head of household. In recognition of the invaluable, but oftentimes unrecognised role women play in rebuilding conflict-riven communities (Forced Migration Review 2001; Moser and McIlwaine 1999) and given the fact that the division of labour is highly gendered and women engage in a substantial amount of non-market economic activity (Beneria 1999), we consider it crucial to interview both women and men in order to better reflect the full array of economic and political roles they take on.

**Alternative economic practices**

As exemplified below, we can already find several pointers towards the existence as well as the search for alternative local economic practices:

(1) The fact that most IDPs settled in cities where they have relatives, is an indicator of kinship based economic solidarity. The establishment of IDP populated shanty towns (which according to anecdotal evidence carry hyphenated names combining the cities of origin and settlement such as Mersin-Urfa) may also be indicative of the building of strong economic and social community ties in the post-displacement setting (Barut 2002, 50, 54).

(2) For most women, the consequence of displacement has foremost been being stuck at home (Barut 2002, 25-29 and Table 25), whereas in the villages they were engaged in agricultural production and home based textile production (especially carpets). However, the home centred life should not be mistaken for political or economic passivity. The NGO KA-MER in Diyarbakır works with women to raise their consciousness about their rights. It tries to re-channel women's politicisation within the context of the Kurdish struggle for human rights in order to change women's own position within the family and society at large (Diken 2001, 161-166). Evidence from İstanbul suggests that at least for politicised women, displacement has meant active engagement in urban public spaces (Deniz 2000). The large IDP household, consisting of 8 persons on average, and structured around kinship ties, suggests the existence of a substantial amount of home related economic activity, in which the economic roles of household members may be closely related to their position within the gendered kinship structure. 36.1% even reported that currently more than one family lives within the same household due to economic constraints (Barut 2002, Table 98). The mechanisms through which economic resources are produced and shared between and within these families is a point that requires further research.
(3) Interestingly enough, 44.5% of IDPs report that either they themselves or a family member is the owner of their current dwelling (Table 195). However, home ownership is not an indicator of the economic wealth of IDPs. Rather, it is evidence that IDPs have developed an (however unhealthy) alternative to the capitalist housing market. In all cities that experienced a massive inflow of IDPs, unregulated construction activities in shanty towns have allowed IDPs an insecure form of home ownership that continues as long as the authorities do not intervene (TMMOB 1998).

(4) The fact that entrepreneurship does not exclusively follow narrow calculations of profit maximisation, is evidenced by GIDEM, a consulting agency providing various services for entrepreneurs within the jurisdiction of GAP. In the process of its consultancy work, GIDEM realised that for many potential investors from within the region, it is important that their investment will make a contribution towards healing the social wound that years of armed conflict has opened in the region. GIDEM has taken this desire on board, bringing investors, local NGOs and state officials together and working to dismantle the feelings of mutual distrust these parties have towards each other. They are planning to specifically incorporate women entrepreneurs into this process in the near future (Diken 2001, 231-235). In other words, through the engagement of different parties that recognise their interdependence, the infrastructure for trust based economic relationships has started to be built within the region. This fruitful dialogue can be further cultivated by bringing in discussions about the viability and desirability of fostering noncapitalist, non-market economic endeavours (such as cooperatives) and re-channelling GAP related subsidies to this end, as part of the peace building process in the region.

(5) Indeed, in recent years NGOs working with IDPs have made several economic interventions at the community level that do not simply generate income, but incorporate community values into the production process. In Van, local home-based women workers association are organising women carpet-weavers who work at home as well as at publicly and privately owned workshops in an effort to strengthen their bargaining power vis-à-vis employers, suppliers and traders buying their goods. There is evidence that displacement has led to the transformation of carpet weaving from independent production to production dependent on capitalist relations, with the dire consequence of worsening working conditions. Pertinent and encouraging for our project are the efforts of local NGOs to reorganize production towards cooperatives (Bayram, İl and Hattatoğlu 2000).[18]

[18] GIYAV in Mersin started income generating and qualificational projects for female IDPs. MEKSA in Diyarbakır runs vocational training courses for young people (Diken 2001, 243-249). It will be of interest
Insufficient as such pilot projects are, we believe that these efforts are invaluable tools in rebuilding communities of IDPs. They take into account the distinct social and political situation that IDPs are in; they build on and develop the capabilities of the IDP population, integrate them into the economic landscape while at the same time transforming it away from the anonymity of capitalist market forces, and towards accountable local economic practices. It develops what Gibson-Graham calls "an ethics of the local" (Gibson-Graham 2003).

**Methodology**

Above we provided some precursory examples of alternative economic practices that caught our attention during the literature review. Our aim is to systematically unearth such practices through our field research and contrast them with the economic opportunities provided to IDPs under existing development plans.

First, we will assess existing development plans in terms of the number of persons that could be accommodated through these measures, which sectors they have generated employment in, whether they have had differential outcomes for men and women in terms of income potentials, what kind of economic organization (in terms of production and distribution relations) and work conditions they cultivate, and in what ways they have utilised the already existing human capital of Kurdish IDPs.

Next, we will identify the diversity of pre and post displacement economic activities that women and their families engage in through interviews to provide a full inventory of previously undocumented productive activities and resources, to highlight the economic value of these activities and resources from the point of view of the interviewees, and to understand the model of social and economic organisation in which they are embedded.

Methodologically, the project is designed as a participatory research process actively involving IDPs in the design, conduct and evaluation of the research (Benjamin and Fancy 1998). As a first step in facilitating this participatory research process, we envision recruiting community researchers in each city to carry out interviews alongside us. We consider collaboration with local NGOs, human rights associations and universities invaluable in establishing initial contacts with both potential community researchers and interviewees. We will use the snowballing to our research to look more closely into the potential for community rebuilding and the types of economic organization such projects cultivate.
method, i.e. utilise networks that we establish in the interviewing process, as a way to contact other potential interview partners. The community researchers will be native Kurdish speakers who are also fluent in Turkish and they will be familiarised with our research agenda and interview techniques through a two-day training workshop. The safety of the community researchers and interviewees as well as consideration for the traumatic experiences they have gone through constitute two major ethical guiding principles in the interview process.

To conduct the interviews, we will adapt the People-Oriented Planning Questionnaire (POPQ) to our research. POPQ is a well-established planning tool in the field of refugee studies, used (1) to map out the IDP profile and context; (2) to document the economic activities of IDPs both before and after internal displacement (who does what, where, for whom and how frequently?); (3) to analyse the past and present use and control of resources by IDPs (who has access to which resources such as land, water, fuel, skills?) (Anderson, Howarth and Overholt 1992).

The comprehensiveness and sensitivity of POPQ with respect to documenting diverse economic livelihood strategies lends this technique particularly well to serve the broader goals of this research, namely to map economic diversity and envision new development paths. POPQ would aid our identification of not only the monetized, capitalist economic processes that interviewees and members of their family engage in, but also the non-monetized, non-capitalist economic relationships such as barter, volunteer activities, neighbourhood help, domestic labour, community work, home-based working, independent/family production, etc.

The analysis of data will proceed as follows:
(1) Selective transcription
(2) Categorisation of economic activities into different forms of economic relationships
(3) Deciphering of the gendered meanings attached to these economic activities
(4) Theorisation of how these different economic relationships combine to form survival strategies in the context of internal displacement
(5) Assessment of the ways in which these economic relationships empower or restrict IDPs in their struggle to regain their economic livelihood and rebuild their communities
(6) Articulate new gendered understandings of economic development on the basis of focus group discussions with IDPs, community leaders, NGOs and local authorities regarding the desirability and viability of different economic practices.
Conclusions

The Turkish state's failure to develop a democratic political response to the Kurdish issue - one of the most tragic facets of which lies in the vast number of IDPs – has left the problem unresolved up to today. Consequently, the ethnic dimension of the "Kurdish problem" must be read as symptomatic of the difficult process of democratisation in Turkey in general.

Ideologically, the long years of "low intensity war" have been supported through a nationalist discourse that has substantially increased ethnic tensions within civil society. While the recent legal and discursive changes signal a move away from the denial of the distinct ethnic identity of Kurds, towards a recognition of the "Kurdish reality" at the cultural level, there have been few steps taken at the political and economic levels to deal with the larger issue at hand. Without a decisive shift away from the authoritarian and militarist system (that finds its articulation in the constitution of 1980), a systematic denial of human rights in the form of ethnic discrimination, denial of the right to democratic organisation, state security courts, emergency laws, torture, killings, and a general state of lawlessness will fail to cease, and forced migration will continue to remain on the agenda (Diyarbakır Barosu 1998). IDPs' demands that their return to their villages be accompanied by interlocked political, economic and social programs underlines this concern (Barut 2002, 188).

Through our participatory research project, we aim to make a contribution to political and economic democracy in Turkey and to ensure that the rights of IDPs, as defined by the United Nations Guiding Principles on Internal Displacement, are safeguarded (United Nations 2001). In the process, we want to get away from the modernist economic narratives and practices which, in their portrayal of IDPs as economically powerless, backward and underdeveloped, constitute them as the cheap, unskilled labour force for the urban informal sector, thus sustaining their economic predicament. Instead, our research aims to give IDPs in Turkey an economic voice by repositioning them as skilled economic actors embedded in various economic practices and relations within a dynamic community economy, to document their gendered capabilities, but also to actively involve them in the process of developing emancipatory economic alternatives at the local level.
References:


LANGAS OR “HOME AWAY FROM HOME”?  
THE SOCIAL MEANING OF PLACE BY KIKUYU INTERNALLY DISPLACED WOMEN FROM BURNT FOREST, KENYA

Roseline Achieng

Abstract

Based on my empirical research carried out from April 2001 – to April 2002 as part of the fulfillment for my Ph.D. studies, the paper seeks to understand how Kikuyu internally displaced women are constructing the place called Langas and giving it new meaning. The women are constructing the place- Langas as a home but away from home. For them, home is here but home is also there (in Burnt Forest where they had been living from the colonial times (as daughters of the then squatters and they still have today user rights to land). My argument is that there exists a trans-local relationship between home here and home there. Through the presentation of two events, the burial of Kariuki and in Wairimu’s brewing house where I employed participant observation and case studies as my methods of data collection, I analyze the processes and practices, events and ideas within the everyday life of Kikuyu internally displaced women that go into defining this trans-local linkage between home here and home there. I argue that such processes, practices, events and ideas powerfully bring forth the trans-local nature of the women’s social and economic spaces that are based on new relationships and meaning that emerge there in. These spaces and meaning should be taken into account when researching internal displacement. However, such a relationship can only be understood through the process of contextualization, where socio-cultural and political-economic questions that characterize the social structure and therefore interactions are asked.


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I further argue that within displacement there is often a change in the gender relations, and presupposes a change in power relations. These power relations and transformations as evidenced in the changing gender relations in displacement will be here in highlighted by the analysis of Wairimu’s brewing house. The aim is to bring to the limelight the agency of the women as actors and active agents of societal change.

I conclude by mentioning that ‘home’ for internally displaced women falls under two categories, home here, which is the actual place of lived experience, where they have their networks through which they interact and negotiate new ways of doing things. However, home is also there, which is both a metaphorical space of personal attachment and “how things used to be” and also a place where former order of things is negotiated (through new land arrangements). The outcome of such a dynamic contestation and negotiation of meaning of home, is a trans-local relationship that connects home here and home there. This gives rise to a janus-faced concept of ‘home away from home’.

I introduce the above mentioned points of view by positing the argument that in order for us to grasp the meanings that internally displaced persons give to events, processes and places they encounter we need to adapt an interactive and generative research methodology. I propose the use of an actor-oriented research methodology, which aims at understanding the rationality (agency) of actors. Such a research approach necessitates us to enter into the social reality (life world) of the actors. Furthermore, an actor oriented research entails an encounter at the interface. The concept of the interface helps to analyze the social situations within which, an intersection of different life worlds occur. Such social interaction, where contests of values, meanings, rights and question of symbolic, cultural and ethical nature take place, are brought to the foreground in this interface situation.
Introduction

Contextualizing the State of Internal Displacement in Eldoret Kenya - the Centrality of the State in Politicizing Ethnicity

In 1992 and 1995, Kenya experienced a number of politically instigated ethnic conflicts, which left an estimated 300,000 persons homeless and landless (Human Rights Watch-Africa/UNDP 1997). According to a UNDP report, after the Kenyan government was forced to concede to a multiparty system, the then President Daniel arap Moi and his inner circle adopted a calculated policy against ethnic groups associated with the political opposition (Human Rights Watch-Africa/UNDP 1997, 6). The government unleashed terror, provoked displacement, and expelled certain ethnic groups en masse from their long time homes and communities in Nyanza, Western and Rift Valley provinces, this being for political and economic gain and only constructing ethnicity as a guise in order to claim differences (The Daily Nation, 1993a, National Council of Churches of Kenya, 1992, Human Rights Watch-Africa/UNDP 1997, UNDP 1993). The government, in doing this, capitalized on the un-addressed and competing land ownership issues dating from the colonial period. These are issues between, those pastoral groups, such as the Kalenjin and Maasai, who were ousted from land by British settlers and the agricultural laborers mainly Kikuyus, who subsequently settled on the land after independence (Furedi 1989, Kanogo 1987, Presley 1992, Throup 1988). Many of these farms were at the center of the ‘ethnic clashes’, as they came to be known (The Daily Nation, 1993b, 1993c The Weekly Review 1993, Finance Magazine 1994, UNDP 1993, 1995, 1997).

Writing from a perspective of instrumentalism of ethnicity by state elites for political gain (Wimmer 1992), the Kenya Human Rights Report of 1998 discusses the ethnic conflicts in Kenya prior to the elections of 1992 and 1995, as an politically instigated ethnic cleansing by political leaders fearing their usurp of power. ‘Majimboism’ which means regionalism was advocated by the then formed coalition of Kalenjin, Maasai, Turkana and Samburu leaders (KAMATUSA). Rift Valley was declared a KANU\(^3\) zone. Multipartyism was shunned as an anti-Kalenjin movement aimed at removing the then President Moi from power simply because he was a Kalenjin (KHRC\(^4\) 1998,12) Violence was consequently meant to alter the political demography of this multi-ethnic province ahead of the multiparty elections, to the advantage of Moi and Kanu (KHRC 1998, 13). This political economic view of analyzing ethnic clashes is shared by a report of international commission of Jurist, the Kenyan section (Mbogori 2000)

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\(^3\) KANU is the acronym of the then ruling party Kenya African National Union

\(^4\) KHCR is the acronym of Kenya Human Rights Commission Report
Following pressure from international donors about the ethnic violence in Kenya, the government, in 1993, agreed to cooperate with the U.N to initiate a program to return the internally displaced to their homes. The stated objective of the proposed program for Displaced Persons was the reintegration of displaced populations into local communities, prevention of renewed tensions and promotion of the process of reconciliation. There were needs that the UNDP in collaboration with the state deemed as necessary to be first addressed. These were the needs of humanitarian relief. Specific proposals for action were hence developed in a report known as the ‘Rogge Report’\(^5\). Thereafter would follow the needs of security, and then land registration, and land tenure problems which would have consequences on long-term development goals.

The report hence identified both the short term and long term needs for successful reintegration. In the immediate short term, the report called for food, shelter and agricultural materials to be provided. The establishment of a revolving credit scheme to provide capital for cash crop farming or small scale business was also proposed. In the medium-term, the report recommended more general development initiatives, and rehabilitation of destroyed institutions, while linking these initiatives to efforts such as reconciliation seminars, skills and employment training and regularization of the land tenure system. For long term reintegration, the report stated that protection and security issues were paramount.

From a sociological point of view, there are several issues that can be noted and hence questioned. The proposal and consequently the program assumed several facts. That the displaced women and men would naturally return to their previous milieu and re-settle whilst continuing with their previous interactions with the larger community as though no interruptions had occurred. Secondly, that the process of resettlement would automatically restore destroyed relations of trust and previous interactions. Thirdly, that there were no changes that had occurred involving previous social and economic entitlements and securities. The program furthermore assumed that they had a mandate to provide an ‘enabling environment’, without analyzing what had been re-produced, that is the social and economic transformations that had occurred as a consequence of the displacement.

The program was finally carried out and focused on the worst hit areas in three provinces, namely, Bungoma and Mt. Elgon Districts in Western Province, Kisumu district in Nyanza

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Province, Elgeyo-Marakwet, Nakuru, Nandi, Trans Nzoia and Uasin Gishu Districts in Rift Valley Province. The aim was to integrate all actors, that is the government, the local NGOs and Churches into a partnership to address the problem. Yet again one would ask, what about the main actors i.e. the displaced community and the community that displaced the others. How were these two voices involved in the process and program of re-integration? Was it only the task of institutions to offer solutions, without integrating the communities involved?

By the time the UNDP program began, levels of violence had diminished and reintegration had begun to occur in some areas, particularly in Nyanza and Western Province. However, at the same time, violence still continued in the Rift valley and virtually no reintegration occurred (Human Rights Watch Africa/UNDP 1997). The UNDP reported that the government steadily undermined reintegration through obstruction of efforts on some fronts and inaction on others (Human Rights Watch Africa/UNDP 1997, 7). For example, while progress was made in alleviating the emergency food and material assistance needs, and some reintegration occurred, a climate of mistrust and insecurity persisted in many parts of the Rift Valley. There was a lack of political will to restore security, to redress past and continuing injustices against the displaced, and to find lasting solutions with regard to land reform. The lack of land access and the issue of obtaining title to land, delays in surveying, irregularities in the district land titles offices, ambiguities caused by sub-divisions of plots, non-formal sales and/or exchanges of land are some of the impediments that faced the program. Again, one could ask the question, was it only due to government’s inability or inaction? or were there other aspects that contributed to the situation that the community particularly in the Rift Valley province had particular difficulties in gaining access to their previously social and economic means of livelihoods?

In 1995, the UNDP closed its joint operations with the government, citing lack of expertise, capacity and experience and announcing that it did not want to jeopardize its relationship with the government by taking the States responsibility of providing security and enhancing justice to its citizens. Some of the displaced men and women who were in camps, notably the Maela camp were dispersed and the camp closed down. It was now left to the Churches and NGOs to shoulder responsibility for the internally displaced who landed yet again at their door steps. Ten years after the initial outbreak of ethnic conflict, women and men in some of the worst hit areas are still unable to return to their land or access their farm lands. This condition still persists in areas such the Uasin Gishu District (Kipkaren valley, Turbo and Burnt Forest), Trans-Nzoia district (the eastern slopes of Mt.Elgon), Nakuru district (Olenguruone division and Maela camp) and Kericho district (Thessalia mission) (Human Rights Watch Africa/UNDP 1997).
One can however, argue that, communities more often than not organize differently when faced with a crisis situation. They either form groups or associations or provide themselves space, where strategies and networks for coping with an impeding situation are initiated. Noting that women in situations of internal displacement are more disadvantaged especially where it concerns issues of land access, land use and holder priorities, my main bone of contention emerged and that was to observe and analyze the social and economic coping strategies of women in a situation of internal displacement.

The state of Art of displacement in Kenya, 10 years after the initial Outbreak of the conflict

Among the institutions still addressing the problem of internal displacement are the Catholic Church, the National Council of Churches and other NGOs. The strategies that these institutions adopt are varied. For example, according to the Pastoral and Development Master Plan 1999-2003 of the Catholic Diocese of Eldoret, the justice and peace department of the Diocese has several strategic orientations, that is to formulate and implement a justice and peace policy, to run workshops on civic education and para-legal training, to organize reconciliation and peace activities at parish and deanery levels, organize relief activities, establish proper mass media networking and communication and to develop training materials, organize joint activities among the groups affected and involved in conflicts of an ethnic nature (Catholic Diocese of Eldoret 1999, 153).

An analysis of the strategies outlined above clearly depicts a lack of context relevant strategies that look at the strategies that displacees have themselves thought out. Such strategies, not only connects them and their displacers, but also connects their former places and the current ones in which they are in. Such strategies moreover tease out issues of going back, or remaining and starting a new life.

It is important to note that many of the internally displaced women and men from Burnt Forest are now living in the ‘no man’s land’ of Langas. The consequence is shanty dwellings which the internally displaced have come to recognize as home but away from home, the subject of which forms this discussion. Another consequence is that the latter are now involved in innovative ways of earning and maintaining a livelihood, the subject of which forms part of my overall Ph.D. Dissertation
Relevance of the Study

Of the most affected of populations especially in such wartime atrocities is the woman and the child. Agadjanian (1998) in writing about social characteristics, economic conditions, and reproductive behavior of internally displaced women in urban Mozambique, acknowledges that women are the most likely victims of such atrocities, and therefore the more affected of populations where no intervention is made. More often than not, their lives, health and survival are endangered; their family life, social and economic ties, networks and forms of security are shattered, as they are forced to abandon their residences and search for a safe haven. Though this is the case, research and public attention has focused on international refugee women, with little or nothing researched on the effect of conflicts on the lives of internally displaced women (Agadjanian 1998, 285). In his research, he continues to show that though internally displaced women adjust to their conditions, socially, and economically, this adjustment is usually abnormally painful and lengthy. This disadvantage is further more enhanced by the persistence of gender inequality and perpetuation of patriarchal systems and behaviors. Several other researchers have noted a similar tendency that in situations of refuge, patriarchal gender relations and hierarchy are not only reproduced but also sometimes strengthened among refugee populations. However, instead of succumbing to such societal construction, refugee women have re-grouped and often turned their disadvantage to an advantage (Harrell-Bond 1986, Indra 1989, Schrijvers 1999).

Contrary to the ‘miserability’ discourse such as the one discussed above, my research adopted the view that people, and more especially women, are not ‘vulnerable’ but can regroup and reorientate themselves to new situations that face them by building new social and economic networks and strategies that are embedded in their life worlds, therefore bringing about transformation and their empowerment.

Lachenmann (1994) responding to questions posed about women and their search for security, maintains that in order to de-mythologize the notion of the vulnerability and invisibility of the woman in social and economic spheres of security systems, studies and research should orient themselves to the consideration of actors, agency, strategies, processes, autonomy, and institutional building. Studies should look at differentiation of levels, responsibility, and subsidiarity. Emphasis should be on community instead of individualization, moreover social policy should be understood as production orientation rather then social assistance, and self-organization as autonomy rather than participation, and social security as strategies.
In response to the gap that exists in research especially on forced migration situations, my study sought to find out how women and men from the Burnt Forest region, Eldoret have responded to the social and economic implication of internal displacement. It became of interest to investigate which social and economic relations and networks of relations are formed in internal displacement, whom these relations involve, how these relations are maintained and under which consequences i.e what is entailed in the building and maintenance of such relations and networks

**Emerging Issues**

There are salient issues that flow out of the latter discussion which formed some of the issues for research interest.

A. That the situation of internal displacement has resulted into insecurities for both women and men. The research interest here was to analyze the kinds of insecurities facing women and men in displacement.

B. Observing and questioning the kinds of insecurites, materializes a second research interest. That women and men in such situations have evolved or adapted strategies for coping with their insecurities. Of interest was to look at what type of coping strategies internally displaced women have adopted.

C. That within coping with insecurities by producing, maintaining, transferring and transforming strategies, women and men in internal displacement have organized new social and economic spaces, or have rearranged the pre-existing ones. The research interest was to observe and analyze these social and economic spaces evident in a situation of internal displacement, to observe and analyze the networks formed and the negotiations initiated and consequently, the transformations, discontinuities and continuities that are taking place.

**Focusing the Lens**

In order to focus the study of social change and transformation implicated in analysis of internal displacement, research has to develop theoretically grounded methods of social research that allow for the actors’ interpretations and strategies. Such an approach places actors at the centre of the stage and rejects linear, determinist, and simple empiricist thinking and practice (Long & Long 1992, 5). It requires working out a methodology to understand how the different and often incompatible life worlds (everyday life) interconnect and interact at an interface and recognizing

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6 This is the same approach which is being followed at the Sociology of Development Research Centre – University of Bielefeld where I am currently following my Doctoral studies under the tutorship of Prof. Gudrun Lachenmann
the multiple realities and diverse social practices of various actors. Coupled to this, the continuities and discontinuities produced by interactions of different actors at an interface and the transformations that occur therein are analyzed. In essence, this implies that the studies in internal displacement require greater sensitivity and reflectivity to the process by which the researcher enters the life worlds of the internally displaced persons and vice versa. Such a sensitivity and reflectivity can be obtained through an actor oriented methodological approach.

**What is the actor oriented approach?**

It states that it is theoretically unsatisfactory to base one’s analysis on the concept of external determination as advocated for in structural analysis. All forms of external intervention necessarily enter the existing life worlds of the individuals and social groups affected, and in this way are mediated and transformed by these same actors and structures. External social forces can alter the life chances and behaviour of individuals through shaping directly or indirectly, the everyday life experiences and perceptions of the individuals concerned. (Long & Long 1992, 20)

An actor oriented approach therefore stresses the interplay and mutual determination of internal and external factors and relationships. It furthermore takes into account, the central contribution made by human action and consciousness.

Such an approach has an advantage as it begins with an interest in explaining differential responses to similar structural circumstances. Social actors are therefore not seen as disembodied homogenized social categories (class, race, refugees, market women, internally displaced people, commercial sex workers, etc) but active participants who process information and strategize in their dealings with other local actors, institutions and personnel (Long & Long 1992, 21)

However such an approach should not concentrate on innovative behaviour of entrepreneurs or economic brokers, individual decision making and transactional strategies which concentrate more on a voluntaristic/rational choice\(^7\) view of making decisions and formulating strategies. This approach should rather concentrate on how individual choices are shaped by larger frames of meaning and action e.g. cultural disposition, embodied history, and by the distribution of power and resources in the wider arena or context. This wider context includes state agencies and

\(^7\) Long (1992) mentions that such approaches fail to look at the context, social-cultural, political and economic. There is a limitation in variables and most of these approaches offer an ethnocentric western model of social behaviour based upon the individualism of utilitarian man which rides over the specificities of culture and context. Long & Long, 22)
enterprises, political parties, non-governmental organizations and church organizations (Hindess 1986, 115).

As such therefore, a process of contextualization is called for. The process of contextualization looks at the political-economic and social-cultural variables. Lachenmann (1995, 12) argues that the process of contextualization necessitates embedding research results in a wider social-cultural structure. This social-cultural structure has as its genesis in social action, and is perpetuated through this social action. As such therefore, all background information is necessary in order to understand human action. Giving an example of how one can investigate changes in the social economic livelihood strategies, she maintains that the main analytical approach to the question of embeddedness of the economy and spaces in society is to focus on the structuration of markets and the relationship between the reproductive, subsistence, informal sector and the formal economy. An approach which she captures with her use of the ‘female economy’ (Lachenmann 1999, 7). She continues to state that the interface is an approach to bridge such an analytical gap, where attention is paid to interaction between different fields, groups, institutions, co-operation, brokers, flexible organization of work, analysis of concrete risks of market integration. This latter approach contextualizes processes, taking into account power relations (and here she emphasizes gender power relations) in society in order to institutionalize the negotiating capacities. The objective of such an approach is to facilitate an understanding of transformation processes, redirect poverty discourse, and in such a way engender development theory and policies. Examples of such transformation processes she lists are as evidenced in the relationship with the state, ethnicity, socio-cultural organizations as well as the constitution of the markets. The interesting point she sees in such processes, is to follow how they are linked to the overall system, how differences are maintained, how women and men can and do claim equity in the society and the political system therefore embedding strategies and action in social structures (Lachenmann 2001, 4).

However to understand human action, we need to go back and conceptualize who the human actor (social actor) is. Central to the conceptualization of who a social actor is, is the notion of agency. The notion of agency attributes to the individual actor the capacity to process social experience and to devise ways of coping with life. Within the notion of agency, social actors are taken to be knowledgeable and capable. They attempt to solve problems, learn how to intervene in the flow of social events around them, and monitor continuously their own actions, observing how others react to their behaviour and taking note of the various contingent circumstances (Giddens 1984, 1-16). Agency = knowledgeability and capability.
None the less, agency should not be equated with decision making capacities. It is not simply the result of possessing certain persuasive powers or forms of charisma. Agency is composed of social relations and can only be effective through them. Effective agency rests fundamentally on the actions of a chain of agents each of whom translates it in accordance with her and his own projects. By enrolling many actors in a given political and social scheme, power is there and then composed. Agency and power are therefore two sides of the same coin. However they require a network of actors who become partially enrolled in the ‘project’ of some other person or persons. Effective agency requires the strategic generation/manipulation of a network of social relations and the channeling of specific items through certain central points of interaction. (Long & Long 1992, 23). There is an embeddedness of action within institutional structures and processes (Giddens 1987, 11).

One should also be aware of alternative discourses or repertoires (stock of knowledge) available and used to explain social reality, as all societies contain within them a repertoire of different life styles, cultural forms and rationalities which social members use in their search for order and meaning. Because such knowledge is potentially conflicting, diverse, differential and depends on whose knowledge, different interpretations should be sought for. For example, in studies of internal displacement it might mean knowledge by internally displaced themselves, the communities they resettle in of other ethnicities or in other regions, it might mean interacting institutions, development institutions, like church groups, political groups, ethnic associations, government officials etc. An analysis based on an interpretative paradigm is best placed to capture this.

Such an interpretation which is a result of processes of power struggles and a repertoire (stock) of knowledge can only emerge out of a process of an interaction at the interface, which is essentially a joint product and fusion of encounters. (Long & Long 1992, 27) Power and Knowledge, the quintessence of agency is here treated relationally, where certain social actors strive to enroll others into their projects by getting them to accept certain particular frames of meanings.
An Empirical presentation of the interpretative Paradigm  
(the Interface Approach)

Mapping Langas – A topographical analysis of the place

Langas lies in a depression. As one approaches it, the tops of the now browned iron sheets, with a few still glittering under their newness meets the eyes. These *Mabatis* are the cover of hundreds of mud erected structures or cement layered walls of the better quality dwellings that are dwellings to the many thousands of women and men living in Langas. A tarmac road runs right in the middle of Langas. In so doing, it literally divides the area into two, encircling the upper part to form an island of houses and leaving the lower part to form the mainland. A small water filled drainage line separates one row of houses from the next, thereby acting as a physical boundary. Occasionally, one chances a fence surrounding a row of houses. A most rare sight, signifying separation and therefore much more elaborate structures. A common well is found on the one corner of the row of houses, whereas the toilets and bathrooms are on the other end.

“Before you get housing here, the mkuru has to know where you come from” and the commonality aspect of neighbourhoods in the construction of home

“It is important to take note of where one area starts and the other ends. You see that area there, that is Kisumu Ndogo, that is where most of the Luos stay. You can even hear the music that is playing there, its all about ‘jo dala’ (people from one place) and that is K.K, short for Kakamega, that is where all the Luhyas stay. We Kikuyus, we stay either in Kambi ya nguruwe, or Kahuruko or Kona Mbaya. But at Kona, you can also find other people like Kisii’s, Kambas, Luos, Luhyas. I tell you, it can be difficult to get housing in this place. One has to know whom to ask. It all

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8 Langas is a Kalenjin word meaning ‘full of water’. The name derives from the physical attribute of the water logged nature of the place. Since it lies in a depression, standing water collects easily during the rainy season and contributing to its sludgy nature all year round. The slum of Langas is a State and other institutional discourse to describe this area which is supposed to be a ‘no man’s land’ but has been settled into, first by migrant labourers unable to afford high cost housing in the nearby town. Currently it’s population mostly comprises internally displaced people from the different ethnic groups affected by the 1992 and 1995 ethnic conflict. The women and men living in this place called it Kijiji, a Swahili term denoting village. They usually said, *tunaenda kijini* meaning we are going to the village or simply said Langas

9 Mkuru is a colloquial term for the headman or woman in charge of maintaining law and order within a certain section of the slum. Usually a Landlord gets a young man to be in charge of collecting rent, interviewing prospective clients to the place, running the day to day affairs within a section. Reporting to the area chief in the case of disputes, sermons, payments, etc.
depends on where one comes from. You look for your own people. Even the Mkuru will ask you first where you come from “ (Interview with Wairimu 21.09.2001).

It is extremely striking to note that some of the names given to the spatial differentiation of areas stem from the major town in Kenya where the majority of the population is from a distinct ethnic group. Vivid examples are Kisumu Ndogo, which literally means small Kisumu, the lake town of Kenya with a high populace of the Luo ethnic group, Kakamega which is the region where the Luhya ethnic group stays. There is a dynamic spatial categorization of place, what Appadurai (2000, 178-187) and Peleikis (1998, 6) call the process for the spatial production of locality. Following the two latter authors, I call this spatially bounded entities neighbourhoods Through the process of forming neighbourhoods, there is a symbolic appropriation of territory and space, that is defined through belonging to a certain ethnic group for example, Kikuyu only, Luo only, Kisii only, Luhya only and is actively kept up through the distribution of housing. I interpret such a search for neighbourhood through emphasis of ethnic commonality as the need to belong, to have what is ours- commonness, to speak in our own language, to be together as people of one area, and a search for what is familiar. Malkki (1992, 35) calls such a search the ‘search for a purity of identity’, whereby the nation, taken as a people, was imagined as a ‘moral community’ being formed by a people with some commonness in defining themselves in exile. The thesis I put forward is that in the situation of internal displacement as evidenced in Langas, there is a symbolic appropriation of territory and space through commonality. Such a topographical appropriation is based on ethnic commonality as a basis for identity and is used by the Kikuyu women in their construction of where home is.

Furthermore, these ethnic communalities are characterized by ethnic associations that track down events, distribute news, food and music from ‘home’. The main emphasis here is that ethnic associations insist on ‘home like ceremonies’ as a way of constructing home from a distance.

Although the argument I posit here is that neighbourhoods in Langas have ethnicity as their common denominator, and appropriate territories through selective distribution of housing facilities, ethnic associations, group ceremonies where home like events are maintained for example the naming of new born children through special ceremonies kumsalimia mtoto, food ‘from home’, for example green bananas (marigo) and black beans (Njahi), a form of sweet potatoes, (nyakiburi) and (mathace) skimmed milk and music ‘from home’ is shared, I also argue that these neighbourhoods interact and interconnect with various other neighbourhoods comprising different ethnic groups that are found in this same locale. This is the relational aspect of neighbourhoods. This I illustrate within the burial arrangement of Kariuki.
“if it was not for Mama Chege, I would not have not known of Kariuki’s death” and the relational aspect of neighbourhoods in the construction of home

Through word of mouth, that is, exchange and sharing of news through dialogue at the roadside, market-place, hairdressing saloons, telephone calls, radio announcements, different women from different ethnic groups spread out in the place called Langas, were coming to Mama Kariuki’s place to offer their condolences, help in the house work, burial arrangement, fund raising for the coffin, and paying the mortuary bills. Through such gatherings, news within and without the area was exchanged, for example how one got to know the news, how the news was told, recounting over and over again the message. What was old was debated upon i.e. how they used to do burial when they were in there former ‘homes’ like the corpse could be treated by a local medicine man, not as expensive as it is now when the corpse has to be treated in a hospital. The mourning period stretched by the fact that the mortuary bills which were expensive had to be paid, one had to get a death certificate to be allowed to bury the dead person, there was even talk of where to bury the dead, before it was taken for granted that the dead would be buried at ‘home’ but now where is home? In Langas or Burnt? The talk here is on one being buried in the state cemetery or be buried at ‘home’ This introduces how ideas are being debated upon, contested and acquire new meanings and interpretations. I present and analysis of the event of Kariuki’s death and burial. Here I describe how this event was being followed within Langas (again looking at processes).

“The night gatherings always started with the slow trickling of people into Mama Kariuki”s compound. These gatherings always started very seriously, with prayers and then one or another long preaching from a local preacher that lasted for 2 to 3 hours. 10 minutes before the end of such a prayerful session, there would be a slow but steady increase of people. This is when the whole congregation would suddenly develop another ambiance. As the prayer group passed the collection bag round whilst singing their last rites, Mama Kariuki’s daughters and a group of younger women were busying themselves serving the visitors with a cup of tea. The latter’s eldest son was meanwhile busy setting up the huge stereo system that in a few minutes would rock the whole neighbourhood with its noise and clatter. The disc jockey for the day puts a religious number amidst jeering from the others that it was over with religious songs. He switches off the stereo. Just then a young man with a thickly dread-locked head stands and announces that he wants a number by Barney Wailer. He shows the 10sh coin, meaning the number would play for 5 minutes……

The same for tea, after the first free round, thereafter each cup would cost 5sh. It was a way of collecting money……” Taken from Participant observation 2nd and 3rd October 2001
In the ‘home there’ there was no music or collecting money through playing music the whole night, in the ‘home here’ burials were becoming entertainment pieces, music was being used to attract people and making them give money. In the home there people came together for a short period of time, sat together, prayed together made arrangements and then would go. Such ‘Kesha’ Swahili term for staying awake the whole night in anticipation of something, was not practiced. Practices are changing in home here.

In the ‘home there’ tea drinking was part and parcel of welcoming the mourners, but in the ‘home here’ the practice of selling tea as a way of collecting money and not burdening the family was more evident, the first round was free but later on they could sell it as a means of fund raising. Once again this discursive element in relations through the comparison of practices and ideas becomes evident. The idea of a trans-local nature of relations in which ideas, processes and events are compared between or among localities and where changes and continuations are deliberated upon in the construction of where home is, is developed.

The emphasis is on the “kikuyuness” of burial arrangement (how we used to do it back home) and the interconnectivity and interaction within such an event (how we do it here and therefore what has changed).

“Nyumbani ni Shambani” – Home is Land

Through the analysis of the event of burying Kariuki, the character of neighbourhoods as context generative (Appadurai 2000, 184) and emotional attachment to a place becomes evident. This is another feature of a trans-local type of relation. Evident in the sense of a comparison, that though Kariuki’s burial arrangements were done in Langas, his corpse being taken to Langas for viewing and ‘bidding his last farewell’ to the friends and place he lived in, the burial ceremony was done not in the local cemetery that is only 7 km from Langas, but the corpse was transported 65 km to Burnt Forest where he owned land. Through-out the mourning period of about 14 days, the main preoccupation was the discussion of where to bury Kariuki. The main argument being advanced was that he should be buried in his ‘home’ where he had bought land, where he grew up and where he had had family and friends (it is important to note that no one of his ethnic group is now staying there). The point I want to press home is the idea of relating to what is considered ‘ours/mine’. That is the idea of home as what is mine through the symbolic appropriation of land as mine by the burying of the corpse. There is a continuation of ties to land.
This continuation of ties to their former homes is furthermore evidenced in the land-labour relations and the exchange of subsistence goods that exist between the Kikuyu women and the Kalenjin young men. That the displaced women seek out ways of relating and getting access to their agricultural lands through renting out land to the Kalenjin young men (the displacers),. In many cases, they hired the Kalenjin young men to till, weed and harvest the crops for them at a fee and in this way protect the land from being settled in by others, or of more importance that the women can have access to their land. There are also instances where a group of Kikuyu women have exchanged lands that are in the interior, for Kalenjin communal lands that are near the road-side or shopping centres. Such exchanges are only for a period of time where the access is only granted for cultivation and not staying permanently. For their part, Kikuyu women bring with them, on their occasional visits market products from ‘town’ to sell to the Kalenjin, usually second hand clothing, utensils, farm tools. They carry to Langas, the subsistence crops which some sell in the market as a form of livelihood. These subsistence crops, vegetables like potatoes, carrots, green vegetables, fruits and grains like peas, beans are also carried to the main Nairobi-Kampala road by the hired young men from the Kalenjin ethnic group to be transported by the women to Eldoret town. Milk is another product which is exchanged and used for subsistence consumption or sold as a means of livelihood production. Such a moral ethnicity established through trans-local relations that are established through land labour relations that decide who eats at who’s expense, and the exchange of goods, is another element that characterizes home here and home there.

The task was to look at how internally displaced women construct home. Through the analysis of an event, the processes involved in home construction are brought to the foreground. That is the communality aspect in the construction of home, the relational aspect and the emotional aspect. These processes show the fluidity and flux in the women’s definition of home. The argument goes further to locate the logic of these processes. The interpretation given is that such an understanding of home is based on a trans-local nature of relations which defines how women construct their homes as lived experience here and now, and how they construct their homeland from a distance through maintenance of significant ties to their lands which range from symbolic attachment to the land, or through land labour relations that gains them access.
“if Wairimu says that the chick is a hen so it is”

Negotiating Gendered Power relations at the brewing house

Home here and home there is also characterized by gender relations. Furthermore, I argue that these relations are changing during displacement and resettlement. To show this, I describe and analyze Wairimu’s brewing and chang’aa\(^\text{10}\) selling house

“Don’t be afraid”, she says laughing in a reassuring voice at the obvious uneasiness that I displayed everytime I was in this place,.....” here you will never be caught!” You see I pay the police well, they are my customers. The others know too, you see the women come here to me, because this place is a connection place. The doctors (referring to the village quarks), the court officials (referring to the clerks), the people working at the municipal council, the police, even some of the Kalenjin come here. They know it is safe. The women too, they know it is safe, they can talk, ask questions, get advice, get deals moving, I connect them through selling steam. They can say at home, we are going to Wairimu’s to watch video, or for the chama (meeting), when they come with their problems, they get solved. Look the other day we bailed Shiko’s brother out of jail, through that afisa, we are now collecting money for buying utensils for Njeri and Atieno, and ohh the hospital bills for Mwangi. It is even in my place that we negotiate which group of the Kalenjin young men is going to take care of our shambas, to plant, to weed, to harvest. Even my husband he did not want me to sell steam, that prostitution, it is dangerous, but now he sees that it is more than selling... here we draw deals...Even the husbands of the others, they know.. this is a place of mchoro. the women come here to get news from their home, get food from home, and send news and money back home....this is a safe place, kwani mimi nikisema kifaranga ni kuku, itakuwa kuku (if I say a chick is a hen so it is/will be)..... (Taken from a constructed case study 31\textsuperscript{st} of October 2001).

Wairimu’s joint as a contact place - Wairimu puts them in contact with influential men who help them solve some of their problems, though such meetings the women can negotiate issues ranging from finding reliable young men from the kalenjin community to till their land, this is also how some of them found land for exchange, that is exchange the pieces of land in Burnt with

\(^{10}\) Chang’aa is an illegal brew in Kenya. It is made by the process of distillation. It was made illegal in the late 70’s, early 80’s, but is still consumed in the rural areas, rural-slums and urban slums. It is popular as it is cheaper than other brews and according to its consumers, it shows its effects much faster such that one does not need to consume much making it cost effective. Its popularity makes it a lucrative business and a regular income generating activity for women. However a lot of secrecy hoods its production and sale. Chang’aa brewing is an example of an interface situation where gendered power relations are negotiated. This involves the brewers, the sellers, the consumers, the ministry of health officials and the police, each deriving different meanings of the same product and using this as a strategy to further their agenda
others elsewhere, negotiate the buying of plots within Langas region. There is an exchange of information, there is exchange of news from home in Burnt through encounters with others coming from there.

Finding potential clients (negotiating security) “You cannot be caught here” – police officers, village quarks, administrative officers as clients/finding clients, (Chang’aa is illegal but legalizes many contacts), “knowing who matters where as in the future you might need them”

Wairimu’s place as a discursive place - where the women engage the men in discussing some of the issues that affect them

They could watch video together – relaxing place – something that they did very often as Wairimu was the only one who had a battery run television set and video in this neighbourhood. They watched mainly Nigerian soap operas, during the day, usually from 2.00 to 4.00 p.m. while drinking tea and talk, argue about, laugh and mock different societal norms.

Wairimu’s place as an advisory place - These soap movies were mainly themes involving, man-woman relationships, the rich v/s poor, boy-girl relationships, step mother and the other woman’s children relationship, infidelity in marriage, witchcraft, AIDS to name but the few themes. Such movies were conversation stimulant as then the women would exchange widely on their various experiences, talk on certain practices and compare them with what they experienced in Langas or at Burnt and how it differed with what was being shown in the soap movie, talk about what it was that was troubling them, give each other advises and tips on whom to approach for what solution, where to go for certain things, how some practices for example the issue of access to property would be challenged within family for example at the event of death, divorce or separation. How such a practice is different in Nigeria as it is in Langas or even in Burnt.

Wairimu’s place as a place where “we help each other” - Apart from watching films together and engaging in morally oriented debates, the women had a women’s group which met in intervals of two weeks. The main aim of the group was to buy household goods for the members of the group, help each other in times events e.g. burial, marriages, parties, stretching to harvest time, planting time, and weeding. Such a discursive element introduces the idea of a moral ethnicity, an idea which will be more developed when discussing the new land arrangements. More frequently the women collected money for bail, bond and fines and assisting one of them who has been ‘snapped,’ in the various stages of her arrest and trial.
Through their relations that transverse the local and through their negotiations through relations of different kinds, familial-kinship, friendship ties, ethnic relations, man-woman dialogue, the different interface situations are brought out. What appears at the forefront is the different ways that power is negotiated and how it is played out and how different scenarios are transformed and consequently acquire new meanings.

Conclusion

Throughout this presentation, I sought to tease out questions and stimulate discussion on two main issues. One debating a methodological approach for doing research with internally displaced persons, and two, new ways of looking at issues that internal displacement brings with it.

The argument I posited is that in undertaking research with internally displaced, we should view them as active agents with an ability to employ their agency in situations of displacement. It is only through capturing this agency that we can understand the strategies that internally displaced people think out in coping with their situation. I further argued that such a methodology should analyze how different actors meeting at an interface interpret processes, events, interventions they encounter. Such an encounter at the interface generates new contestations, struggles and negotiations on power and produces new meanings and hence transformations. However, such an interpretative paradigm cannot be understood without the backdrop of the process of contextualization, whereby the social-cultural and political economic variables that govern social action are clearly and thoroughly analyzed.

The second argument I posited is that the process of trans-locality is a powerful analytical tool that captures the dynamism involved in relations that cut across and go beyond the local-territory both in the lived in experience and in ideas. Since internal displacement suggests a change of locality and consequently an encounter with other places, ideas, change in the ways of doing things. However, the “old place” relationship has to always be included in the analysis. Often, only integration problems in the new places are discussed without a look at what happens to the old places. Since these encounters do not occur in a vacuum but rather there is an active exchange, comparison, hybridization and transformation of the same ideas, the concept of trans-locality captures such a linkage.
Bibliography


**Selected Newspaper Articles**

“Indigenous or Native? How Ntimama Sees It” *Daily Nation*, June 30, 1993(a)

Ntimama vows to evict ‘Aliens’, *Daily Nation*, September 13, 1993(b)

“Who should know if not the PC” *Daily Nation*, April 2, 1993(c)

“Can Majimboism Work?” *Kenya Times*, May 20, 1993

“Majimboism: the Pros and Cons” *Kenya Times*, May 21, 1993

“in the interests of the Maasai”, *Weekly Review*, October 29, 1993

Introduction

In this paper, I will try to analyse the living conditions and the survival strategies of the urban poor in Istanbul. The cadre of study is an inner-city slum neighbourhood in Istanbul named Tarlabasi on which I am studying in the framework of my Ph.D. research. This neighbourhood is one of many inner-city poor neighbourhoods of Istanbul. Its population is in majority Kurdish who have migrated during the last 10-15 years from their villages in the Eastern and South-eastern Anatolian regions due to a number of displacement practices, security concerns and lessened economic activities.

My argument is that these inner-city slums are experiencing the deepest poverty ever seen in Turkey. In their detailed analysis of the spatial segregation in Istanbul, Guvenc and Isik (1996) have shown that the poorest and perhaps the most hopeless populations of the city are those living in the slum areas in the city center. Isik and Pinarcioğlu argue that “this group shows similar characteristics to the inner-city poor that constitutes the main topic of the urban studies in the western world” (2001a, 31). On the contrary to the western urban studies, those in Turkey have generally focused more on the squatter neighbourhoods situated in the periphery of the cities. The inner-city area has been conceptualised as transient neighbourhoods where the migrants settle for some time at their early periods of arrival, but move elsewhere afterwards. Researchers define the actual inner-city poor as the “more desperate group”, who “has accepted its destiny and lost to a great extent its hope of improving its position in the city and in the society.” (Isik and Pinarcioğlu 2001b, 39). The urban poor in Turkey is not a homogeneous category and a differentiation between the poor of the inner-city and the squatter neighbourhood is necessary. According to Isik and Pinarcioğlu, “the inner-city poor fits in the definition of the underclass of the Western...

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3 Kurds are not the only ethnic group to be effected by the conflicts in the East: Arabs, Assyrians, Yezidis also had to leave their homelands because of war conditions. But, Kurds are those who suffered most from the forced displacement.
literature, whereas the squatter neighbourhood poor looks like the migrant worker figure who refuses the options in front of him to create new ones and who is ready to do anything for this sake; they are extremely dynamic contrary to the inner-city poor.” (2001b, 39).

It is indeed true that the inner-city slums are experiencing the deepest poverty conditions, and that in many respects, it can be said that the inner-city poor show similar traits to the Western underclass. Nevertheless, in this paper I will try to argue that despite all these, the inner-city poor cannot be considered as a hopeless, non-dynamic group. From the case study of an inner-city slum, I will try to show the fragile social and economic position that the Kurds who have been subject to forced migration and settled in the big cities are standing at. On the one hand, I will discuss their unprecedented poverty conditions that make them similar to the mentioned “underclass” such as the nearly total exclusion from the formal labour market, quasi-dependency on state assistance in health expenses, being in need of permanent aid concerning daily meal, school items, clothes etc, and finally, their extremely bad living conditions. On the other hand, I will try to show that this group does not constitute the drop-outs of the society as the term ‘underclass’ would suggest, not only due to the general system in Turkey in which the availability of all forms of informality proves to be advantageous in the survival strategies of the urban poor, but also thanks to their own assets such as strong ties of solidarity functioning in each phase of the migrants’ lives, namely, outmigration from the village, settlement in the city, and coping with the urban life.

A: Rural-to-Urban Migration and Urban Poverty in Turkey

Migration Flows in Turkey and Settlement Patterns of the Migrants: Poverty in Turns

Massive rural-to-urban migration in Turkey started in the aftermath of the Second World War. While the urban population was 4.7 millions in 1945 (out of a total population of 18.9 millions), in 1997 more than 40 millions live in towns (when the country’s total population was 62.8 millions). The results of the 2000 census have shown that the urban population achieved 44.1 millions over 67.8 millions of overall population (DIE 2002). This means that today, 65% of Turkey is living in the cities or towns.

This rural exodus corresponds to changes in the traditional economic structure. During 1950s, Turkey witnessed the beginning of an important geographical mobility due to the “agricultural mechanisation [that] had driven some of the former share-croppers out of the countryside and, more importantly, the new-found economic vitality of the towns promised more remunerative employment” (Keyder 1987, 135). Moreover, the decade of 60s represent the period in which import-substitution regime became prevalent in the Turkish economy. In a few words, this
regime is based upon a national economy functioning around the internal market that is protected against external competition by custom fares. In this regime where only the instruments of production can be imported, national bourgeoisie is protected against any other competition and thus finds itself in very profitable circumstances of production. State plays the most important role as the protector and regulator of the internal market. The industrialisation procedure coupled with the rural-to-urban migration created the necessary demand for the commodities destined for the internal market. This period, which lasted until the second half of the 70s, represented not only a geographical mobility, but also a social mobility in the sense that the migrants could –after a relatively short span of poverty after their arrival– find jobs inside or in the “periphery” (Senyapili 1981) of the industrial sector. However, the pace of migration is higher than the industrialisation and economic development, and the new migrants could not be absorbed in the formal industrial sector. In her article about the non-integration of migrants with the urban environment, Kiray states that in the decade of 70s, the industrial development was 8% in 5 years whereas the migration to urban centers was calculated to be 18% in 5 years (1998, 97). This led to the formation of an informal sector responding partially to the demand of employment, whereas the demand of shelter was satisfied by self-help squatter dwellings.

The first wave of migration constituted mainly of seasonal workers whose families were in the villages. These single men dwelled the old merchant inns in the city-center which were transformed into cheap residences called “bachelor rooms”. The usual pattern is that a young man –the household head– would act as a pioneer of the family to migrate to the city. The description of the typical migrant made by Abu-Lughod for Egypt seems appropriate: “The typical migrant, here as elsewhere, is a young man whose first contact in the city is often with a friend or relative from his original village, with whom he may even spend the first few nights. Later, more permanent lodgings are found, usually within the same neighbourhood. This process, in the aggregate, results in a concentration of migrants from particular villages within small subsections of the city” (1961, 25). Continuous flows of migrants rapidly saturated the urban housing stock, especially as the migration began to change following the growth in the construction sector as well as in the industry: workers were returning back to their village only for harvest and had begun taking their family in the city. “In this situation [of extensive rural-urban migration and poverty], and as is typical throughout the developing world, the majority of people could not afford to buy or rent new homes. They relied on the filtering down of the existing housing stock in the central areas, or on owner building towards the urban fringe. Migrants occupied older housing near the city’s core that had long been subdivided, and had deteriorated to the point of being regarded as slums.” (Harris & Wahba 2002, 65). Slums are defined as pockets of poverty in the city-centres where cheap dwellings can be found in the ruining old buildings.
With the saturation of the housing possibilities in the slum neighbourhoods, “as in most peripheral countries, the shantytown became a tangible correlative of the vast demographic movement” (Keyder 1987, 136) and this Turkish version of shantytown was baptised as *gecekondu*, literally, barrack built overnight. *Gecekondu*, according to the *Dictionary of Town-Planning*, “the form of habitat constructed by the poor or low-income households whose shelter needs are not fulfilled by the public authorities, against the norms of construction and town-planning and on the real estate belonging public or private entities without the agreement nor the knowledge of the landowner” (Keles 1980, 48). While the middle-class solved the shelter problem within the market relations by the “build & sell” formula, *gecekondu* appears to be the solution of the urban poor (Isik & Pinarcioglu 2001b, 112).

Since the construction of the first *gecekondu* settlement of Istanbul in 1947 at Zeytinburnu, new ones did not cease to be joined to the outskirts of Istanbul, expanding the city’s suburbs, to the extent that Oktay Ekinci (1999, 23) estimated the rate of informal/illegal housing in Istanbul metropolitan area as 65%. In order to achieve this high rate, a harmonious coexistence of the following facts during decades was necessary: a continuous rural-to-urban migration creating a massive demand for shelter, an insufficient housing supply, and populist policies of public authorities providing the barracks first with some urban services, then with land titles via numerous amnesties. The period from the early 50s until 80s are considered as the innocent period of *gecekondu* neighbourhoods which represented a spontaneous solution of the poor migrants for their shelter needs. The migrant families inhabit the barracks that they construct; there is no differentiation between the constructor and the user.

The 1980s brought a radical change in the economic regime of Turkey that also had deep effects on its urbanisation scheme. The Decisions of January 24 (1980) represent the end of state protectionism era and the beginning of liberal market economy era. “The stabilisation and structural adjustment program introduced in Turkey in January 1980 ... was implemented under IMF-World Bank ... and was to change the system of incentives away from archetypal import substitution under state direction toward export orientation with an overall emphasis on market-oriented policies” (Senses 1994, 51). This new era named “development based on exportation” is characterised with “privatisation, lessening of social welfare expenses, privilege of exportation, lessening of agricultural subventions, liberalisation of importation,

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4 *Yap-sat* in Turkish, this system relies on the contract between the landowner and the constructor, according to which the latter builds an apartment on the land of the former, with the pledge of giving him a number of flats from the future building.
freezing of workers’ wages, suspending the union activities and liberalisation of finance markets” (Boratav quoted by Kaygalak 2001, 137).

These economic policies modified the social balances and introduced an unprecedented polarisation of incomes, transforming the urbanisation pattern deeply. “With the adoption of neo-liberal policies in the 1980s, the private sector started to seek new areas for capital accumulation other than industry.” The incentives facilitated “the entry of large-scale private construction firms into the housing market and the emergence of large-scale housing projects constructed in urban fringe areas.” (UNDP-ME 2002, 6/13). In the same period, with a number of laws of amnesty for the unauthorised constructions and the law permitting the construction of multi-storey buildings in shantytowns, the gecekondu became commercialised. Gradually, those who hold the land at first place begin to construct more than they need in order to receive rent-income from the newcomers. The term gecekondu is dropped and that of “illegal housing procedure” is adopted to describe the new situation. This second period is marked by the high degree of commercialisation of gecekondu that is no longer a barrack built by its inhabitants but multi-storey buildings constructed by specialised firms in the purpose of re-selling. As a result, the initial “innocent” gecekondu had changed nature so that it became a sector on its own and is associated with urban plunder. “The gecekondu population also became more diversified –gecekondu renters, gecekondu owners, owners of multiple gecekondus, those who had title deeds, those who did not, etc.”; as a consequence, “all the lands in the urban fringe were occupied by various groups, newcomers were not able to build their own gecekondus, but had to rent the old gecekondus built by those who had earlier migrated to the city.” (UNDP-ME 2002, 6/14). “Because the urban housing market is totally commercialised, new neighbourhoods of the periphery cannot be reached by the low-income groups but only by those who can pay the Mafia. … It is from now on very hard for the newcomers, the ‘new poor’ to settle in the new land at the periphery of the city” (Erder 1997, 112). In other words, the new migrants are not rich enough to inhabit the gecekondu.

Isik and Pinarcioglu elaborated a new understanding for this general migration and settlement scheme after the 80s under the concept of poverty in turns which is defined as the relational network according to which, the early-arrived migrant groups and the groups with a privileged position in the city get wealthier by standing upon the late-migrant and unprivileged groups. In other words, the poverty of the former is transferred to the latter (2001b, 155). The main dynamic of poverty in turns is created by the occupation, parcelling and selling of land. The first occupiers obtain the largest share, whereas the migrants who integrate in the system later benefit the low rents and informal employment opportunities according to the networks established in terms of hometown, religious identity or ethnicity.
While the arrival of new migrants make the precedents wealthier, they also have the opportunity of occupying and commercialising another piece of land and. Hence, as far as the system operates, all parties are winners but not with equal shares. There exists a strong relation between the informal land market and the informal production and job market. In order that this poverty transfer scheme could continue, the main condition is the existence of land in the periphery of the cities that would be suitable for occupation. However, as a result of a relative slowing down in the migration rate, and more importantly, of the difficulty of finding a land suitable for occupation, this system would no longer be able to renew itself. The last important new migrant group who entered this pyramid from the bottom, to whom the poverty is transferred, are the Kurds who have been subject to forced displacement operations. This group constitute the largest group that migrated during the last two decades and, besides other factors of impoverishment linked to this type of migration, they are also deprived of the relatively easy access to urban land that the earlier migrants have taken advantage of, as conceptualised by poverty in turns. As would be shown in the following sections of this paper, they compose the largest part of “the families who are renters in the “slum areas” in the dilapidated historical sections of cities or those who occupy abandoned buildings in the same sections and live in abject and unhealthy conditions [who] constitute one of the poorest segments of urban populations.” (UNDP-ME 2002, 6/14). The end of the pattern of “poverty transfer” to the next migrant generation announces the birth of the new urban poor to which the forcibly migrated Kurds are the primary candidates.

New Urban Poverty and the Underclass
In the advanced countries, a new type of poverty is observed since the end of 1970s as a consequence of the reshaping in the economic structure. “The last 20 years have seen a serious deterioration in the social conditions of life throughout the entire industrialised world and in particular big cities: the spread of begging and homelessness; high rates of unemployment and low-paid insecure employment, particularly concentrated in disadvantaged groups; the rise of street crime and violence perpetrated by youth ‘gangs’, with the increasingly frequent involvement of children; growing numbers of derelict and mentally disturbed subjects wandering about in the inner-cities; and large areas of run-down housing and local decay” (Mingione 1993, 324). These phenomena are the manifestations of what social scientists call the “new urban poverty”. The answer to the question, ‘what is new in these’, resides within the causes of these phenomena: “The post-Fordist economic and employment regime, characterised by the decline of tenured jobs and by permanent forms of precarious labour [which] has considerably reduced the chances of avoiding or escaping from the poverty trap for a large part of the population without educational and professional qualifications” (Mingione 1993, 326).
Approaches analysing the reasons of poverty can mainly be distinguished in two major lines: on the one hand is the culturalist approach that associates the reasons of poverty with the individuals’ personal features such as lack of capacity, discipline, responsibility and efforts to get out of poverty. This approach sees in the poor people not only the victim, but also the cause of poverty. On the other hand, the structuralist approach sees the reasons outside the poor and associates poverty with the socio-economic system prevailing in a given country such as the economic policies, low wages, insufficient education and employment opportunities and discrimination mechanisms (Senses 2001, 145-146).

In the definitions of the new urban poverty, a term takes particular attention in the urban studies literature: the “underclass”. Gans gives the connotation path of the term “underclass” as follows: used for the first time by Myrdal in 1963, the term was initially structural, “the people he was describing were economic victims”; but just one year later, “the term has already developed a racial concern”. At the 1970s, “began the intellectual and ideological transformation of Myrdal’s term … and thanks in part to Lewis’s writings about the culture of poverty … American journalists had turned ‘underclass’ into a behavioural term. In this new version it referred to poor people, mostly black, who behaved in criminal, deviant or just non-middle-class ways” (Gans 1996, 142). Gans states that although this term was invented as color-blind by Myrdal, just one year after, it was already applied for the blacks. He suggests that a study “must look at which economic victims are stigmatised with this label, and by whom; and which economic victims escape the stigma and the punishments that accompany it” (Gans 1996, 143). The important point here is that this term is full of stigma, and more than an instrument of analysis, serves as an instrument of blaming and degrading. That’s why this term, as well as the term “ghetto” should be used with extreme care, for they can lead to the deepening of the social segregations already under construction.

For these reasons, I think that the “underclass” should not be the proper term to shed light on the urban poverty in Turkey if we are to name the structural reasons behind it. In the context of neo-liberal structural adjustment programs that exacerbate poverty and inequality by enforcing privatisation of state enterprises, the transfer of public services to the private sector, cuts in the social security spending as well as the decreases in the agricultural subventions and finally the recent economic crisis that worsened the overall economic situation, Turkey witnesses the birth of the new urban poor just like many countries that underwent similar programs. Moreover, the forced displacement policies led to a deeper impoverishment because not only the displaced people migrated added labour-supply to the volume of business already in decline. They were thus deprived of the job opportunities that the previous migrants had took advantage of.
In this paper, although significant differences with its counterpart in the advanced societies can be observed, the term of “new urban poor” would be preferred to describe the part of population living in poverty and of which the forcibly displaced Kurds are part. I would argue that the urban poor in Turkey, and particularly the forcibly migrated Kurds but not only them, are in the doorway of becoming the “underclass” that is to say, of being completely excluded economically, socially and spatially. Nevertheless, I do not think that this exclusion has already been realised, because, not only due to the fact that informality and poverty are not isolated phenomena but rather widespread in Turkey, but also, even the poorest groups take place in the socio-economic (and political) structure without falling out of it thanks to the networks of solidarity which still are efficient, although it is not sure that they would last forever. They are certainly at the bottom of the system, but still in it.

If such, what are the factors that make the new urban poor in Turkey dissimilar to the underclass in the USA? Firstly, according to Wilson, the most significant characteristics of American underclass is the outmigration of the middle-class blacks from the inner-city, further isolating the poor from the rest of the society. The utmost novelty of the new urban poverty has been the coincidence of economic exclusion with stigmatisation and institutional isolation, as well as with spatial exclusion. That’s what the term “ghetto” conceptualises. The most significant factor of this is the spatial relocation of the industries outside the city center, leading to a “spatial mismatch”. Spatial mismatch is completely out of question for the inner-cities in Turkey, simply because of the fact that some forms of formal, but especially many forms of informal employment opportunities still exist within the inner-city space providing the inner-city residents their essential asset for survival, to the extent that these opportunities constitute a reason for the migrants to settle there. Similarly, in her article arguing that a reconsideration of the widely accepted views about squatter settlements of hope and inner-city slums of despair is necessary, Eckstein states that one reason to change these views and start to write about an “inner-city slum of hope” is the job opportunities in the informal sector provided by the proximity of the inner-city slums to the central market areas (Eckstein 1990).

Secondly, the underclass in advanced societies are described as captured in a self-perpetuating poverty, from which they have no chance to escape and usually no will to escape. Forcibly migrated Kurds or other urban poor groups, are the migrants of the recent periods. It is therefore not possible to argue any perpetual poverty for them, at least for the moment. It is true that they live in conditions of extreme poverty in spaces where poverty is concentrated, and upward mobility opportunities such as formal employment or education seem to be closed, but nobody can foresee what they can create within their own conditions. In that sense, during my interviews, I did not observe any hopelessness in the life struggles of the
Kurds. This was a surprise for me, because the living conditions really were hard and no possibility of general amelioration was in view. The explanation of this can be found in the words of a neighbourhood merchant who has used his shop as an office for DEHAP during the elections:

“We take care of each other here, because that’s the way we learnt it. We know the conditions in which each one of us migrated here; nobody came here with his own will. Everyone is forced, everyone suffered with his family, with the children etc. No one would leave behind his homeland, his fields, gardens voluntarily. They moved us here by taking all our possessions. If another people were in our place, leaving the animals, the land, the products, everything, and coming here without anything, they would not achieve the conditions of buying a house in five-six years. We know how to live with one onion and one bread for one week. If one of us decides to buy a house, but his money does not suffice, each one of us would give some money so that he could buy it.”

These words, repeated by many other interviewees express the determination and hope of the Kurds to live in better conditions, –making them completely different than the American ghetto poor–, although a realistic consideration of the situation does not lead to any hope.

B: Forced Migration

Forced Migration as a Factor of Poverty

As the other parts of Turkey, the Eastern and South-eastern Anatolian provinces –where the population is in majority Kurdish– also started to witness the dissolution of the traditional rural productive system as well as the social and economic structure after the Second World War when capitalist market relations started to propagate slowly. As a result of the gap of unequal development getting wider and with the help of the increase in the transportation and communication facilities, the population of these provinces integrated in the migration flows to the Western provinces (Sonmez 1992). That is to say that Kurdish migration to the cities did not begin with the conflicts in the region; but there is a major difference between the driving forces of the previous and recent Kurdish migration flows. While the migrations before the 80s were realized solely because of economic reasons, the recent mass migration flows resulted mostly from political reasons combined to economic ones. But a more important differentiation is to be made between the voluntary and forced migration flows. “Since 1993, the number of those who migrated in a ‘forced’ manner increased” (Sen 1996, 252). Forced migration refers to a series of processes covering depopulation and/or burning of

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5 Interview with B. A. who migrated from Mardin-Dargecit (October 2002).
villages for security reasons, or desertion of villages by the inhabitants themselves for security and/or economical reasons (IHD 1998, Cetin 1999).

We are deprived of exact numbers related to the forced migration phenomenon, on the one hand because of the difficulty in discerning between the voluntary and forced migrations – these two are combined to each other in many cases–, and on the other hand, because of the lack of reliable statistical data on this politically fragile phenomenon. Armed conflicts between PKK (Kurdistan Workers Party) and the Turkish army gained scale since 1984 and, according to the official figures provided by The Regional Governorship of the Emergency Rule Area\(^6\) left more than 32,883 casualties until 2000.\(^7\) These conflicts have also been a source of social and economic upheaval. The economic conditions in those regions deteriorated significantly because of the conflicts: “industrial and agricultural production has stopped, stock-farming activity is hit seriously, forests are burned down, lives are in danger and forced displacement policies made living conditions unbearable” (TMMOB 1998, 5).

A considerable part of migration can thus be linked to the worsening economic conditions. But the measures of forcening of civilians to become village guards against PKK, policies of completely or partially depopulation intended to deprive the PKK of logistical support concerning “some 2,685 villages and hamlets since fighting broke out in the region in August 1984” (HRW 1996) and burning of homes and fields account to a greater extent for the forced migration of nearly 3 millions of people\(^8\) towards the cities of the region as well as the big cities (Cohen 1999, 25). Most of this forced migration has occurred since 1992. According to a report of Human Rights Watch (1995), “Perhaps more importantly, the government’s counterinsurgency methods have created a huge underclass of embittered and impoverished internal refugees, whose homes and livelihoods have been abruptly destroyed by the state. These refugees have moved to squatter settlements throughout Turkey’s cities, providing the PKK with a potential base for future organising and presenting Turkey with a difficult social and economic crisis”.

\(^6\) *Olagenustu Hal Rejimi-OHAL* in Turkish

\(^7\) The Regional Governorship of the Emergency Rule Area evaluates the casualties during the conflicts as 29,501 from PKK, 5,023 from Turkish security forces and 4,459 civilians for the period between 19 July 1987 and 31 December 2000. Source: [www.ohal.gov.tr/f_istatistik.htm](http://www.ohal.gov.tr/f_istatistik.htm) (consulted at Jan. 2001). The Emergency Rule regime had started on 19 July 1987 in Bingol, Diyarbakir, Elazig, Hakkari, Mardin, Siirt, Tunceli and Van. After its abolishment in some of the cities, it is completely terminated on 30 November 2002.

\(^8\) Estimations vary concerning the total migrated population since the beginnings of armed conflicts. According to Murat Bozlak, this number is up to 2.5-3 millions (Kirisci & Winrow 1997, 138) whereas the UNHCR (1997, 106) estimates it to be between 500,000 and 2 millions, making the point that the Turkish authorities declare it to be 350,000. Likewise, Human Rights Watch (1996) states that “estimates of the number of individuals displaced range from 275,000 to two million”.
The once voluntary migration originating from the Eastern and Southeastern Anatolian regions has become forced since 1992, following the conflicts, the displacement measures, the growing environment of insecurity and lessened economic activities. What makes this new migrant population completely dissimilar to its precedents is, first of all, that the new-comers had to migrate as whole families, whereas the previous ones were part of chain-migration process, leaving the place of origin gradually as the pioneers settled down in the cities, found an employment etc. Secondly, the migrants had to leave their villages without being prepared for it, neither at the material, nor at the psychological levels: they literally arrive in the city overnight. The account of one of the mothers interviewed in my research can stand for the experiences of every family concerned in the forced displacement procedure:

“The militaries ordered us to leave our beautiful village in one week. They said to us: either you leave by yourselves, or stay here and burn with your own houses.”

Finally, all contact with the villages is cut off, since either the village and the fields are completely destroyed, or it is forbidden to return. Consequently, they are deprived of the subsistence-provision from the villages, an important resource of subsistence for rural-to-urban migrants. According to Erder, “we lack information on the properties and scope of the new migration that has been taking place recently towards big cities, especially towards Istanbul, without the slightest institutional organisation, completely through an informal process and under the pressure of extraordinary conditions. This forced migration is highly dissimilar to the voluntary migration even though the places of departure are the same” (Erder 1997, 151).

**Forced Displacement in Turkey: Findings of Surveys**

Before detailing the findings of my own fieldwork, I will briefly summarise the findings put forth by previous surveys on the forced migration issue in Turkey in order to be able to see the general scope of the phenomenon as well as the similarities between different cities that experienced the massive flow of forced migrants.

Diyarbakir is probably the city that has been subject to the largest migration flow: the city’s population boosted to 1 million after the massive migration from 380,000 between 1990-95, although the city also witnessed an outmigration flow. According to the survey conducted by the Turkish Union of Chambers of Architects and Engineers in 1996 in Diyarbakir, after 1990s the reasons of migration from the villages to the city have shifted from economic to more political reasons, such as the evacuation of villages, burning down of the villages or the

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9 Account of E., 33 year-old mother of 7 children among which two are selpak (paper handkerchief) sellers, whereas two other work in the textile workshops in the neighbourhood.
incidents in the region. 73.7% of the interviewees who came to Diyarbakir after 1990 stated that they immigrated due to “compulsory reasons” (TMMOB 1998, 28). Unlike the previous migrations in which economic reasons (such as hardship of livelihood, non-possession of territory, unemployment) constituted the pushing reason and returning back to the village was out of question, the majority of the forced migrants wish to return. However, in their position this is quite impossible and they state that their aim is to continue the migration towards bigger cities in the West or in the Mediterranean region (TMMOB 1998, 29). 35% of the unemployed are forced migrants. From another statistical point of view, 67% of the forced migrants are unemployed. As in Turkey, the unemployment and informal work overlap most of the times, we should consider the temporary works in the informal sector: 50% of those who work as street vendors, unskilled workers, shoe-shiners etc. are forced migrants. The unemployment conditions in Diyarbakir are so alarming that 58% of the overall employment in this city consists of such activities (TMMOB 1998, 34). As it is true for the quasi-totality of the forced migrants no matter in which city they migrate is that they are deprived of necessary skills to find a permanent, waged employment. In these conditions, it is not surprising to see that 95% of the forced migrants live below the poverty line. Their survival, thus, depends on the temporary, daily jobs and on the aid from relatives.

Kaygalak analyses the forced migration phenomenon in the framework of the Mediterranean port-city of Mersin (2001). This city received an important portion of the massive migration following the forced displacement practices because of its geographical proximity to the South-eastern Anatolia and its character as one of the cities to which the previous migration flows from the Southeast has been oriented since Mersin is an important agricultural and industrial city, offering numerous job opportunities. Her survey is conducted in a poor neighbourhood characterised by the cohabitation of native working class, migrants from the previous flows and forced migrants. Findings from this survey prove that the forced migration is an important factor of the concentration of poverty, thus enhancing the segregation dynamics within the city. Among the interviewees, those who work in the informal sector constitute 47.6% of all the employed in the neighbourhood, while another 13.5% is unemployed. Among those in the informal sector, 25% migrated from the South-eastern and 15% from the Eastern Anatolian regions during the last decade because of forced displacement. As a result of the low level of formal jobs, social security also rates are very low: the majority of the forced migrants are out of the social security coverage, whereas, for a large portion of those with social security, it consists of Green Card –card permitting to get health services free of charge, delivered only to people who can prove their poverty.

The most extensive survey on forced displacement in Turkey is realised by the Association for Social Solidarity and Culture for Migrants (Goc-Der 2002). This survey covered the major
cities that received the largest part of the mass migration of forcibly displaced Kurdish people since the beginning of 1990s: Diyarbakir, Van, Batman, Istanbul, Izmir and Mersin. This survey reveals very important facts about the migrant people, namely the homogeneity of ethnic background, hardship of living conditions and lack of assets to cope with the urban life, and contributes to the understanding of factors that deepen social and economic segregation. According to this survey, of the displaced families who migrated to the cities:
86.7% migrated between 1989-99;
83.7% state the reason for migration as “practices within the emergency rule, namely depopulation of villages, forcing to become village-guards, closing of pasture lands”;
41% migrated with the totality of village;
98.6% state to have material loss;
kins (47.8%) and acquaintances of hometown (45.6%) played important role in choosing the place of settlement;
25% speak only Kurdish, while 66.5% speaks both Turkish and Kurdish;
42.3% are illiterate;
43.4% have children in compulsory school age but not going to school;
82.9% work in daily, temporary jobs in the informal sector;
91.3% had unemployment problem;
88% are not covered by social security;
and finally, 93.7% express their will to return back to the village.

These figures are the average of the surveyed cities; the figures for Istanbul tend to show great parallelity with the general facts; that’s why I will undertake one common discussion in focusing to the case of Tarlabasi in Istanbul. The following section will focus on the case-study of Tarlabasi and detailing the actual living conditions of the forcibly migrated Kurdish people who have settled to that particular neighbourhood of Istanbul.10

10 The premises of this part will be based on the fieldwork comprising not of a quantitative survey, but of qualitative interviews with Kurdish inhabitants of the Tarlabasi neighbourhood; the neighbourhood administrators (muhtars); state and municipality officials responsible for different aspects of neighbourhood life, but especially of aid; some political and associational personalities. Consequently, the analysis about the neighbourhood or about the forcibly migrated Kurdish people in general will not be quantitative, but qualitative, based on the interviews and observations.
C: Far Away So Close: Case Study of Tarlabasi as a Receptacle for the Forced Migration

Tarlabasi’s History: A Neighbourhood De-formed and Re-formed by Migrations

Tarlabasi is a generic name given to at least six neighbourhoods (mahalle\textsuperscript{11}) situated on the downhill side of the Tarlabasi Avenue which runs parallel to the Istiklal Avenue, one of Istanbul’s most frequented cultural and commercial centers, constitutes the eastern border of the neighbourhood. Hence, Tarlabasi represents the ambiguity of all slums: while it is geographically very close to the “heart” of the city, socio-economically it is very distant.

Istiklal Avenue, lying between the upper side of Galata and Taksim was the major street of Pera. The importance of this street started in the early 19\textsuperscript{th} century when Pera developed as the modern part of the city with the growing foreign commerce of the Ottoman Empire which integrated in the world capitalist system. Pera –or Beyoglu, in its Turkish name– is transformed to the center of foreign trade. With the adoption of Occidental life-styles, modern edifices are built. The Grande Rue de Pera –the actual Istiklal Avenue– is developed as a residential and commercial center for the upper-strata of the non-Muslim Ottoman subjects as well as of the foreigners, contrary to the older parts of the city. But every part of Pera did not enjoy the same economic status: although neighbouring places, Tarlabasi and Pera, in fact, never sheltered the same social strata. The topography is also reproduced in the social structure: well-to-do classes dwelled on the upper part along the actual Istiklal Street, while the lower classes settled downhill, Tarlabasi Avenue serving as a frontier between the two. Those who settled in the Tarlabasi section of Pera were also non-Muslims but represented the working class.

Changes in this pattern gradually altered the social structure of the district in general with the outmigration of non-Muslims beginning from the years of the Second World War because of the Wealth Tax in 1942, the events of 6-7 September 1955, the deportation of Greeks having Greek nationality in 1964\textsuperscript{12}, and the Turkish military intervention in Cyprus in 1974. So, after 1950s and especially 60s, the neighbourhood witnessed an outmigration of its constitutive population, that is, as stated, the non-Muslims especially Greeks, and an immigration of

\textsuperscript{11} Mahalle is the smallest unit in the Turkish administrative system. The neighbourhoods constituting what came to be called briefly as Tarlabasi are: Bostan, Bulbul, Cukur, Kalyoncu Kulluk, Kamer Hatun and Sehit Muhtar mahalles.

\textsuperscript{12} Demir and Akar state that because of all these events, but especially the deportation of the Greeks, their properties have been either sold under their value or left unattended, paving the way to occupation or illegal renting and selling operations (1994, 161).
newly arrived Anatolian migrants. The first flows of migration were voluntary ones, originating from the central and eastern Anatolian regions, especially Sivas and Erzincan.

Until the beginning of the 1960s, Tarlabasi was still inhabited by its founder population, the non-Muslims; towards the end of the decade the Anatolian migrants started to install. The muhtar of one mahalle in Tarlabasi stated that “Until 1960s, people who resided in this section were generally Greeks. Not many Turks, and they were mainly from Erzincan and Sivas.”¹³ Tarlabasi of those years is still a lower-, middle-class neighbourhood; the affluent non-Muslims constitute the first to leave the neighbourhood as the city of Istanbul grew and new ‘modern’ residential areas started to develop at the expense of Beyoglu area. Still, the neighbourhood could not be considered as a slum. Slums differ from the shantytowns in that they are spaces of poverty in the city centers where the type of habitat is not a self-help construction but an apartment in a degraded old building, mostly portioned into many rooms/flats so as to acquire the maximum number of dwellers. The vicious cycle of degrading livelihood in Tarlabasi came about slowly, when the old edifices of the inner-city neighbourhoods gradually saturated and as middle-classes moved into apartment buildings, the lower income families opted for the informal housing solutions in the peripheries of the city. Studies have shown that the settlement in the cities following a migration process is closely linked to the relational networks because of the lack of institutional arrangements for the housing and employment demands (Erder 1996, 1997). These networks can be based upon parental, ethnic, religious or native town. Thus, the residential patterns of the migrants tend to cumulate in the neighbourhoods where the pioneer migrants have settled in the first place.

A possible explanation of the settlement of migrants of Sivas and Erzincan to Tarlabasi can be sought in the non-muslim past of the neighbourhood. With the formation of the Turkish nation-state after the proclamation of Republic in 1923 and the exchange of populations between Greece and Turkey, Greek population of Anatolia had already been moved off and the only Greeks left were those living in Istanbul—and the two islands in the Aegean Sea. In the following decades, the Armenian population in Anatolia entered into a migration process first step of which has been to accumulate in Istanbul.¹⁴ The Anatolian Armenians thus arrived to the neighbourhoods where the bulk of the Istanbul Armenians were inhabiting: Elmadag, Kurtulus, Sisli, Nisantasi, Tesvikiye, Bakirkoy, Yesilkoy, Samatya… Armenians from Sivas and Erzincan appear to settle in the city’s central districts as a result of their ethnic and religious networks with the Istanbul Armenians. When, in the following decades, due to economic reasons, other ethnic groups took the migration decision, they might have settled in the same places not only because these neighbourhoods are the inner-city transient

¹³ Interviewed at July 2002.
¹⁴ For many, the process continued towards France, USA, Canada, Germany etc.
neighbourhoods, but also they had relations with the Armenians on the basis of city or town of origin. Gradually, as the non-Muslims\textsuperscript{15} concentrated in a few neighbourhoods and the first flow of migrants also realised a residential mobility by moving outside the neighbourhood according to their upward social mobility. Between Tarlabasi and the neighbouring wards, an interesting hierarchy is thus established: Tarlabasi constituted the shelter at the first arrival for the single men, who then moved to Elmadag\textsuperscript{16}, an adjacent neighbourhood, from there, and due to economic accumulation and upward social mobility, they could move to Ferikoy-Kurtulus area, or even to Sisli and Nisantasi, both well-to-do neighbourhoods. Some other part of the first flow of migrants opted for the alternative of acquiring cheap land or residences in the outskirts of the city such as the districts of Bahcelievler, Umranıye and Maltepe.

After the 80s, parallel to the loss of popularity of Beyoglu as a central business area, Tarlabasi in general also degraded. Especially, the enlargement of the Tarlabasi Avenue as a main axis between the old city and Beyoglu area during the end of 1980s, deepened the social differentiation of the Istiklal and Tarlabasi sections. Already under the threat of physical degradation\textsuperscript{17}, Tarlabasi entered in the course of social degradation and became a place famous for petty crime, drug dealing, brothels... It became the livelihood of the drop-outs of the society: transvestites, and prostitutes who cannot settle down in another place, as well as newcomers to the city, the single young men living in bachelor rooms of the inner-city, the international migrants, mostly Iraqis and West Africans seeking temporary refuge in Turkey.

At the beginning of 1990s, nearly the totality of the early migrants have moved to other neighbourhoods; but their relation with Tarlabasi continued on the basis of work. They have opened manufacturing workshops or reselling shops in and around the neighbourhood, which has always been one of the main manufacture and commercial areas. But the population structure altered:

\textit{“Especially after 95, because of the migration from Southeast, this neighbourhood is now a neighbourhood of Mardin and Siirt. As I said for the first period that at the 70s Greeks and Armenians were in minority because of the migrants from Erzincan, Sivas, Tunceli... Now,}

\textsuperscript{15} The non-Muslim population is now very few in number, a little more than 1% of the overall population.
\textsuperscript{16} For a detailed analysis of this neighbourhood, see: Danis & Kayaalp 2002.
\textsuperscript{17} The decision of “historical site” attributed to Tarlabasi in 1993. According to this, the inhabitants cannot make any changes on the exteriors of the buildings, thus even necessary repairs are left undone. All renovation or restoration works need the approval of the Council of Protection. In that case, the inhabitants can only rely on internal amendments. As a result, the general appearance of the neighbourhood is under ruins and every year a few buildings collapse, even causing losses of life (for an example see Zaman, 3 Jan. 2002).
they are those from Sivas and Erzincan who are in the minority position when compared to those from Mardin, Siirt.”

Living in Tarlabasi: Conditions of Poverty and Survival Strategies of the Urban Poor

After decades of migration flows from the Eastern and South-eastern Anatolia to the Western cities originally because of economical, and more recently because of political as well as economical reasons, it can be argued today that Istanbul is the city with the highest Kurdish population in Turkey, although the exact of number of Kurds living in Istanbul cannot be calculated from the census results. Basing on a survey published in 1993, Poulton estimates the part of Kurdish population living in Istanbul to be 8 %, making less than one million at that time (Poulton 1999, 303). Since that time, it would not be wrong to estimate that this number has doubled because of the migration flows during the last ten years.

Migrant Kurds live in a number of neighbourhoods in a rather concentrated manner. This spatial concentration is typical in the settlement pattern of rural-to-urban migration in Turkey because of the kinship and/or hometown based networks which have an important part on the migration and settlement strategies because of the lack of institutional regulation concerning the migration flows. However, in the forced migration this pattern is more accentuated because of the fact that the migrants have no other asset than their relatives or villagers who have migrated earlier, be it before or after the forced displacement procedure. That’s why, in Tarlabasi where forced migrants inhabit densely, an overrepresentation of a few towns or cities of origin is observed: migrants from Mardin, Siirt and Batman constitute the largest groups in Tarlabasi where migrants from Kars, Agri, Diyarbakir and Van also inhabit at a lesser degree.

In this part, I will discuss the strategies that the forced migrants living in Tarlabasi elaborated for their survival, or in other words, in order to cope with the harsh conditions of the metropolis. Although my fieldwork is just on one neighbourhood, the observation of the

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18 Interview with the *muhtar* of Cukur mahalle (July 2002).
19 The question related to the mother tongue is no longer asked in the census questionnaires since 1980s, moreover the results related to this question at the census reports after 1965 are not open to the public knowledge; as a result, the ethnic and linguistic map of Turkey cannot be drawn out of census statistics, but only according to some estimations and surveys. Consequently, as for another ethnic group, neither the size of Kurdish population living in any part of Turkey, nor its movements can be known precisely.
20 One of my interviewees estimated Istanbul’s Kurdish population to be 3 millions.
21 Migrants from other cities of the conflict region live in other neighbourhood in a concentrated manner either. Among these neighbourhoods are: Gaziosmanpasa, Sirinevler, Yenibosna Yesilpinar, Esenler, Bagcilar, Umruniye,; city center neighbourhoods like Eyup, Suleymaniye, Selamsiz, Fener, Zeyrek; and even tent-villages like Ayazma and Kemerburgaz.
conditions in it reveals facts about the lives of the urban poor in general, and that of the forcibly migrated Kurds in particular. The findings of my fieldwork are in parallel with the findings of the aforementioned surveys on the issue.

The Child Center of Beyoglu is a state institution connected to the Ministry of State for Social Work which started functioning in 1999 and is concerned exclusively with the street-vendor children in the Beyoglu district. The Center realised a survey on more than 550 children working in the streets around the Taksim Square and the Istiklal Avenue and their families. In the framework of my research about the street vendor children working in that area, I have shown that all these children are Kurdish, that they live with their families in the Tarlabasi neighbourhood, and that there is a close correlation between the forcibly migrated Kurdish families living in that neighbourhood and street-vendor children (Yılmaz 2000 and 2001). As a result, the results of the Child Center’s survey can be used as a quantitative basis for our statements. This survey shows that 47% of the families give the reason for their migration as “circumstances of terrorism in the region” and 43% as “unemployment”, which has to be considered in relation to the first fact (Karatay in Usta-Sayita & Sirin 2000, 516). This survey reveals the high degree of homogeneity of the families of the street vendor children. “The majority of the families who have migrated during the last 15 years are mainly from three cities of South-eastern Anatolian Region: 46% from Mardin, 30% from Siirt and 6% from Batman”. 90% of the families are composed of 6 or more members, living in 1 or 2-piece flat.

As shown above, unlike previous migration flows, forcibly migrated people experienced the migration as the totality of families, and many times as the totality of the village. Thus, all the relatives within the great family left the village. With no one left behind, the migrant population is deprived of material support of the villagers. They are also deprived of the income from their possessions in the village which represented an important asset in the previous migrants’ life: they are either destroyed, or left without being exploited, or prohibited to access. With the totality of the villages migrating, the initial capital of the migrants have inevitably been low, for not only a considerable part of the possessions were destroyed, but also they all had the same items to sell, which resulted in the extreme loss of value.

Forced migration’s most important character is the lack of a migration project and settlement strategy, which has further consequences on the living conditions of the migrated population. The voluntary migrations, be it based on economic necessity or not, were generally realised according to a project of migration and settlement. Thus, as mentioned earlier in this paper, the rural-to-urban migrants of Turkey usually migrated and settled in the cities according to a pattern in which the inner-city neighbourhoods were inhabited temporarily in the early phases
of the migration, followed by an intra-city displacement to settle in the periphery squatter
eighbourhoods. Since the first migratory flows towards Istanbul in 1950s-60s, and during the
following flows, because of its geographical situation, Tarlabasi had always served as one of
the entry points for the migrants, usually single men. Whereas, as the forced internal
displacement process constrained Kurdish families to migrate as whole families unlike the
previous migrations, the inner-city neighbourhoods (including Tarlabasi) became shelter for
families as a whole. This constitutes a major factor of impoverishment: the family is deprived
of a span of time necessary for the “pioneer man” of the household arrive earlier to the city, to
find a job and shelter, and gradually bring his family nearby.

What are the factors that make Tarlabasi accessible for the poor migrants? We shall consider
these factors as being part of the urban poor’s survival strategies. These strategies can be
classified in two groups: firstly, efforts to maximise the income levels of the household –i.e.,
mobilising additional labour force--; and secondly, efforts to minimise the household expenses
by trying to obtain the maximum of external aids in terms of material goods such as daily
meal, clothing, medicament, combustibles etc.

I would argue that, having “chosen” to live in Tarlabasi can be considered as a strategy per se
because of the low rent level and opportunities of income generating activities. Above, I have
stated Tarlabasi to be one of the inner-city neighbourhoods showing the character of
“transient neighbourhood”. The term evokes the transitory character of the area, which
explains the heterogeneity and the high turnover rate of the population, as well as the high
percentage of single men in search of an employment. The most important point of attraction
of the neighbourhood is the low level of rents compared to other parts of the city, even the
gecekondu areas. As suggested above, this is due to the physical degradation of the buildings
and the bad reputation of the neighbourhood as a space of prostitution, drug dealing, even
crime. This aspect should also be considered in the perspective of spatial stigmatisation: the
inhabitants of Tarlabasi are stigmatised because of their space of residence which also
aggravates the spatial concentration of poverty. Most of the Kurdish families do not prefer to
live in Tarlabasi as stated one interviewee: “This is not a place for family life,” he said, “but
we have no other choice”.22

The survival strategies of the poor in the neighbourhood consist firstly by generating
additional income by getting use of additional labour force –labour of women, but most
commonly, child labour. The mobilisation of child labour as a response to poverty is
considered as the greatest asset of the urban poor: “a frequent response by poor households to

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22 Account of S. who migrated from Sason district of Batman, father of 6 children, unemployed;
interviewed in July 2002.
declining real income is to mobilise additional labour – principally women’s labour, but in the poorest households even children’s labour” (Moser 1996, 2-4). For the Kurdish population in Tarlabasi, women’s labour is nearly totally inexistant, whereas child labour is widespread. The inhabitants of Tarlabasi seek to use the centrality of the neighbourhood as an asset in their survival strategies. It is indeed advantageous that, in addition to the low rent level, Tarlabasi provides diverse employment opportunities due to its historical character as a neighbourhood in the central business district. Findings of Eckstein concerning Mexico City reveals the same: “center-city residents may be better situated than residents of the city periphery to adapt to the economic crisis, for economic and possibly also political reasons. As ‘formal sector’ opportunities contracted and the purchasing power of ‘formal sector’ jobs deteriorated with austerity policies, center-city residents may be better placed than shantytown dwellers to adapt to the changed structure of opportunity. To the extent that peripheral areas are far from the major commercial markets, the latter are at a disadvantage in competing in the ‘informal sector’” (1990, 169). Hence, the geographical proximity to Taksim and Istiklal Avenue – the cultural and entertainment centers of attraction – improves the employment possibilities. As stated earlier, for the inhabitants of the slum areas of the inner-city it is not possible to speak of a “spatial mismatch”. Theorist of the American underclass, Wilson speaks of a “growing mismatch between the location of employment and residence in the inner-city … as a result of [which] the employment of the inner-city blacks relative to the suburban ones has clearly deteriorated.” (1991, 465). Unlike the American model, inner-cities of Turkish metropolis cities, including Istanbul, could not be characterised by a complete loss of economic activities. On the contrary, migrants choose the inner-city as their first point of settlement because of the employment opportunities there.

In the actual state of Tarlabasi, the economic activities of the inhabitants can be regrouped as follows:

- **Jobs in the manufacturing sector:** many houses in Tarlabasi and the surrounding neighbourhoods function as workshops (more accurately, sweatshops), some very small (1 or 2 persons), some much larger (up to 40 workers); nature of production consists of textiles and confection (also done as home-work), clothing accessories (in general metal), timber works, furniture, and waste iron recycling. Most of these workshops function on an informal basis, especially since the February 2001 crisis. During the interviews, I am told that after the economic crisis of February 2001, many manufacturing shops which used to be formal had to declare their bankruptcy and continue to work in informality because they could not pay the taxes. “Many workshops have closed down in the crisis, but most of them reopened informally. That is to say, they declared as closed down to the Finance Department, but
continue to work and pay no taxes”. But even when the enterprise is formal, the majority of the workers usually are informal, in order not to pay the social security expenses, and also for the majority of them employ children and illegal international migrants from West Africa or Iraq mostly.

Jobs in the service sector: proximity of Taksim Place and Istiklal Avenue provides job opportunities in the hotels, restaurants, bars, cafés, cinemas etc. as waiters, dishwashers, bodyguards, night-watchman and so on; another type of service is the automobile mechanics that are very numerous in the Dolapdere Avenue, the downhill border of Tarlabasi;

Activities realised in the streets: constituting the bulk of employment in Tarlabasi, they are in general in form of street-vending, particularly facilitated by the density of Istiklal Avenue and Taksim Place day and night equally; street-vending consists mostly of itinerant peddling of every kind of articles among which most common are fruits and vegetables differing according to season, toys, everyday accessories and devices, bus tickets etc. Shoe-shining is also a widely practised activity, and perhaps one of the least money-earning one. Migrants from Mardin are specialised on the vending of stuffed-mussels around the restaurants. Another activity that is broadly practised is collecting used-papers or cartoons, as well as waste cans. These are collected from the streets and shops, brought to Tarlabasi to hundreds of places used as storehouses, and carried by trucks to the recycling site.

The street-vendors have boosted in every city and not only because of the forced migration, but also as a result of economic crisis. Even retired wage-labourers are nearly obliged to start a career as street-vendors. On the other hand, child-labour is very extensive in the neighbourhood, most of these street-related jobs are practised by adults and children alike. For families with no income nor any skills, child work usually becomes the only asset for assuring the survival. At the present time, although the exact number cannot be known,

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23 Interview with G., 70-year owner of a timber workshop, working alone.
24 For a study concerning the international migrants living in Elmadag, an inner-city neighbourhood in Istanbul, adjacent to Tarlabasi, see: Danis & Kayaalp 2002, 49ff.
25 In a previous study, I have shown how the child work as street-vendors constituted an important part for the forcibly migrated families’ survival strategy in the urban life (Yilmaz 2000). However, since that study, with the efforts of the Child Center of Beyoglu in terms of providing financial and material aid for the families on one hand, and the legal measures taken by the Istanbul Governorship in terms of prohibiting any street work for children, there has been an obvious decline in the number of street vendor children in the Beyoglu area. This shows that the poor families are highly sensitive to any change in the socio-economic as well as politico-legal environments and respond very quickly. This might give hope for the success of policy implementations and aid mechanisms regarding the poor families. But on the other side of the coin, and from a more realistic perspective, it seems more probable that the amount of the child work remained the same but only became invisible: this means that children started working in the sweatshops of the area. This reminds of another example: in order
child work is a very extensive phenomenon. Due to a score of factors, children work more and more in the manufacturing warehouses with extremely low wages (average 20 US$ per week for a work of 10-12 hours per day). The smallest working child that I met during my fieldwork was 8 years old, but more commonly, children between 12-15 years are working in the sweatshops, for the smaller, street work is more widespread. These factors are: lack of skills of the household heads suitable for the urban environment, the customary rule of not making the women work, not having the means of sending the children to the school after the compulsory primary school, and being in the need of the income generated from the children’s work. The child work can be argued to be a small component within the informal sector and the income generated by it very low; however, this little income is sometimes the only income of the families and thus, occupy an important part in the survival strategies of the forcibly migrated households as well as other poor households. This is yet another evidence of the poverty conditions of these families. Erder analyses the Pendik neighbourhood in Istanbul that received one part of the forced migration flow. She exemplifies a family with 32 members, of which none of the 5 adult males are employed. The survival of the family depends on the incomes obtained by two boys, one of whom is shoe-shiner, and the other, a street-vendor (1997, 153). In my own fieldwork, I met numerous families in this situation. For example, the father of a family with 9 members did not have a regular income by selling music-tapes in the streets and the family depended on the income of two girls who worked in the streets selling water in the summer and paper-handkerchief in the winter. The more aged one of these girls (now 13 years) entered last summer in the textile industry, working 12 hours per day in a sweatshop nearby. In another family of 10 persons, the father had a serious illness and the family depended on the incomes of two girls one (11 years now, working since 8) sold roses in the restaurants and bars, and the other (15 years now) working in a women’s coiffeur in the neighbourhood.

A significant point to underline is that, in many of these jobs, the employers and the employees are Kurdish, demonstrating that ethnic origin based solidarity is still valid to a considerable extent. But it is of utmost importance to precise that the nature of most of the

to prevent child labour in the fabrication of hand-made carpets in India and Nepal, the Rugmark symbol (a smiling face) was put on the carpets produced without child labour. As the system became efficient, children got out of the carpet industry; but in many cases, these children could not be regained and the NGOs were unsuccessful in tracing them. Consequently, “the process generally ended by the children’s’ re-entering in the carpet industry or even in worse sectors like construction or prostitution” (Helsinki Yurttaslar Dernegi 2002).

26 Many children in the neighbourhood do not even arrive till the end of the 8 years of compulsory school, but leave it in the middle, usually after 5 years, that is, the final year of the primary school according to the education system until 1998.

27 The family of E., migrated from Siirt-Eruh.

28 The family of Z. also migrated from Siirt-Eruh.
employment opportunities are informal and very badly paid jobs. These jobs are generating an income that would barely assure a living, in terms of basic nutrition needs, and in many cases, even not. These activities cannot provide an upward social mobility; they can only provide survival. Thus, life becomes a perpetual struggle for survival. Will these struggles provide the poor with the capacity of bettering their conditions or will the poverty be reproduced, it is yet to be seen. However, the basic point is that, the urban poor group analysed in this paper express their desire to escape from the poverty conditions, without calculating for the moment if they have this chance or not. This point, I would argue, is of extreme importance.

The second basic strategy for coping with the metropolis is the minimisation of household expenses by seeking to obtain diverse forms of assistance. Even for essential needs—daily hot meals or medicaments—they have to strive for the aids distributed by the District Administration, by the Municipality, by political parties during the elections. All the muhtars interviewed attracted attention to the ascending number of persons demanding for help after the February 2001 economic crisis. They state that the majority of the families under their responsibility possessed the “Poverty Certificate” with which they then took the Green Card for obtaining health-care free of charge or could apply to the previously mentioned institutions for several aids in cash or in kind. The Green Card entered in application in July 1992. In order to obtain this card with which the person the health expenses in case of hospitalisation are paid by the state, the person should prove his/her situation of poverty: the household income per month should be less than one third of the minimum wage, the person or the spouse should not possess a real estate, the family should not be under any social security regime, and as I said, they should provide a “poverty certificate” from the neighbourhood administrator (muhtar). The district administration, the municipality and, if considered necessary, the police or the gendarmerie are asked to check the case and give their opinion. The whole procedure is complex and long, but also open to arbitrary applications. Nevertheless, it is of extreme importance for the poor for which, health problems are more widespread because of the bad living conditions.
Conclusion

The conditions of poverty generated by the structural adjustments programs as well as by the economic crisis have been more severe when they were coupled with the forced displacement practices and massive migration resulting from it, a major generator of poverty itself.

I tried to show the extent to which the forced migration phenomenon aggravated the poverty in the cities of Turkey. In the actual situation, deepening of poverty, income inequality and spatial segregations resulting from the concentration of urban poor in some sections of the city and the rich in another section are growing phenomena. Moreover, the recent migrants are deprived of the residential and employment opportunities that the previous migrants could enjoy, resulting in the deprivation from the mechanisms of social mobility for which education could be the best example. The recent ones are caught in the vicious circle of assuring their survival, which could easily result in the reproduction of the poverty conditions.

In the following period, the segregation and inequality procedure will apparently grow deeper due to the structural changes demanded by the structural adjustment programs. Especially, the agricultural and the wage-earner sections of the population are under an important risk of poverty. The already meager social state expenditure are also on the way to be completely cut. This means that the traditional family, kinship, religion or ethnicity based networks of solidarity will be more charged than they could carry. In the paper, I argued that the “underclass” in the sense of a segment of population completely left out of the socio-economic system was still not the case for Turkey, and that the urban poor in Turkey was part of a system where poverty and informality were the rule, not the exception. But, the deepening of the income inequity, the worsening of the living conditions of the poorest and the spatial concentration of poverty in certain neighbourhoods tend to reverse the situation.

All these considered together, Turkey faces an unavoidable propagation of poverty in the next decade, against which serious measures should be taken immediately. Given the fact that the urban poverty is the by-product of a country’s social and economical regime, in other words, “a reality created by structural dynamics” (Turkiye Insan Haklari Hareketi Konferansi 2002), the measures to be taken should above all be in terms of radical changes in the socio-economic structure.
References


Introduction

Mega dams and reservoirs uproot the lives of marginal peoples and disrupt their social fabric. They impact women and men, both heterogeneous constituencies differently, due to their gendered social locations. This paper seeks to study how involuntary displacement due to large dams affects the lives of women in particular and families in general; in the context of the Sardar Sarovar Project (SSP) oustees in Gujarat, India and the Tongas of the submerged Gwembe Valley in Zambia, Africa.

The Context

The Kariba Dam

The Kariba dam, the first mainstream dam on the Zambezi river, the boundary between Zambia and Zimbabwe (erstwhile Northern and Southern Rhodesia respectively) was constructed between 1956-1963. It was the earliest dams commissioned by the World Bank. This hydroelectric project was developed to exploit the regions industrial potential, the copper mines

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2 Renu Modi teaches at the Department of African Studies, University of Mumbai, India. Email: renu_modi@rediffmail.com. 
3 International aid agencies fund billions of dollars of low interest loans from development banks such as the World Bank. McCully writes, ‘dam companies in the North have come to a halt and now are helping keep the companies going by funding projects overseas’. In McCully, P. 1998. Silenced Valleys: The Ecology and Politics of Large Dams, Orient Longman, India, 92.
of Zambia and the commercial agricultural potential of Zimbabwe based on the cheap labour from Malawi (the then Nyasaland). The Kariba, on completion in 1963, displaced about 56,000 Tongas, on the Zambian side and 31,000 on the Zimbabwean side of the Gwembe Valley (Magadza 1994, 92). The displacement that it caused was the first major dam relocation in tropical Africa. For reasons of access to literature, only the displacement on the Zambian side has been studied.

The SSP

The Sardar Sarovar Project is the largest and the most expensive dam of the Narmada Valley Development Project (NVDP), comprising of 30 large dams, 135 medium and 3,000 smaller dams on the river Narmada and its tributaries. It impacts and benefits four neighbouring States of Gujarat, Maharashtra, Madhya Pradesh and Rajasthan. Like the Kariba dam, the SSP too is a multi purpose project with irrigation and power generating potential. The advocates of the dam claim that it will convert the desert region of Kutch, Saurashtra and Rajasthan into cultivable land. It is often referred to as the ‘lifeline of Gujarat’ (Raj 1998).

Following India’s application in 1979, the World Bank offered a loan of 450 US dollars in 1985 for the construction of the SSP. The bank was ready with the cash two years before the Ministry of Environment and Forestry (MoEF) cleared the project, on the basis of its own staff appraisal reports! Post facto analysis reveals that the banks assessments were iniquitous, ecologically unsustainable and flawed (Alvares & Billorey 1988). Under political pressure the construction of the SSP was given clearance, even before the resettlement and rehabilitation (R&R) studies were completed. The displacement of villages began in 1980-1983, though the construction work on the dam began in 1985 and increased in momentum in 1988-1989 (Sangvai 2000, 24-25).

The two case studies that I have chosen are about two and a half decades apart. The case of development induced displacement and resettlement (DIDR) of the Tongas in the Gwembe valley in the early 1960s and of the SSP oustees, in the mid 1980s following the formulation of the World Bank policy in 1980. The Tongas were displaced at a time when the development discourse was not influenced by concerns of social justice and equity. The World Bank gained a considerable knowledge from the earlier resettlement experiences of the Gwembe Tonga in Kariba, Aswan in Egypt, and the Volta resettlement, the Akosombo Dam and the Kpong reservoirs in Ghana (Cernea 1994, 15). Based on the above mentioned experiences, it chalked out guidelines on involuntary resettlement in 1980 and subsequently revised them in 1990. Today these issues are of prime concern and have been expressed in policy documents of the World Bank, the main funder of large - scale development projects. The paper seeks to argue that the
Bank’s guidelines have failed to make a positive impact on the lives of women in particular and families in general, despite growing awareness of an equitable distributional impact or whether those who pay a price of displacement also benefit disproportionately from it.

This paper is divided into the following parts. Part I explains briefly the World Bank’s policy on involuntary resettlement. The second part explains the IRR model as employed by Michael Cernea. Based on extensive studies it points out that those displaced are worse off than before or are impoverished. The third part explains the rationale behind a gendered approach to resettlement studies. The following three sections dwell on the eight risks spelt out by the IRR model. Part IV explains impoverishment as a result of economic risks or the losses and destruction due to the lack of land, jobs and common property resources following DIDR. It deals with the economic aspects of the resettlement policies or the inadequacies therein and their negative impact on women/families. Section V deals with the loss of social and cultural resources, after resettlement among the two case studies. It highlights that non-economic ways of social organization are central to the organization of any society. Part VI studies the social/welfare losses; that of homelessness, food insecurity and increased morbidity and disarticulation among the Tongas and the displacees of the SSP. The final section is the summation of the above mentioned analysis. It acknowledges the transformative potential that large dams can have, or the positive changes they can bring about if the actual project planning and implementation are sensitive to the gendered aspects in their developmental interventions. It concludes that despite the Bank’s policy on R&R and its concern for a fair spread of costs and benefits, the suffering of women in particular and families in general have not been mitigated in the case of the Kariba and the SSP.
I. World Bank Policy on Involuntary Resettlement

‘There is no word for relocation in Navajo language, to relocate is to disappear and never to be seen again’ (Guggenheim 1989, 12). The disappearance is precisely what the World Bank policy sought to avoid. It was formulated in 1980 based on the Bank’s earlier experiences with resettlement under the guidance of Michael M. Cernea and David Butcher and revised a decade later, in 1990. It sought to mitigate the sufferings of people whose homes were destroyed and livelihoods affected adversely due to DIDR, as a result of Bank financed projects. The Bank’s policy on ‘involuntary resettlement’ was the first issued by a major development agency. The key features of the policy are:

- It seeks to avoid and minimize involuntary resettlement wherever possible and explores viable alternatives.
- It identifies trade offs between dam height and the amount of population displacement planned. A small raise in dam height can lead to an increase in the numbers to be displaced and vice versa.
- It sees resettlement as an opportunity for development where living standards can be improved or at least restored to their current standards of living. It talks of better planning of projects to ensure a better spread of benefits among its beneficiaries.
- It considers social factors as an intrinsic part of technical evaluation studies during the cost – benefit analysis of a project (Guggenheim 1989, 15).

The Bank’s guidelines on involuntary resettlement were meant to overcome the shortcomings of the resettlement experiences in the pre 1980 period and improve the outcomes substantially. But there has been a gap between planning and implementation. Even at the planning level there has been inadequate perception of the severity of DIDR by policy makers and researchers (Scudder 1993, 150). All said and done displacement is always a disruptive process. People are worse off than before; economically, politically and socially or are impoverished. I have used the impoverishment risk and reconstruction (IRR) model formulated by Michael. M. Cernea as a theoretical framework for my analysis (Cernea 2000).
II. The IRR Model

The impoverishment risks and reconstruction (IRR) model for studying displaced populations was developed by Michael M Cernea in the 1990s. It identifies eight major risk factors that cause impoverishment. The three building blocks of this model as explained by Cernea are the concepts of ‘risk, impoverishment and reconstruction’. The term risk indicates the ‘possibility that a certain course of action will trigger future injurious effects—loses and destruction.’ or impoverishment (Giddens, 1990). The higher the risks, the lower the insecurity of the displaced populations. These risks are interlinked as causes of impoverishment; for instance, landlessness is a cause of food insecurity. The reversal of these risks, for example, providing a job can address the risk of joblessness and reconstitute livelihoods and mitigate impoverishment. The eight risks can be grouped into three:

- Landlessness, joblessness, loss of access to common property resources (economic risks)
- Community disarticulation, marginalization (socio-cultural risks)
- Food insecurity, homelessness, increased morbidity (socio-welfare risks) (Cernea 2000, 19-20)

Though no two displacements or case studies are the same, but the above mentioned processes may take place in each displacement. This paper seeks to study the gendered impact of relocation on women and family within the IRR model. It seeks to highlight the marginalisation of women as a consequence of DIDR, in the current discourse on resettlement.

III. The Need for a Gendered Approach

Gender is seen as a social construct that determines the way in which social relations are structured between men and women. It is central to how society assigns roles. It focuses not only on women but also looks at ways in which men and women interact with each other, the gendered nature of their role, relations and control over resources.

Colson argues that ‘when people are uprooted because their land is wanted for economic reasons usually associated with visions of national development their multiple identities tend to disappear: they become engendered uprooted and are dealt with as undifferentiated families or households’ (Colson 1999, 25). As a part of a household women become an invisible category. The planners see a household as ‘an undifferentiated unit with convergent interests’. ‘It is seen as a black box instead of a site where men and women cooperate with each other or are in conflict
with each other’ (Sen, A. 1990). The need for a gendered approach arises to give visibility to this social category.

Large dams affect men and women in different ways. A gendered impact of large dams involves the nuanced understanding of how it impacts rehabilitation, resettlement, benefits of irrigation, decision making in the whole process, access to information and the gendered nature of institutions that represents the various communities affected by the dam building process. It is concerned about the need to rectify the existing inequities or the unequal spread of benefits among its community members (Srinivasan 2001, 4110-4111). Large dams can impact lives positively if the planning and implementation of R&R following DIDR is sensitive. They can have a adverse or a favourable impact on the lives/livelihood strategies of the project affected person’s (PAP’s) depending on the way they are implemented.

They can empower women if;

- Displaced women can be given property in the form of compensation, understood as a way of mitigating the suffering and a way to replace the lost livelihoods. It is understood to refer to specific measures intended to make good the losses suffered by people affected by the dam. It usually takes the form cash paid as a one off payment (WCD Report 2000, 107).
- Laws and legal instruments are constructed through which benefits can be better distributed across gender.
- Equal pay is offered for equal work
- Women are allowed to participate in public meetings on issues that affect their lives, for example meetings could be organized in the evenings because women have household chores in the morning.
- Access to markets and urban facilities are provided following resettlement and thereby women’s economic choices are enhanced.
- Women are provided greater energy options, their consumption and greater food production and security. These advantages will accrue only if the relocatees can pay for them. (Mehta & Srinivasan 1999, Srinivasan, 2001).

Access generated by dams may be a necessary but not a sufficient condition of positive gender impacts. The World Bank was oblivious of the gender aspects of resettlement till very recently. The Asian Development Bank approved of a gender policy in the context of DIDR as late as 1998 (WCD 2000, 114). The following sections bring forward that the distributional impact of large dams has been iniquitous. Women, as a category are the worst sufferers of displacement.
and yet are excluded from the discourse on the effects on large dams. Displacement has caused the deprivation of livelihoods and the impoverishment of those who lived on the reservoir sites.

**IV Economic Risks**

Impoverishment due to landlessness, joblessness and loss of access to common property resources are termed as economic risks. ‘Expropriation of land removes the main foundation upon which people’s productive systems, commercial activities, and livelihoods are constructed…’ (Cernea 2000, 23). The World Bank incorporates two basic strategies for economically and socially re-establishing those dislocated from rural settings, non land based and land based strategies. The non land based strategies are aimed at wage employment generation through the industrial or service sector or the local or regional economy with the purpose of income restoration.

Land based strategies have certain advantages. Among the HavaSupai Apache in the United States - a people repeatedly displaced by development projects there is a saying that ‘land is like diamond but money is like ice, both shine equally at first, but one melts through your finger while the other is forever’ (Mariella, 1990). ‘Unless livelihood based on land as a productive system is reconstructed elsewhere or substituted with alternative income generating opportunities, impoverishment sets in (Cernea 2000, 23).

When the displaced are deprived of their assets the bank encourages compensation for land, housing and infrastructure, based on replacement value, or the level that would enable the recipient to buy land of comparable quality and quantity elsewhere, rather than assessed value. (Singh 1997, 3). The issue of land based resettlement was specifically incorporated into the World Bank agreement and became a part of the conditions for the release of funds for the project, as in the case of the SSP. Of the 192 World Bank funded Projects examined for the 1994 Bankwide Review, half had no resettlement plans despite the fact that they were approved by the Bank’s board of executive director’s, a direct violation of the institutions own policy. That only 70 % of the resettlement plans, which had been prepared, provided only for cash compensation and not the replacement of land or other productive assets (World Bank 1994, 5,13,16) Only 15 % were therefore in compliance with two of the resettlement policies most basic provisions (McCully 1998, 92).
The borrower is obliged to implement the resettlement plan under the international contract between it and the Bank that describes the project. Cernea, in an internal Bank review of 1986 notes the deliberate under representation of the scale of resettlement to bank missions, ‘which are the norm rather than the exception’ (World Bank, 1994). The resettled have rarely had their livelihoods restored, as resettlement programmes have been more about physical relocation than concerned with economic and social development of those displaced. Large dams have rendered the poor and vulnerable worse off as in the case of the SSP.

**IV.1 Rehabilitation Policy in India: A Study of the SSP**

The resettlement and rehabilitation (R&R) in the case of the Kariba Dam and the SSP was structured around a land based strategy. India has no national policy on R&R. It is based on plans, resolutions passed for specific states, or projects on an ad-hoc basis. It still hinges on the archaic Land Acquisition Act of 1894, passed during colonial times, little in sync with the realities of a democratic state because of the absence of welfare and developmental components. The major limitation of the 1894 Act was that it paid only cash compensation for land acquired for public purpose assessed at ‘market value’ by the government and not at replacement value of land (Singh 1997, 3). The other drawback was that the project affected persons’ (PAP’s) were defined narrowly. Only those who were affected directly were paid compensation. Dependents on land such as landless labourers, artisans, forest produce collectors who would lost their livelihood with the land acquisition were not considered as PAP’s or the customary land users got no compensation at all.

These problems were overcome to a large extent by the landmark judgement awarded by the Narmada Waters Disputes Tribunal Award (NWDTA) in 1979 ten years after deliberations on the subject. It highlighted the shortcomings of the cash compensation. It states ‘cash compensation under the provision of the Land Acquisition Act of 1894 was the practice, which resulted in the resettlement of displaced families becoming unsustainable due to squandering away of compensation money’ (D Souza 2002, 47). The Tribunal’s provisions were accepted by the World Bank. It explicitly forbade cash compensation for the SSP as a basis of resettlement (Independent Review 1992, 30).

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2. The Narmada Waters Disputes Tribunal (NWDT) was constituted in 1969 under section 5(3) of the Interstate Water Disputes Act 1956, to look into the dispute related to the Narmada waters amongst the three riparian states of Madhya Pradesh, Gujarat and Maharashtra. The Tribunal Award is binding on all the three states and the Government of India.
The Tribunal acknowledged for the first time the states’ responsibility to grant land to the PAP’s, in addition to cash compensation as was the practice. It was a major step forward because it introduced land for land, a minimum of 2 hectares per family (Clause IV (7) of Clause XI, titled ‘Allotment of Agricultural Land’, NWDTA) and that too irrigable land and a year in advance of the submergence (Clause IX, sub clause IV (2)(iv) and sub clause IV (6) (NWDT Report 1979, 113).

However, when land is in short supply or may not be of cultivable quality, as in the above mentioned case resettlement policies could be flexible. The above mentioned strategy can be combined with non land based strategies; through wage employment in the public sector though there again there are limitations due to the magnitude of displacement and the low level of education or skills among the displaced (Singh 1997, 4-5).

Despite a progressive resettlement package the DIDR caused by the SSP deprived the poor and illiterate tribal from their land, houses, wages, natural environment and their socio - economic, cultural milieu (D’ Souza 2002, 47). Unfortunately, in the above mentioned cases the indigenous and tribal peoples and other marginalized ethnic minorities make up a disproportionately large percentage of those who lost their livelihoods to dams. The SSP is built on a hilly terrain inhabited mainly by tribals. Of the 297 villages in the submergence zones of the three states of Madhya Pradesh, Gujarat and Maharashtra (245,19 and 33 respectively) 40 % of those displaced are tribals and the rest are caste Hindus (Independent Review 1992). Tribals such as the Tadvis, Vasavas, Bhils and Bhilalas are relatively egalitarian communities as compared with the caste Hindus. In India, as per government estimates, 40 per cent of those who have been displaced by dams are adivasis, who represent less than 6 per cent of the Indian population (McCully, 1998, 78). The TISS study puts the displaced tribals as 40 –50% of those displaced and that they constitute only 8% of the country’s population (TISS 1997, CSS 1997). Both, among the tribals as well the non-tribals the socio-economic position of women prior to resettlement was better.
IV.2 Status of Women Prior to Displacement

The displaced women, both among the tribal and the caste Hindu communities did not have land rights. But they had usufructory rights over land and thereby access to it. The NWDTA, a landmark judgement in many respects deprived women of their informal rights over land, through its patriarchal definition of a family. The NWDTA defined a family as:

‘including husband, wife, minor children and other dependent on the head of the family, e.g., widowed mother. Every major son will be treated separately as a family (Clause XI, sub clause (1(iii)) (NWDT Report 1979, 110)

It sees women as a part of a household and makes no legal provision for land ownership among women, major unmarried daughters, deserted, divorced women and widows. Widows, a most vulnerable group have been marginalized, especially those prior to 1980 have not been compensated for their land even if they are ‘khatredars’ (registered landowners). In the case study of five villages: Gadher, Katkhadi, Mohkhadi, Surpan and Vadgam, in Gujarat, almost all widows who lost their husbands prior to 1980 have been ignored. As per the resettlement policy of the Gujarat government they are considered dependents (Bhatia 1997, 276-277). If a widow is not taken care of by her sons as it is presumed, she is helpless. Besides, a major family need not be the most egalitarian social set up, ‘power system stemming from patriarchy and its hierarchies are often misused.’ The patriarchal notion of ownership of land by men alone builds on existing inequalities among gender relations and exacerbates them further. Resettlement policies also need to be sensitive to family dynamics and should not be a cause of intra family feuds (Bhatia 1997, 300).

Following relocation, women also lost out on access to common property resources. These resources are accessible to the whole community of a village to which no individual has exclusive property rights. They include village pastures, community forests, waste lands, common thrashing grounds, waste dumping places, watershed drainage, village ponds, lakes, rivers/rivulets and riverbeds. Ground water is often regarded as a CPR though it may not belong to any identifiable community (Jodha 1986, 1169).

Proximity to forests provided additional supplements like fuel, firewood, and bamboo for house construction. Leaves, stems roots and vegetables from the forest formed a part of the tribal diet. They also bartered Ambadi seeds for salt and sold surplus livestock. There was no hunger/food deficiency because the riverbed was used for cultivating vegetables, melons. In addition fish from the river also supplemented their diet. They lived in spacious comfortable houses 50-100 sq
meters out of thatch, wood, mud and bamboo. They have lived for generations on the hilly terrains and now are termed as encroachers because they do not have formal titles to these lands. Strong family ties mark tribal life; inter village networks, social interactions permeated by reciprocity and exchange of services (TISS1993, 1711). Most of the displaced from Maharashtra and Gujarat were agriculturists and were self-sufficient. They had 9 – 10 acres of land, 8 – 10 animals and poultry in abundance due to pastures. Therefore, they could meet the needs of milk, eggs and meat. In the villages, women were involved in decision making processes around the household and farm and had a high social status.

**IV.3 Status of Women Following Resettlement**

A monetised economy, which adivasi communities were unfamiliar with, marginalized women from the sphere of autonomous control on the farm and household. Excessive dependence on land and integration into the market economy reduced the earlier self sufficiency and created indebtedness in the market economy where only cash could meet their requirements. To meet the expenditure on new items such as pesticides and fertilizers and meet the shortfalls in consumption, PAP’s needed loans to the range of fifteen hundred to three thousand rupees (Independent Review 1992, 157). At times, women sold their jewellery to avoid debt, leading to dispossession of something they value. Besides, those families without *pattas* on land records are termed encroachers and given only one hectare of land which in insufficient to support a family.

To supplement the family income, women were forced to leave home and take up wage labour, mainly in sugar cane plantations. Men get paid Rs 10/ per day where as women get only Rs 7/- for the same work. To generate revenue, newer skills have been introduced like sewing, weaving, soap making, but the older generation has resisted. The younger generation has benefited to some extent, though it has not generated much revenue due to inefficient marketing, thereby adversely affecting the economic independence of women (TISS 1993, 1712).

Further, resettlement of tribal women on plains took away their source of income from forest products such as making ropes from roots, fibers, weaving bamboo baskets or pottery. Cattle could no longer be reared due to a lack of pastures. Deprivation from fruits, vegetables from the forest, fish from the river deprived the family of supplementary diet, thereby affecting the nutritional status of the entire family. The overall decline in a family’s income due to a loss of CPR’s, limited land in relocation sites and alternative job opportunities has heightened the economic risks or led to their impoverishment. All the respondents in Parveta rated this resettlement site worse than their original village…’ for keeping livestock and opportunities for casual labour.’ Acute shortage of grazing lands lead to a reduction in animal herd (Independent Review 1992, 157).
The significant contribution of non-tangibles such as CPR’s, knowledge systems, social networks make to the standard of living in a rural setting, and the criticality of their access to tribal communities with low cash incomes cannot be denied. Social networks form the basis for exchange of food, tools and services such as exchange of labour (Guha, 1994). These losses need to be accounted for and restored to arrive at pre-project standard of living. The NWDT too refers to the maintenance of ‘standard of living’ post displacement. But how does one compute these non-tangibles in the case studies mentioned above?

As per the Bankwide Review of Projects Involving Resettlement 1986-1993, it reported unsatisfactory income restoration. Declining incomes among affected population is significant, reaching in some cases as much as 40% among population that were poor even before displacement (World Bank 1994, 4/1.4/2). A purely economic approach to the calculation of living standards based on income as an indicator alone, as stipulated by the World Bank can be reductionist and narrow in approach because it fails to account for the non-economic tangibles such as social networks and community participation (Singh 1997, 5). Among the Gwembe Tonga too, non-monetary ways were central to their community organization.

IV.4 The Case of the Tonga Women

Gwembe Tonga Women Prior to Dislocation
Like most of the SSP displacees the relocated Tongas of the Gwembe valley in Zambia, too are tribal peoples. Colson writes that they sustained themselves through a combination of hunting, gathering and cropping. In their egalitarian matriarchal society, women held land traditionally. Most women had control over land given to them by their kin. Husbands too gave land to their wives who worked on husband’s fields as well. Divorced women were allowed to keep their own land. Men and women had separate granaries. The family used women’s granaries for subsistence. Surplus requirement were satisfied by men’s granaries (cited in Mehta & Srinivasan, 1999, 11).

Their common property resources included access to land, water and forest products. Prior to resettlement the Tonga economy was based on the fertile alluvia, which determined the distribution and density of population. Community based production in agriculture, fisheries, and forest products for construction and as a source of food, were important for the sustenance of their livelihoods. Women also invested in livestock due to the availability of common grazing grounds or pastures.
IV.5 Post Resettlement

After resettlement in 1956, things changed writes Colson (1971). The colonial authority recognized men as chiefs, councilors and headmen. Women were excluded from negotiations with the colonial state. Their interaction with the state was through their men. Gender assumption of colonial government led to men being given compensation. They were recognized as landowners. Therefore, the formal institutions to govern land became male dominated and took away women’s right to property, to the detriment of their women bargaining power.

Women received no compensation for the loss of land and property rights following displacement. They also found themselves forced to assume a greater workload and had to work harder and faster during the rains, since fieldwork was concentrated into one brief growing season, the monsoons. Men had control over women’s labour through marriage and expected them to work on their husband’s fields. They also asserted rights over crops grown on women’s fields. As women’s grain was used for family consumption, they did not have surplus grain to pay for work parties to clear the fields. Women preferred to use grain for brewing liquor as it gave them immediate cash return, to which husband’s staked a claim (Colson, 1971, 127). In 1957 most Gwembe women had fields of their own but by 1970, younger married women said they cultivated with their husbands. Fields were no longer being allocated for their own use, as was the practice earlier. They were completely marginalized by the loss of land and thereby the loss of grain. This increased women’s dependence upon their husbands, for fields or land. A cycle of dispossession set in women. Women preferred older life for permanency of river, land, kin writes Colson (cited in Mehta & Srinivasan 1999, 12).

Younger women were unlikely to own granaries. They no longer defined their role as producers of food/children. They had greater access to education and did not see land as their source of livelihood. But they enjoyed the increase in mobility, shops, availability of money and a sense of belonging to a national community. As their marriage markets began to expand due to an influx of foreign workers in the valley and their increased mobility, women began to claim rights as against male kin. Their ownership of cattle went up. Women began to put a cash value on their labour, including family labour. Due to education and access to markets the Tonga women were empowered, but this had more to do with agency that the resettlement. The first generation did lose out on land and their property rights, though the second generation took advantage of education and access to markets. It also led to redefining of gender roles as women moved away from agriculture and reproduction (cited in Mehta & Srinivasan 1999, 12).
The colonial government provided men with skill upgradation and gave them jobs to build roads for instance. But, women had no such opportunities and they lost all control over their income. An adverse consequence was the rise of prostitution as a profession around fish camps or commercial centers emerging in the Gwembe valley (Colson 1971, 131). Men, who had accepted women’s rights to land and property, now resented the claim of female kin to land in the Kariba resettlement sites. To prevent women from claiming land men often arranged marriages for widows and divorcees with unsuitable persons. Divorced and widowed women were the most vulnerable as struggle over resources led men to manipulate their helplessness and marry them off to anyone. Therefore, the formal institutions to govern land were now male dominated and took women’s right to property/land to the detriment of their bargaining power (Colson 1971, 118).

As families, they were deprived of their common property resources and optional sources of livelihood or impoverished. Resettlement increased population densities in less productive habitats. There was a shortage of water supply except for the shores of the lake. The less fertile soils allowed for cultivation only during the monsoons (Scudder 1993, 147). The Tonga families also lost out on abundance of pastures, land, water and forest products for construction and consumption a food. The fertile alluvia on which their economy was based and on the basis of which the distribution and density of population, too was submerged (Scudder 1993, 147).

Following the decision to build the dam no detailed study had been undertaken to assess the area for relocation. The Tongas were relocated in an area, infested with Tse-Tse fly and therefore could not raise cattle (Scudder 1973, 206 cited in Goldsmith & Hilyard 1984, 86). Prof Scudder, studying the Kariba Dam resettlement scheme in Zambia and Zimbabwe appraised that within the next ten years, a third of the population would find themselves in difficult situation as a consequence of degradation of land, through erosion, over cultivation and overgrazing due to an increase in population (Scudder 1973, 232 in Goldsmith & Hilyard, 27).

Alternate job opportunities too were limited. Fishing in Lake Kariba, which was seen as a viable option too did not have the promised potential. Five years after the lake was formed, some 2,000 fishermen caught 3,628 tons of fish/annum. In 1965, fishery was an important source of employment and capital but productivity declined steadily. 26 tons of juveniles were introduced in the lake but very few survived. By 1978, the fish catch had fallen so low that only a small part of the human population along the shores of the lake was engaged in fishing (Goldsmith & Hilyard 1984, 92). A further decline was caused in fishing as an optional livelihood source for
families because it was opened to outsiders, as high as 50% of the total fishermen, due to need for high capital investment and sophisticated management (Scudder 1993, 147).

Thus, in both the cases under study, the right to land/property following resettlement were male dominated. As a consequence of landlessness, joblessness and loss of access to common property resources the displaced families were marginalized economically and women ‘slipped further below poverty thresholds’ (Cernea 2000, 26).

V. Community Disarticulation, Socio-Cultural Risks

Poverty is not merely the loss of tangibles such as income, land, shelter or food. The dismantling of intangibles such as social networks, the fragmentation of communities and interpersonal ties can increase powerlessness, dependency and vulnerability. When reciprocal social groups are dispersed, ‘there is a net loss of valuable social capital that compounds the loss of natural, human and physical capital’ (Cernea 2000: 30). It leads to the loss of communities and individuals within it to adapt effectively to their new milieu. The maladjustment of individuals can be defined as marginalization. Economic marginality discussed in the earlier section can lead to social and psychological marginalization, ‘expressed in a drop in social status, in resettlers’ loss of confidence in society and in themselves, a feeling of injustice and deepened vulnerability’ (Cernea 2000, 30).

Social insecurity in a new environment and a decline in the traditional family structure, following resettlement, has lead to a further sense of loss and disempowerment. Household incomes were severely affected due to the out migration of men for wage labour and the rise in the stressful situation of women headed households. It caused a decline in the status of men as well. The loss of their position in the traditional structure caused frustration among men. Earlier their wives and children saw them as independent and in control of their own activities but now they worked as wage labourers subject to orders by supervisors (Colson 1971, 132). However, the status of men improved following the independence of Zambia in 1963. Now they were in a more secure position as representatives of their family units. ‘They could apply for loans for agricultural development, negotiate with technical personnel and represent their family interests in a variety of ways’ (Colson) 1971, 133).

As a consequence of economic and psychological marginalization, studies on Kariba and SSP reveal an increase of domestic violence. Women and children became scapegoats of men’s
frustration. Friction at home also increased due to a rise in alcoholism in both the cases under study. In the Kariba case, in some districts there was no outlet for the sale of surplus grain, and therefore it was converted to beer. It led to an increase in drunkenness among men, but women could not distress themselves, thus. As individuals women took action in short-term flights to kinsmen, separation or divorce (Colson 1971, 130).

Domestic violence in combination with a decline in the social support structure was traumatic for women. Women’s role to serve palatable meals too was questioned due to a loss of green vegetables that could be grown earlier in the river beds during the dry season (Colson 1971, 131). Therefore even after a decade or more of resettlement the Tonga women, mainly the older generation, asked if the dam would be destroyed. The older women lamented their economic and social marginalisation and the disruption of the continuity that the river and valleys represent in terms of local histories.

In the case of SSP relocates, too, women occupied a special position in the village. This is evident from the roles performed by them, their role in decision-making and the nature of interaction with men and wider society. An open admission of high premium placed on women is the prevalence of bride price at the time of marriage. They performed multiple roles such as shoulder the agricultural burden, look after the household chores, the livestock, fetch water and gather minor forest produce. No incidents of wife battering were reported despite alcohol consumption. Women too consumed alcohol and bidi and no unequal power relations are evident between men and women (TISS Report 1993, 1709). But post dislocation, an increase in alcoholism among the men led to domestic violence. Women and children were the easiest scapegoats. It also led to the erosion of household incomes and affected the communities’ sense of well being.

The disruption of social cohesion, and the fragmentation of communities following resettlement, impacted women more severely than men The Tribunal Award had decided upon resettlement of kutumb (extended family) on a community basis. But the oustees were split up due to non-availability of large plots. People from the Katkhadi and Gadher village in Gujarat for instance have been relocated in thirty-two or more resettlement sites, and from Vadgam, Gujarat, on more than 27 or so! (Bhatia 1997, 278). Illustrations from Parveta, the first resettlement site in Gujarat inhabited by families from Manibeli in Maharashtra reveals that major sons had to be resettled at other locations in Lunadra and Sihandra in Gujarat. Gujarat is resettling its 19 locations in 175 different sites! From a single village Khalvani, a group of 46 oustee families were resettled in three different sites, 26 in Chhiniapura; 17 in Khadagada and 3 in Thapavi (TISS Report 1993:
The disintegration of interdependent communities has been problematic. In Parveta site respondents said that they ‘are yet to develop social relations’ with the hosts. The report gave the reason, as ‘the social groups are dissimilar ‘and’ quite unknown to each other (Independent Review 1992, 158).

In such a situation the inside/outside dichotomy became operative. It translated into tension and violence between the resettled and the host community. Women’s mobility too was curtailed because they did not feel free to move around in the new environment. Second, as a result of increased transportation costs and distance it led to anxiety among women about visiting their daughters (Thukral 1992, 21) Finally their mobility was also curtailed due to more work as a consequence of double or triple cropping in the irrigated land (Mehta & Srinivasan 1999, 8).

The Tongas too were a divided house. They lived on both sides of the river Zambezi. With the inundation of the valley they were separate political entities. Social visits therefore became limited between family members. But after the break up of Federation of Rhodesia and Nyasaland and hostilities in Rhodesia the separation became complete. Unfortunately, the territorial governments of the then Northern and Southern Rhodesia, did not anticipate the disintegration of the Federation and did not give the Tonga peoples to a chance to decide which side of the Lake they wanted to stay on, so that they could be integrated as a family (Magadza 1994, 92).

In both the case studies women were not consulted on decisions that has affected their lives. The relocation was forced and accompanied with violence as well. The police of the then British Colony of Northern Rhodesia shot dead eight villagers and wounded over thirty in a confrontation during the ‘poorly conceived and trauma ridden programme’ to clear the land for what became the Lake Kariba Reservoir’ (Scudder 1993, 141). To cite just one instance, in 1992 the Maharashtra government forces were deployed to forcibly evict the villagers from Manibeli. (TISS Report 1993, 1711). The attachment to land among the indigenous peoples is something the planners have not been able to grasp.

When the society that has to be resettled is a tribal one, then, land is of great significance and not just another commodity to be bought and sold.’ ‘Land is a very charter on which a tribal culture is based, the resting place of ancestors and the source of spiritual power’ (Goldsmith and Hilyard 1984, 29). The Guyana Akawaio Indians, in a representation against the Upper Mazaruni Hydroelectric Project in 1977 wrote,
‘This land is where we belong…this land is where we are at home, we know its way….this land is needed for those who come after us…. It is the place where we know where to find all that it provided for us – food for hunting and fishing, and farms, building and tool material, medicines. Also the spirits around us know us and are friendly and helpful. This land keeps us together within its mountains—we come to understand that we are not just a few people or separate villages, but one people belonging to a homeland. If we had to move, we would be lost to those who remain in other villages….’(Goldsmith and Hilyard 1984, 30).

Survival International supporting the cause of the Akawaio indigenous peoples’ rights mentioned in their report; ‘ the landscape is dynamic, every part is living, functional, has meaning and moral value’ (Gordon Benett et al. 1978, 2).

The above mentioned sentiments and affinity to land, well apply to the case of the Tongas and the tribals dislocated by the SSP. The Tongas dislocated by the Kariba Dam were bitter because they were forced to leave the land where their ancestors were buried. Dr. Scudder observed that ‘women in particular felt close identification with alluvial gardens which had been cultivated and inherited by members of their matrilineal lineage for longer than they could remember.’ They felt a close bonding with their ancestral shrines, and ritual leaders in the neighbourhood feared for their health in case of dislocation (Colson 1971, 77). In the Tonga case, lineages that were to be relocated ensured access to ‘continued rituals associated with well being and the countering of misfortune following removal’ (Colson, 1971; 77 cited in Scudder 1993, 139). The Daud Commission Report on the SSP oustees referred to the Devi danis, (goddesses) the spiritual ties or the cultural bonds and practices which help define tribal societies (Daud Commission Report 2001, 14).

The planning authorities insensitive to their cultural traditions resettled people from different ethnic backgrounds- with different languages, traditions, and worshipping different gods, on same sites. It led to hostilities and disputes between the host community and those relocated (Goldsmith & Hilyard 1984, 31). Due to the fear of host population disapproval or submerged habitat certain rituals especially those associated with death, were dropped (Scudder 1993, 132) This in itself can be a cause for disorientation for any tribal community. Women as keepers of a community’s cultural tradition suffer greater disarticulation. The loss of social capital along with cultural capital which gave meaning to their life have been disorienting and a cause of stress.
VI. Social Welfare Risks: Food Insecurity Homelessness, Increased Morbidity

The other three causes of stress due to relocation in a new environment are of food insecurity, homelessness and increased mortality. Destruction of community productive bases in agriculture, forests and water can give rise to food shortage, leading to malnutrition and hunger. Changes in cropping patterns in the new set up may lead to increase in income but it need not translate into gender equity. People who live downstream, too, suffer In Africa, the loss of the annual flood below the dam has devastated traditional floodplain farming, fishing and grazing. For the SSP, thousands of families dependent on fishing downstream will be destitutes as a result of salt water ingress owing to a reduced flow of river water (Asthana 1996, 1480).

Food insecurity can have adverse consequences for the nutritional status or lead to a ‘…decline in the calorie-protein intake level below the minimum necessary for normal growth and work’, (Cerne 2000, 27) of the entire family as illustrated by the case of the Kariba and the SSP. Women are the worst hit due to their gendered location.

In the case of the SSP, an increase in the irrigation facilities has led to a change in the cropping patterns, such as the introduction of water intensive cash crops like sugarcane. When cash crops and green revolution techniques are introduced women are disposed of their roles as agricultural producers. This leads to a change in gender based division of labour in agricultural activities As a result of gender insensitive planning upgradation skills are rarely targeted at women. Women’s access to resources are mediated via husbands or wider kinship network Besides commercial cropping requires the investment capacity in support structures like loans for seeds, credit facilities and access to women rarely have.

Contract production tends to shift the production in favour of export oriented cash crops at the cost of basic food crops of the poor, which leads to higher prices of food commodities and products. Introduction of high value crops like wheat and paddy had led to a decline in the production of local millets, which added variety to diet and were cheaper. With fish and forest products missing from the diet and a rise in the cost of staple food crops has led to food insecurity among the relocates in the resettlement colonies. In Parveta 23 % of Maharashtra’s PAP’s were recorded below poverty line in 1989 (TISS Report 1993, 1711). Low yields and poor employment opportunities outside agriculture has led to a decline in the calorie intake, mainly of the girl child.
In may lead to a lower nutritional intake for women because of their gendered location, thereby further exacerbating the disparities. Government records show an alarming trend of infant mortality among girls in the 1-14 age group, though Gujarat is a more prosperous state, therefore gender equity need not follow from a general increase in growth. Therefore, changing social relations in command areas due to increased facilities can lead to a worsening of lives for women. In these economically prosperous regions the girl child may be more malnourished that the boys in the same age group (Srinivasan 1999).

Ironically, an increase in prosperity due to irrigation has led to changing social relations in the command areas and affected women adversely. Among the Ahirs in Gujarat, earlier an egalitarian community there has been an increase in dowry deaths and mysterious killings of young brides as a result of an increase in prosperity leading to increased social tension and greed among the community due to irrigation (Mehta & Srinivasan 1999, 21). Therefore women have not emerged as beneficiaries of developmental projects such as the SSP.

Urban households may gain in terms of electricity as an energy option but women in rural areas may have to struggle hard to collect water where 300 or so households may have access to a single tap! Or to pay for electricity as an energy option the displaced communities with inadequate resources may adjust their budgets (Srinivasan 2001, 4110). Women did so by working as wage labourers or through adjustments to their food budget wherein the girl child is adversely affected in terms of nutritional intake.

Food insecurity was reported among the Tongas as well. They were deprived of their access to land, water, forest products, and the fertile alluvia which supported double cropping. Infertile soils at resettlement sites needed to be left fallow and produced much less. Lack of pastures and the presence of Tse Tse fly in their new homes, led to a decline in livestock as a source of food. Scudder notes a decline of 40% in the case of goats and 60% in the case of sheep (Scudder 1993, 147). A shortage of food intake due to limited land and pastures caused malnutrition, reflected in increase in mortality rates, which has been dealt with later.

The expandability of land was not possible when sons get married and families grew. Families could not be relocated as a unit due to shortage of land. Major sons and daughters too were not resettled together with their families. The size of the houses too were smaller and there were no rivers or forests. As a result of shortage of supply and infertile land, relocatees had to work as migrant labour. This outmigration due to landlessness and homelessness can be problematic for an agrarian, inter- dependent society.
The Daud Commission too reports of little hovels in the Rozwa resettlement site in Maharashtra, inhabited by 300 – 400 families. They lacked potable water and women had to walk for miles to fetch a pail of drinking water. To add to their woes, the agricultural land allotted was parched. Originally cohesive groups have been divided and shifted into non-viable social units (Daud Commission Report 2001, 11). Socio-cultural disruptions can be traumatic for resettled communities.

As a consequence of high density of population in resettlement sites, lack of potable quality water, and a change in nutrition patterns led to an increase in infant mortality rates among the Tongas and the SSP oustees. In Parveta, unusually high mortality rates were reported among the Manibeli oustees resettled there, especially in the first years of resettlement. Low birth weights and measles due to nutritional deficiency led to infant deaths. Poor quality of water too might have contributed to these deaths. The caloric and protein intake of the Parveta people too was relatively low (The Tata Institute Report 1988, 52, cited in Independent Review 1992, 156). Prior to relocation tribals had poor access to formal health care, education, and child welfare due to isolation. But their health status was not very poor, as they could avail of the medicinal plants from the forest and visit towns for medical help in case of serious illness.

The increase in the population densities among the resettled Tongas, too, impacted adversely on their health. A demographic analysis among the Tongas, revealed an increase in mortality and morbidity rates. In the years 1958 – 1960, Scudder noticed an outbreak of human sleeping sickness that killed an unknown number of people in southern Rhodesia (Scudder 1993, 140). Colson too came to the same conclusion and reported the death of at least 80 people due to dysentery, mostly among children, in the Lusitu area over a two month period at the end of 1958-early 1959 (Colson 1971, 56 in Scudder 1993, 140). Then there were deaths of at least 41 children due to chicken pox within a month around the same time. These examples are merely illustrative and not an exhaustive account of the extent of mortality. Scudder explains reasons for heightened mortality in relocation sites in terms of increased population densities due to scarcity of land. Higher densities place children at greater risks from epidemic diseases like measles, inferior quality of water at resettlement sites; from bore wells than from flowing rivers increase the risk of dysentery among a denser human population (Stein and Clark 1990 cited in Scudder 1993 140).

Further, numerous vector borne diseases associated with reservoir development have been reported in the case of the SSP and the Kariba dam. eg schistosomiasis spread through snail breeding in Kariba project, as in the Aswan and Akosombo. There was an increase in the
incidence of malaria in short term and Japanese encephalitis in long run in SSP (WCD 2000, 118). In Kariba the influx of immigrants during construction and the resulting urbanization has increased levels of sexually transmitted diseases and, more recently, HIV –AIDS prevalence rates which have negatively affected local women (WCD 2000 119). Scudder concludes that immediate reproduction of the agricultural based production system or adequate government distribution are not possible and therefore those resettled suffer from health risks in combination with food insecurity leading to increased rates of morbidity and mortality (Scudder 1993, 140).

**Conclusion**

The above analysis comes to the conclusion that access to the benefits generated by large dams is a necessary but not a sufficient condition for a positive gendered impact. However one cannot deny the transformatory potential of mega dams. For instance in Ghana, the Akosombo dam benefited the displaced due to access to schools, markets, public laternies and well, constructed as a part of the rehabilitation process. Dams that increase water supply for house hold users, electricity and food (through irrigation) are likely to have benefited women by reducing the time spent on chores and improving nutrition. When dams achieve an improvement in living standards in impact areas, it can have a positive spill over effect on gender equity. Improved family income due to irrigated land meant more money for the education of girls and boys. Literacy has contributed to ending polygamy in the Aslantas dam basin. In the Senegal Valley women headed household were given land rights. In Zimbabwe, women gained because they were treated better by their husbands who were no longer influenced by the cultural norms from the kinship networks (WCD, 2000, 115-116).

Large dams do present a unique opportunity for social transformation in areas like land tenure, social relations, access to infrastructure, that can contribute to reversing the iniquitous gendered situation as in the case of Senegal, Zimbabwe or Ghana. But such situations are the exceptions rather tha the norm. In the case of the Gwembe Tonga women and those displaced by the SSP we can surmise that displacement has had an injurious impact on their economic, social and cultural capital or they were further impoverished. When the resettlement of the Kariba Dam took place, concerns for equity and justice in the social or gendered context did not inform the discourse on DIDR. But such concerns did exist at the time of the SSP resettlement. Despite the World Bank policy on involuntary resettlement, the distributional impact in the social or gendered context was no better. For instance, the SSP did provide for a new energy option but families lowered the nutritional intake of the girl child to be able to pay for the electricity! Therefore, equity or a better
distributional impact of large dams can be achieved only if resettlement policies and implementation are gender sensitive and accompanied with a vision of women’s empowerment in the economic, social and cultural context.

References


INTERNAL DISPLACEMENT AND TRAUMA:  
THE NEED FOR A BROADER PARADIGM

Ashraf Kagee and Arancha Garcia Del Soto

Abstract
A psychiatric model of traumatization has informed most research in psychology on the effects of human rights violations, including internal displacement. This paper highlights some of the limitations of a hegemonic psychiatric approach to conceptualizing present sequelae of abuse experienced by IDP’s. It calls attention to the relevance of the local social and political context in which central and southern African IDP’s are located, methodological problems that characterize psychological research on trauma in African and other developing countries, and the relevance of the meaning that IDP’s may attribute to their experience individually and collectively. We highlight the need for a broader paradigm within which to conceptualize the concerns of IDP’s.

KEY WORDS: trauma, internal displacement, posttraumatic stress disorder, psychiatric models, mental health, resiliency,

Reconceptualizing the sequelae of internal displacement: 
Limitations of a psychiatric paradigm
Internally displaced persons are technically not a legally recognised entity and therefore humanitarian assistance for this population has often not been as forthcoming as it has with refugee populations. Yet, the numbers of IDPs’ continue to grow, both worldwide and in central and Southern Africa. It was estimated that there were more than nine million IDP’s in Africa in 2002 (Global IDP Survey 2002). The five African countries with the highest numbers of IDPs are: Sudan (4 million), Angola (3.5 million) Democratic Republic of Congo (2.27 million) and

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Uganda (600 000). Central and Southern Africa contribute to more than two thirds out of the 9 million African IDPs (Global IDP survey 2002).

The UNHCR’s working definition of internally displaced persons emphasizes the territorial nature of internal displacement. Without crossing a formal national border no legal recognition is conferred to IDP’s in the manner that it is to persons defined as refugees. This fact reflects one of the major difficulties in providing assistance to IDPs. Consequently they remain near violent situations and most of the time their needs go unacknowledged by helping agencies. In this context of legal invisibility, little attention is directed at their mental health and psychosocial well being. Yet, more than a secondary consequence of violence, displacement is in a direct way a major life stressor. For many IDP’s experiences such as physical abuse, torture, disappeared family members, harassment, and forced removals are typical (Faundez 1994). Variability exists in terms of the nature of political turbulence prior to displacement, the length of time of displacement, sources of support, the social and economic conditions in which displaced persons are located, and the demographic characteristics of the displaced population.

**Psychosocial concerns**

Research on internal displacement, both in Africa and elsewhere has suggested that such experiences may result in serious psychological sequelae with long-term effects (De Jong, Mulhern, Swan & van der Kam 2001). It is likely that the experience of internal displacement involved “actual or threatened death or serious injury” (APA 2002, 467) or could have been a “threat to the physical integrity” (APA 2002, 467) of the person. This suggests that it meets the A1 criterion for posttraumatic stress disorder as specified in the DSM-IV-TR$^3$ (APA 2002). A diagnosis of PTSD has been often considered in conceptualizing the sequelae to internal displacement from a psycho-diagnostic perspective.

There are potential benefits to conceptualizing the psychological sequelae to internal displacement within a trauma paradigm. A focus on overt psychiatric symptomatology calls attention to the psychological distress experienced by IDP’s and provides short hand communication for clinicians to convey their impressions of clients’ treatment needs. It also facilitates the systematic treatment of psychological symptoms and permits the identification of diagnostic criteria for the purposes of epidemiological research into sequelae of traumatic events.

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$^3$ The Diagnostic and statistical Manual of Mental Disorders, Fourth Edition, Text revised is a reference manual used by psychologists and psychiatrists. It lists diagnostic criteria, descriptions and other information to guide the classification and diagnosis of mental disorders.
(e.g. McFarlane 1997). On one hand, the experience of internal displacement is an extraordinary life experience, often shared collectively, and is capable of causing in any person a wide range of physical and psychological suffering and disability. Most often community bonds are disrupted, resulting in the creation of new groups connected by a common experience of displacement. On the other hand, the psychological reactions that ensue are normal responses to abnormal life-threatening situations (Young 1995, Somnier & Genefke 1986, Kos 1997). Thus, a focus only on overt psychological sequelae to internal displacement rests on a set of assumptions about the nature of trauma.

The appropriateness of applying nosological systems developed in western countries (e.g. the DSM-IV-TR and ICD-10 manuals) to conceptualize psychological reactions among IDP’s in Central and Southern Africa has not been systematically examined. Historically people have experienced disturbing recollections and have felt despair, but the notion of traumatic memory as a fixed psychopathological phenomenon has only recently become salient in the discourse of suffering (Young 1995). Whereas previously IDP’s and refugees in different contexts might have framed their experiences in religious, legal, or ideological terms, in recent times such framing has been chiefly psychological, reflecting the dominance of a “western trauma discourse” (Summerfield 1999). The infusion of psychological terminology into popular discourse and consciousness is, in part, related to this trend. Psychological terms such as “stress”, “trauma”, “distress”, and “depression” have made their way into the mainstream vernacular in many cultural contexts, even where such terms might not have previously existed. Recently, some theorists have extended this point by suggesting that the “medicotherapeutic prism” (Summerfield 2002) is not helpful in supporting recovery at the individual, community, or social level (e.g. Summerfield 2002, Pupavac 2002). Describing the work of organizations such as the International Rescue Committee, Pupavac (2002) observed that although many people have had experiences that may be described as traumatic, “the complexity and diversity of the situation mitigate against describing the general state as ‘mass trauma’” (IRC 1994, 4). Further, while symptoms of distress such as sadness, depressive symptoms, feelings of social isolation, and sleep problems often exist, most of the time among IDP’s there is a sense of resiliency, and a desire to regain control of their lives.

Many epidemiological investigations into symptoms of traumatization in societies undergoing or coming to terms with political conflict have used checklists or questionnaires as methods of making diagnostic assessments. For example, among a random sample of persons seeking health care in Jaffñ, Sri Lanka, 42% met the diagnostic criteria for PTSD, 48% had generalized anxiety disorder, and 33% met the criteria for major depressive disorder (Somasundaram 2001). Indirect
stressors such as displacement, unemployment, economic difficulties, and lack of food, and direct stressors such as detention, assault, torture, and being a victim of a bombing or gunfire were associated with these disorders. These prevalence estimates are similar to those found by Reppesgaard (1997) among a sample living in internal displacement camps in the same city. Also, Pappas and Bilanakis (1997) found that among refugees living in a concentration camp in Serbia, 70% had experienced traumatic events and 44% met the criteria for PTSD. In a multinational study in four low-income post-conflict countries de Jong, et al. (2001) found a prevalence rate for PTSD of 37.4% in Algeria, 28.4% in Cambodia, 15.8% in Ethiopia, and 17.8% in Gaza.

Among a random sample of community members in Sierra Leone, 99% were estimated to be suffering from war-related PTSD (De Jong, Mulhern, Ford, Van der Kam, & Kleber 2000) based on high scores on the Impact of Event Scale (IES; Horowitz, Wilner, & Alvarez 1979). Yet, upon closer examination, most IES items relate only obliquely to PTSD diagnostic criteria as specified in the DSM-IV-TR (APA 2002) and some are valence-free, suggesting that such a high prevalence estimate should be viewed with skepticism.

The studies cited above have largely ignored the issue of functionality of most people who exhibit high scores on checklists. As shown in other samples, such as persons living with a chronic illness, success in fulfilling social roles is likely to diminish the salience of psychological distress (e.g. Rudnick 2001). The relatively high rates of psychological symptoms evidenced by elevated scores on checklists suggest that exposure to political conflict in general and internal displacement in particular result in considerable distress for survivors. Endorsement of psychological symptoms on a checklist or self-report measure therefore need not necessarily mean that these symptoms have a salient meaning for survivors. Indeed, respondents whose trauma checklist scores exceed commonly used cut-points may continue to function well in their daily lives. Most research investigations do not escape the problem of demand characteristics that may account at least in part for these elevated prevalence levels among various samples of survivors of conflict situations. Therefore, distress that is multidimensional in nature, rather than psychiatric illness, may more appropriately capture the experience of internal displacement.
The relevance of context

Many accepted models of psychopathology have been criticized for their inaccurate depictions of the experience and needs of patient populations in developing countries (e.g. Bulhan 1985, Naidoo 1996). Such criticisms are particularly salient when these models have been applied in societies undergoing or coming to terms with a history of political and social turbulence (Summerfield 1999, Bracken, Giller & Summerfield 1995). Thus, the assumption that internal displacement not only causes suffering but necessarily results in psychiatric disturbance risks victimizing and pathologizing survivors by framing them as potential psychiatric cases. A paradigm focused on psychopathology obviates a perspective of a victim of political upheaval as a complex and dynamic aggregate of political, social, cultural, and personal factors, who continually creates meaning of his or her experiences (Foster 1987). By framing distress and suffering following a traumatic event as a psychiatric condition, researchers and clinicians risk unwittingly conveying an expectation of continued psychopathology in the aftermath of internal displacement. Such an emphasis negates the salience of empowerment and resilience of IDP’s. Moreover, by viewing IDP’s as psychologically damaged, they are then made dependent on the ministrations of mental health practitioners, which sustains a "passivity model of victimology" (Foster et al. 1986, 32). Moreover, by homogenizing the concerns of IDP’s in different geographical contexts, one risks ignoring cultural and socio-political realities that inform local coping strategies that are in turn integral to the preservation of personal dignity. Indeed, any set of theoretical assumptions or paradigm that informs a framework for an inquiry into the concerns of IDP’s may bias respondents’ answers. The argument here, however, is that assessment procedures conducted in a medical or psychiatric setting places a set of expectations on the nature of the encounter and on the content of interviewees’ responses.

Existing theories of stress responses to traumatic events have been tested on samples drawn mainly from western countries. These include emotional processing theory (Rachman, 1980); the adaptation of learned helplessness theory (Kolb 1987, Seligman, 1975, van der Kolk 1987); information processing theory (Horowitz 1986), and a theory of trauma emphasizing the importance of fear structures (Foa & Kozak 1986, Foa Steketee & Rothbaum 1989, Foa & Riggs 1993). Yet, little is known as to whether these theoretical formulations account for the experience of central and southern African IDP’s, given the unique cultural, political, and historical context in which they are located. This context is likely to shape the nature and extent of psychological sequelae among this population. In many contexts, including sub-Saharan Africa, local ceremonies and rituals play an important role in assisting communities in the reintegration and reconciliation process. The assumption that verbalization of emotions is integral to the
amelioration of psychological distress may in many cases be inaccurate. In Mozambique, for example, silence about the past has in some instances become an important way of coping (Honwana 2001). Rather than implying that human rights violations are forgotten, for some demonstrated reticence and a “conservation of energy for the urgent task of rebuilding” is a more appropriate manner in engaging with stressful experiences (Summerfield 2002). The nature of psychological distress experienced by internal displacement in central and southern Africa is likely to be different to that of persons affected by trauma who live in comparatively peaceful, economically prosperous, and stable countries. Most likely distress is less individualistically constructed and may be more intimately tied with perceptions of family, community, and societal well being (Swartz 1998). In the absence of information about the personal meanings, perceptions, beliefs, and cognitions that survivors may attribute to the experience, a focus only on overt symptoms elicited in the context of a diagnostic interview or checklist represents a uni-dimensional and decontextualized understanding of the experience.

In working with female survivors of gender-based violence in Sierra Leone Garcia Del Soto found that many still experienced vulnerability with the knowledge that their aggressors remain at large, despite the new national mood of reconciliation. In this context there was a notable cognitive dissonance when discussing issues related to forgiveness. Statements such as “We have to start rebuilding the country with new hopes, but how can we forgive when we still distrust them? Next time they’ll do something to us we’ll go for them” are typical of the testimonies collected when working with survivors of gender based violence in Bo, a region in Sierra Leone (Garcia del Soto 2002). Similar experiences have been noted among South African victims of human rights violations.

Research focusing on what persons who have experienced severe stressors attend to suggests that symptoms of traumatization are not always the most salient. Among Ugandan victims of government counter-insurgency forces, for example, somatic problems were most pressing, and were the most overt manifestations of distress for respondents rather than other symptoms typically associated with trauma (Giller, Bracken & Kabaganda 1991). In addition, Bolton, Bass, Verdeli, Clougherty, Ndogoni & Speelman (2002) found that some symptoms on the Hopkins Symptom Checklist were not applicable to a sample in rural Uganda. Specifically, symptoms such as “physical agitation” were not easily understood among the sample studied (Bolton et al. 2002). The construction of meaning attributed to the experience of human rights abuses has been shown to play an important role in the expression of symptoms. Social support, for example, offers a way of creating a shared meaning for detainees, and provides a buffer against more severe psychological distress.
While a stressful event may cause symptoms of traumatization, its etiology is often considered to be multi-factorial. Various pre-stressor characteristics have been identified in other populations as buffers to the development and maintenance of psychological disturbance. Such factors include social and family support (Davidson, Hughes, Blazer & George 1991), spirituality and religious faith, socioeconomic status, and education level (Shalev, Peri, Canetti & Schreiber 1996). Risk factors for psychological disturbance following a stressful event have also been identified in other populations. These include childhood trauma such as assaultive violence (Breslau, Chilcoat, Kessler, Peterson & Lucia 1999, Breslau, Chilcoat, Kessler & Davis 1999), sexual assault (Resnick, Kilpatrick, Dansky, Saunders & Best 1993), prior psychiatric disorder (Davidson et al. 1991, McFarlane 1989), negative affectivity (Breslau, Davis & Andresky 1995), adverse life events before and after the trauma (McFarlane 1989, Breslau 1998), and prior physical health problems (Shore, Tatum & Vollmer 1986).

Thus, the experience of internal displacement is seldom the only etiological factor in the development of a response of traumatization. Instead, the meaning ascribed to the experience may be influenced by proximal and distal factors in the person’s personal history and experience. Such factors call attention to the complexity, resilience, and dynamism of individuals that are sometimes missed by a focus only on overt psychiatric reactions to stressful experiences. It appears that in much of the literature on IDP’s, effective and successful engagement with life stressors is often overlooked in favor of a focus on endorsement of psychological symptoms (e.g. Somasundaram 2001, de Jong, Komproe, Van Ommeren, El Masri, Araya, Khaled, van de Put & Somasundaram 2001, Reppesgaard 1997). This is not to deny the psychological distress of this population, but to call attention to the fact that a nosological emphasis may often be misplaced in conceptualizing the concerns of IDP’s.

Methodological concerns

Methodological problems, such as demand characteristics, often arise in studies involving the clinical assessment of survivors of gross human rights abuses. Questions posed by an evaluator may sensitize respondents to the nature of the disorder that is being assessed, thus resulting in their endorsement of symptoms by virtue of what is perceived as being expected, rather than phenomenological experience (Bjorklund et al. 2000). With IDP’s there is a further need to escape a physically hazardous environment accompanied by a perceived need to conform to the form of assistance offered by helping agencies in order to ensure that further support and aid are
forthcoming. To the extent that language offers a means of expression of the subjective psychological experience, it may also give shape to the manner in which the experience is expressed (White 2000). Individuals may thus organize what they feel, say, do and expect to fit prevailing contexts, expectations and categories. Consequently, collectively held beliefs about particular negative experiences are not just potent influences but carry an element of self-fulfilling prophecy (Summerfield 2001). Beliefs formulated prior to displacement may often impact the choices individuals make when adapting to the new environment. The emotional and cognitive experiences following flight may include relief, realism, outrage, sadness, and acceptance (Paez, Gonzalez & Aguilera, 1997). A response of traumatization is therefore only one of several possible reactions to the experience of internal displacement. A focus on functionality is most likely an effective method of ascertaining the psychosocial needs of IDP’s. Thus, familiarity with the social and cultural context, as well as the unique situation of individual research participants is necessary in developing an understanding of specific concerns.

The problem of demand characteristics is compounded in societies characterized by poverty. In this context, respondents’ endorsement of symptoms offered by an interviewer in a clinical or research evaluation may have multiple meanings. Possibly, such endorsement may not only be driven by respondents’ experiencing these symptoms or finding them salient, but also by the assumption that, as survivors, they are eligible for expected reparations for their suffering. Moreover, the economic disparity between researchers and research participants in central and Southern African countries, evident in the interview encounter, may also add to a tendency for participants to endorse symptoms in the hope of deriving material or other benefits if they are determined as being disordered.

These concerns are raised, not to deny the real suffering of IDPs, the severity of their experience, or their entitlement to reparations, but to question the extent to which their reactions warrant framing within a paradigm of psychopathology. Moreover, thorough familiarity with the social and cultural context as well as the individual situation is most appropriate in researching this population.
The relevance of meaning

An acceptance that people do not respond passively to stressful events, but instead engage with them in an active and problem-solving way suggests that a focus on the meaning that persons attribute to such events and to stressful experiences is appropriate. Suffering and distress arise in a social context and as such are shaped by the meanings and understandings that people apply to events (Summerfield 1999). Previous experiences and collective ways of making sense of the present shape the meanings that are attributed to experiences of internal displacement. Group cohesion plays a significant role in shaping the ways in which people might respond to their status as IDP’s. Often, the presence or absence of group support may play an important role in creating conditions for ongoing survival and coping. Most likely those IDPs who are able to attribute an ideological or political meaning to their experience are able to cope more effectively than their counterparts who are not able to do so. Thus, the construction of meaning about the stressful experience and its associated physical and psychological sequelae is likely to play an important role in the way symptoms are expressed.

Some symptoms also serve adaptive functions and help the person survive (Simpson 1993). For example, in situations characterized by severe threat and danger such as the interrogation context, symptoms such as hyperarousal, hypervigilance, enhanced auditory acuity, and restlessness (Basoglu & Mineka 1992) are adaptive rather than pathological. Hence, such behavior may be more appropriately considered a characteristic sequel to the experience of internal displacement rather than a set of symptoms. Certain phenomena such as dreams and nightmares have often been thought of as symptoms of psychiatric disturbance, as specified on checklist measures developed and normed on North American samples (e.g., the PTSD Symptom Scale; Foa, Riggs, Dancu & Rothbaum 1993). Yet, these experiences may have alternate meanings and significance among non-western respondents (Bracken, Gillen & Summerfield 1995), including IDP’s in central and southern Africa. For some IDP’s internal displacement itself may not be construed as the most traumatic but rather subsequent changes in family functioning, inability to find employment, poverty, or dissatisfaction with political developments may be more distressing. The construction of meaning also has implications for psychological interventions directed at ameliorating the suffering of internal displacement. Thus, the critical issues for many IDP’s are often less psychiatric in nature but include the need to reunify with family members, obtain knowledge of family members safety, or engage in grieving rituals if family members are found to have died. Thus, psychological interventions that encourage cathartic expression may be misplaced as a first option. Indeed, some psychological interventions such as critical incident stress debriefing have been demonstrated in other populations to have iatrogenic effects, i.e., to

Some methodological considerations in addressing these problems

In order to offset the problem of demand characteristics in eliciting responses from internally displaced persons who participate in research studies or who are engaged in an interview to elicit clinically meaningful information, an alternative evaluation strategy is indicated. One viable possibility is the use of qualitative methods such as semi-structured questions aimed at identifying the expressed needs of IDP’s rather than needs researchers and clinicians assume to be the case. Research methods aimed at eliciting a narrative of IDP’s experiences and concerns, rather than scores on checklists or questionnaires may be more appropriate in identifying such needs as the demand characteristics of forced choice responses may be minimized. Meanings are shaped by previous experiences and collective ways of making sense of the present.

In many contexts where people are affected by violations of human rights, political turbulence, or severe social stressors, researchers are seen as trying to capitalize on such experiences in order to study these phenomena. Yet, participation in research projects to determine psychosocial needs, effective methods of service delivery, and the outcomes of the interventions of relief agencies are important in determining the extent to which interventions are effective. Moreover, rather than conceptualizing the process of participating in research investigations as harmful to IDP’s, it should be viewed as a mechanism of empowerment. Formulating a narrative of one’s experience in the context of a concerned, interested, and empathic listener may provide a forum for redefining and re-appraising one’s experience. Moreover, when data yielded by investigations with IDP’s are published in academic journals, news magazines, and books, this serves to call attention to the fact that IDP’s are an important entity within the international community of relief agencies. For a population that has historically been marginalized because of legal technicalities, research investigations may play an important role in making their needs and concerns more salient.
Skills required of researchers

In order for research with IDP’s to be conducted in a manner that is respectful, empathic, and non-pathologizing, researchers require specific skills in the conduct of investigations as well. Skills considered typical of helping professionals such as effective interviewing skills, the ability to convey empathy without projecting a sense of pathology on to the respondent, and assisting the person in managing and containing his or her distress at experiencing displacement are thus equally important for researchers to possess. Preparation specifically directed at being able to elicit sensitive information is imperative in the training of researchers who conduct studies with IDP’s.

Conclusion

The debate surrounding the appropriateness of a psychiatric model to conceptualize the sequelae of internal displacement is, as yet, unsettled. Most understandings of the sequelae of internal displacement rest chiefly on the epistemological premise of psychiatric nosology. This paper offers a critique of a uni-dimensional psychiatric approach to understanding the effects of internal displacement, and suggests that a broader, more contextual, and more indigenous paradigm may be appropriate. Such a critique, however, fully acknowledges the suffering of IDP’s and their families. There is an ongoing need for continued research that takes into account local contexts through the collaborative efforts between mental health professionals, relief workers, academic researchers, and most importantly, with IDP’s themselves. Methodological approaches that consider local contexts and personal meanings of IDP’s will likely yield important data in determining the psychosocial needs of this population.
References


Kos, A. 1997. *They talk, we listen*. UNHCR and Slovenska Fondacija, Ljubljana.


FROM CRUDE ESTIMATES TO COMPLEX REGISTRATION:
UNICEF’S STUDY ON DATA AND INFORMATION ON INTERNALLY
DISPLACED PERSONS IN ANGOLA, COLOMBIA AND SRI LANKA

Jan Olav Baarøy

1. INTRODUCTION

Every year, millions of children are victims of violence, abuse and neglect and exploitation, and are separated from their primary caregivers. Many of them have been targets of sexual violence, abduction, forced displacement, and recruitment for use in armed conflict in violation of international law. Whether directly or indirectly affected, children in situations of armed conflict lack the protection and care inherent in the rights of all children.

In 1994 Graça Machel was appointed to undertake a comprehensive study (UN 1996) on the impact of armed conflict on children, and a review was conducted by Graça Machel in 2001 to assess the progress made and obstacles encountered in efforts to protect children in armed conflict. The report identifies the “improvement of information, data collection, and analysis on children in conflict” as one of the 10 key themes in increasing children’s protection in armed conflict (Machel 2001, 5).

In November 2001 the UNICEF Division of Policy and Planning initiated the pilot project to assess available data, related information, and data collection mechanisms for children affected by armed conflict (CAAC). The overall project goals were:

- To better understand the situation of data availability in three countries affected by conflict.

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2 Jan Olav Baarøy work in the Strategic Information Section, Division of Policy and Planning, UNICEF New York. Email: jobaaroy@unicef.org. This paper is based on the report: Data and Related Information on Children Affected by Armed Conflict in Angola, Colombia & Sri Lanka, 2002, by Jan Olav Baarøy, Lyn Nguyen Henderson, Gareth Jones and Edilberto Loaiza.
- To acquire and analyse existing data and data collection mechanisms.
- To develop a systematic approach to identifying and describing CAAC data and related information in a broader range of countries.

In the beginning of 2002, teams of two persons visited the three countries with the following mission objectives: 1) to obtain a better understanding of the situation of CAAC information, data collection, and analysis; 2) to acquire available data, information, and research instruments from UNICEF, UN agencies, Government ministries, and non-governmental organisations; 3) to gain further knowledge about the capacity in country to monitor the situation and collect data/information on CAAC; 4) to draw upon the expertise of the field staff to learn more about the gaps in knowledge and information; and 5) to identify the key areas where data would be useful for CAAC programme planning, policy, or advocacy. This paper shall present the findings and recommendations regarding data and information on Internally Displaced Persons (IDPs) in Angola, Colombia and Sri Lanka.

2. PILOT STUDY COUNTRIES

The reasons for choosing Angola, Colombia, and Sri Lanka as the pilot countries included the long-lasting conflict situations, the presence of national and international humanitarian organisations, and the existence of various strategic information systems with data on children affected by armed conflict.

Since its independence from Portugal in 1975, Angola has experienced ongoing internal conflict with competing political movements. In recent times, war tactics turned to the strategic use of the civilian population. Massive, forced displacement was caused by both UNITA and the Government which used violence, or the threat of violence, to separate civilians from their homes and land. Internally displaced persons account for one third of the entire population. While no census has been conducted since the early 1970s, the population of Angola is estimated to be over 12 million, 4 million of which are estimated to be displaced. Due to the emergency nature of the humanitarian situation, the emphasis of most programs and projects has been on providing services and supplies. The collection and analysis of disaggregated data has not been a strong priority, and there has not been a coordinated effort to gather and share data to analyse the situation of children affected by armed conflict.
Colombia has lived during the last 35 years a progressive development and advance of internal conflict and war. Many of the reasons for the armed conflict are derived from social inequality, lack of political participation and from the inconsistency of the Social State of Law. In confronting the guerrilla movements (mainly FARC and ELN) the Colombian state has involved its military apparatus in different forms including diverse forms of private violence, with the “paramilitarismo” as the typical case – armed civilians groups developing counter insurgency activities in conjunction with the armed forces. This complex scenario of conflict and violence affects children in different ways, particularly in the systematic violation of their rights. The government, national and international humanitarian organisations have the capacities to collect, analyse and disseminate disaggregated data on children affected by armed conflict, however the challenge is the lack of co-ordination and common grounds for reporting mechanisms.

Even prior to independence from Britain in 1948, Sri Lanka experienced ongoing ethnic and religious tensions between the Sinhalese Buddhist majority and the Tamil Hindu minority. In 1983, Sri Lanka's civil war commenced with the killing of a group of Government soldiers by the armed separatist group - the Liberation Tigers of Tamil Eelam (LTTE) - followed by a Sinhalese rampage which massacred hundreds of civilians and left many displaced. It is estimated that over 64,000 people have been killed throughout the conflict, and over 800,000 people are displaced countrywide with major destruction of towns and villages in the north and east (UNHCR 2000). While there has been a relatively strong infrastructure for data collection and analysis already in place in Sri Lanka, the armed conflict in the north and east has deterred much of the data collection, thus some of the Government statistics are sub-national. UN agencies and NGOs working in the north and east have conducted targeted situation assessments and have collected some data, mainly for the purpose of programme monitoring. At present, UNICEF-Sri Lanka’s Children Affected by Armed Conflict Unit is coordinating efforts to increase the knowledge base on CAAC.

3. METHODOLOGY

The framework utilised to structure the examination of data and information was drawn from themes of the Graça Machel study The Impact of Armed Conflict on Children, and developed in consultation with individuals with thematic expertise. Major categories included: Internally Displaced Persons, Refugees, Separated Children, Child Soldiers, HIV/AIDS, Gender-based Violence and Sexual Exploitation, Psychosocial Impact, Health and Nutrition, Education,
Landmines and UXOs, Small Arms, Sanctions, Social Mobilisation, Birth Registration, and Rights Violations.

When gathering data and related information, it is important to clarify the target population and population denominator. The CAAC conceptual structure may differ slightly between countries, however the general concept remains the same. Of the total number of children in a given country with armed conflict, all children may be indirectly affected by the conflict, while a smaller proportion of children are directly affected:

![Figure 1: A conceptual model of children affected by armed conflict](image)

A desk review to gather country-specific information on existing studies, research, data- and information systems was conducted from UNICEF headquarters prior to each country mission. A draft inventory of existing data and information was developed from the desk review and sent to each UNICEF country office. In addition, organisations working on CAAC were identified in the desk review, and a list was sent to UNICEF country office. Field visits were carried out in Angola and Sri Lanka, however security restrictions prevented the team from making a field visit in Colombia. The visits were invaluable for observing the difference between the data collection methodology used in practice versus that written in a report. Examples of the data produced from data collection systems and mechanisms were collected. Many of the agencies provided the teams with access to the instruments behind the reports. Research methodologies, questionnaires and database outputs were gathered whenever possible to accompany the information presented in the reports, evaluations, or studies.
4. ANALYSIS OF DATA AND RELATED INFORMATION ON IDPs

Internally displaced children are among the most vulnerable people in the world since they are often separated from their support networks and deprived of basic needs and social services including food, clean water, sanitation, healthcare, and education. Unlike refugees, the IDPs remain within their national boundaries, often at the mercy of those who caused them to be uprooted from their homes in the first place. When a government is unable or unwilling to assist the displaced population – or is itself the cause of displacement – the international community is called upon to take action (Machel 2001).

While the UN *Guiding Principles on Internal Displacement* was developed in 1998 by Francis Deng, the Representative of the United Nations Secretary General on Internally Displaced Persons, there is no designated organisation responsible for the coordination of assistance, and no established framework of international protection for internally displaced persons (Save the Children 2000). Humanitarian assistance remains ad hoc and largely inadequate despite the efforts of organisations such as UNHCR, WFP, UNICEF, OCHA, ICRC3, and Save the Children.

In countries such as Angola, Colombia, and Sri Lanka, where the armed conflict has lasted for years, a detailed understanding of the situation of the displaced is vital to their protection. The types of data collection mechanisms utilised in the three countries include: 1) estimation of IDP numbers; 2) registration of IDPs; 3) household surveys; and 4) programme monitoring systems.

Estimates for the number of IDPs are formulated from multiple sources – a compilation of informed opinions of those working directly with the IDP population. Yet the quality of these estimates is uncertain and not easily verifiable. In many countries, population figures for displaced people – and especially displaced children – are only crude estimates. Registration systems for IDPs targeting newly displaced persons or all displaced persons, gather numbers or information about IDPs who require emergency assistance or social services. Though this mechanism has great potential for data collection, the coverage may be limited, or there may not be data comparability between multiple registration systems.

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3 United Nation’s High Commissioner for Refugees (UNHCR), World Food Programme (WFP), United Nation’s Children’s Fund (UNICEF), Office of the Coordination of Humanitarian Affairs (OCHA), and International Committee of Red Cross (ICRC).
Household surveys which collect information on IDPs include both nationally-representative, population-based surveys that can disaggregate data by displacement status, and smaller-scale surveys targeting the IDP sub-population. If the coverage is adequate and the methodology is sound, data collected via these household surveys represent one of the best approximations to the reality of the IDP population. Programme monitoring systems which regularly collect new data to track programme progress against baseline data, may yield disaggregated data for IDP health, education, or food assistance, yet broader analysis of the situation of IDP children may be constrained by the limited programme coverage or the lack of data comparability.

Socio-demographic characterisation of IDPs, achieved through multiple data collection mechanisms (such as surveys, registration, vulnerability analysis, or programme monitoring), allows for an in-depth examination of IDP profiles. This information can be very useful for programme planning, however age- or gender-disaggregated data that are collected for demographic, health and social indicators are often gathered from small samples that are not necessarily representative of the entire IDP population.

There are also mechanisms that compile data and information on a wide range of issues related to IDPs. The Global IDP Project coordinated by the Norwegian Refugee Council maintains a database that stores secondary information and data on the internally displaced population. Information is periodically compiled from different sources, time periods, and geographical areas, thus providing a broad illustration of the IDP situation in a given country, yet limiting the ability to use the data and information for situation assessment or trend analysis. Within countries, there are no standard guidelines for the acceptance, compilation, and analysis of secondary data in a consolidated database. Therefore, mechanisms such as the Child Info database (from UNICEF) or the OCHA database of key social indicators (both in Angola) have limited ability to compare and analyse data.

Though estimates on IDPs in Angola, Colombia, and Sri Lanka vary according to the source of data, a brief outline for each country provides a context for understanding the issue:

In Angola, IDPs are individuals throughout the country that have been displaced from their homes since the conflict began in 1975. Though accurate displacement statistics have not been maintained, according to OCHA, an estimated 3.5 million persons have been forced from their homes since 1998, bringing the total number of IDPs to an estimated 4.1 million (1/3 of the entire population) in 2002 (OCHA 2002). Approximately 1.36 million IDPs have been confirmed by humanitarian partners and receive assistance. Of those receiving assistance, around 320,000 IDPs
live in camps and transit centres. The majority of IDPs are semi-integrated into urban or peri-urban areas.

In Colombia, there have been recurring waves of displacement around the country since 1985, yet estimating the number of IDPs is difficult due to varying practices of data collection between the Government and humanitarian organisations. According to CODHES, an estimated 341,925 persons were displaced in 2001, bringing the cumulative number of people displaced by violence since 1985 to approximately 2.5 million (CODHES 2002). Most IDPs move from rural to urban areas and are semi-integrated into the urban population. None of the IDPs in Colombia live in camps but there are areas where the majority of the inhabitants are IDPs.

In Sri Lanka, IDPs are those that have been displaced from their homes since the armed conflict began in 1983. The major areas of displacement are in the north and east. According to UNHCR and the Government Ministry of Rehabilitation, Resettlement, and Refugees, there are an estimated 800,000 IDPs, with 713,379 receiving food assistance. Of those receiving assistance, approximately 175,000 live in “welfare centres” or camps, while others are semi-integrated into the urban or peri-urban population (UNHCR 2001).

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Table 1: Comparative Analysis of Data Collection Mechanisms.
Mechanisms
The systems of information of IDPs observed and assessed can be classified in many ways. In this assessment we shall focus on:

a. Registration;
b. Quantitative estimation;
c. Household surveys;
d. Program monitoring systems.

Registration
There are established systems of registering internally displaced persons in all three countries of Angola, Colombia and Sri Lanka. Despite the fact that Angola has the highest number of IDPs amongst the three countries, the country has a single, recent registration system. The Government registers the incoming IDPs at reception centres before sending them to camps and transit centres. Registration allows IDPs to receive humanitarian aid. Only aggregate numbers of new IDPs are collected, and basic information such as age, gender, place of origin, and reason for displacement are not registered. The first official contact with IDPs occurs during the registration process, therefore to take advantage of this contact, efforts should be made to properly document their existence and to use the information to identify paths of action. The coverage of this system is questionable as not all IDPs arrive at receptions centres, but settle elsewhere. From a child rights perspective, the system is weak as it does not provide disaggregated data.

In selected areas of Angola, UNICEF has conducted verification of the IDP registration. Disaggregated data were collected during UNICEF verification. According to UNICEF, the verification process has resulted in the registration of a lower number of IDPs than the Government registration claimed to exist. This may be explained, in part, by the sales of IDP registration cards to people from the resident population that also need humanitarian aid, but do not receive it due to the priority given to IDPs. The benefit of a verification system is the ability to compare and adjust the data. However, in this case, as the Government registration system does not disaggregate the data, therefore the level of comparison – except for the total number of IDPs – is absent.

In Sri Lanka the Ministry of Rehabilitation, Resettlement and Refugees (MRRR) and the United Nations High Commissioner for Refugees (UNHCR) began a joint project in February 2002, to register all displaced persons and all Government-assisted newly resettled persons. Prior to 2002, IDPs were registered by the Government for humanitarian aid only. The new registration system
has the ability to obtain demographic and social data such as: age, gender, religion, ethnic group, relationship to head of household, identification documents, location and living situations, food assistance, displacement history, income and assets before and after displacement, education, employment, disability, resettlement/relocation preferences, and assistance needed to resettle. While no incentives are provided and there is no legal requirement to participate in the survey, the IDPs are requested to register and complete the survey in order to assist the Government in the planning of future assistance that the IDPs may require. Contrasted with the registration system in Angola, this mechanism has the potential to collect programmatically useful, disaggregated data, however the sample population is not random and adequate coverage of the target population is not guaranteed.

The registration of IDPs in Colombia is far advanced in comparison with Sri Lanka and Angola. There are three systems of registration: The Red de Solidaridad Social (RSS) registration of new IDPs. Since March 1999, the RSS has co-ordinated the national system for attention to IDPs (Sistema Nacional de Atención Integral a la Población Desplazada – SNAIPD) which includes all public, private and community entities involved in servicing displaced populations. RSS has supported the creation of the National Information Network for IDPs using: a) the estimation of IDPs by a System of Verified Sources (SEFC); and b) the National Registration of Displaced Population with the Sole Registration System (SUR), which uses four basic tools or formats – the sole declaration format, the format to assess declarations, the format for characterisation of displaced households, and the format to follow up the services provided to IDPs.

*Information system on displaced population due to the violence of the Conferencia Episcopal Colombiana (RUT).* This system captures information for the displaced populations via the teams and volunteers of the Pastoral Social (catholic church), religious communities, institutional programs and NGOs working with the catholic church. Since 1997, the RUT information system for the displaced population has been using a national survey to collect data and to characterise the displacement and dynamics involved. In this process the system includes IDPs registered and not registered with the RSS who obtain services from the Catholic Church. The survey includes a wide range of information related to the IDPs before (land ownership, education), during (services received, school attendance), and after (return expectations, health status) displacement, as well as individual characteristics of the persons. Information is collected either at the time services are offered (supply scheme), or at the time of service delivery (demand scheme). For both the RSS and RUT systems, there is inadequate access to certain geographical zones due to the armed conflict and the lack of operating networks for data collection in the territorial units. This prevents the systems from having a nation-wide presence.
The System of Registration of Services Provided by the International Committee of the Red Cross (ICRC). ICRC reserves its right to keep information confidential and for internal use only. The reports produced by ICRC include information related to the population assisted such as: number of persons and families assisted classified by gender, population under 18 years of age, female-headed households, province and municipality of origin and arrival, and type of services provided. There is no estimation of the total number of IDPs in the country by ICRC.

Registration of IDPs has shown to be problematic due to lack of access to areas where people are displaced, as well as fear of inappropriate use of the information. On the other side, adequate and disaggregated data are necessary for programming. A challenge is to gather enough information for appropriate humanitarian interventions, from multiple sources which have access to different areas and groups in a country.

Quantitative estimation

Estimates of total IDP numbers are generally formulated from multiple sources. In Colombia, Red de Solidaridad Social uses a system of verified sources to estimate the magnitude of forced displacement caused by the armed conflict. The information is prepared by the RSS territorial units via consultation with the organisations belonging to SNAIPD and by direct consultation with the displaced population. Direct consultations with IDPs are obtained through the network of NGOs providing humanitarian assistance, the territorial units, and during RSS fieldwork. The RSS units in each province compile the information from the various sources.

The CODHES system of information on forced displacement and human rights in Colombia (SISDES) processes information on the displaced population via three main strategies: monitoring of secondary sources, collection of information from displaced households, and research. CODHES looks, in a systematic and permanent way, at newspapers and magazines at the national, regional and local level for information on displacement events, human rights violations, infractions to international humanitarian rights, and other types of violence related to this problem. Given the likelihood for erroneous estimations, CODHES verifies the information via local authorities, church authorities, NGOs, organisations for displaced populations, and when possible, the communities experiencing the displacement.

In Angola, the Office for the Coordination of Humanitarian Affairs (OCHA) monitors population movement and IDP influx down to the communal level on a monthly basis (IDP Database on
Population Movements). Data are not disaggregated by gender or age, but identify: a) the number of those displaced (internally or as refugees), returning, resettled, by province; b) the number of IDPs “reported” by the Government at provincial level and the number of IDPs “confirmed” by humanitarian organisations to receive aid; c) the number of IDPs in camps and transit centres; and d) the reason for displacement (conflict vs. natural disaster).

The main concern with estimated data, such as the OCHA database on population movements is with the multiplicity of agencies involved in the production of information. Agencies follow their own system of data collection and reporting without standardisation. This mechanism could be substantially enhanced by the addition of standard guidelines for the inclusion of data in the database. Other concerns are the various interests behind the presentation of data, be it political or economic, and the (in-)appropriate use of methodology, which can create huge differences estimates within the same country.

Household surveys

In Colombia PROFAMILIA has carried out households survey for IDPs in marginalized zones, producing disaggregated results on health, HIV/AIDS and violence for five main geographic regions. They also carried out a Demographic and Health Survey in 1999, however, it did not provide IDP-specific data.

In Sri Lanka, UNHCR has conducted a number of assessments and small-scale surveys of Welfare Centres – both the physical condition of the facilities as well as the vulnerability of the IDPs. Data are collected on the number of families and individuals, place of origin, condition of shelter and land, water, sanitation, problems and needs. In addition, data on vulnerable individuals are collected and disaggregated by gender, age, occupation, place of origin, and welfare centre. Child-specific data are collected on school drop-outs and disaggregated by age and reason for leaving school. Even though the coverage may differ between surveys, there is an opportunity to compare relevant information from the various assessments in order to gain a broader understanding of the CAAC situation.

In Angola, the 2001 Multiple Indicator Cluster Survey provided disaggregated data on a wide range of demographic and health issues. Unlike the Colombia DHS, the MICS questionnaire included questions about residence and living situation over time, thus creating a proxy measure for displacement status. Though the reasons for a shift in residence remain unknown, the majority of displacement has been attributed to conflict rather than natural disaster. To date, the survey
data have not been analyzed and disaggregated by the “shift in residence” variable. Once this analysis is done, there will be data on the disparities between IDP and resident children, further illustrating how children are affected by armed conflict.

Population-based household surveys have the ability to produce data which closely approximate the actual situation. However, the surveys must be able to achieve adequate coverage of the target population, and the data must be disaggregated by IDP status. It is also important to use the same definition of IDPs across all countries. Household surveys are useful for humanitarian programming and for monitoring the situation over time. A challenge is to get the relevant institutions to do the research among IDPs.

Program monitoring systems

The Sri Lanka Commissioner General of Essential Services (CGES) is the government body responsible for issuing and recording both Government and World Food Programme (WFP) food assistance provided to the IDPs. Data from the CGES are disaggregated by the number of persons, families, living situation, district, and source of assistance, but not by age or gender. The World Food Programme has conducted baseline nutritional assessments in select Welfare Centres and currently provides food assistance to IDPs and resettled families. The WFP maintains data disaggregated by gender and age-bracket on the beneficiaries of the assistance programmes.

In Angola, The Ministry of Education and Culture (MoEC), supported by UNICEF and NRC, works to provide learning opportunities to IDP children through the Teacher's Emergency Package project. UNICEF incorporates into the Child Info Database data from the MoEC on the number of children that have been integrated into grades 1-3, those that have matriculated, and the locations of TEP projects. Only aggregate data are provided. In addition to the fact that education data are not available by age and gender, the information is mostly reported in absolute values rather than relative to a specific population.

In Colombia the Red de Solidaridad Social, the Catholic Church and ICRC collect data with the purpose of monitoring the impact of service delivery, in addition to the other purposes outlined above: registration, estimation, social characterisation.

Data from programme monitoring systems can be useful for the development or improvement of programmes, however samples are typically small and the data are not necessarily representative of the IDP population.
5. CONCLUSION

In all three countries UNICEF operates with the definition that *all children in the country are affected by armed conflict*. For internally displaced persons, the project team documented multiple data collection mechanisms and information systems that are based on routine data collection, registration, estimation, population-based surveys, or programme monitoring.

The results of the pilot project demonstrated the dearth of information and data on issues related to children affected by armed conflict, with some few exceptions, e.g. collection of and information mechanisms on data on IDPs in Colombia. It is evident that the knowledge base must be strengthened through the collection and analysis of data from Governments, UN agencies and NGOs. In addition, information and data should be gathered from non-state actors whenever possible.

While information sharing must improve, there are several challenges to the initial acquisition of adequate and timely CAAC data. Some of these challenges include:

- **Difficult access to population groups.** Limited access and data coverage can lead to results that are not representative of the wider CAAC population. When reporting CAAC data, it is important to indicate which population groups were inaccessible, and to specify the level of coverage achieved from the target group.

- **Sensitivity of information and data.** The validity and reliability of data collected on culturally sensitive issues may not be consistent. When collecting data, the pre-tested methods and tools should include measures which attempt to increase the quality of the data, such as the reassurance of confidentiality for the respondent and an explanation of the importance of obtaining accurate data.

- **Crude population estimates.** Without accurate population estimates, it is difficult to determine the magnitude of a problem or to make generalisations about findings. When reporting CAAC data, it is necessary to indicate the population denominator.

- **Variable indicator definitions.** Different definitions lead to problems of comparability between multiple sources of data. Where a lead organisation is identified for a specific issue, standardised indicator definitions should be established and promoted among all collaborating partners.

- **Inconsistent measurement methods.** The use of assorted measurement methods may render data comparability and trend analysis impossible. When developing or improving data
collection mechanisms, employ standardised methods and instruments that have been tested and validated in different countries.

- **Lack of data disaggregation.** Aggregate data is only useful for providing a “snapshot” understanding of an issue. When field-level data collection mechanisms are able to gather disaggregated data, all information must be sent to the central level for data compilation and analysis which can be used for programmatic, policy and advocacy purposes.

- **Weak data collection infrastructure.** A weak country infrastructure may prevent routine data from being collected in countries with conflict. When the acquisition of data relies on unconnected small-scale surveys, programme monitoring, and research studies, the coordination of efforts and information sharing between humanitarian partners are necessary for a CAAC situation analysis.

- **Fragmented data collection efforts.** Lack of coordination for data collection, assessment, analysis, and information sharing can lead to major gaps in knowledge or unnecessary duplication of efforts. Where a lead organisation is identified for a specific issue, the coordination of efforts should occur whenever possible, and the facilitation of information sharing should be a priority.

- **Lack of timely data and information.** Since the nature of a conflict situation is typically dynamic, data can quickly become outdated. When reporting CAAC data, it is important to identify the source and date, especially for data that are not collected systematically.

- **Highly variable data quality.** The quality of data varies greatly from one source to another, thus limiting data comparability. When compiling secondary data for a situation analysis, it is necessary to have strict guidelines for accepting and analysing the data in a consolidated database.

While there are several challenges to gathering data on children affected by armed conflict, there is a positive correlation between the cooperation among humanitarian partners and the strengthening of the knowledge base. Whenever possible, lead organisations should provide guidance for data collection, analysis, situation assessment, and information dissemination. Though absolute numbers (of IDPs) may be important to obtain for programme planning or advocacy purposes, the systematic collection of comparable, disaggregated data on demographic, health, social, and economic indicators is necessary for the development and provision of humanitarian assistance to children in situations of armed conflict.
6. RECOMMENDATIONS

Even though well-established systems for data collection were identified for conflict-specific issues (such as IDPs), by and large the trend is clear: data collection efforts and information systems on issues which are relevant in non-conflict situations are better established and have a better opportunity to generate data and information than conflict-specific data collection systems.

For conflict-specific issues where data and information systems are not well-established, any analysis of the availability and validity of data and data collection mechanisms must look at alternative sources of information aside from the established structures for data collection. Sources that rely on independent research, small-scale data collection, information from non-state actors, or other reporting mechanisms must be scrutinised since it is much more difficult to produce and obtain data for conflict-specific issues.

Summary of Recommendation

- Ensure registration or estimation data are disaggregated to reflect: age, gender, displacement history, location and living conditions, education, employment, and resettlement/relocation preferences.
- Certify a proper definition of “internally displaced persons” in line with the UN guidelines on IDPs, including a clear definition of the period of time a person is characterised as an IDP.
- Where data has been obtained prior to settlement in camps, verify data by assessing the camps.
- Ensure that estimation is based on multiple sources such as governmental, national and international humanitarian organisations.
- Assess and present the potential over- and underestimation.
- Distinct data on IDPs should be collected when household surveys are done in areas of mixed IDPs and non-IDPs.
- In conflict countries, a system should be developed and a lead organisation identified for managing data and information on IDPs.
- Where a lead organisation is identified, ensure proper co-ordination on the data-collection level and on the data-management/dissemination level.
- The government should be the main actor in registration and estimation, with support and verification done by the UN if necessary.
• UN should encourage UN agencies and NGOs to utilise the same parameters and develop a standard format for recording data.

• When compiling secondary data on IDPs, there should be: 1) strict guidelines for accepting and analysing secondary data in the consolidated database; 2) information given to collaborating partners on the guidelines for including primary data; 3) standardised reporting formats given to collaborating partners which clearly identify the population denominator and which require the reporting of disaggregated data (by gender and age, at minimum).

BIBLIOGRAPHY


INTERNAL DISPLACEMENT IN SRI LANKA:
REFLECTIONS FOLLOWING THE GUIDING PRINCIPLES PROJECT 2001

Danesh Jayatilaka

Background

In 1998 the Guiding Principles on Internal Displacement were introduced to the United Nations to draw international attention to the needs of internally displaced persons (IDP) and to enhance protection for them. Developed by an international team of legal experts, in collaboration with international agencies and NGOs, the thirty principles set forth rights of IDPs and obligations of governments, non state actors and international organizations towards these populations. The principles identified the rights and guarantees relevant to the protection of internally displaced in all phases of displacement.

In 2001, the Consortium of Humanitarian Agencies (CHA) in Sri Lanka, in collaboration with UNHCR and the Brookings Institution Project on Internal Displacement took on an ambitious undertaking to begin operationalizing the 30 Principles to Sri Lanka’s IDP related framework through a specialized awareness and training project. The objective was to enhance the protection and assistance conditions for the reportedly 800,000 registered displaced war victims concentrated in the North and East of the island.

As a part of the multi-faceted programme, the principles were used to assess and evaluate at policy and field level, the conditions of the displaced population. Procedures and norms available for the IDPs well being were measured. This paper attempts to convey the full and all inclusive state of affairs experienced by the people during the year 2001.

Note: the period under discussion is 2001 prior to the current cessation of hostilities and peace talks. The area of focus is the cleared/state-controlled areas in the conflict affected sector.

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The displacement environment

At the time of the Guiding Principles on Internal Displacement project, there was on record 492 IDP welfare camps across the island maintained by the government, with inmate statistics ranging from nearly a 100,000 to a few hundred persons per district. During this time the separatist conflict had reached a peak violent stage with both combatant forces using sophisticated arms and modes of attack at times of confrontation.

At numerous occasions large amounts of the population preemptively fled their lands and habitual residences because of confrontations to come (LTTE forewarnings of an attack on Vavuniya town in 1999 and Sudaikudah, Trincomalee in February 2001). The civilians were well aware of the conditions they could expect once the fighting started. Such events were as natural memory as making a pot of rice or cup of tea, and well learned by heart. At other times the populations were coerced to converge or relocate to designated areas or districts by either or both fighting forces (the forceful eviction of the entire Muslim population from the North by the LTTE in 1990) or fled during fighting because of the unbearable conditions when the fighting commenced (the entire population of Thenamarachchi was trapped during the military and LTTE confrontation in April 2000).

It seemed the average IDP in Sri Lanka had been displaced at least 5 times in his/her life. Reactively, while the government relief bodies, NGO, INGO, UN and other actors did take steps to mitigate the damage incurred in post conflict phase, their influence in preventing such incidents from happening in the first place was dubious. One should keep in mind there were 800,000 IDPs registered with the Commissioner-General for Essential Services Welfare Programme (the government/WFP programme providing rations relief to the displaced persons). No reliable records of head counts were available for the number of persons outside the programme. One out of every twentyfive persons was an IDP at the national level and one out of every three persons in the Northern region was displaced.

Movement restrictions and the “Cage”

Restrictions on the movement of IDPs, whether in camps or outside are well documented and known (e.g. the pass system in Vavuniya numbering over a dozen variations). Most of these restrictions appeared senseless and counter-productive as they did little to achieve the security objectives behind the actions, but merely suffocated and humiliated an already scarred population.
even further. Restrictions and new ‘laws’ were occasionally placed over night with various districts having their own assortment of movement procedures. Most saw the restriction as the vetting of general punishment towards an area and population. They were seen as ineffective and irrelevant, like closing the barn door after the horse had bolted. The harm done to personal wellbeing, loss of income and impediment to education on a collective level has never been determined.

The displaced people, when talked to, related their situation to being trapped inside a cage (the conditions within camps in spite of the government’s best efforts, were appalling and non-conducive to both the physical and mental health of a normal person, either individual or at family level). Furthermore, not being permitted to travel down South (the developed and peaceful part of the country) and not being allowed to move up North (because of non-permission by the LTTE, movement restrictions placed by the military or personal safety considerations) and while displaced, WAITING for return and resettlement, having to face the full platter of difficulties ranging from harassment, humiliation, discrimination, extortion, manipulation, threat, assault, unlawful imprisonment, torture etc. that IDPs in and outside camps as a norm encountered. And many had lived with this for over a decade.

It appeared that civilian displacement as a fall-out of the conflict was an inconsequential issue for the combatants, the government-military and the LTTE. It was therefore, imperative that institutions and bodies involved in the protection and assistance of IDPs (NGO/INGO/UN/government bodies) vehemently pressure in an effective manner, the two combatant parties relentlessly, to prevent them from committing ‘actions’ that would lead to mass displacement and eviction of populations. The effort needed to be proactive, relentless, committed and firm.

**Physical security and fear**

The issue of physical security was of grave concern among the IDP population. During the 2001 Guiding Principles programme, it was noted that the levels of ‘fear’ and paranoia for personal safety varied considerably from district to district. Districts such as Vavuniya, Mannar and Batticaloa contained the most ‘frightened’ IDPs. The effected population in Trincomalee and Ampara districts expressed lesser concern in regard to the physical safety/security issue, while areas such as Puttalam contained very little or no security concerns at all.
Both listening to the displaced and the field visits attested that the IDPs lived on a regular basis in fear. The sense of fear was predominant. Sudden rounding ups of the camp population were frequent, conducted by military personnel with the assistance occasionally of hooded informants. Family members were frequently not informed about the whereabouts or conditions of arrested persons. Threat of death, assault and torture were common practice. Information about arrests and detentions outside camps were frequently not provided to the camp managers who were responsible for the inmate’s wellbeing and functions of the camp.

The activities of pro-government militant groups were particularly distressing to the IDPs because of the militants common tendency to work outside the law. The abductions and detentions by the groups were especially frightening. Therefore, those living in the welfare camps remained helpless and vulnerable to the military personnel, intelligence units, paramilitary groups or militias entering camps or their actions.

**Violations – who to turn to?**

The Human Rights Commission (HRC) regularly entertained abduction and assault/torture complaints from the districts. However, only a few of these were recorded and reached Colombo as the perpetrators usually released the victim once they were aware that a complaint had been (or was about to be) lodged at the local HRC office. The matter was usually resolved at district level. While the ICRC did document human rights violations lodged by civilians, very few complainants were aware of the follow-up process or the outcome of the case/developments because of the organization’s confidential nature towards information. It was also common for victims and their families to receive death threats from the attackers if they pursued matters. Though no figures were available, most believed that a significant number of attacks upon IDPs never surfaced - the victims and their families preferred to keep silent and live with the event (or forget) rather than chase matters with designated authorities. A study conducted with the Human Rights Commission reveled that only one out of four attacks on IDPs were reported to the office.

Murders and massacres of non-combatant civilians had been conducted by both the military and LTTE in the conflict districts. Deliberate and calculated attacks by the two main combatants on villages or particular areas, especially by the LTTE on villages in the border areas because of the inhabitants ethnicity, for reprisal or for purposes of altering area ethnic composition, did frequently occur.
**Women, children and other special groups**

Whilst being difficult to assess the actual number of incidents, many hold the belief that there was systematic sexual exploitation and attacks upon women IDPs. A few rape cases reached the judiciary and public (e.g. Krishanthy case and the Mannar incident), but most remained under the surface as of victims being threatened with further attacks or death should they report the matter (or attacks and framed charges against family members). Further, there was the willingness to ‘live with it’ because of the strong cultural shame factor and consensual sexual involvement with security and public service officials as a means to obtain necessities. All these were due to a feeling of utter helplessness and domination.

Voluntary and forceful recruitment of children for combat was familiar among the LTTE, militias and home guards. The details and particulars of the LTTE child recruitments are well known in Sri Lanka and abroad. Parents remained ‘caught’ in a very difficult situation for the reason that as the children grew older, they become increasingly vulnerable by default, to both the military and LTTE as suspects or recruitment material. There were no wide scale programmes or policies to address the particular needs of the elderly or disabled IDPs.

**Human rights and the combatants**

Both the security forces and LTTE recognized the principles of Human Rights. However, out in the field the stressful conditions of the war were such that ground soldiers and LTTE cadres paid little attention to them or had little time for them. Hence, violations continued to occur, perpetrated by these day to day combat individuals. Human rights violations from a senior policy level (security forces and LTTE) could be addressed and possibly prevented with sufficient pressure applied in an effective manner by UN/NGO/INGOs. The effort needed to be proactive, comprehensive, relentless and multi level.

In conversations with military ground personnel, the impression was that they too were caught in a precarious situation. From the military’s point of view, a proportion of IDPs (or Tamil civilians for that matter) were either by conviction or by necessity (forcefully obliged) LTTE sympathizers who were able to step in and out of their IDP role when they chose. The distinction for the forces was difficult. So whilst no collective group was treated as such unless there was hard proof, the military field personnel were forced to see all of them as potentially hostile elements at most
times. The liberal use of anti personnel land mines by the armed forces and LTTE both for offensive and defensive war purposes caused considerable harm to inhabitants (including IDPs) with children amounting to one-third of the casualties. Statistics provided showed that Jaffna had the greatest proportion of mines and casualties. The damage to the environment, agricultural setback and individual loss of income because of this was significant. The abundance of Unexploded Ordnance (UXO) in the land also posed a major threat to the safety of the IDPs (and local inhabitants) when residing or attempting to return to their homes.

The struggle and its complexity

The daily life of an IDP was a highly complex struggle. Ideally, some form of study needed to be done to map by the hour (or minutes for that matter) all the dynamics and issues that an IDP faced during a 24 hour day, by subjects and variables, and sequenced probably with (fish bone type) cause and effect diagrams to capture the developments and influences one factor played on the other. Whilst there were adequate research and assessments conducted on specific areas, none really made the connections and cross references among all the areas to holistically assess the entire scenario. What was available was an abundance of separate issue specific information blocks. Rarely did they portray the true gravity of the situation. Such an assessment, if done, could communicate or come close to communicating the utter destitution and tragedy that the IDPs experienced on a day to day basis.

It would seem every district had its own ‘personality’. The needs and aspirations and the strengths and shortfalls among the IDP population and humanitarian system in each area were acutely different. Hence, the issues discussed below relate more to some districts than others and is not an across the board national generalization. A focus on the shortcomings is for the purpose of enhanced programmatic quality.

An in-depth view; food and rations distribution

Together WFP and the government supplied free dry rations to all the CGES registered IDPs in the country. The two providers had more or less the same delivery system (except for a few small differences), provided basically the same items/quantities and had demarcated well defined areas and populations for operations. The programme unfortunately had numerous problems at the recipient level. Problems ranged from staggered and broken up delivery of the food basket, extensive delays, low quality, culturally mismatched rice, unnecessarily complex and
bureaucratic delivery systems and misappropriation and skimming of rations at delivery points. Recipient/ground level monitoring by the providers and necessary adjustments in the system to enhance its fast and smooth flow was urgently necessary contrary to a ‘pour from the top and let be’ approach.

**Water and Sanitation**

Potable water was a consideration. While numerous government sponsored and NGO/INGO initiated projects worked to fill in the shortages in water and inadequate sanitation, there was still much to be done. In line with Sphere International Relief Standards most districts were seen to fall considerably under the minimum requirements formulated in the charter for water and sanitation for disaster affected areas. Sustainability of the structures too was a troubling issue, be it toilets or hand pumps, as many units seemed to break down because of overcapacity, negligent use and poor management (or no management) design. Bathrooms and hand pumps remained without being repaired for considerable lengths of time invariably causing overcapacity on the other units in the camp. Camps frequently faced the problem of pit filling in the toilets due to the local government office having inadequate equipment to conduct timely cleanings. These toilets were avoided by many people in the camps who preferred to use the nearby forests or fields instead, causing a serious health issue and security problem for women.

**Shelter, camp conditions and management**

The government maintained the 400 plus IDP Welfare Camps in the country. While some camps were structured as long line rooms (i.e. Vavuniya and Mannar), districts such as Puttalam and Akkarapattu in Ampara tended to have clear separate constructions. The space provided however stood at around ten feet by ten feet per family. As most IDP families practiced insufficient family planning and constituted sometimes up to 10 members, the spacing was rather inadequate. Such close proximity living and lack of privacy (bedroom, kitchen and living all together), caused numerous problems including incest, molestations, teenage pregnancies and extramarital affairs.

Most camps were overcrowded and neglected with the IDPs within waiting for return and resettlement. As a product of the overcrowding (not the only reason) high amounts of alcoholism, individual/family conflicts, family breakups, fights, suicides and runaways in the camps were not uncommon conditions. As a matter of fact, as one sociologist stated, the camps were boiling tubs
of assorted social problems all tucked into a confined space. The pressure release valves provided by the humanitarian sector in the form of psychosocial programmes, community support groups and various awareness/educational efforts were frequently unable to meet the required minimum standards because of shortfalls in resources, facilities and adequate personnel.

The conditions of the buildings needed much attending and repair. A single camp manager usually managed each camp. The person was usually under tremendous pressure to live among the IDPs, fulfill their complex wants and needs, resolve numerous social problems and also obtain necessary maintenance expenses and management authority from relevant government officers. Public officials were frequently short of funds and caught up in highly bureaucratic processes for all decisions. It was the camp managers who usually faced the brunt of the blame and inmate anger because of deficiencies in the assistance and relief system.

**Employment and income generation**

Employment or any minor income did not come easy to IDPs. Jobs were usually menial labor, agriculture (as day workers in fields), assistance in a shop business/boutique or participation in an income generation scheme drawn up by an NGO. Travel restrictions, lack of transport and sudden security blankets (military clampdowns on areas and roundups of suspects) were a significant hindrance to finding and maintaining a secure job. Daily full time wages were around Rs 150.00, if the person managed to put in the full 8 hours (this figure would usually vary depending on gender and location of employment). Putting in the full hours was not necessarily easy as it took time to travel and pass through the numerous checkpoints along the way, and on top the return time that the IDP also had to keep in mind so as not to violate the evening time curfew in the camp.

**Health and lack of capacity**

The health sector in the conflict affected region, because of the government’s general shortage of sufficient funds (cutbacks in health, education, construction etc. were happening all across the island to meet the rising financial cost of the war), complimented by administrative difficulties in the areas, was under resourced, understaffed and ineffective. Most hospitals had inadequate beds, specialized facilities or ample stock of medicines. Due to these reasons the services provided to the populations, IDPs or non IDPs were rarely appropriate. IDPs frequently needed to travel great distances, on top of cumbersome travel procedures and permissions for travel, to obtain adequate
treatment. Most instances they preferred to put up with what was available rather than undergo the difficult journeys, exacerbating their health problems even further.

Staff at public hospitals on occasion practiced discriminatory treatment towards IDPs as a way of venting their frustrations on the difficult work conditions and lack of support infrastructure. The IDP patients (especially those from different districts) were usually the last to be attended to and frequently underwent demeaning and humiliating treatment to their personal dignity. Due to these reasons, specialized NGOs and INGOs were actively involved in the districts conducting psychosocial programmes, counseling, field clinics, patient transfers and on location emergency operations to fill in and support government programmes.

**Documentation**

A great many IDPs possessed inadequate documentation on their person. As a result of this they faced numerous difficulties retracing links to their original livelihoods or progressing forward in daily life. While a substantial number of NGOs were presently assisting and guiding these people through the process, the effort was still exceedingly taxing because of the complex structural nature of the public institutions, conflicting policy, departmental confusions and vague procedures.

Many were the times when IDPs encountered “catch 22” situations, when it came to documentation. IDPs were occasionally told to obtain the original supporting documents (or a certified copy of it) from their place of origin for the public official to issue a usable copy for any one of the numerous papers a person needed for normal life. Still, a few districts did have the good fortune of having genuinely committed individuals and efficient government servants and departments providing effective leadership and empathic dynamism towards the welfare of IDPs. These people however were rare commodities and a handful in nature.

**Land, ownership and compensation**

IDPs in the camps were as wealthy as the possessions they had on hand. There was ongoing debate over their rights and privileges to the property (land and buildings) they left behind, because of certain time oriented national laws. Nevertheless they yearned for the day when they could go back, repair their houses and cultivate the land they left long ago. Most properties were
undoubtedly badly damaged, neglected, encroached or even occupied by either of the fighting forces, hence posing an additional challenge for the returnees. The government had put into operation financial grants and compensation programmes for properties, renovation of private buildings, places of worship and war affected industries. Recipients and case lodgers however were cynical and dissatisfied with the programme due to delays, inaccurate payments and other public institutional problems mentioned earlier. There were no specialized programmes paying attention to special groups of indigenous people (i.e. gypsies) or their lands. Security considerations took precedence at all times over matters concerning land.

**Return and resettlement**

No large scale programmes of return or resettlement were occurring in the country per se during the time of the project. Two northern high intensity conflict districts however had initiated some efforts and were conducting preliminary movements of IDPs.

**Planning ladder and decision making**

All return and resettlement programmes were initiated and managed by the government. Government officials selected sites and drew up plans. There was considerable deliberation over the amount of ‘real’ say the IDPs had over the selection of locations and movement time frames, with many of the displaced claiming that they had very little choice in the issue. Testimony existed that occasionally IDP groups were ‘encouraged’ to move by means of reductions in welfare provisions, drawbacks in camp maintenance and aggressive troop movements in the vicinity. Furthermore, NGOs were called into the picture and consulted only later. Most NGOs and local community groups were unhappy over this practice and continued to point out numerous problems that could become evident at later stages among the new settlements because of such authoritarian and closed door tactics by the government. Both the IDPs and local NGOs pointed to some sites, especially in one district, as buffer zone ‘shield’ devices orchestrated by the government.

Government officials justified their decisions with arguments about security issues, state responsibilities, resources, procedures and time frames. They categorically rejected all buffer zone accusations as unfound paranoia and rumors brought up and caused by vested interest groups. There was much concern among district public servants and the Government of Sri Lanka (GOSL) policy makers over the prolonged duration the IDPs had been ‘looked after’ in the
camps and the high levels of dependency that had set into the population. It was their view that the sites chosen were secure, livable and within the realistic situation / resource scenarios and prevailing ground conditions.

**Return and resettlement locations**

Project staff on field visits observed that the government had gone into considerable length to provide good housing, land, electricity, water, roads and other facilities at the settlement locations. Still, even as the physical structures were there with the programmes deserving just credit, doubt remained on the sustainability of the communities, opportunities for permanent employment, long term environmental impact (related to longevity and economic health of the community) and the locations’ vulnerability to military and LTTE confrontations. It was difficult to observe any form of general discrimination or conflict among the local communities in the settlement stage since no major IDP return and resettlements occurred. Nevertheless, there were occasions when local communities vehemently opposed any IDP settlements. The Government carried out development projects in the area to promote equity and better relations between IDPs and local populations in these instances and to stress the benefits of the programme to the home community. Still, local attitudes and empathy towards the new groups attempting to rebuild their lives in the locality remained in question from a long-term perspective.

**Symbolic representation and the “Shadow Participant”**

IDP communities in both the earlier mentioned districts complained that their participation in planning and critical decision making meetings as well as information shared with them in the settlement process was inadequate. It gave the impression that Government–IDP consultations were mostly one sided with the IDPs contacted only for the sake of record. Choices were usually marketed with attractive benefits in the form of loans, grants, better facilities and greater freedom of movement, in spite of many shades of gray and unclear particulars found subsequently.

While management committees for the programmes did include IDP representatives, their say and ability to influence the process was uncertain. The committees usually shunned IDPs who asked too many questions and those who were not readily agreeable to decisions. They were considered difficult and demanding. It seemed that most people in general expected IDPs to take what was given, because as one person stated “they had nothing else”.
Final Thoughts

Overcoming seeing IDPs in a discriminatory manner on the grounds of ethnicity, status, helplessness or for the reason ‘they would also feed on what is ours’ could come about only with a radical shift in attitude and prevailing knowledge. Neither hastily drawn up district policies nor giveaway infrastructure could achieve this. Parallel programmes needed to be conducted aggressively to sensitize the local population to the problems IDPs faced and also the ‘part’ the specific settlement projects could play in the overall dynamics of the conflict, in national systems and policies in place and in the country’s future. Both micro and macro scenarios needed to be imparted.

Unfortunately, this form of all-inclusive information was inadequately shared with the locals, leaving them in the dark, thus preventing the communities from having ‘ownership’ in the process and taking personal responsibility in the progression being developed. Transparency, genuine information sharing and collaborative management in a mutual ‘partnership’ among relief/protection programmes and recipient population called for urgent attention in some places. A complete paradigm shift was necessary. It was because of such oversights that a number of valuable projects inadvertently were stirring up local jealousies, anger, conflicts, power/control competitions and other misunderstandings. The project staff detected a number of cases where local inhabitants envied the ‘attention’ the IDPs were getting, and themselves felt alienated. Return, resettlement and relocation programmes need to be sensitive to this and mitigate any such polarization at the very inception.

For references see:


Websites

www.brookings.edu, Project on Internal Displacement

www.idpproject.org, Sri Lanka

www.unhcr.ch, Sri Lanka
APPENDIX: Operations of the year 2002 follow up project

Project: **Guiding Principles on Internal Displacement training, dissemination and assessment programme**

Project grant: Brookings – CUNY Project on Internal Displacement

Implementing Agency: Consortium of Humanitarian Agencies

Project Coordinating Officer: Danesh Jayatilaka

Duration: 1 year (Jan – Dec 2002)

**Project objectives**
1. Use of the GPs for promoting a framework for protection and assistance of IDPs at grass root level
2. Use of basic needs (8) for district/grass root level knowledge enhancement and conditions assessment

**Operational mechanisms**
A. Trainings  B. Dissemination  C. Assessment tools

**Target group**
IDPs, Grass root level organisations and non state actors. Also government for district capacity evaluation and piloting of workshops

**Target area**
Trincomalee, Vavuniya, Multhivue, Killinochchi, Jaffina, Batticaloa, Ampara and Mannar, concentrating in non state actor controlled areas

**Implementing mediums**
8 district training workshops on GPs and basic needs (rights based training supported by technical know how for 8 critical sectors)

Production and dissemination of awareness / information material on basic needs - leaflets and posters

Use of 8 assessment tools for evaluation of district/area conditions

*(all activities in non state actor controlled areas)*
Basic needs sectors covered in programme
Food
Shelter
Education
Safe land (freedom from landmines and UXO)
Health
Psychosocial considerations
Water
Project personnel and partners

Resources
CHA, 16 member advisory / consultant group, field resource / co facilitator persons (Helvitas, FORUT, CHA and SEDEC Caritas)

Design and co-ordination
Project cord. officer

Implementation
North East Provincial Council, Government Agents office Vavuniya and Tamil Rehabilitation Organization

Conceptual illustration on Arrangement (Top down and bottom Up)

Project advisory group for subject consultation and assessment analysis

WFP Food
UNICEF Children / Education
UNHCR Relief / Shelter
Ministry of Health Health / Nutrition
Faculty of Education, Col University Education
Faculty of Medicine, Col University Health / Health Education
SCN Psychosocial programmes
Helvitas Water / Sanitation
ACF Sanitation / Agriculture / Food
Psychologist (independent) Psychosocial factors
Epidemiologist (independent) Public Health / Community Programmes
National Housing Authority Shelter
MARC Landmines / movement
Department of National Planning Development / Infrastructure
Ministry Vanni Rehab. Regional Development
Ministry RRR Regional Development

and (informal)
OXFAM Sphere
SCUK Sphere
Summary breakdown of the workshops by district for the year 2002 programme.

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Note: also training and material provided to staff in the Sri Lanka Human Rights Commission IDP Unit as an extension of the project

Abbreviations

NEPC  North East Provincial Council
TRO   Tamil Rehabilitation Organization
GA    Government Agent
CBO   Community Based Organization
LNGO  Local Non Governmental Organization
INGO  International Non Governmental Organization
REHABILITATION OF INTERNALLY DISPLACED PEOPLE AND ITS CHALLENGE IN NORTHERN ETHIOPIA

Tamirat Mulu

Summary

The border conflict between Ethiopia and Eritrea that erupted in May 1998, ended through a negotiated political settlement in December 2000, leaving behind a legacy of displacement, insecurity, damaged public infrastructure and loss of household assets and livelihoods for more than 300,000 internally displaced people (IDP) and 95,000 returnees in Ethiopia alone along the 1,000 kilometer border between the two countries.

Following the peace agreement in December 2000, the majority of IDPs (70%) have returned to their place of origin, though full resumption of agricultural production is still limited by continuing lack of inadequate inputs, proximity to areas not yet de-mined, and lack of shelter, where original housing was destroyed. War affected areas in Ethiopia are now more concerned with the challenges of post war recovery at the household and community level to enable an effective return to productive and secure lives.

Civilian Displacement and its impact

The majority of civilian displacement (75%) in the northern Ethiopia occurred during the beginning of the war in 1998. The most intensive displacement occurred within the first weeks of the war, with a total of 175,000 displaced in Tigray region. As of April 1999, a total of 315, 936 people were reported to be displaced.

Due to the displacement, civilian people have been subjected to both social and economic crisis. They lost their life, malnourished, injured, lost their productive assets, their houses destroyed,

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forced to live in makeshift camps and caves, lost productivity and dignity, children discontinued to go to school, displaced women with little or no income have been pressured to engage in prostitution, exposed to psychological trauma etc.

**Humanitarian Assistance**

The World Food Program (WFP) has been providing assistance to 272,000 people displaced by the conflict since April 1999. Since July 2000, food distributions were extended to an additional 15,500 newly displaced. So far the. In addition to provision of food, different NGOs have provided medicine, clothing, blankets, and plastic sheets to make small shelter, house utensil and safe water. Since March 2002, WFP is distributing food to the 78,000 IDPs caseload. According to the recent information from WFP this food assistance will only continue until December 2002.

**Rehabilitation of IDPs**

For the international community, the cease-fire has provided an important opportunity to facilitate the return process and to rehabilitate infrastructure and social services that were damaged or disrupted due to the war and associated displacement of civilians.

Following the subsequent peace process, a loan agreement was reached between the World Bank and the Government of Ethiopia for Post Conflict Recovery Programs which amounts to $ US 260 million. Donors including USAID and a range of UN agencies (UNICEF, FAO, WHO) and NGOs also allocated some US $ 8 million.

Implementation of the rehabilitation program started since early 2001, on the following activities:

- House hold rehabilitation
- Rehabilitation and reconstruction of damaged social infrastructure
- HIV/AIDS prevention, care and support for civilian in the war – affected areas
- Humanitarian de-mining
- Rehabilitation of damaged roads bridges and power supplies
Land mines Clearing Program

Land mines were sown extensively throughout the border area with Eritrea, including agricultural farmlands and evacuated dwellings, as well as access routes. It is estimated that over 1 million anti-personnel and anti-tank mines are planted throughout over 100,000 hectares of land along the common border.

The Ethiopian mine action office (EMAO) was established formally in February 2001 by the council of Ministers, with a brief to manage mine clearance and education related activities. Under the World Bank supported emergency recovery program, US $ 30 million have been allocated to support the work of mine clearance and education and protection of civilian population.

In its so far activities, Ethiopian Mine Action Office (EMAO) reported that the de-mining survey was completed. The first de-mining action has started since May 5, 2002 in two main mine infested areas. However, the operation is so slow and affecting the rehabilitation program.

Challenges on the Humanitarian Assistance and Rehabilitation of IDPs

- A slow progress on clearing of landmines is a constraint to a significant number of displaced households from returning home and start normal life.
- Despite positive developments following the April 13 Border Demarcation decision, relations between the two countries remain tense and the border is not expected to be formally reopened at least until the actual demarcation of the border is completed.
- The economic impact of the war goes beyond the direct loss of life and assets caused by the military conflict. For many of the communities close to the border particularly, cross border trade with Eritrea was a major source of income, and the loss of this over the past years has greatly reduced or destroyed the livelihood of many households.
- The prevalence of HIV/AIDS has increased substantially in the war affected areas, where high concentration of military personnel has resulted in a huge increase in commercial sex workers, as well as increased high risk behavior among the IDPs. Displaced women with little or no income are still under economic pressure to engage in prostitution.
- Though over 75 % of IDPs are believed to be women and children, no especial Rehabilitation strategy has been designed for these most vulnerable groups. The total number of household of war deceased IDPs and other war affected identified for assistance so far is 22,563. Of these 63% are now women headed households.
Recommendations

- Intensify de-mining action
- International community push and assist for quick border demarcation
- In line with the rehabilitation programs, peace process and confidence building programs should be initiated and implemented.
- Training, advisory and counseling service so that IDPs develop confidence and become self-reliance citizen
- Humanitarian food assistance for the caseload IDPs should continue until they started earning their own income.
- Special rehabilitation strategy should be designed to address the problem of the vulnerable groups within the IDPs.
Introduction

As clearly shown by its title, this paper attempts to explain the occurrences of conflict as a consequence of demographic engineering practices that in turn resulted in the escalating number of internally displaced population (IDPs). The state adopting a kind of demographic engineering policy for many reasons, ranging from the purely demographic or economic purposes to the highly political or ideological goals. While demographic or economic reasons are always explicitly stated, political and ideological purposes are often implicitly exposed or disguisedly displayed behind a broader goal of nation-state building. It is very clear however that various migration directed policies were adopted to serve the political interest of the ruling elites as part of their wider strategy to maintain their political control to the population and the state’s territories. A recent published report by the Norwegian Refugee Council on IDPs in Indonesia concluded that the displacement is mainly caused by transmigration policy:3

The main causes of displacement in the country are related to the transmigration programmes undertaken under Suharto's reign that aimed at reducing demographic disparities between different regions of the country. The relocation of large groups of populations, often from Java Island, to under-populated areas led to growing ethnic unbalances, land disputes and eventually to tensions that revealed beyond the control of the government. The separatist struggles in Aceh and in West Papua are yet conflicts of a different nature, finding their roots in the impoverishment of the local population and their perceived or real exploitation by local elites closely linked to the central government. However, transmigration programmes have also played a role in the conflict in Aceh with tensions between the local population and non-
Acehnese (mainly ethnic Javanese) resulting on the displacement of the latter to North Sumatra.

In the literature, simplifying the causes of conflicts is generally rejected. The simple but widely held view cannot explain why violent conflicts have broken out in some places, but not others, and it cannot explain why some disputes are more violent and harder to resolve than others. Brown (1997, 4) indicates four main arguments after reviewing the literatures. First, scholarly literature on the causes of internal conflict has focus on the underlying factors or permissive conditions that make some places and some situations more predisposed to violence than others. Four sets of factors have been singled out in this regard: structural factors; political factors; economic/social factors; and cultural/perceptual factors. Second, scholarly literature is weak when it comes to analysing the catalytic factors or proximate causes of internal conflicts. Third, the scholarly literature pays insufficient attention to the role play by domestic elites in transforming potentially violent situations into deadly confrontations. Fourth, and more generally, it is important to recognize that there are many different types of internal conflicts, each caused by different things. According to Brown, the challenge for scholars is to identify these different types of conflicts and the different set of factors that bring them about.

This paper has two principal aims: firstly, explaining the root causes of internally displaced persons, particularly in relation to the state’s demographic engineering policies of moving populations from Java to the other islands that apparently contributing to the development of tensions and conflict between migrant and the host populations; and secondly, assessing the implications of burgeoning number of internally persons on local governments in the context of current policy reforms aimed at decentralization and regional autonomy. In this regard, the new phenomena of increasing sectarian tendencies, particularly as reflected in the tensions and conflicts between migrant and local populations (often originating from different ethnic and religious backgrounds) will likely have a serious implications on the implementation of the new regional autonomy law as well as on state’s policies related to migration management in light of the practices of good governance and nation-state building in Indonesia.

Demographic Engineering and Nation Building

The evidence of demographic engineering in Indonesia can be traced back from the implementation of Ethical policy at the beginning of the twentieth century. As one of the three Ethical policy objectives, Dutch colonial migration policy (emigratie) was formulated and maintained as a result of a combination of three main factors. First, political changes in the Netherlands allowed the Calvinist-Catholic Coalition to come to power in 1901. This new coalition championed the shift from economic exploitation to the introduction of direct
intervention in the economic sphere to improve the welfare of the indigenous population. The second factor was economic opportunity, particularly seized upon by Dutch capitalists after the whole archipelago was brought under effective colonial control. Vast areas of land in the outer islands attracted private companies looking to open plantations where, given the scarcity of labor, Javanese were recruited as cheap labor. Third, social and political unrest in many parts of rural Java, due to simultaneous economic exploitation and population pressures, encouraged the colonial government to deal with social unrest by moving people to the outer islands. Dutch emigration policy, therefore, was utilized to serve the many goals and interests of the state and its ruling elite, including the state’s security purposes.4

The political role of the military had increased considerably after crushing regional rebellions in West Sumatra, North and South Sulawesi between 1956 and 1958. As Feith and Lev (1963, 37) have argued, the end of the rebellion removed regionalists from the political and military scenes, clearing the way for the emergence of a new set of power relationships. Of the three main political forces of 1957 (the President, the central army leadership and the regionalists) only the first two remained by mid-1958, and these two remained markedly distinct and, in many ways, at odds with one another. Furthermore, the course of the regional rebellions forced the government to adopt more centrist policies. For instance, as noted by Kuntjorojakti (1978, 139), several Presidential edicts on regional matters were issued which treated the regions as mere administrative units within the framework of a highly centralized national bureaucracy. Guided Democracy significantly affected transmigration. Transmigration’s goals were to strengthen national security and improve social welfare through the attainment of three intermediate goals: first, by opening-up new areas of land; second, by moving people from densely-populated areas to empty ones; and third, by developing strategic regions to achieve greater national resilience (Hardjosudarmo 1965, 129-130).

Under Guided Democracy, in 1959, the central government introduced a change in local administration. Under the new system, the local institutions such as marga and negeri were abolished while regional authority was transferred to the Bupati (District Head), who was assisted by the Camat (Sub-district Head). The higher authorities appointed both Bupati and Camat. Such structural arrangements, in turn, lessened the opportunity of both local people and the migrants to influence the course of regional development and politics. Inevitably, feelings of resentment grew as the central government showed little interest in local concerns. In fact, the resentment of local populations toward transmigration in the 1950s and 1960s was not a new phenomenon. The sources of resentment and dissatisfaction mostly involved land

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disputes because the concept of land ownership in the outer islands was generally based on customary (adat) law, in which all land belonged to the marga or clan. In the Dutch period, the reluctance of local people to give up their lands led to the formation of Javanese enclaves separate from the indigenous settlements (Heeren 1979, 47). When the local people refused to surrender their homelands, the Dutch persuaded the local leaders to gain permission to use land outside marga jurisdiction. The resettlement areas, therefore, were usually located outside local settlements.

In the post-independence period, the Indonesian government formulated for the first time its Five-Year Development Plan (1956-1960) in which “transmigration” (transmigrasi) was described as an instrument to: 1) reduce population pressure in Java, 2) provide labor in sparsely-populated provinces, 3) support military strategy, and 4) accelerate the process of assimilation (Hardjosudarmo 1965, 128-129). In other words, it facilitated the process of nation building. Increased political unrest in some outer island regions resulting from disappointment with the central governments leadership forced the government’s hand. And even after a change in regime to Sukarno’s autocratic Guided Democracy which had significant support from the central military leadership, transmigrasi continued to be perceived as an important strategic tool of the central government.

Widjojo Nitisastro, an economist, who then become an important economic development architect of Suharto’s New Order, speaking from a somewhat nationalist stance, has criticized the Dutch assumptions that had led to enclave politics (Heeren 1979, 17). According to Widjojo, Dutch conservative politics hampered assimilation among ethnic communities in the resettlement areas. He argued that enclave politics contradicted the primary goal of Indonesian independence, building a united Indonesian nation. Assimilating the Javanese with local populations was expected to bolster unification, however, this goal proved to be more difficult than the government or nationalists like Widjojo had anticipated. Wertheim (1959, 196), for example, noted from his observations in Lampung in 1956 that assimilation of Javanese migrants resulted in neither a Sumatran nor a general Indonesian society, but rather a Javanese society modified by a Sumatran environment. This situation led to increasing resistance by Sumatrans to resettlement policies. Such resistance could seriously hamper further transmigration efforts, Wertheim argued, since the absorptive capacity of the outer islands is not only restricted by spatial and technical factors, but by social ones as well.6

6 Wertheim’s prediction about the probability of social conflict in Lampung as a consequence of rapid population growth and social tensions between migrants and local people occurred in February 1989.
Local populations strongly criticized government budgets that allocated more funds to transmigration settlements than to non-transmigrant areas. Road construction, schools, agricultural offices, health and many other facilities were usually concentrated in transmigration areas, with smaller allocations to other places. In fact, regional disappointment with the central government had a much broader base. As Pauuw (1963, 156) argued, resistance among the peoples of the outlying islands to the new development reflected a fear of the centralization of authority and more temperate attitudes on their part toward capitalism and foreign enterprise. Behind these attitudes there were both ethnic considerations and significant differences in historical experience. In such circumstances, transmigration that was aimed at resettling populations from Java to the outer islands further exacerbated discontent with the central government among the local people. Local discontent with transmigration, for example, was clearly articulated at an *Adat* Congress, first in Palembang, South Sumatra, in January 1957, and later in Bukittinggi, West Sumatra, in March of the same year.

In sum, while the Dutch colonial government only implicitly used its emigration policy as an instrument of demographic engineering for security purposes, the government of the Republic of Indonesia explicitly relocated people to fulfil political and strategic goals. Demographic engineering became an important part of the state’s strategic policy to reduce the potential social and political tensions, both in Java and the outer islands. Transmigration policy, in conjunction with other military strategies, was also utilized to support the state’s foreign policy during the confrontation with Malaysia by populating the border areas in Riau, West and East Kalimantan provinces. Most importantly, as perceived by several influential figures like Sukarno, Muhammad Yamin and Widjojo Nitisastro, transmigration was a tool for assimilating different ethnic groups to construct a homogenized cultural identity within an integrated nation-state.

For Suharto himself, the raison d’etre of transmigration lay in the idea of harmony among the Javanese, which in the Indonesian political context can be translated into the concept of national unity and national integration (Visser 1988). On the other hand, the conventional view among Indonesia’s New Order economist-technocrats was that the rate of population growth significantly determines economic development efforts. Compared with the problem of rapid population growth, which at the beginning of the New Order was accorded high priority, the economist-technocrats had not deemed as urgent the problem of uneven population distribution between Java and outer islands. Nitisastro (1970, 238), widely known as the architect of the New Order’s economic development policies, forcefully argued that to overcome overpopulation in Indonesia, a massive development effort to create expanding employment opportunities accompanied by the rapid spread of fertility control was needed. Yet, curiously enough, the problem of uneven population distribution and the role of
transmigration as a means of overcoming it had long been a focus of government thinking, and became a very important policy within the national development plans during the New Order – which is an inconsistent with Nitisastro’s main ideas of development.

In this context, transmigration was again perceived as an instrument for accelerating the process of national integration and cultural homogeneity. In addition, government policies to relocate people from overcrowded Java to other islands were also considered by Suharto as an alternative to land reform. While Sukarno was obsessed by the revolutionary élan and strongly propagated the nation and character building, Suharto with his more pragmatic approach geared national development toward constructing a national cultural identity as inspired by his Javanese thought. Both Sukarno and Suharto, however, similarly imagined Indonesian society and culture as homogeneous and therefore repudiated Indonesia’s plurality. In this regard, population redistribution policy - in which the Javanese, and to a lesser extent, the Sundanese, the Madurese and the Balinese are transmigrated to the other islands, home for populations of different ethnic groups - is an explicit form of demographic engineering to achieve a homogeneous cultural identity.

Centralized State and Uneven Development

According to the declaration of Independence on August 17, 1945, Indonesia was to be a unitary state. Yet, the struggle to produce a genuinely integrated nation-state has proved to be a long and complicated political process. For example, the war against the Dutch continued until 1949, when de-facto Independence was finally achieved. The period 1950 to 1957 was one of Parliamentary Democracy, which was marked by constant political conflict both among the political parties and between central and provincial governments. Two major regional conflicts occurred during this time: the PRRI/PERMESTA in West Sumatra, South and North Sulawesi and DI/TII in West Java. The Guided Democracy period of 1957-1965 that followed, firmly establishing the strong central government vis-à-vis the weak regional government. The outcome of the political crisis in 1965 that toppled Sukarno and at the same time elevated General Suharto to the Presidency, further established the domination of the

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6 Land reform, which was aggressively promoted by the Indonesian Communist Party (PKI) prior to the 1965 abortive coup, was identified by the New Order as a communist policy. Despite this, the legacy of colonial policies, as well as the population policies of the Old Order (which were basically pro-natalist and viewed uneven distribution of population as the main population problem), could not be easily eliminated from the thinking of the ruling elite. An illustration of how the elite, particularly the military, have persistently regarded transmigration as an important undertaking is shown by a request from General Suharto to the US Ambassador in Indonesia, Marshall Green, at their first meeting on May 29, 1966. In the meeting Suharto asked for US$ 500 million in grants or soft loans to assist the transmigration program (Personal communication with Terence Hull at Australian National University, December 1989).
state vis-à-vis the society. Since 1967, Suharto and his New Order regime engineered *Pancasila* Democracy in such a way as to establish him as the country’s sole authority. Political stability, equity and economic growth or the ‘Trilogy of Development’ (Trilogi Pembangunan) was the New Order’s political jargon which added to the existing ‘nation and character building’ jargon advocated by Sukarno. Furthermore, the New Order state created a new acronym ‘SARA’ - an abbreviation of ‘Suku’ (Ethnicity), ‘Agama’ (Religion), ‘Ras’ (Race) and ‘Antar-Golongan’ (Different Groups) - as a device for advocating social harmony which is in fact, “softer” than political stability.

According to Mackie (1980), starting about 1970, several important cultural changes in Indonesia greatly strengthened the central government's capacity to control the regions. First, the tightening of central authority of the military significantly reduced the power of regional commanders over their territories. Second, the process of depolitization severely curtailed the ability of political parties to stir up mass grievances against the central government. Third, the improvement in inter-island shipping and airline services, as well as telecommunications, commercial and banking networks, played an important role in integrating the regions into a single economy. In addition to three important centrifugal factors indicated by Mackie, the use of *Bahasa Indonesia* as a national language has also significantly played an integrating role as a tool for communication among peoples of such a plural ethno-linguistic society.

The highly centralistic national political system, tightly controlled by Suharto and the military, had directly impacted the unequal structure of central and provincial level government relationships. Furthermore, such an unbalanced relationship also reflected regional development planning and implementation. For example, in 1974, the government promulgated Law No.5, which designated the legal framework for the role and authority of the provincial governments. Under this Law, the provincial government authorities exercise only those powers that have been granted to them by the central government. The national government, primarily represented by the Department of Home Affairs, which acts through the Governors, supervises and supports all provincial development activities. Provincial development activities, based on Law No.5, 1974, were classified into three broad categories. The first category were those implemented by sectoral agencies (*Kantor Wilayah* or *Kanwil*) in the regions. Here, the central government is responsible for all related development activities, such as planning, implementation, control and financial support. The second category covered development activities funded and implemented by the District-level Government Technical Offices (*Dinas*). The third category concerned those supposedly controlled by the Provincial Government but which, because of limited financial capacity, were returned to the central government to run. The so-called *Inpres* (*Intruksi Presiden*,
Presidential Instruction) Project, which are under Provincial government control yet are actually implemented by the Ministry of Home Affairs is one such example.

Moreover, in 1976, the central government created Regional Development Planning Boards (*Bappeda*) to strengthen the provincial government abilities in planning and co-ordination of development programs. In theory, *Bappeda* should perform a number of functions, such as developing basic regional development plans, coordinating planning among the sectoral line agencies at the provincial level, drafting the regional development budgets and monitoring as well as evaluating development. In practice, however, what looks neatly described as bottom-up planning was in reality, still largely a top-down process. Provincial development programs and projects were mostly designed and planned by the National Planning Board (*Bappenas*) and various Ministerial Offices in Jakarta.\(^7\) Central government procedures in allocating provincial budgets has also been criticized as neglecting the potential ability of the regions. Pangestu and Azis (1994), for example, argue that the central government's planners ignore incentives for local resource mobilization given that each region received the same amount per head of population, especially in the case of package development grants (*Inpres* Project). The primacy of population size in allocating provincial budgets therefore, not surprisingly, ensured that the largest proportion of the budget poured into Java. Furthermore, this imbalance was reinforced by the lack of local incentives, such as tax concessions, and the failure to consider regional potential in fund allocations. Thus, the financial transfer from the center to the regions did not significantly reduce existing regional disparity, particularly between western and eastern Indonesia. In a parliamentary meeting in January 1990, the President formally admitted that Indonesia’s Eastern provinces were economically far less well off than the western provinces.\(^8\)

After the 1990 Presidential speech, a great deal of discussion on development in Eastern Indonesia flourished among economists and development experts. Although the Presidential statement on Eastern Indonesia's development successfully attracted wide academic debate, real moves have been surprisingly very slow to emerge. The slowness of the decision making process in the central government, for example, indicated by the sluggishness of the newly created National Advisory Council on Development of Eastern Indonesia (*Dewan Nasional Pembangunan KTI*) in 1993. The council, which was headed by President Suharto, consisted of no less than twelve ministers, and clearly reflects the consensual nature of national policies.

\(^7\) Many sources note that the personal lobbying of the provincial bureaucratic leaders, particularly the governors and other high ranking provincial representatives, is very important in determining project and budget allocations for their respective provinces.

\(^8\) The geographical areas designated by the central government as Eastern Indonesia comprises all provinces in Kalimantan and the Sulawesi islands, Maluku, Irian Jaya, East Timor, East and West Nusatenggara.
towards Eastern Indonesia. In addition, the appointment of Professor B.J. Habibie - the State Minister for Research and Technology and originally from Eastern Indonesia - and three former governors from Eastern Indonesian provinces as advisors was merely symbolic. The nature of both the organizational structure and the wide area designated as Eastern Indonesia clearly reflects the usual consensual practices adopted by the central government to solve the classic problem of coordination between departments which is crucial if the central government genuinely wants to tackle the complex task of improving development in Eastern Indonesia.

Similarly, at a parliamentary session on August 16, 1990, Suharto expressed his intention to increase autonomy among the regions, particularly to the second-level regional governments (District) which, according to the National Law No. 5, 1974, were already considered “autonomous”. Yet, as many observers have noted, the intention was merely a political gimmick which left an existing unequal relationship between the center and the regional governments intact. The second-level regional government, though legally autonomous is, in practice, economically and politically dependent on both the provincial and central governments.\(^9\) The implications of the New Order’s bureaucratic arrangement, particularly on the suppression of the local people’s political participation, are very obvious. As shown by the findings of a study by the Center for Regional and Political Studies, at the Indonesian Institute of Sciences, the political sphere of society at the regional levels was very limited and the local people are therefore further marginalized by various development projects initiated by the central government.\(^10\) A recent study by another research team of the Indonesian Institute of Sciences, indicated that the central government’s regional autonomy project mainly dealt with the technical administrative aspects of regional autonomy and failed to significantly effect actual center-regional relationships.\(^11\) At the provincial level, resentment of being ‘economically squeezed’ by the central government was also prevalent, especially in provinces rich with natural resources.

In the early 1990’s, the emergence of many quasi-intellectual religious-affiliated associations was a direct outgrowth of parochial and sectarian political tendencies among the educated urban elites.\(^12\) The flourishing primordial sentiments, originating from ethnic and religious self-identification, are perhaps natural human responses towards a climate of political uncertainty. A more anthropological observation on the local society and culture during the

\(^9\) A study conducted by the Center for Regional and Political Studies, Indonesian Institute of Sciences, in 1992, show that in reality the District Level government cannot be called an autonomous region as it has only a quasi-autonomous governmental control (Sulistyo 1995)


\(^12\) All the formal religions have created their own intellectual associations, such as the ICMI (Muslim), PIKI (Protestant), ICKI (Catholic), PCHI (Hindu), and ICBI (Buddhist).
New Order suggested that the imposition of the Village Law of 1979 significantly transformed the remaining local social institutions based on customary (adat) laws. The social and cultural processes remolded by economic and political changes during the New Order period have led to a situation where the conflict between segments of the population – migrant vs local population, among others - are increasingly unavoidable. The unequal relationship between the state and the society, as well as between the center and the regions, however, has been strongly questioned following the resignation of Suharto in May 1998. A new political equation is apparently on the horizon, and its implication for the future path of regional development is therefore becoming inevitable.

**Communal Conflict and Forced Migration**

The prevalence of latent and often violent conflict between migrants and locals in Eastern Indonesia indicates that ethnic relations and the social cohesion in this region have been strained. Widespread conflict, especially in several towns in East Timor, following the 1991 Dili Incident, have become more complicated as it turned from purely economic to ethnic and religious conflict. In Irian Jaya, in 1995 and 1996, several conflicts involved migrants and locals as in the districts of Abepura, Timika and Jayapura, where locals burned market-places. The concentration of migrants in Irian Jaya is high, especially in Timika where a copper exploration run by Freeport Inc. - an American company –is heavily conducted. Since the 1980s Timika’s population growth has increased dramatically due to increased economic opportunities in the area. The population is currently estimated to be around twenty thousand, and around half are migrants. From the outset, the indigenous population opposed the mining exploration, for these locals perceive the area as sacred. The first incident of conflict occurred in 1967 when the initial exploration began. Resentment against Freeport grew as succeeding conflicts in 1973 and in 1977 involved the rebellious group of OPM. Thus since 1977, the military has been deployed in Timika, further inflaming local resistance. The perception that Freeport only benefits its foreign investors and the central government has been the major source of resentment. Furthermore, the atrocities and the various human rights violations committed by the military have increased the potential for conflict in Timika. For example, in 1995 several riots broke out, which became both national and international issues.

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13 See Widjojo 1997.
14 For a detailed account of conflict between the indigenous people, (Amungme and Kamoro) and Freeport Inc., see part four of a book on human rights violations in the mining industries in Indonesia (Bachriadi 1998).
In October 1995, riots hit the Christian dominated population town of Maumere, Flores (East Nusatenggara). The local judiciary institutions and police were targeted because of a light sentence given to a Javanese migrant who was accused of defaming Christianity. A similar incident occurred in the town of Kefamenanu, in West Timor (East Nusatenggara) in mid-March 1997, when a group of Muslim migrant workers were attacked after allegedly being seen by the locals - a strongly Catholic community - scorning a picture of Christ. Following the incident, local youths then converged on the town and burned the market, whose market vendors were mostly migrants from Sulawesi and Java.\(^{15}\) From December 1996 to February 1997, a series of communal conflicts occurred in West Kalimantan between Madurese migrants and the indigenous Dayak people. Hundreds of people, mostly Madurese migrants, were reported to have been killed during the clash. Thousands of Madurese families abandoned their villages and were evacuated by the security forces. The latent conflict between the Madurese and the Dayak, partly resulting from the cultural misunderstanding, was easily triggered by small incidents. The conflict, for example, was instigated by a quarrel between Madurese and Dayak youths in Sanggau-Ledo, Sambas District, and rapidly spread throughout the district. Conflict between Madurese migrants (well-known as devout Muslims) and Dayaks (mostly Christians) have occurred many times but this latest incident seems to have been the worst in West Kalimantan during the New Order.\(^{16}\) A close observation of the lives of the indigenous Dayak people under the rapid external pressures induced by the central government's development strategy confirmed that the very resources upon which they have depended for centuries - the land, forests, and rivers - will no longer be able to sustain them.\(^{17}\) The ongoing exploitation of natural resources in West Kalimantan, in the last two decades, have forcefully transformed the local people into marginal peasants, estate workers, and urban wage laborers. In West Kalimantan, population pressures further exacerbate the process of marginalization of the Dayak people as Madurese migrants as well as transmigrants increasingly settle in the region.\(^{18}\)

In Eastern Indonesia, most specifically in Irian Jaya and East Timor, the ethnic division of labor differs in comparison to other places.\(^{19}\) The upper level economic sectors are usually

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\(^{15}\) Indonesian newspapers and magazines are rich sources of information on the incidence of ethnic conflicts.

\(^{16}\) The actual number of people who were killed in the incident was very difficult to obtain. The local army commander estimated that about 300 people were killed, but non-government sources believed that the actual number of deaths was much greater than the government estimation. On ethnic politics in West Kalimantan, see Davidson (1998).

\(^{17}\) King (1995) provides a comprehensive account of historical and social development in Kalimantan. The last chapter on modernization and development is particularly relevant.

\(^{18}\) Reference on Madurese migration to West Kalimantan, see Sudagung (1985).

\(^{19}\) Information on the division of labor by ethnicity was observed on the author’s intermittent visits to Eastern Indonesia between 1991-1993; also see Tirtosudarmo (1997).
controlled by the Chinese; whereas, the middle to lower levels are dominated by the Makasarese, the Bugis and the Butonese. The Javanese, usually occupy the limited government jobs, such as public servants and the military, a product of the process of employment recruitment, which is conducted by the central government in Java. The feelings of resentment among the local population toward the domination of migrants in both governmental and private occupations, is very obvious and easily perceived, even by a casual observer.²⁰ Irian Jaya province, formerly West Papua - a Dutch colony, was integrated into the Indonesian state in 1963, after long diplomatic negotiations and incidences of armed conflict between Indonesia and the Dutch. Irian Jaya was incorporated into Indonesia after the state won a referendum under UN supervision. A group of West Papuans however, rejected the outcome of the referendum and proclaimed their organization (OPM) as the legitimate owner of the province and took up armed struggle against Indonesia. East Timor was annexed by Indonesia in 1976 in the midst of internal conflict between political parties competing for the right to rule the former Portuguese colony. Similar to the Irian Jaya, armed struggle against Indonesia’s occupation exists under the banner of Fretilin.²¹ Despite Indonesia’s strong claim to the territory, the UN still recognizes the Portuguese as the administering power of East Timor.²²

In Irian Jaya and East Timor, due to their political histories, the appointment of officials is dictated by security and military concerns. Given their distinct socio-political circumstances, conflict between migrants and local populations in Irian Jaya and East Timor cannot be understood if related only to demographic and economic issues. Special consideration should therefore be given to the political-histories of the provinces in their relation to the nation-state building process. In East Timor, in spite of the volatile political climate, the central government has continuously provided the province with substantial budget allocations, most notably to develop various physical infrastructures. The construction of asphalt roads linking West and East Timor, the creation of regular flights and ships to and from Dili, the East Timor capital, significantly contributed to the increase of in-migration to East Timor. An underpinning demographic factor in the build up of tension between migrants and local people has been the acceleration of unemployment, particularly among the educated youth in urban areas. In 1990, for example, in Dili, the capital of East Timor, more than twenty percent

²⁰ The migrants are pejoratively called by the locals, the “straight-haired”, while the migrants call the locals the “curly-haired”.
²¹ On the impact of the Indonesian occupation of East Timor, see Soetrisno et.al. (1991) and Aditjondro (1994).
²² As a result of its disputed status in the international forum, East Timor certainly warrants special consideration. The emergence of the underground movement, interestingly organized by young people, obtained more international attention, after the so-called Dili Incident on 12 November 1991, in which an estimated one hundred people were murdered by Indonesian soldiers while conducting a protest rally. Since 1991, East Timor obviously has become the most troubled region in Indonesia.
of the labor force between the ages of 15 to 29, were unemployed (Tirtosudarmo, 1996). In most cases, the involvement of local youths in the various forms of protest against the migrants was very prominent. Furthermore, the role of the underground resistance movement within East Timor against Indonesia’s occupation should not be underestimated in assessing the conflicts between in-migrants and the local population. Migrants in East Timor have often decided to leave the province in order to avoid the harsh treatment by the East Timorese.23

The unbalanced center-regional relations in the early post-Suharto era has been altered as protest against central government domination has begun to flourish. For instance, the demand for more autonomy has been most clearly articulated by the East Timorese and Irianese people. Most notably the anti-integration student and youth organizations are now loudly expressing the call for a referendum on the issue of autonomy that was strongly suppressed during the Suharto regime. The new government, under President Habibie, has responded positively to the demand for more autonomy in East Timor. At the same time, the demand for autonomy is also increasing in Irian Jaya, which has led, for example, to the formation of the Reconciliation Forum of the People of Irian Jaya (Foreri) which comprises three groups, respectively calling for “an autonomous state”, “an independence state” and “a federal state”.24 Another recent development is occurring in the westernmost provinces, Aceh, which has long experienced political repression from the central government, due to the accusation that the Gerakan Aceh Merdeka (Free Acehnese Movement) is still operating in this province.25 The Aceh example differs from East Timor and Irian Jaya, in that the issue is more concentrated on the human rights violations, particularly by the military, than on a secessionist movement.26 Aceh, Irian Jaya and East Timor, are the provinces which were unofficially declared as the Military Operations Areas (Daerah Operasi Militer or DOM), mainly because in these three provinces the military perceived them as areas in which armed separatist groups – fighting for an independent state – still exist.

In West Kalimantan ethnic conflict erupted again in February 1999 between the local Malays - with the involvement of the local Dayaks - against the Madurese migrants. Then, two years later, in February 2001, another brutal conflict broke out between the Madurese migrants and

23 The exodus of migrants, many of them are the BBM, from East Timor occurred in September 1996 and July 1998, following large anti-integration protest. The mass out-migration from East Timor occurred prior to, and after the vote ballot on August 30, 1999, where the majority of East Timorese voted for independence from Indonesia.
24 Jakarta Post, 3 August 1998.
25 For a detailed account on the impact of the military operation in Aceh, see ELSAM (1995, pp. 13-31).
26 Reported atrocities by the military in Aceh, Irian Jaya and East Timor, mostly by NGOs and religious groups, including abductions, rapes, torture, and extra-judicial killing, have been flourishing in the mass media since the resignation of President Suharto in May 21, and the prevailing new climate of openness.
the Dayaks in the district town of Sampit, Central Kalimantan. The conflict then spread to the provincial capital, Palangka Raya. Hundreds of people, mostly Madurese, were killed during this brutal conflict and thousands more were forced to flee to their place of origin in East Java. In February 1999, ethnic and religious conflicts also erupted in the island of Ambon in Maluku between the original Christian locals and the Butonese Muslim migrants. This small conflict surprisingly developed into a wider communal violent conflict between Christians and Muslims which quickly spread to other islands in Maluku. These series of seemingly intractable conflicts involving separatism, ethnicity and religion, clearly challenge the notion of national sovereignty and the nation-state in Indonesia.

Beyond imagination is the corollary events surrounding and following Suharto’s resignation exemplifies the collapse of construction of national integration and cultural harmony. National integration was questioned as people in areas throughout the archipelago, such as East Timor, Aceh, Kalimantan, Maluku, and Irian Jaya – challenged the state’s authority. East Timor received its independence in September 1999 after a UN supervised ballot vote was won by the majority of East Timorese who chose independence. In Aceh and West Papua the central government has been unable to contain the latent secessionist movement. The state has been unable to control the economic downgrading which has incapacitated the state’s repressive apparatus. Its grip on society has been loosened. In other words, the New Order’s hegemonic power that forcefully attempted to mould and unite the different aspirations of ethnic groups collapsed, as the basic economic foundation could no longer be sustained. Like opening Pandora’s Box, many latent conflicts have begun to surface. Suppressed tensions due to economic and political domination over the local populations in the regions are now beyond the state’s control. The increasing incidence of return migration to Java, Madura and Bali, and more than one million dislocated persons living in temporary shelters throughout the country demonstrates that pluralism and social cohesion is currently disintegrating in Indonesia.

**Displaced Population and Regional Autonomy: Preliminary Observations**

In a recent workshop on regional autonomy in Indonesia, Vivian Wee, a Singaporean anthropologist wrote: “The impression of chaos to an outside observer, conveyed through reports in the international media, derives from this increasing multiplicity, where there is a lack of clarity of what constitutes the center, the periphery and the relationship between...”

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27 The governor of Central Kalimantan reported that the number of people killed was 383, mostly Madurese migrants; the number of people who were forced to leave their homes, including those who were still in Kalimantan or have arrived in Java, were reported to be eighty thousand (Kompas, March 8, 2001).
them”. As I reflect on my own observations and interviews during my recent fieldwork in East Kalimantan, East Java and Flores, I think I am in agreement with her statement. The previous typical image of powerful-hegemonic central government, is debunking into a seemingly a blurred and fragmented state where people – I mean here the local elites, either informal local leaders or regional level bureaucrats – are either in the state of confusion and disorientation or sightlessly believe that the future of the regions are now totally in their hands.

Assessing the political development in Indonesia today, I think it is fare to say that Megawati should be pat on the back for the success in consolidating her political reign, as shown by a relatively stable government, in comparison to her two previous predecessors, Habibie and Wahid. Yet the likely cost that Megawati have to pay for her achievement could be enormous as political conflicts at the national level apparently transferred into various conflicts borne by the communities in the peripheries. The conflicts in the peripheries, that mostly in the form of communal conflicts, in many instances, closely link or being emphasized by the implementation of new regional laws. Due to various circumstances, among others from the common perception that the formal local leaders at the District level have actively exercising its new power and authority, conflicting interests easily turn up into the surface, particularly as the laws giving clear signals to the regions for conveying its economic as well as political aspirations.

Its a political fact that the new national law on regional autonomy and decentralization (UU Tentang Otonomi Daerah dan Desentralisasi) are product of a political rush in which dubious motives easily sneaked into the wording of the draft’s law. The Habibie government, under strong pressures to accommodate the reformist sentiments – clearly expressed by the radical student demonstration – on the one hand, and to secure his own political agenda in order to survive in upcoming presidential election, on the other hand, dictated the birth of the law. The formulation of the law is therefore should be understood within the political context in which Habibie is desperately needed support and legitimacy, particularly from regions outside Java – this, in turn, make the law as an abrupt product, lack of clarity and embedded many deficiencies. The idea to make a new regional autonomy law, in fact, has been around for sometimes during the Suharto’s era. Back in the mid 1990s, for example, Minister of Interior, Ret. Leut.Gen. Rudini, have implemented what he called ‘pilot project’ on regional autonomy – that among others decided that the emphasis of the regional autonomy would the district rather than the province - which is actually the embryonic form of the current decentralisation.

28 See Vivianne We, “Etno-nationalism in Process: Atavism, Ethnicity and Indigenism in Riau”, Working Papers Series, No. 22, March 2002, Southeast Asia Research Centre (SEARC), The City University of Hong Kong.
law. So, the new law, besides positing New Order’s ideology of the unitary state’s and central government primacy is also plague by contentious and uncertain circumstances.

Many independent observers in fact have argued that the confusion on the implementation of the new law partly resulted in the wrong assumption that political reform will occurred swiftly and orderly, and such an assumption reflects unawareness on the transitional nature of the political circumstances following the step down of Suharto in May 1998. The wrong assumption and the abrupt creation of the regional autonomy laws proved to be the sources of many uncertainties and disputes both on the substance as well as the implement ability of the law. As an abrupt political creation (reminds us to the Indonesia’s 1945 Constitution) the new regional autonomy laws easily trapped into controversies and prone to manipulation by the contending political actors. The law is therefore becoming a new ball games in the post-Suharto’s politics. In the current Megawati’s presidency which is strongly supported by the military, the laws has been perceived as the source of evil, particularly as the district level governments have become very assertive in using the opportunities provide by the laws to claims their grievances for their local benefits. This two contending powers, namely the central government (supported by the military and the provincial government) and the districts government (supported by the local people representative councils) have head to head confrontation in arguing the continuation or the revision of the laws.

In this political contestations, particularly between the ‘centrifugal’ vs ‘centripetal’ forces that manifested in the implementation process of new regional laws that the social and political implications of burgeoning number of displaced population in several provinces should be closely viewed. The character of displaced populations as a ramifications of past New Order’s demographic engineering practices have obviously resulted in a strong perception, in some part of the outer regions, that these population are easily treated as ‘second class citizen’ or just becoming a marginal group in relation to the local populations. A general tendencies currently occurring in the regions is the strong demand from the locals to give first priority to the so-called ‘putra-daerah’ (local people) to various bureaucratic positions required widely under the pretext of new regional autonomy law. A sort of ‘indigenism’, and in some cases reflects ‘new warlordism’ becoming an unwritten law that in many instances dictated the governance practices in the regions, particularly at the District levels. A recent study by a LIPI team on the process of how local governments have created its new administrative structures as their response to the opportunity given by the new regional law clearly show that although democratic procedures seem being adopted the role and vested interest of existing local elites clearly dominating the overall implementation processes.29

29 See, ‘The Re-structurisation of local institutions during the implementation of regional autonomy’, paper presented by the LIPI research team at the PMB Seminar, Jakarta, 17-19 December 2002.
Concluding Remarks

Demographic engineering processes that aim to assimilate different ethnic groups in the archipelago via population redistribution has failed as an integral part of the nation-building project both before and during the New Order period. In general, geographical population mobility reflects regional responses to wider economic and political processes, particularly the centralistic character of New Order economic development. National integration - an obsession of the ruling elites since Independence - has resulted in viewing “heterogeneity” as a threat that obstructed the imagined national unity. In this context, assimilation and harmony are keywords that have been translated into state policies and programs designed to realize national integration.

After independence, the abolition of questions on ethnicity in population censuses, for example, stems from the elite’s perceived threat of any demographic exposure of ethnic heterogeneity that could enhance ‘sukuisme’ (ethnocentrism, primordial sentiment) and eventually threaten national integration. The Central Bureau of Statistics, the state’s institution responsible for conducting population censuses, has been under pressure constantly to suppress questions concerning ethnicity. Population politics, in which demographic change reflects political processes, has loomed large within the national elites psyche ever since independence. Demographic engineering as a mechanism for obtaining cultural homogeneity and national integration has been an integral part of state policies and programs and strongly characterizes the political demography of Indonesia.

The further disintegration of the New Order regime has resulted in an apparent power vacuum in the regions that has provoked and instigated latent conflicts into open and often brutal clashes. The feeling of being economically marginalized and politically suppressed is latent in the outer islands. Migrants and transmigrants alike - mostly from Java and Bali - although not directly involved in the conflict, are increasingly being targeted by local

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30 This information was obtained by the author from a conversation in September 2000 with one of the senior staff of Central Bureau of Statistics who was involved in the preparation of 1961 population census. This senior officer has recently prepared the 2000 population census in which for the first time since independence ethnicity is included in the census questionnaire. Statistical information on ethnicity is therefore lacking, if there are any statistics they are usually an extrapolation of ethnic statistics based on the 1930 colonial census. Other sources of information are the statistics of languages spoken at home as was collected during the 1990 population census. According to the 1990 census, the composition of language spoken at home is as follows: Javanese (40 percent), Sundanese (25 percent), Indonesian (13 percent), Madurese (4.3 percent), Minangkabau (2.3 percent), Batak (2.2 percent), Bugis (2.2 percent), and the rest are other minority languages. The estimation of ethnic composition using languages as a proxy is very unreliable due to the fact that a relatively large proportion have used the national language rather than their local language, also as people have migrated they could change their original language to their new local languages.
populations in the outer islands, especially as local populations firmly demand that they and not the migrants be the first priority.\textsuperscript{31} The number of returning migrants and transmigrants is rapidly accelerating as locals take strong action towards elements perceived as representative of the exploitative central government.

The emergence of various ethnic based organizations which demand recognition of indigenous customary rights, is intertwined with the demand for more autonomy and independence for the regions. The implementation of the new laws on regional government, for example, will therefore be crucial in accommodating the strong call for a genuine regional economic and political autonomy. The planning for regional development in the future therefore, should take a more comprehensive approach in which the achievement of economic welfare should be accompanied by the fulfillment of the political aspirations and human rights of the local people. Yet, the recent formation of Banten (formerly of West Java province) and Gorontalo (formerly of North Sulawesi province) provinces – which is likely to set precedents for other regions – is the legalization of ethnic-geographical territories into definite regional administrative-boundaries. This development will enhance narrow ethno-territorial political identities, incompatible with the process of strengthening democracy and civil society. In this context, geographic population mobility which would inevitably be politically ethnisised can no longer be isolated from the discourse surrounding regional political autonomy and the wider demand to reformulate the existing nation-state. The displaced population that is generally perceived as the second class citizens by the local population would be the new marginal groups that often receives less protection from the local government. The realisation of a good governance, that among others very crucial in protecting the faith of displaced population is therefore would be very difficult to be achieved. Furthermore, the downgrading status of displaced population as a second class citizens in relation to the local population also reflects new tendencies in the hierarchical status of people in the currently ethnisised regional autonomy. A setback in the process of nation-state building apparently occurring in Indonesia today.

\textsuperscript{31} The local demands loudly voiced today are apparently a revival of the popular regional appeals of the 1950s.
References


Tables - Appendixes

Table 1. Locations and Migration Status of IDPs Caused by Conflict In Aceh

<table>
<thead>
<tr>
<th>No.</th>
<th>Provinces</th>
<th>Transmigrants</th>
<th>Non Transmigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Household</td>
<td>Persons</td>
</tr>
<tr>
<td>1.</td>
<td>Aceh</td>
<td>360</td>
<td>1,625</td>
</tr>
<tr>
<td>2.</td>
<td>North Sumatra</td>
<td>883</td>
<td>3,763</td>
</tr>
<tr>
<td>3.</td>
<td>Riau</td>
<td>1,593</td>
<td>7,471</td>
</tr>
<tr>
<td>4.</td>
<td>Jambi</td>
<td>238</td>
<td>1,221</td>
</tr>
<tr>
<td>5.</td>
<td>West Sumatra</td>
<td>89</td>
<td>253</td>
</tr>
<tr>
<td>6.</td>
<td>East Sumatra</td>
<td>176</td>
<td>612</td>
</tr>
<tr>
<td>7.</td>
<td>Bengkulu</td>
<td>123</td>
<td>457</td>
</tr>
<tr>
<td>8.</td>
<td>Lampung</td>
<td>203</td>
<td>750</td>
</tr>
<tr>
<td>9.</td>
<td>Banten</td>
<td>891</td>
<td>4,244</td>
</tr>
<tr>
<td>10.</td>
<td>West Java</td>
<td>885</td>
<td>3,953</td>
</tr>
<tr>
<td>11.</td>
<td>Jakarta</td>
<td>202</td>
<td>768</td>
</tr>
<tr>
<td>12.</td>
<td>Central Java</td>
<td>2,583</td>
<td>10,275</td>
</tr>
<tr>
<td></td>
<td>Yogjakarta</td>
<td>100</td>
<td>342</td>
</tr>
<tr>
<td></td>
<td>East Java</td>
<td>2,039</td>
<td>9,638</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>10,365</td>
<td>45,372</td>
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</tbody>
</table>

Source: Ministry of Man Power and Transmigration, 2002

Table 2. Locations and Migration Status of IDPs Caused by Conflict In West Kalimantan

<table>
<thead>
<tr>
<th>No.</th>
<th>Provinces</th>
<th>Transmigrants</th>
<th>Non Transmigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Household</td>
<td>Persons</td>
</tr>
<tr>
<td>1.</td>
<td>Banten</td>
<td>79</td>
<td>331</td>
</tr>
<tr>
<td>2.</td>
<td>West Java</td>
<td>283</td>
<td>1,129</td>
</tr>
<tr>
<td>3.</td>
<td>Central Java</td>
<td>93</td>
<td>367</td>
</tr>
<tr>
<td>4.</td>
<td>Yogjakarta</td>
<td>8</td>
<td>27</td>
</tr>
<tr>
<td>5.</td>
<td>East Java</td>
<td>3,782</td>
<td>16,829</td>
</tr>
<tr>
<td>6.</td>
<td>West Nusatenggara</td>
<td>184</td>
<td>627</td>
</tr>
<tr>
<td>7.</td>
<td>West Kalimantan</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8.</td>
<td>South Sulawesi</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>4,429</td>
<td>19,340</td>
</tr>
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</table>

Source: Ministry of Man Power and Transmigration, 2002
Table 3. Locations and Migration Status of IDPs Caused by Conflict in Maluku and North Maluku

<table>
<thead>
<tr>
<th>No.</th>
<th>Provinces</th>
<th>Transmigrants</th>
<th>Non Transmigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Household</td>
<td>Persons</td>
</tr>
<tr>
<td>1.</td>
<td>Banten</td>
<td>88</td>
<td>351</td>
</tr>
<tr>
<td>2.</td>
<td>West Java</td>
<td>300</td>
<td>1,085</td>
</tr>
<tr>
<td>3.</td>
<td>Central Java</td>
<td>846</td>
<td>3422</td>
</tr>
<tr>
<td>4.</td>
<td>Yogyakarta</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>5.</td>
<td>East Java</td>
<td>1,554</td>
<td>5,487</td>
</tr>
<tr>
<td>6.</td>
<td>West Nusatenggara</td>
<td>43</td>
<td>173</td>
</tr>
<tr>
<td>7.</td>
<td>South Sulawesi</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>North Sulawesi</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Sultra</td>
<td>47,718</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Maluku</td>
<td>757</td>
<td>3,162</td>
</tr>
<tr>
<td>11.</td>
<td>North Maluku</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Irian Jaya</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>3,589</td>
<td>13,683</td>
</tr>
</tbody>
</table>

Source: Ministry of Man Power and Transmigration, 2002

Table 4. Locations and Migration Status of IDPs Caused by Conflict in Central Kalimantan

<table>
<thead>
<tr>
<th>No.</th>
<th>Provinces</th>
<th>Transmigrants</th>
<th>Non Transmigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Household</td>
<td>Persons</td>
</tr>
<tr>
<td>1.</td>
<td>West Java</td>
<td>52</td>
<td>184</td>
</tr>
<tr>
<td>2.</td>
<td>Central Java</td>
<td>57</td>
<td>189</td>
</tr>
<tr>
<td>3.</td>
<td>Yogyakarta</td>
<td>4</td>
<td>14</td>
</tr>
<tr>
<td>4.</td>
<td>East Java</td>
<td>10,258</td>
<td>33,645</td>
</tr>
<tr>
<td>5.</td>
<td>West Nusatenggara</td>
<td>576</td>
<td>258</td>
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<tr>
<td></td>
<td>Total</td>
<td>10,427</td>
<td>34,290</td>
</tr>
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</table>

Source: Ministry of Man Power and Transmigration, 2002
### Table 5. Locations and Migration Status of IDPs Caused by Conflict In Central Sulawesi

<table>
<thead>
<tr>
<th>No.</th>
<th>Provinces</th>
<th>Transmigrants</th>
<th>Non Transmigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Household</td>
<td>Persons</td>
</tr>
<tr>
<td>1.</td>
<td>Banten</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>2.</td>
<td>West Java</td>
<td>8</td>
<td>11</td>
</tr>
<tr>
<td>3.</td>
<td>Central Java</td>
<td>20</td>
<td>68</td>
</tr>
<tr>
<td>4.</td>
<td>Yogyakarta</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>5.</td>
<td>East Java</td>
<td>74</td>
<td>223</td>
</tr>
<tr>
<td>6.</td>
<td>West Nusatenggara</td>
<td>104</td>
<td>540</td>
</tr>
<tr>
<td>7.</td>
<td>South Sulawesi</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8.</td>
<td>North Sulawesi</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>9.</td>
<td>Southeast Sulawesi</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10.</td>
<td>Central Sulawesi</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>208</td>
<td>853</td>
</tr>
</tbody>
</table>

Source: Ministry of Man Power and Transmigration, 2002

### Table 6. Locations and Migration Status of IDPs Caused by Conflict In Papua

<table>
<thead>
<tr>
<th>No.</th>
<th>Provinces</th>
<th>Transmigrants</th>
<th>Non Transmigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Household</td>
<td>Persons</td>
</tr>
<tr>
<td>1.</td>
<td>Banten</td>
<td>17</td>
<td>68</td>
</tr>
<tr>
<td>2.</td>
<td>West Java</td>
<td>185</td>
<td>650</td>
</tr>
<tr>
<td>3.</td>
<td>Central Java</td>
<td>66</td>
<td>250</td>
</tr>
<tr>
<td>4.</td>
<td>Yogyakarta</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>5.</td>
<td>East Java</td>
<td>111</td>
<td>322</td>
</tr>
<tr>
<td>6.</td>
<td>West Nusatenggara</td>
<td>49</td>
<td>173</td>
</tr>
<tr>
<td>7.</td>
<td>South Sulawesi</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8.</td>
<td>Southeast Sulawesi</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>430</td>
<td>14,689</td>
</tr>
</tbody>
</table>
Socio-historical Overview
Internally displaced Palestinians inside Israel are part of the larger Palestinian refugee population that was displaced/expelled from their villages and homes during the 1948 conflict and war in Palestine (i.e., al-Nakba). Most of the refugees were displaced to the Arab states and the Palestinian territories that did not fall under Israeli control (i.e., the West Bank and Gaza Strip). At the end of the war, some 150,000 Palestinians remained in the areas of Palestine that became the state of Israel. This included approximately 30-40,000 Palestinians who were also displaced during the war. Like the approximately 800,000 Palestinian refugees who were displaced/expelled beyond the borders of the new state, Israel refused to allow internally displaced Palestinians (IDPs) to return to their homes and villages.

Displacement did not end with the 1948 war. In the years following the establishment of Israel, internally displaced Palestinians, a small number of refugees who had returned spontaneously to their villages, and Palestinians who had not been displaced during the war were expelled for security and other reasons. Israeli officials also carried out forced transfer of Palestinians from one village to another within the borders of the state in order to facilitate colonization of these areas. This included, for example, Palestinians from the villages of Iqrit, Bir’am, al-Ghabsiyya, Krad al-Baqqarah and Krad al-Ghannamah. Residents of these villages were expelled to Lebanon and Syria or transferred and resettled in nearby Palestinian villages. During the 1950s, Israeli military forces forced the Bedouin of the Naqab (Negev) to abandon their traditional nomadic lifestyle; some 11000 Bedouin were concentrated in designated zones in the north of the Naqab.¹ The forced transfer of Bedouin has continued.²

During the 1950s Israel military forces destroyed most of the depopulated Palestinian villages. Some of the mosques, the churches and the cemeteries remained. According to Palestinian

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² Nihad Boqai’ is a researcher at the Badil Resource Centre for Palestinian Residency and Refugee Rights, Bethlehem, Palestine. Email: resource2@badil.org.
historian Walid al-Khalidi, out of 420 villages, only 6 villages were not destroyed; some of the villages were resettled by Zionist immigrants. The Israeli government established Jewish settlements on the land of destroyed Palestinian villages. Between October 1948 and August 1949, for example, it built 109 settlements on the land of depopulated Palestinian villages. The government also planted forests in order to “hide” the Palestinian villages. Some of the Jewish settlements on the destroyed Palestinian villages also took the names of the villages.

At the same time, Israeli authorities built new housing units for some IDPs in designated “shelter villages” in order to partially resolve the housing problems faced by internally displaced Palestinians. The number of housing units constructed by the government, however, was marginal compared to overall IDP housing needs after the war. In order to acquire government-constructed units, moreover, IDPs were required to cede their housing and property rights in their villages of origin. In addition, most of the land for government-constructed housing was confiscated from the existing Palestinian villages (i.e., the shelter villages). In total, few IDPs benefited from the limited housing program in the shelter villages. IDPs who did benefit from the program often faced social rejection.

Between 1948 and 1966, internally displaced Palestinians, like other Palestinian citizens of Israel, were placed under military rule. Military rule enabled Israel to complete the expropriation of land owned by both the refugees and the internally displaced. It also facilitated Israel’s ongoing colonization in these areas. Israeli military forces declared depopulated Palestinian villages as ‘closed military areas’ in order to prevent the return of internally displaced Palestinians. The practice also blocked implementation of several Israeli High Court decisions permitting internally displaced Palestinians from the villages of Iqrit, Bir’am and al-Ghabsiyya to return to their villages.

Numerous international organizations offered services and assistance to Palestinian refugees and the internally displaced inside Israel. These included the International Committee of the Red Cross (ICRC) and the UN Relief and Works Agency for Palestinian Refugees (UNRWA), which was established in 1950. Since 1948 Israeli governments have refused to deal with the issue of internally displaced Palestinians as a “refugee problem”. The demand of internally displaced Palestinians to return to their villages of origin has been and continues to be rejected. Land owned by internally displaced Palestinians was confiscated by means of the same Israeli laws applied to confiscate the land of Palestinian refugees (e.g., British Emergency Regulations, 1950 Absentees’ Property Law). In 1952, following a request by Israeli officials, UNRWA transferred responsibilities for assistance to the internally displaced to the Israeli government. Israel viewed
international involvement as one of the factors motivating internally displaced to raise the demand for the right of return, and one of the primary obstacles towards extinguishing the status of internally displaced Palestinians as internally displaced persons. In any case, Israeli assistance granted to the internally displaced was marginal and mostly focused on humanitarian relief.

Israel does not recognize internally displaced Palestinians, neither their rights, nor their representative associations. It does, however, recognize individuals when they are prepared to cede claims to their lands and accept compensation. Israel also refuses to allow internally displaced Palestinians from Iqrit, Bir’am and al-Ghabsiyya to return to their villages despite Israeli High Court decisions ruling in the favor of Palestinians from these villages.

The experience of displacement and dispossession more than fifty years ago continues to have a visible impact on the socio-economic status of the internally displaced. The loss of land has transformed village peasants into unskilled workers in the Israeli economy. In addition, many have had problems in rebuilding their lives in the villages that provided shelter in 1948. As Palestinian citizens of Israel, the internally displaced also face overt discrimination in the provision of governmental services when compared to Jewish citizens of Israel. Palestinian villages, moreover, suffer from higher rates of unemployment. As of 2000, for example, 21 out of 25 localities with the highest levels of unemployment (over 10 percent) were Palestinian. As Palestinian citizens, the internally displaced also suffer from massive discrepancies in the fields of health, social services, and infrastructure when compared with the Jewish population.
Population

Internally displaced Palestinians inside Israel are one of the unlucky categories of the Palestinian refugees as far as registration of status is concerned. The state of Israel has never recognized the IDPs as a separate sector of the population, nor has Israel recognized their status as “refugees” or “IDPs”. Unlike the majority of Palestinian refugees who are registered with UNRWA, there is no registration system for internally displaced Palestinians.

<table>
<thead>
<tr>
<th>Source</th>
<th>Year/date</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Bin-Gurion (Israel's first Prime Minister)</td>
<td>10.11.1948</td>
<td>17000</td>
</tr>
<tr>
<td>Hillel Cohen (Israeli researcher)</td>
<td>1948-1949</td>
<td>23000</td>
</tr>
<tr>
<td>International Committee of the Red Cross (ICRC)</td>
<td>February 1949</td>
<td>25000</td>
</tr>
<tr>
<td>International Committee of the Red Cross (ICRC)</td>
<td>June 1949</td>
<td>31000</td>
</tr>
<tr>
<td>The Jewish National Fund (JNF)</td>
<td>1949</td>
<td>10266, from 26 villages</td>
</tr>
<tr>
<td>Charles Caiman (Israeli researcher)</td>
<td>1949</td>
<td>23000</td>
</tr>
<tr>
<td>UNRWA</td>
<td>1949</td>
<td>46000</td>
</tr>
<tr>
<td>Jewish National Fund (JNF)</td>
<td>15.12.1950</td>
<td>19074</td>
</tr>
<tr>
<td>Israeli Labor Ministry</td>
<td>1952</td>
<td>16000</td>
</tr>
<tr>
<td>Majid Al-Hajj (Palestinian researcher)</td>
<td>1994</td>
<td>150000</td>
</tr>
<tr>
<td>Ramzi Rabah (Palestinian researcher)</td>
<td>1996</td>
<td>300000</td>
</tr>
<tr>
<td>Badil Resource Center</td>
<td>2000</td>
<td>250000</td>
</tr>
</tbody>
</table>

Table No. 1 - Palestinian IDPs, Population According to Selected Sources


Using the data of UNRWA and ICRC (30,000 – 40,000 IDPs in Israel in 1949), and the average natural growth rate of Palestinians inside Israel (4.2%), the number of internally displaced Palestinians in Israel today is estimated to be around 274,000 persons. This estimate, however, does not include Bedouin displaced after 1948 in the Naqab, the urban internally displaced (e.g., from Haifa and Akka/Acre) who were permitted to return to their cities of origin but denied the right to repossess their homes and properties, Palestinians who were transferred after 1949 from outlying village settlements (khirba) to the village proper in the A’ra valley, and Palestinians who remained in their village but lost their lands. If all these categories of displaced persons are included, the total number of internally displaced Palestinians inside Israel today exceeds 300,000 persons.
Patterns of Displacement

Displacement of Palestinians during the 1948 conflict followed two main patterns. The first pattern was characterized by direct displacement to the “permanent” places of refuge like the Arab states. This type of displacement describes the movement of most of the externally displaced Palestinian refugees. The second pattern was characterized by indirect displacement from one place to another (3-4 times on average) according to the sequence of the occupation of the Palestinian villages by the Zionist/Israeli troops. This type of displacement describes the movement of all the IDPs in Israel and part of the externally displaced Palestinian refugees. It was less organized and more anarchistic than external displacement, but still collective, according to the family or the village. The latter pattern was “continuous and severe” and spread out over a longer period of time than the first pattern of displacement.

<table>
<thead>
<tr>
<th>Direction of displacement</th>
<th>Shfara’amr</th>
<th>Tarshiha</th>
<th>Kabul</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moved directly to the shelter village</td>
<td>47.8 %</td>
<td>6.5 %</td>
<td>37.7 %</td>
<td>37.7 %</td>
</tr>
<tr>
<td>Moved to Lebanon and came back to the shelter village later</td>
<td>4.4 %</td>
<td>61.2 %</td>
<td>17.3 %</td>
<td>17.3 %</td>
</tr>
<tr>
<td>Moved to another shelter village in Israel and came back to the shelter village later</td>
<td>47.8 %</td>
<td>32.3 %</td>
<td>45.0 %</td>
<td>45.0 %</td>
</tr>
<tr>
<td>Total</td>
<td>100.0 %</td>
<td>100.0 %</td>
<td>100.0 %</td>
<td>100.0 %</td>
</tr>
</tbody>
</table>

Table No. 2 - Displacement Patterns of IDPs – Three Villages as a Microcosm


* The IDPs in Shfara’amr from Wa’arit al-Sarris, Ksayer, Um Al-Zinat, al-Rwiss, al-Damoun, Sa’sa, and Husha.
** The IDPs in Tarshiha are from Iqrit, Sabalan, Amqa, al-Manshia, Suhmata and Deir Qasi.
*** The IDPs in Kabul are from al-Damoun, Mia’ar, al-Rwiss, and al-Birwa.
⇒ The average distance between the village of origin and the shelter village is 2-10 miles.

Several factors explain the patterns of internal displacement inside Israel. Some IDPs found refuge in nearby villages in which they had relatives, family and friends. Nearby villages were also the most similar socially and culturally to the de-populated village. In A’raba, for example, 44 of 68 surveyed IDP families, chose A’raba as a shelter village because they had relatives and family in A’raba. The process of re-uniting from the same village of origin also played a central role in the subsequent movement of IDPs from one village to another.

Religion also played a role in the choice of shelter village, especially for the displaced Christian minority (some 10% of the total IDP population). Displaced Palestinians from the village of
Bir’am (a Christian village in the Galilee), for example, found refuge in the Christian village of al-Jish. But religion also played a role in the choice of shelter village for displaced Muslim population. Tamra village (a Muslim village in the Galilee) took in displaced Palestinian Muslims from al-Damoun, al-Rwiss, and al-Birwa etc’. This consideration was less important in relation to the “mixed” localities that included more than one religious group. Nazareth, for example, a largely Christian city before al-Nakba, absorbed a large percentage of displaced Palestinian Muslims. Interestingly, Muslim IDPs preferred to live in the city periphery, in areas such as al-Safafiri neighborhood (named after the depopulated village of Saffuriya), or the eastern neighborhoods which were close to the rural life. The few displaced Christians that came to Nazareth preferred to live in the city center and the Christian neighborhoods.  

Economic considerations also influenced the choice of shelter village, especially in the latter part of the 1950s and the beginning of the 1960s after IDPs realized that the period of displacement would not be short as they had expected and hoped. Economic conditions generally in the shelter villages were miserable, due to restrictions on freedom of movement, the effects of the war on the Palestinian economy, and the limited resources in the villages. These conditions did not assist in the economic integration of internally displaced. Since the beginning of the 1950s, many IDPs migrated from the village to urban centers in search of better economic opportunities. IDPs from the depopulated village of Saffuriya, for example, migrated to Nazareth from the upper Galilee during the end of the 1950s. The Palestinian sociologist Majid Al-Hajj noted that during the end of the 1950s and the beginning of the 1960s, approximately 35.5% of the IDPs who came to Shfara’amr during this period were pushed by economic considerations. For many IDPs, economic prosperity was seen as an alternative to their refugee status. Local villagers, however, totally rejected urban migration for social and cultural reasons.

Israeli involvement in IDPs affairs was another factor affecting the choice of shelter village. For military and security reasons Israeli authorities transferred IDPs as well as local villagers from one place to another. This form of internal population transfer was often carried out to facilitate the repopulation of areas of the country targeted for Jewish settlement. While Israeli authorities also helped internally displaced Palestinians to rent empty homes in shelter villages or, in some cases, register the property in the name of IDPs, they also forced the internally displaced to give up their rights in their villages of origin.

In addition to the primary patterns of displacement described above, there were two rare patterns of IDP displacement that took place after 1948. Under the first Israel permitted some IDPs to return to their villages/cities of origin. Some of the IDPs from the cities of Haifa, Akka, Jaffa,
and IDPs from the villages Sha’ab and Eilut, for example, were allowed to return to their localities, but were not permitted to repossess their homes and property. They were only permitted to look for new housing in their localities of origin. Under the second rare pattern of displacement, a small number of displaced communities were able to rebuild their neighborhoods on land beside their village of origin. Part of the population that remained from the village of ‘Ayn Hawd, located in the Karmel area of the Galilee, for example, rebuilt homes adjacent to their original village which was settled by Israeli artists. Further examples include al-Mansora in the A’ra valley, as well as the case of displaced Bedouin communities in the north and south of Israel. Many of these villages are not recognized by the government (i.e., ‘unrecognized villages’) and do not receive government services.

**Distribution**

Internally displaced Palestinians (90%) are primarily located in the north of Israel. In total some 162 Palestinian villages in the north were depopulated during the war. IDPs originate from approximately 44 villages, including 11 in which the majority of the village population remained within Israel’s borders. From the 44 villages with IDPs that remained inside Israel, 10 villages had a population of more than 500 persons, 17 villages had a population of 100-500 persons, and another 17 villages had a population of less than 100 persons.

It is estimated that 47 out of 69 Palestinian villages that remained after the war, in addition to the cities of Lydda, Jaffa and the village of Abu Ghosh, provided shelter to internally displaced Palestinians. Today, internally displaced Palestinians reside in most of the Palestinian villages and towns that remained in the territory that became the state of Israel in 1948. In several villages internally displaced Palestinians comprise the majority of the population today. Most, however, reside in separate neighborhoods organized around the structure of their village of origin. These neighborhoods are often named after the village of origin. A similar phenomenon can be found in Palestinian refugee camps throughout the region.

The internally displaced also reside in Palestinian cities in Israel, including Nazareth and Shafa’amr, and in cities with a mixed Jewish-Arab population, such as Haifa and Akka.
Living in the Shelter Village: Social, Economic and Political Aspects

Despite local differences, the phenomenon of social distinction within the shelter village is highly visible. Social distinction is largely the result of competition over limited power and important resources. It should be noted, however, that during the first stage of displacement, IDPs did not face social obstacles, primarily due to the fact that local Palestinian residents considered assistance of IDPs as a national and ethical duty. Moreover, IDPs (as well as refugees), and the locals, in addition to the Arab governments, viewed the situation of the IDPs/refugees as a temporary. Friction between IDPs and the locals arose, however, when IDPs started to build “permanent houses” in the shelter villages.

Despite the fact that IDPs do not live in refugee camps, which are often considered as one of the mechanisms that segregates refugees from their external environment (i.e., the host society), internally displaced Palestinians who live in segregated or separate areas within the shelter village share the same spatial orientation as Palestinian refugees. In the shelter village of Kabul, for example, IDPs from the depopulated village of Mi’ar live in the “Mi’ari” neighborhood. In Nazareth, the “Safafri” neighborhood is named after the depopulated village of Saffuriya. While refugee camps in Arab host countries are also organized according to the village of origin, the main difference between IDPs and the refugees in this context is that refugees in camps share the same status as “refugees” even though they originate from different villages. Inside the shelter villages in Israel, however, there is a distinction in the place of origin and in refugee status – i.e., there is a dichotomous separation in the shelter village between “locals-refugees”.

The spatial separation characteristic of IDPs inside Israel is a result of several factors. Disadvantaged or weak groups often find security and solidarity in the presence of other members of the same group. In the case of Palestinian IDPs, it is also related to the structural nature of the Palestinian village that is based on the family/hamoulla (larger family) and the distinction between sects, that plays a primary role in the spatial organization of the village. Each family or hamoulla has a separate neighborhood.

The spatial separation of IDPs according to the village of origin in the shelter village was one of the main reasons for the re-naming of IDP families according to the village of origin, and the re-organizing of social interactions between the IDPs themselves and the other IDPs and the locals. The name of “Damouni”, for example, was given to all the IDPs from the depopulated village of “al-Damoun”. This process in turn enhanced the affinity of IDPs (based on the village of origin) within the Palestinian/Arab social structure.
The intensity of the social distinction is dependent on two basic aspects of the shelter village. The first is the degree of “homogeneity” within the shelter village. When the shelter village is more homogenous culturally and socially, the social distinction between the locals and the IDPs become more pronounced. The most evident social distinction is one of “locals-refugees”. Alternately, when the shelter village is more “heterogeneous”, IDPs have more opportunities to integrate within the social structure of the village. The second aspect is the size of the IDP population in the shelter village. Social distinction was less evident in those villages where most of population are IDPs. In Sheikh Danoun (Galilee), for example, the majority of the inhabitants are IDPs from the depopulated village of al-Ghabsiya. The social integration within the shelter village is therefore more evident. In those villages where IDPs are considered more of a “threat” to local residents, the internally displaced may exercise greater political power toward the political center of the village. To be small majority or large minority can be the most evident distinction between the locals and the IDPs.

Social distinction is also related indirectly to economic development. The 1948 war led to the total collapse of the Palestinian economy, the village economy in particular (not to mention the political and social structure of Palestinian society). In this context, the economic status of IDPs was not so different or worse from other Palestinians in comparison to Palestinian refugees in exile, especially in light of the fact that the confiscation of Palestinian land continued in those Palestinian villages that remained after 1948. Due to the fact that most of the Palestinians and especially the villagers were peasants (fallahin), and therefore dependent on the land for their livelihood, displacement and dispossession resulted in greater dependency on external assistance and the Israeli economy. The shortage of land in the shelter villages gradually led IDPs (and also the locals) to enter the Israeli economy as part-time and unskilled laborers. The process of de-agriculturalization led to a process of forced proletarianization.

While the dependence of Palestinian locals and IDPs on the Israeli economy reduced economic gaps between them, the degree of dispossession experienced by IDPs is one of the primary reasons for IDP economic underdevelopment and their inferior status in the social class structure. The limited resources accessible to IDPs precluded the possibility of social and economic integration in the shelter village. The end of military rule on Palestinians in 1966, and the Israeli occupation of the West Bank and Gaza Strip in 1967 opened Palestinian markets to Israeli goods. While the economic gap between IDPs and the locals in the Palestinian villages was reduced, the general economic gap between the Palestinians in general and the Jewish sector remained. In general, the economic challenges faced by IDPs has become less distinct with time, due to the common problems faced by both sectors of the Palestinian community inside Israel (IDPs and
locals), including the lack of agricultural land, dependence on the Israeli economy, and the absence of an independent Palestinian economic structure.

In general, the economic adaptation of IDPs within the shelter villages was quicker than the process of social adaptation. Over time, some IDPs succeeded with time to establish stores and markets in the shelter villages. Most of them were the most enthusiastic towards social integration. Therefore, they do not define their stores as “refugee stores”. At the same time, they themselves demonstrate resentment when IDPs patronize non-refugee stores. In general most of the IDPs (some 70%) feel that there is a distinction between “refugee stores” and “non-refugee stores”, and because of that most of them prefer to go to “refugee stores”. Locals often treat IDPs as “strangers” especially in response to attempts by IDPs to establish their own stores and acquire lands. The sense of “estrangement” was transferred from the generation of the Nakba to the second and third generations who also realized that they were not integrated in the shelter village. While the relationship between the Nakba generation and the village of origin was a connection of remembrance, the connection to the village of origin with the second and the third generation is more romantic. At times the village of origin becomes a “shelter” from the shelter village. Mixed marriage has constituted one of the mechanisms to reduce social distinction between IDPs and locals.

Politically, it should be noted that during the first stage of displacement, in which internally displaced Palestinians, as a group, were not yet organized, IDPs adopted a neutral stance towards local conflicts. This position led to a dynamic where the local population offered more benefits to IDPs in order to win their support. This also gave IDPs greater status in the shelter village. In those villages where IDPs are considered a small majority or large minority, however, IDPs were often one of the parties to local conflicts. In these villages IDPs participated in local elections under political parties related to the village of origin. In Yafia’ village, for example, refugees from the depopulated village of Ma’alul participated in elections under the banner of the “Ma’alul refugees” party. These political parties often focused on issues of interest or concern to all the population and not only refugees (i.e., question of integration) as a means of attracting political support from local parties.

At the national level, IDPs are more politically active in comparison to other sectors of Palestinian society in Israel. Some members of the Knesset are IDPs (generally as representatives of the non-Zionist political parties).
In summary, the problem of IDPs within the shelter village is double, they have to deal with the integration question within the state of Israel as a Palestinian minority and they have to deal with the integration question within the shelter village as IDPs, a situation that al-Hajj named a “minority within minority”.

**The Challenge of Return**

During the first stage of displacement, it seemed that Palestinians refugees, in general, and IDPs, in particular, had “disappeared behind their problem.” Refugees and IDPs were referred to by the absent pronoun “they” rather than the present pronoun “we.” Nevertheless, the campaign of refugees and IDPs to return to their homes or origin started with the first days of displacement. Over the last decade, this campaign has assumed new proportions.

**al-Nakba (1948–1967)**

During this stage, which began with the Nakba in 1948, the majority of the Palestinian people became refugees through two primary waves of displacement: (1) during the 1948 war; and, (2) during the 1967 war. Israeli military forces occupied all of Palestine during this period. During this period, the Palestinian case was generally viewed as a “problem of refugees in need of humanitarian assistance.” The political rights of Palestinians disappeared in the face of the humanitarian catastrophe that had unfolded across the country. The entire Palestinian people had either become refugees, were occupied, or both. Within a period of less than two decades the majority of the Palestinian peasant population had become an occupied and/or refugee minority living in foreign states. With the end of the 1948 war, the remaining Palestinians inside Israel including the IDPs became a “minority within their homeland”, living under a foreign and oppressive Zionist majority.

During the conflict and the beginning of the displacement, the main challenge faced by Palestinians was to escape from the danger. Refugees and IDPs, in addition to the locals and the host societies, believed that the return of the refugees and the IDPs would be a “matter of time”. Displacement would be temporary. By the end of the war, many of the IDPs and some refugees from Syria and Lebanon tried to return to their villages by crossing the armistice lines, often in the middle of the night despite threats issued by the Israeli government against returnees (referred to as ‘infiltrators’). Israeli military forces deported or killed most of these persons.

IDPs and all Palestinians inside Israel tried to return to their villages of origin by sending letters to the Israeli ministries. These letters were generally written by the “Mukhtars” and the villages
dignitaries\textsuperscript{51}, and focused on the good relationship between the residents of the village of origin and their Jewish neighbors, and their desire to live in peace under Israeli rule. \textsuperscript{52} The Israeli response to these letters was negative. At the same time the Israeli government announced its willingness to assist the IDPs but only in situation of resettlement in a new shelter village.\textsuperscript{53} In the letter that was sent by the IDPs from Mi’ar de-populated village to the Israel Minister of Minorities, for example, villagers wrote:

\begin{quote}
We left the village based on the incorrect propagation that the Israeli army killed the men, the children and the women ... and when we tried to return, we were prevented from doing so by the army of Qawaji\textsuperscript{54} ... we did not participate in the war, and we request our return in the name of the justice and humanity...\textsuperscript{55}
\end{quote}

The shock of the 1948 war, in addition to the collapse of the national leadership, was one of the reasons surrounding the confusion on norms for the struggle against Israeli governmental policies. Palestinian refugees and IDPs inside Israel, moreover, still harbored the hope intervention by Arab states would bring about return and liberation. Military rule of the Palestinian population inside Israel, which lasted between 1948 and 1966, moreover, limited effective political participation. Out of fear, IDPs refrained from publicly expressing their political views. IDPs were not allowed to visit their villages due to the fact that the destroyed villages were declared “military closed zones”.\textsuperscript{56} The only Israeli party working to resolve the IDP and refugee problem during this period was the Israeli Communist Party (ICP).\textsuperscript{57} This led to greater support among IDPs for the ICP.\textsuperscript{58} Since the establishment of Israel in 1948, the ICP has demanded that the government resolve the problems of the IDPs including allowing them to return to their villages of origin.\textsuperscript{59} A number of IDPs also established a “Democratic Public Committee”, that raised the demand of IDPs to return to their villages of origin.\textsuperscript{60} In general, the absence of the Palestinian leadership and organizations assisted the Israeli government in its attempts to shift the case of the IDPs to a humanitarian rather than a political issue. Awareness of the plight of IDPs, moreover, was local and related to the specific village of origin.\textsuperscript{61}

The hope expressed by Palestinian refugees that the Arab states would defeat Israel, and secure Palestinian return and self-determination disappeared by the end of this stage. This situation led finally to the Palestinian revolution by the mid 1960s and the 1970s.
**Return is not First (1967-1993)**

This stage began in the mid 1960s. The primary factor leading to a shift in focus of the campaign to return was the 1967 war, in which Israel occupied the rest of the Palestinian territories, and displaced more than 350,000 Palestinians. The war also led to the collapse of Arab national unity and the failure of the Naserist movement. Up until this time Palestinians had expected that the Arab states would liberate Palestine. Following the 1967 war, however, Palestinians began to look towards themselves for a solution to their plight rather than Arab states – i.e., Palestinians would have to resolve their own problem. This stage was characterized by several events, including the establishment of the Palestine Liberation Organization in 1964, the beginning of the Palestinian revolution against Israel in 1965, and the battle of Karama in 1968 as the first “face to face” fight between Palestinians and the Israeli army since 1948. Refugees living in exile initiated all of these events. Inside Israel, new political movements were established, including al-Ard (The Land), which was established in 1964 as a nationalist Arab movement and Rakah (the new communist party) comprised primarily of Palestinians and IDPs. While Palestinian refugees outside adopted the principles of Shahada and Fidaa (martyrdom and self-sacrifice for liberation), the Palestinians inside Israel in general and the IDPs in particular adopted al-Sumod (steadfastness) in their struggle.

By the end of the 1960s, the intensity of debate among IDPs and refugees for return declined because of the Israeli occupation of the West Bank and Gaza Strip. IDPs focused on their relationship with Palestinians in the occupied territories in addition to their economic development. According to the Knesset statements index (Divri Haknesset), for example, there is a significant decline in statements by Palestinian members of the Knesset in the 1970s and 1980s related to IDPs. This led also to fewer governmental efforts to address the IDP problem. The secret “Koenig” report, written by an official from the Israeli Interior Ministry, for example, discussed mechanisms of domination of Palestinians inside Israel, the political power of Rakah on the Palestinian street, the Palestinian students in the Israeli universities, and the “demographic problem”, but did not mention the issue of internally displaced Palestinians. While internally displaced Palestinians continued to advance economically during this period, the demand of return was not mentioned by any political parties including Palestinian parties inside Israel until 1992.

This period also witnessed an increase in academic research and writing on IDPs inside Israel. This included Palestinian academics. The “rediscovery” of the Palestinians ran parallel to the increase in academic output. Some researchers have thus argued that there is a relationship between academic writing and the development of the Palestinian people culturally, historically
and socially as well as its ability to build a separate identity. This is also true for Palestinians inside Israel, Palestinian refugees, and the IDPs inside Israel. Academic writing thus plays an important role in the process of nation building.

Through this stage the problem of the IDPs was “hidden” behind the political demands of the Palestinian parties inside Israel that focused since 1967 on two basic rights: withdrawal from the 1967 occupied territories, and the building of an independent Palestinian state; and, equality for the Palestinians inside Israel. In exile, the right of return was hidden behind the Palestinian revolution, self-determination and the struggle for liberation.

**A New Process of Organizing (1993-)**

The beginning of this stage coincided with the beginning of the negotiations between the Israeli government and the PLO in the early 1990s, the signing of the Oslo agreement in 1993, and the establishment of the Palestinian National authority in the “liberated” cities in the West Bank and Gaza Strip. This current stage is also characterized by the development of a mass campaign for return headed by the IDPs and the refugees themselves.

IDPs and the refugees felt that the Oslo peace process had ignored their right of return. Despite difference between IDPs and refugees in the West Bank and Gaza, the response to the peace process was similar. Popular committees were established in both places in order to protect the rights of the refugees and the IDPs. This was the first time that the refugees built their committees to lobby for their rights – i.e., committees “by refugees and for refugees”. During the latter part of the 1990s, return committees and organizations were also established in Arab states (including Lebanon, Syria, and Jordan) in addition to Europe and North America. The emergence of this campaign was related to the exclusion of refugee rights from the negotiation process and reflects a crisis of representation at the Palestinian national level.

One of the positive aspects the Oslo peace process in relation to refugees, however, is that the process engendered increased interest and awareness about Palestinian refugees and IDPs. As the different parties searched for solutions to the conflict, there was a need to study the main “obstacles” between the Palestinians and the Israelis, including the refugee issue. Moreover, refugees themselves have had the opportunity to voice their point of view, their needs and their rights.

In April 1992, internally displaced Palestinians organized the first public meeting in which they established a follow-up committee concerning the affairs of IDPs inside Israel. The committee
reaffirmed that IDPs are part of the Palestinian people, and voiced protest that the negotiations with the Israeli government were ignoring their rights. The committee also demanded implementation of UN resolutions related to Palestinian refugees including General Assembly Resolution 194(III), 11 December 1948. Three years later, the follow-up committee called for a meeting of IDPs in the village of Ebilin (11 March 1995). Representatives of some 28 de-populated villages (some 280 persons in total) participated in the meeting. The participants decided to establish a National Committee for the Defense of the Rights of Internally Displaced Palestinians inside Israel (officially registered as an association in 1998), as a response to the exclusion of IDPs and refugees from the Oslo process. The Association is comprised of representatives of the villages of origin. On 16 March 1995, the larger Follow-up Committee of the Palestinian citizens inside Israel announced its support for IDPs, and welcomed the Association for the Defense of the Rights of Internally Displaced Palestinians (ADRID) as the representative forum of IDPs inside Israel. ADRID calls upon the government of Israel to implement UN Resolution 194 to allow the IDPs and the refugees to return to their homes; organizes activities in the villages of origin, including marches into the villages of origin; collects materials on the villages (archives); in addition to cooperation in the Knesset with Palestinian political parties. ADRID also encourages the establishment of local committees of the villages of origin. ADRID is considered as the legitimate representative of the IDPs.

[T]he important and historic resolution to establish the National Committee [ADRID] as the legitimate representative of the IDPs in Israel, [was adopted] in order to stop Israeli designs, supported by Arabs and the international community, against the Palestinian side to exchange the right of return of the refugees and the IDPs in for the right of self-determination [i.e., a Palestinian state]. We totally reject this.

One of the important activities of IDPs through ADRID is the annual commemoration of the Nakba on the date of the establishment of the state of Israel (15 May). Marches are organized every year from one of the shelter villages to the nearby village of origin. Other national dates around which activities are planned include Land Day and the dates of village occupation. The National Association also supports the publication of research related to the IDPs experience.

In March 2000, internally displaced Palestinians organized a second conference in Nazareth, with the participation of local committees, Palestinian political parties, and representatives of the PLO. The final statement of the conference reaffirmed the final statements of the first conference in Ebilin (1995), including the reaffirmation of the right of return of IDPs and refugees. During 2000, ADRID organized, in coordination with the local committees of the de-populated villages,
more than 20 organized visits to the de-populated villages, during the commemoration of the Nakba. More local IDP committees also became members of ADRID during the year.\textsuperscript{82}

ADRID also coordinates with other refugee committees and organizations in the West Bank based on shared principles, including UN Resolution 194. ADRID participates in international conferences with full coordination with the refugee organizations.\textsuperscript{83} In addition ADRID cooperates with refugees organizations in organizing common activities such as the International Day in Solidarity with the Palestinian People, In 2001, for example, ADRID organized a central march in Nazareth.\textsuperscript{84} In October 2000, November 2001, and November 2002, ADRID participated in the annual coordinating meeting between Palestinian refugee committees and organizations held respectively in Cyprus, Brussels, and Copenhagen.\textsuperscript{85} One of the main results of these meetings was the establishment of a “Palestinian Right of Return coalition” as an umbrella union for most of the refugee and the IDPs organizations. ADRID is a member of this coalition. The IDP campaign has become one of the main centers of the Palestinian right of return, despite the particularities of their case (i.e., IDPs are citizens of Israel and not refugees).

In addition to ADRID, the 1990s witnessed the establishment of tens of committees for the local de-populated villages, including the popular committee of Suhmata,\textsuperscript{86} Hittin Committee,\textsuperscript{87} Iqrit Committee,\textsuperscript{88} Saforia Committee,\textsuperscript{89} al-Damoun Committee,\textsuperscript{90} Bir’am Committee, and al-Ghabsiya Committee.\textsuperscript{91} All the local committees are members of ADRID except the committees of Iqrit and Bir’am that have a special struggle due to previous Israeli High Court rulings on their case, and express caution concerning coordination with ADRID and the IDPs in general.\textsuperscript{92}

The struggle of the internally displaced inside Israel is not easy. In the past, IDP committees had to confront interference in their work by the PLO, which was concerned that IDP activities could damage the peace process with the Israeli government.\textsuperscript{93} The committees face other problems, including, for example, the problem of defining policy vis-a-vis Israeli public opinion. Other questions include the position of the committee towards IDPs who received compensation from the Israeli government, and the relationship of the situation of IDPs to the larger refugee case.

The campaign of the Palestinian IDPs inside Israel has also been affected to a large extent by the process of building Palestinian civil society inside Israel. Palestinian civil society structures virtually disappeared in the aftermath of the 1948, the establishment of the state of Israel and the mass displacement of Palestinians.
With the end of the military rule inside Israel in 1966, some of these organizations reappeared especially in the political arena and in the area of social services. During 1990s, some 656 new Palestinian associations were registered inside Israel. In 1995, Ittijah (the Union of Palestinian NGOs inside Israel) was established. Today Ittijah includes some 55 Palestinian associations as members, and offers services to more than 150 Palestinian associations. Approximately 66.7% of the member organizations were established after 1990 (36 from 54 in total), and some 24.0% were established during the 1980s (13 from 54 in total).94 Some of these associations work, including the Al-Aqsa Islamic association,95 Gallil society, the Association of the Forty for the unrecognized villages inside Israel,96 and Adalah Legal Center, work with ADRID which is also a member of Ittijah.

At the political level, an increasing number of Palestinian political parties have focused on the problem of internally displaced Palestinians. Through the 1996 Israeli general election, for example, Hadash and Balad raised the case of the IDPs as one of the main issues affecting Palestinians inside Israel. Other Palestinian parties have also raised the issue of IDPs,97 in addition to some of the Zionist left forums like Ta’ayosh and Gush Shalom movements.

**Conclusion**

The peace process that started at the beginning of the 1990s between the PLO and the Israeli government pushed Palestinian refugees, including the IDPs inside Israel, to protect their rights by themselves. The success of the campaign for refugee and IDP rights that has been organized primarily by political activists cannot be explained outside the context of the shelter villages in which IDPs continue to have a distinct social identity as displaced persons. The campaign for IDP rights, including return that began in the 1990s has raised the issue to the national level. There, the conflict is with Israeli authorities and not with locals in the shelter villages. On the contrary, locals and other Palestinians have given the IDP campaign support at the national level.

In general, the refugee identity of IDPs inside Israel has been continuous since 1948. The negative identity of “I’m not from here” (i.e., from the shelter village) illustrates the problem of social distinction. At the same time, IDPs inside Israel continue to express a positive identity of “I’m from there” (i.e., from the village of origin). These two main identities together comprise the collective identity of internally displaced Palestinians inside Israel today. IDPs in Israel are challenging two main solid structures. The first is Israel’s continuous rejection of their right to return to their villages, despite the fact that they are citizens of Israel (not to mention the fact that several unimplemented Israeli high court decisions have ruled in favor of the return of some
villagers), nor will it change the demographic balance inside Israel. The second one is the structure of the Palestinian shelter village, where the relationship between locals and IDPs is still one of “estrangement” despite the fact that IDPs are living in their homeland.

Bibliography

Arabic references


Hebrew References


English references


End notes


4 Ibid.

5 The Israeli settlement on the destroyed village Beit Dajan was named “Beit Dagan”, and Kibutz “Sa’sa’” was built in Sa’sa’ village, “Bietzit” on al-Bassa village, Tziburi on Safuria village, Mushav “Amka” on the land of Amqa village, Mushav “Eilanit” (tree in Hebrew) was established on the land of “Al-Shajara” village (tree in Arabic), Kibutz Lavea was built on the land of Lubia village. See, Wakim (2001,a).

6 In Um Al-Fahem, Yamma and Sha’ab and Ein Rafa near Jerusalem, the Israeli government built some 20 housing units for the IDPs, in Jaljulia 10, Ramla 45,and in Nazareth more than 200. State of Israel Archives, The Housing Ministry file, 4410/61621, Cited in Cohen (2001).

7 In October 1958, the Israeli government confiscated some 56 plots from Tamra village in the Galil in order to resettle IDPs. After a few months the government confiscated almost 70 dunums in Judaida village, and 24 dunums in al-Jish. See, Cohen (2001).


16 See, Cabaha, M. Brazilai, R. (1996), Haplitim Bearzam, Haplitim Hapnimiem Bamdinat Yesrael 1948-1996 [Refugees in their Homeland, the Internal Refugees in Israel State 1948-1996], Skiriot al Ha’aravim Bayesrael No. 2. Geviat Haviva: Institute for Peace Studies. The Migration of the IDPs from Safurriya village to Nazareth can be explained if we take into consideration the geographic proximity of Safurriya to Nazareth, and the process of the reuniting of IDPs from Safurriya into “al-Sfafri” neighborhood in Nazareth.


18 This include, for example, the transfer of Rehania IDPs in Kufr Kana, and the transfer of Tarshiha residents to Me’elia village. General proposals for the resettlement of IDPs in Majd al-Krum were discussed by the Transfer Committee headed by Joseph Weitz.

19 In 1950, the village department of the Custodian of Absentees Properties announced that it was going to study the question of renting empty houses in the shelter villages to IDPs in 20 villages. Israeli Defense Army Archive, 263/66/2, Cited in Cohen (2001).
In some cases, the Israeli authorities asked IDPs to register the houses of “secondary occupation” as permanent property in exchange for ceding their rights in the villages of origin. This includes IDPs in al-Jish, in April 1961. See, Sae’ed (1992).

In Nazareth, there was a high percentage of IDPs. Inside the city there were more than 4,500 IDPs and in the nearby villages there were an additional 5,000 IDPs. The Israeli government was afraid to allow such a high population of IDPs remain in one place. It therefore decided to allow to the IDPs from Haifa, Akka and Jaffa to return to their cities of origin. A special ministerial committee recommended that IDPs from Eilut (560) and Hittin also return, but the military rejected the latter village for security reasons. The two Bedouin tribes of Krad al-Baqqara and Krad al-Ghannameh were transferred to Sha’ab village in 1956, which was empty and had been declared a “closed military zone.” Villagers from Sha’ab who had been displaced to the nearby villages were allowed to return to the village. See, Cohen, (2001).


This included Nazareth (3,000-6,000 IDPs), Akka (1,000), Majd Al-Krum (850), al-Rama (550-850), Yafia’ (370-750), Abu-Snani (400), Kufar Yasif (400), Kufar Kana (270-600), Shfaram (500). Ibid.

During the first stage of displacement, Palestinian refugees in the Arab States, on the other hand, faced bad treatment by the local Arab residents and from the authorities. Rosemary Sayegh who researched the Palestinian refugees in Lebanon claimed that the Palestinian refugees represented to the locals the Nakba and the defeat of the Arabs in 1948. The locals in Lebanon also viewed the refugees generally as “foreigners” especially through the first years. See, Sayegh, Rosemary: Palestinians: from Peasants to Revolutionaries. London: Zed Books. 1979.

Every village consisted of 3-4 families/hamoulas and 3-4 neighborhoods.
On 24 May 1949, for example, Israeli military forces deported some 61 persons from Frradia village and Samiria village. Military forces also deported two families from Mi’ar village who came from Arraba village. Yom hamilhama shel hamimshal hazvai’, The IDF Archive, 850-721/72, IDF archive, 721-842/72, Cited in Cohen (2001).

These types of letters were sent, for example, to Ben Gurion, the Israeli Prime Minister and the Defense Minister, and also to Bachour Shitrit, the Minorities Minister. Letters of IDPs were sent by IDPs of Haifa in Nazareth, and Madima village (Tibriyas) in Nazareth, and Suhmata in Bqe’en, and the IDPs of Mi’ar in Kabul village. See, State of Israel Archive, Minorities Ministry file, 44/1319, 39/308, 35/1319, 41/1319. Cited in Cohen (2001).

This was an Arab army comprised of different Arab troops who came to Palestine to defeat the Israeli-Zionist forces.


The members of Knesset of the Israeli communist party demanded in mid 1949 to allow the IDPs from al-Mjedil, Eilut, Ma’alul, Birwa, Damoun, Fargha, Iqrit, etc.’ to return to their villages of origin. See, Devti Hakneset, 1, 1949, 5-84. Cited in Cohen (2001).

The first popular conference for refugees was held in Al-Fara’a, a former Israeli prison in Nablus in 1995, and called upon Palestinian refugees to organize a lobby for return. Additional workshops were held in 1996 in the West Bank and Gaza, in addition to the “first refugee conference” which was held in Dheishe refugee camp in Bethlehem in 1996, and another refugee conference in Gaza in the same period. This popular campaign led to the reactivation of the Refugee Affairs Department of the PLO and the establishment of popular committees in each camp of the West Bank and Gaza. Workshops and protest activities continued in the following years. For more details on the campaign of refugees and IDPs in Palestine and Israel, see, Jaradat (2000).
This includes the march to Safurriya village from Nazareth in 1998 on the 50th annual commemoration of al-Nakba, and the public march to the depopulated village of al-Damoun from Kabul shelter village in 2000. In the 53rd annual commemoration of al-Nakba the National Association for the Defense of the Rights of the Internally Displaced inside Israel organized a march from Yafia’ village to the depopulated village of Ma’alul with the participation of more than 5,000 persons. There was also a march to al-Birwa village on the same date. See, Wakim (2001, b); Ha’aretz, 15 May 1998; and Badil Resource Center (2001), al-eqaa al-Tansiqi al-Awal fi Qubros [First Regional Meeting for Coordination in Cyprus]. Bethlehem: Badil Resource Center.

The National Association organized, for example, a march from Sheikh Danoun village to al-Ghabsiya depopulated village on 28 March 1998 in commemoration of Land Day.


See, Badil (2001); and Badil (2002).

The popular committee of Suhmata organized a survey about the village population and their distribution inside Israel, in addition to its activities of visits and voluntary activities in Suhmata, and publications about the village. See, Sae’ed (1999).

This was established in 1978 on the 800th commemoration of the Hittin battle between the Muslims (led by Salah al-Din al-Ayyubi) and the crusaders. The Committee organizes activities and voluntary activities in the village, and also the prayers on Friday and holidays in the Mosque of Salah al-Din in the village. Ibid.

The Committee is leading the special struggle of the village displaced in coordination with Bir’am Committee, and has annual activities in the village and outside. The committee is more developed than the other local committees. See, http://www.iqrit.org.

The committee was established in 1993, and organizes visits and meetings in the village, in addition to the survey done by the committee on the displaced from Safurriya. It also publishes materials on the village. See, Sae’ed (1999).

It was established in 1996 in order put pressure on Israeli authorities to return to the village. The committee maintains the village cemetery and organizes visits to the village. It also publishes materials on the village, such as “al-Damone: My Village”.

The committee of al-Ghabsiya organized prayers in front the its closed mosque in March 2002 with the participation of some of the committee members. The participants called upon the Israeli government to re-open the mosque that was has been closed since 1997. It should be noted that al-Ghabsiya committee organizes the Friday prayer weekly in front of the mosque even in the winter. See, al-Ittihad, 3 March 2002.

Some of the voluntary activities in the depopulated villages were organized by Al-Aqsa Islamic Association, especially cleaning the mosques and the cemeteries. In 1994, for example, the Association organized voluntary days to re-build the cemetery in depopulated village of Husha. The Association has a cycle of activities in some of the depopulated destroyed villages such as Balad al-Sheikh, where the cemetery of Iz Al-Din Al-Qassam is located. See, Cohen (2001).

The unrecognized villages are Palestinian localities in Israel that the Israeli government does not recognize. They do not receive any services, including electricity, piped water, telephone, postal services and infrastructure. The Association of the Forty was established in 1988 on the 40th anniversary of the Nakba and the Universal Declaration of the Human Rights. Some of the Palestinians in the unrecognized villages are IDPs such as the Palestinians from Ein Haud near Haifa. See, http://www.assoc40.org.

Savimbi is dead – the war ends!

First, let me recapitulate the history of forced displacement in Angola: Angola is one of the largest African countries, but only has a population of approximately 13 million. The number of IDPs was 4.1 million in December 2002 according to the Global IDP Project. This number has been more or less stable since April 2002 despite repatriation of many thousands of IDPs. Simultaneously with the return home for many IDPs, new people have been displaced due to the deteriorating humanitarian situation in the country and the long-term effects of the scorched-earth war strategy from both sides in the conflict. The end to the war has also opened up access into and out of areas that formerly have been closed for in and outflow of people. In addition to the IDPs, around 450,000 Angolan refugees are living abroad. Most of them stay in neighbouring countries: Zambia, Namibia, DR Congo, Congo, and South Africa. Zambia alone has about 225,000 Angolan refugees.

The fight for independence from Portugal started in 1963 and ended with success in 1974. Unfortunately, the Angolans have experienced three wars since then: the post-independence war from 1974–1991 which began when the three independence movements MPLA, (Movimento Popular de Libertação de Angola), FNLA (Frente de Libertação de Angola) and UNITA fought each other for the control of the capital Luanda, and thus control of the political power. The MPLA won, and established a single-party socialist government in November 1975. After the peace agreement in 1991 multiparty elections were held in September 1992. The ruling party, the MPLA, won most of the seats in the parliament and their presidential candidate Jose Eduardo dos Santos received just over 49% of the votes, and Jonas Savimbi from UNITA won 40%. Before the second round in the presidential elections Savimbi went back to war, the post-multiparty election war from October 1992 – November 1994. The latest war started in 1998 and finally ended in April 2002.
Why do people continue to be IDPs?

The causes of displacement in Angola are multi-complex. Even though war has been most prominent during the last few decades, it is not only the wars that have forced people to flee. Lack of access to basic services such as health-stations, schools, infrastructure (e.g. roads and markets), and environmental degradation are all prominent when the displaced populations explain why they were forced to flee. Trusting that peace will last, this article emphasise the causes of forced migration that will continue to trigger displacement when war is absent.

During the wars both sides in the conflict have perpetrated extreme acts of violence against the civilian population: forced displacement, forced conscription to armies or as labourers, rape, kidnapping, rape executions, and physical assaults. Many IDPs state that the only difference between them was that: ‘UNITA kills with machete, whereas FAA (Forças Armadas Angola/the Angolan government army) kills with bullets’.

In Huambo province, in the interior of Angola, many of the IDPs identified environmental change as one of a set of multiple causes to their displacement (Birkeland 2000). Particularly, land degradation was named as the cause of their decision to flee. Land degradation is not only caused by physical factors but also to a large extent by human activities, or a combination of the two, such as the change to intensive cash-crop agriculture in the marginal lands of the central highlands in Angola. In Huambo it is deforestation, soil erosion and loss of access to traditional lands that constitute the most prominent forms of environmental change.

During the wars, insecurity forced the population to gather in safer zones along the CFB railway, particularly around the towns of Huambo and Caála. Such concentrations of population in safer zones intensify the degrading process in the limited land available for IDPs and host populations. Problems of local land degradation in these areas were experienced already before the wars started in this region in late 1976. Since then, the intensity of land degradation has become life threatening since the wars had made the more fertile areas further afield insecure and inaccessible. Deforestation further results in loss of other forest products such as honey, wild animals, berries, and fruits, identified by both the local population and IDPs as important contributions to their livelihoods. In times of crisis the forest products become more important, serving as a buffer in the hunger periods between harvests. The areas along the CFB railway are, with a few exceptions, deforested. A high demand for fuel wood and other forest products was evident before the civil wars started but at that time the customary management regimes prevented deforestation. Before someone cut a tree near settlements, the soba (traditional leader) had to be asked for permission. During the war both the deterioration of customary management practices and the need for wood
caused an immense pressure on the forests and trees in the available and safe areas. In the villages there are still fruit trees, but the woods and forests that traditionally had been used as the source for fuel wood, building materials and other forest products have disappeared.

Many of the self-settled IDPs preferred to stay as far away from Huambo City as possible since this enabled them to have better access to forests. During 1998 and 1999 many chose to settle in more exposed areas, such as around Missão do Cuando and Ekonha instead of going to Huambo City because there was still wood available there.

In aiming to identify the causes of forced migration Summerfield (1999:131) states: ‘It is likely to become increasingly difficult to distinguish the effects of war, of environmental degradation and of global economic policies that mean structural poverty for the overwhelming majority.’ This interweaving of causes is already taking place in Angola. A reality that create challenges for adequate and timely interventions in the current post-conflict situation to avoid future displacement. It is decisive that national and international actors realise that the formula for causes of forced displacement is more complicated than ‘war = IDPs Æ no war = no IDPs’ if internal displacement is to be minimized in the future.

Many IDPs have been displaced several times, some to and from their home places, others in a step-migration pattern from rural to semi-urban areas, ending up in urban areas. The geographical direction of the IDPs’ movements can be characterised as: (i) movements from rural and remote areas to more urban and central places in the various provinces (e.g. coastal towns of Luanda, Lobito and Benguela and a substantial number in the interior cities, such as Malanje, Luena, Menongue, and Huambo), and (ii) movements from the interior to the coastal areas. Some studies indicate that most IDPs who have settled in the coastal areas do not return to their places of origin in peaceful periods. The wider range in livelihood strategies and better access to education and health services found in the urban and semi-urban areas cause many to remain. The urbanisation in Angola has increased dramatically over the last few decades, the UNDP estimates that about 50% of the population now live in urban areas, whereas before the wars the urban population was 17%. 

In aiming to identify the causes of forced migration Summerfield (1999:131) states: ‘It is likely to become increasingly difficult to distinguish the effects of war, of environmental degradation and of global economic policies that mean structural poverty for the overwhelming majority.’ This interweaving of causes is already taking place in Angola. A reality that create challenges for adequate and timely interventions in the current post-conflict situation to avoid future displacement. It is decisive that national and international actors realise that the formula for causes of forced displacement is more complicated than ‘war = IDPs Æ no war = no IDPs’ if internal displacement is to be minimized in the future.
Return to home: ‘Now I can sleep in my hut!’

On a country level many displaced persons are now returning home. The population requires livelihood opportunities as well as political and military security in order to return. State authorities have now been re-established in all communes and municipalities, but most of them have minimal resources available to initiate and assist in local development. Peace has increased the return of IDPs. However, most of the returnees are arriving without food, seeds, or tools for agriculture and rebuilding houses and roads. Demining is also urgently needed in many locations.

The transition from a long period, in which many have been dependent on external aid, such as food aid from the International Committee of the Red Cross and WFP (World Food Programme), to an ordinary situation in which ‘everyone’ has to work ones field to secure food is a challenge in many communities. Some of the traditional leaders who have had better access to food and other goods while displaced than what is normal in the rural areas do not want to encourage the return of their village communities to the areas of origin. This creates a challenge for both national and local authorities as well as NGOs to secure development in the areas further afield from the regional centres where most of the emergency aid has been concentrated during the wars. The focus on local and regional development to secure the livelihood opportunities in the rural areas is decisive to promote viable return home for the many displaced in Angola.

Some promising changes are taking place in the rural interior areas. Over the last few months a small increase in the agricultural production has occurred. The most substantial challenge to strengthen this positive development is to secure access to financial credit to enable small-scale farmers’ purchase of seeds, fertilisers and access to ploughing animals. Further, rapid reconstruction of infrastructures such as roads and railways for sale of the surplus harvest is particularly demanded. Improvements are already taking place; before peace it cost 200 USD to send one ton of agricultural produce to the urban markets in Benguela (coastal area) from Huambo (interior), in September the price had decreased to 80–40 USD and is expected to continue down further to around 20 USD.

Return movements have taken place simultaneously with new displacements since 2000. When areas become relatively safe again many of those living under horrendous conditions in the regional town started their return home. Many families split up, a part of the family remained close to places where international agencies and NGOs provided assistance, whereas other members of the family returned to their hamlet to rebuild houses and start with agriculture again. Families from communes in the southern parts of Caála Municipality, for example, who had been displaced in December 1998, started their return home as early as
in 1999. Then they moved 15–25 km south of Caála, to areas where the security situation was questioned by international NGOs but where there were better opportunities for subsistence agriculture. Then, as the security situation improved and as a result of increased circulation of people and goods, they continued south to Cuíma in 2001 and now they are finally about to reinstall themselves in their villages in N’Gove.

Most of the self-settled IDPs return by choice, whereas among those who live(d) in camps there are many who have been told to return by the authorities. In Huambo Province, IDPs who used to live in camp Cruzeiro were told to return to their areas of origin. The IDPs were informed that upon arrival in Samboto, international NGOs would assist them with farm inputs, building materials for houses and food until the first harvest. However, the international NGOs had never heard of such an agreement, and upon arrival the IDPs did not have anything to rebuild houses, work in the fields, etc. Upon departure from the IDP camp Cruzeiro the IDPs had set fire to their houses. The authorities claim that such burning is a tradition when leaving a house permanently, though it is more likely that the IDPs had been ordered to burn their houses. It is not just a curious tradition, but also complicates the opportunities for the IDPs from Samboto to return to Cruzeiro when they realise that the living conditions there are very difficult and little assistance will be given to them.

The rapid changes that have been taking place in Angola since the ceasefire are very promising; the hopes for the future are strong. People trust that the wars have finished once for all, and that they can live in peace in the future. In a hamlet located just south of Caála, a man explained that a tremendous difference between war and peace is that he and his family can sleep in their hut again. They do not need to run and hide in the mata (forest) when either of the troops is nearby.

A traditional leader (osoma) explained that a year ago (in 2001) while they lived as displaced, suffering from hunger they had only talked about that. ‘Today [after return to their village] we just talk about how the new situation allows us to develop our area. Our houses are clean, and the fruit trees and coffee bushes are well maintained.’ Further, he described how the people who arrive from UNITA are well received, thanks to the civil education provided by ADRA (an Angolan NGO: Acção para Desenvolvimento Rural e Ambiente): ‘The civil educators always talk about forgiveness.’
**UNITA ex-soldiers and families: the quartering areas**

In addition to the 4.1 million IDPs, a new group of displaced has come into being as a result of the April ceasefire. Around 80,000 UNITA ex-soldiers and in addition their 350,000 family members, are now living in 42 quartering and reception areas all over Angola. The majority of people are found in the quartering areas in the interior. The ex-soldiers stay in separate areas, and the respective family areas are located close by.

When these quartering areas were established in April and May the Angolan authorities did not allow international agencies and NGOs to provide assistance. The humanitarian situation was awful, with many dying from hunger and illness every day. In late July and early August, international NGOs and UN agencies were invited to distribute food and provide healthcare. The locations of many quartering and family areas are logistically difficult to reach at, often located far away from the few roads and airfields of sufficient standard to transport large quantities of food and non-food items. The problems faced by those who deliver assistance are terrible roads, mined roads, and destroyed bridges, etc. In addition, the rain season that starts in September further hampers the access. WFP has started to build up storage where possible, to reduce the risk of hunger during the rains.

There is still much uncertainty about the future of these quartering areas. Closing of the quartering areas was first announced in some provinces as early as 15th October, and has now been postponed to mid-December 2002. If the UNITA ex-soldiers and their families have to return to their villages during the rain season, they will face the same challenges as the IDPs. Their villages and hamlets have been destroyed, minimal agricultural inputs and tools are available. Construction of huts and houses in that period of the year is impossible with traditional construction materials. The *adobe* blocks (made of earth, clay and grass) and the *capim* (grass) used for roofing, all must be collected, prepared and used during the dry season (May–August/September) to provide viable housing that endures the heavy rains.

The ex-soldiers have been promised assistance for reintegration into the civilian society; a cash payment equivalent to 100 USD and a start-up pack of basic items such as blankets, tools and seeds. A soldier is defined as male over 20 years, leaving all child soldiers (boys and girls) and women aside from these incentives. There are many locations where IDPs and UNITA-members will arrive at the same time. Will IDPs be given an incentive equivalent to that given to the ex-soldiers?
Peace dividend?

Peace has opened up the prospect for large-scale return of IDPs and development of the whole county, not only enclaves such as the oil and diamond sectors. Investments and access to credit are needed on all geographical levels. Despite the growing humanitarian and development needs, which have become apparent since April 2002, the lack of funding is exacerbated. A reduction in international assistance to the country is a result of the peace. Parallel with the reduced international funding the Angolan government’s indifference to increasing national funding for education, health services, infrastructure, and reestablishment of subsistence and small-scale, market-oriented agriculture is evident. Angola is a rich country, the 900 million USD that the International Monetary Fund (IMF) have identified ‘missing’ from the Angolan government finances in 2000 is about three times the value of humanitarian aid received by the country the same year (Pearce 2002).

Most international donors now demand rightly that the Angolan government must take the responsibility for the humanitarian situation and development needs in the country. The WFP has only received a quarter of the money needed to run the programmes in 2003. Many changes following peace have emerged extremely rapidly, but the political elite’s way of thinking and responsibility towards the civilian population transform at extremely slow speed. The reconstruction of the national infrastructure is just one example. As argued above, infrastructures such as roads, railways, bridges, and airfields contribute significantly to rebuild and secure the livelihoods of IDPs and all other people in the rural and urban areas, preventing future displacement, hunger and economic deprivation. However, the elite does not need roads, they travel by air.

The Angolan authorities cannot only pay lip service to the situation of the displaced population in the country, and expect the international community to pick up the bill. At the same time, the UN and other international agencies cannot leave the population because the government does not take their responsibility. The transition from war to post-conflict is challenging for all.

The crisis of displacement has not come to an end in Angola. Peace will dramatically reduce the number of new IDPs. But unless the understanding that causes of forced migration in Angola are multi-complex and this way of thinking is incorporated in emergency operations and development programmes, future displacements can not be prevented in Angola.
References:


In the years after the Second World War, the world has witnessed a large number of political upheavals in many countries. The European and Third World countries are the most affected. Reasons for such disturbances range from simple political rivalry, regional conflicts of a country, ethnic issues and unequal distribution of natural resources and development projects to, simple persecution of people of minorities by one country to those of another, one region to another region due to racial discrimination.

All these caused to create refugees and internally displaced persons (IDPs) or internal refugees. Because of fear of international repercussions, most of the regimes in the Third World as well as in developed countries do not recognize IDPs. The IDPs, themselves become uprooted people with very little or no state protection and continue to face the hostility of the population wherever they are forced to stay, leading to gross human rights violation. Apart from these man-made disasters, natural disasters like earth-quakes, eruption of volcanoes, landslides, famines, floods, and epidemic diseases have contributed the creation of IDPs in relation to the local natives in many underdeveloped countries, especially in Africa and Asia. Thus in the contemporary world, the IDPs and Refugees have become a major concerns and the subject of not only one nation but also of overall international relations. The United Nations and international law have taken serious note of these forced migrants. There are an estimated 20 – 22 million people internally displaced by conflict throughout the world. Many live in appalling conditions with little security.

In general, the IDPs are forced migrants living without national boundaries, and government protection. Most of them want to flee as far as possible from conflict, but refugees are not welcomed, so they choose to remain in their own country and thus the number of internally displaced people has been steadily growing. Thy live without any formal documentation and

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identity cards, unlike refugees (who are at least formally recognized), and do not get any international coverage or publicity for their existence on the earth. In this context one should take note of the definition of IDPs in general and the definition used by the United Nations in particular.

Definition of IDPs

There is no unanimity among the scholars about the definition of IDPs. Every scholar or an institution has its own way of perception of the definition of IDPs, and accordingly, the concept of IDPs has been discussed along the following lines. According to Janie Hampton, Editor of Internally Displaced People: A Global Survey, (1997: xvi):

Unlike refugees who cross international borders, those who stay within their own country must rely upon their own governments to uphold their civil and human rights. If the state chooses not to invite external assistance, then the international community has limited options to protect these people. In many countries it is the government or its military forces that have caused the displacement or prevent access to their citizens.

The definition for internally displaced people (IDPs) used by the United Nations follows:

Persons or groups of persons who have been forced to flee or to leave their homes or places of habitual residence as a result of, or in order to avoid, in particular, the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.

Although it is a very vague definition, it attempts to include all aspects of internal displacement. It assumes that the international aid community will become concerned, particularly where violations of human rights occur. Ironically, in practice, as per IDP: Global Survey (1997), sometimes the governments concerned, exaggerates a problem in order to secure more international aid.

Thus it is very difficult to define who are IDPs, because people are forced to flee from their homes because of either civil or international war (Afghanistan, Sri Lanka, Israel, Palestine, Iran, Iraq and Africa as well as in Eastern Europe); natural or man-made disasters, (China Japan, Korea, Australia and some of the South-East Asian Countries); development like construction of dams or urban clearances (India, Bangladesh) and changes in the economy due to either
industrialization or famine (Philippines, Malaysia, Cambodia, Thailand, Hong Kong, Taiwan, and Fiji). Although there are certain cases of economic migrations for example, the continuous flow of Bengali Muslims from Bangladesh to India and the flow of Asian people in the United Kingdom or the United States of America would be good examples of this kind. However one cannot go on arguing the various reasons for internal displacement within a one nation and from one nation to another for the sake of economic, cultural and social security.

In view of this background, the proposed paper makes an attempt to study the causes and consequences of trauma of internally displaced Chakmas in Bangladesh. Hence this paper one deals with the brief historical background of Chakmas during the Pre-Bangladesh period, illustrating how they are different in all respects particularly race, language, culture, religion, from other local inhabitants in Bangladesh. It would also critically evaluate the various policies adopted by the Islamic Republic Government of Bangladesh in the post-1972 period, which caused internal displacement of Chakmas within Bangladesh and subsequently forcing them to take refuge in third countries. The paper also discusses the response of local people, various political parties and Governments of Bangladesh, India and towards Chakmas.

This paper examines the forceful eviction of Chakmas from Bangladesh and human rights violation in the post 1980s. It discusses the formation of Shantibahini and the reason for adoption of violent methods and also looks at the effectiveness of the CHT Peace Accord of 1997. It also deals with the constraints and limitations in providing protection to them while evaluating the human right violations of internally displaced Chakmas.

II

The CHT predominantly a land of some ethnic minorities of Chakma, Marma, Tipperas, Chak, Murung, Khumi, Lushai, Bowm and Pankho and formerly a part of East Pakistan (during the era of Pakistan) has become a part of Bangladesh after its liberation in 1971.

It covers approximately an area of 5,138 sq miles and is bounded on the north by Indian state of Tripura; on the south by Arakan Hills of Burma; on the east by Lushai Hills of Mizoram and Arakan Hills of Burma and on the west by Chittagong District. The dense jungle areas of the CHT in the south-east of Bangladesh consist of a succession of hill ranges running north to south, somewhat diagonally and forms the highest elevation of Bangladesh (highest peak Keokradong: 4,034 feet). The tracts are directly adjacent to the Indian states of Tripura and Mizoram and the
Arakan Yoma Hills of Myanmar that flank it on the eastern side. The CHT which is the single largest forest-clad area of Bangladesh owes much of its economic value in current times to the forest conservancy plans undertaken by the British for their province of Bengal. To its commercial value, British administrators noticed that the introduction of timber varieties for industrial use was not an easy task in the malarial, dense jungles of the country. Thus, for practical purposes the British chose to involve the native tribal inhabitants in their plantation schemes. The Chakmas constituted the dominant group among the native tribal inhabitants. Besides teak, bamboo grew wild and in plenty. This facilitated the production of paper pulp. Thus, after the British left, the government of the erstwhile United Pakistan established a paper plant at Chandraghona, 26 miles from Chittagong as it was a valuable economic unit of the country’s agrarian economy. Besides being well known for its timber varieties, it also contributes a large tonnage of cotton, rice, oil seeds, legumes, fruits, tea, paper pulp and fish.

Although the Karnafuli dam project was conceived as a multipurpose scheme as early as 1906 with the possibilities of having hydel power generation, the project received priority for developmental schemes only after partition in 1947. Because the river Karnafuli had its tributaries in the hilly areas and the Kab and Tulianpuri are its major tributaries, the catchment area above Rangamati spreads to 3,382 square miles. In addition to this, the annual rainfall in this area is said to vary from 100 to 200 inches which ensures a perennial supply of water. Hence, due to various political reasons the newly-established East Pakistan Government had to shift the original location of the project further downstream to low elevations and taken up to the village of Kaptaimukh where the Karnafuli was 220 yards wide, 10 feet above sea level and meandered widely. An earth dam 100 yards long by 136 feet wide encompassed an area of 254 sq miles (Hutchinson 1978, 3) As such the project not only generated hydro-electric power but also tensions and discontentment among the local inhabitants. Change in the original location of the dam resulted in a major population displacement of both native tribals and settlers. Among these tribals who were already engaged in settled (plough) cultivation of which the Chakma alone constituted 25 per cent. (Hutchinson 1978, 3) Moreover they were not looked after by the government and without significant compensation particularly to them who were jhum cultivators. The problem was further aggravated as the native Chakmas being Buddhists, and the authorities/settlers, Muslims. Thus, there were tensions and disaffection among the various tribals of the region against the government. By 1963, the 120,000 kilowatt Karnafuli multipurpose project was almost completed and had a total catchment area of 253 sq miles. In the beginning, 50,000 acres of settled arable land, accounting for 40 percent of the District’s total arable area was submerged. This affected around 18,000 families or approximately 100,000 persons who were uprooted from the District’s capital of Rangamati and 125 adjacent villages. (Debbarma and
George 1993, 40) However, the government made some efforts to provide enough flat arable land to the uprooted people in lieu of the flat arable-land submerged but it was an impossible task. So the government took up certain measures on a priority basis providing fresh occupational avenues and income generating schemes. Despite these facts, the Chakmas could not live a regular life in their traditional way.

III

During the United Pakistan regime there was unrest especially among the Chakmas against the Commissioning of the Kaptai dam and the resultant displacement of a large section of the tribals. But these protests did not take the phase or form of militancy. On the other hand, the Chakma leaders participated in the elections and won a legislative seat from Chittagong Constituency in 1970 which indicated their interest in political participation. But the independent and sovereign Bangladesh on 16 December 1971 could not bring any ray of hope for the Chakmas due to certain vested interests of Chakma leaders. For instance, Raja Tridib Roy, Chief as well as symbol of integrity and cohesion of the Chakma tribe, was pro-Pakistani in his political outlook. When Bangladesh came into being in 1971, he remained in and subsequently opted for Pakistan, leaving the Chakma tribe without a chief until 1978. (Islam 1981, 1219)

Initially the CHT became very important for military operations because of Mukti Bahini’s (Liberation Forces) active involvement in CHT during the process of struggle for independence and the actual war between India and Pakistan. Suddenly, after the emergence of Bangladesh on 15 January 1972, the Chakma leader Manabendra Narayan Larma who was a member of the East Pakistan Provincial Assembly in 1970 and a very prominent figure in the politics of the CHT met Prime Minister Sheikh Mujibur Rahman and set forth four basic demands of the tribal people. These were:

(1) autonomy for the Chittagong Hill tracts, including its own legislature; (2) retention of Regulation 1900 in the Constitution of Bangladesh; (3) continuation of the tribal chiefs’ offices; and (4) a constitutional provision restricting the amendment of Regulation 1900 and imposition of a ban on the influx of the non-tribal people into CHT (Ahsan 1989, 967)

In addition to this, he also demanded payment of compensation to tribal families uprooted by Kaptai dam and the fixation of the water level of the dam at 90 feet. (Talukdar 1994, 72) ‘Rejecting these demands, Mujib advised the disappointed tribal leaders to forget their ethnic identities and merge with greater “Bengali” nationalism’. The 1972 Constitution made no
provision for a special status for the CHT’ (Syed and Chakma 1989, 967) This led to formation of regional political party called as the PCJSS (Parbatya Chattagram Jana Samghati Samiti), meaning the United People’s Party of Chittagong Hill Tracts by M.N. Larma.

According to Debbarma and George, there are numerous socio-economic problems that became politicized and ultimately led to the Chakma unrest in the CHT of Bangladesh. To quote him:

According to the constitution of 1972, all land was placed under a common land law which recognized a citizen’s fundamental right of free movement and settlement within all parts of the country’s boundary. Internal migration among the landless peasantry has been a common or usual phenomenon in Bangladesh. Poverty and unemployment has compelled the landless peasantry in the country to move from place to place in search of seasonal harvesting and employment. Added to these natural calamities such as cyclones, floods and tidal waves have rendered millions homeless from time to time and forced them to move to safer and higher places. (Debbarma and George 1993, 42).

By 1973 this factor compelled the Government of Bangladesh to take up the policy of settling the landless peasantry from such parts of Bangladesh to the sparsely-populated regions of the CHT and its adjacent areas where land was available. By 1974, the resettlement of the peasants from the plains became substantial and failed to organize and resist against the tribals. As a result, the tribals gradually became alienated, and decided to form an organization known as The Shanti Bahini’ (Peace Force) as the rebel wing of the Jana Samhati Samiti (JSS) to protect their interests.

The assassination of Sheikh Mujib on 15 August 1975 by the army, ushered in a period of greater turmoil and uncertainty. Obviously, in the prevalent conditions the political climate in the CHT area could not improve, on the contrary it worsened. The constant suspicion between the settlers and the Chakma tribal population was also augmented.

In regard to the CHT, the settlement policy continued by President Zia-ur Rehman with the objective of exploiting the vast economic potential of the CHT and the Chittagong Division. Industrial Development schemes were planned and he set up the Export Processing Zone in Chittagong which brought direct under the control of President’s office. The moment Government realized that the situation in the CHT region had deteriorated, it adopted stern measures, not only military measures but also shifting of the Bengali Muslim population and settling them in the CHT region. The CHT was also swamped over by the country’s military and parliamentary forces whose numbers are given hereunder.


As the Chakmas realized the support from Indian media highlighting the plight of Chakma refugee families facing the ‘atrocities’ of the Bangladesh army because of the former’s resistance against ‘settler’s, they decided to resist the alleged atrocities perpetrated by the Bangladesh Government to disseminate the Chakma tribal population and to demand complete autonomy with separate legislature for the CHT region. Around the same time the simmering hostility between India and the Bangladesh governments was further accentuated by the North-East Indian tribals organizing themselves into rebel groups and taking shelter in CHT region and the Chakma refugees from these areas in turn being sheltered in the Indian State of Tripura. In fact, the first notable incident in the CHT region came to the force in 1977 when the Chakma exodus took place into the Indian State of Tripura. Thus, as a result of the government’s resettlement policies in the CHT, by early 1980s the number of migrant people mostly Bengali Muslims who had settled in the three Districts of CHT rose to 45 per cent of the total population of CHT which was about 1.2 million. On the other hand, the Buddhist Chakma tribal population which consisted of 55 per cent did not increase much. The figures of settlers given in one Indian source under the various governments are as follows:

<table>
<thead>
<tr>
<th>Number of Muslims settled in CHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheikh Mujib’s Government</td>
</tr>
<tr>
<td>(16 December 1971 – 15 August 1975)</td>
</tr>
<tr>
<td>Zia-ur Rehman’s Government</td>
</tr>
<tr>
<td>(November 1975 – May 1981)</td>
</tr>
<tr>
<td>Lt. Gen. Ershad’s Government</td>
</tr>
<tr>
<td>(24 March 1982 onwards)</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
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After the assassination of President Zia-ur Rehman on 30 May 1981, Bangladesh experienced political unrest until Lt. General H.M. Ershad, Chief of Staff, took over control of the Government in a swift bloodless coup on 24 March 1982. The year 1982 was very bleak for Jana Samhati Samiti (JSS) as members of Shanti Bahini lost faith in the party leadership. The internal split between the two resulted in the killing of all thirty members of the Shanti Bahini and injuring twenty-two others. Manabendra Narayan Larma, the leader of Shanti Bahini was also killed on 10 November 1983. After his death the faction loyal to Manabendra Narayan Larma was led by his younger brother Jyotindra Narayan Larma alleged as pro-Chinese and the other by Priti Kumar Chakma known as pro-Indian (Shikha Bose 1996,109).

During this entire period, the situation in the CHT region worsened. Moreover the Chakmas might have realized that it would be very difficult to survive in CHT under the constant threat of Bangladesh military and persecution. To quote (Syed and Chakma, 970):

The relatively small tribal population in the country and the large Bengali settlements in tribal areas also have made the more pragmatic among the insurgents realize it would be almost impossible to force the government to surrender.

As a result many of the Chakmas began to migrate to the bordering states of India as refugees. According to Brigadier Sailo, the then Chief Minister of Mizoram, about 40,000 Chakmas had entered Mizoram in 1983 and in April-May 1986 about 50,000 Chakma refugees entered the Indian state of Tripura and these refugees encamped in the south district of the state in five refugee camps situated at Kathalchhari, Karbook, Pancharampara, Silachhari and Takumbari. (Debbarma and George 1993, 50)

The trauma of Chakmas from internally displaced people to refugees in India was not highlighted or publicized till almost 11 May 1986 especially their migration from the CHT into the Indian State of Tripura as an International Committee of investigation on violence of human rights in CHT submitted a paper at its conference held at Amsterdam. Their existence in India put them into a predicament of whether they were Indian nationals or refugees. At the beginning a similar feature of survival amalgamated these Chakma refugees in to north-eastern states of India. For instance, Chakmas also practise jhum cultivation or shifting cultivation for their livelihood like
the other tribes of North East India, in which paddy and vegetables are grown. But later on in March 1989, Bangladesh Parliament (Jatiya Sansad) passed four bills of Hill District Council namely, (Rangamati Parbatyya Sthaniya Sarkar Parishad; Khaagarachari Parbatyya Sthaniya Sarkar Parishad; Bandarban Parbatyya Sthaniya Sarkar Parishad and Parbatyya Zilla Special Bill) aimed at resolving more than twenty years old long-standing conflict. According to this bill the Bangladesh Government granted autonomy to the above-mentioned three areas only while undermining the other ethnic minorities support for Shanti Bahini in the CHT. During this period although hundreds of followers of Shanti Bahini surrendered but the movement for Regional Autonomy all over the CHT and insurgency did not stop. This led to frustrating the efforts of Bangladesh government in conducting elections in the CHT. So the Bangladesh Security forces raised arms against these internally displaced and compelled more than 4500 Chakma tribals to cross over into Indian state of Tripura (Talukdar 1994, 87) By 24 May 1989 the total number of Chakama refugees reached around 54000 and they were sheltered at Jatanbari and Takumbarni, the biggest refugee camps in Tripura.

In the mean time however, in the newspapers of eastern India, especially the Calcutta-based The Statesman regularly highlighted the issue of the plight of Chakma refugees, ups and downs in the Indo-Bangladesh relations over the Chakma issue and violation of human rights by the Bangladesh government. Although the Indian public in general hardly knows the history of Chakmas or anything about their culture Chakmas were shown extreme sympathy and a strong Indian public opinion was formed to protect them from their miseries. As a result in November 1990, the CHT Commission an independent body was permitted by the Bangladesh government to visit CHT and Chakma refugee camps in Tripura on a fact finding mission of violation of human rights.

In its report titled ‘Life Not Ours’, published in 1991 the Commission concludes that:

The Commission found extensive and continuing violations of human rights. It concludes that there had been massive illegality in land matters in the CHT, under Bangladesh law. The commission concludes that the present system of District councils is inadequate as a system of autonomy for territorial cultural minority. Remedying these problem will not be easy and, necessarily, will take some time. (Cited in Talukdar 1994, 88-89)

Thus, in the early nineties, both the Government of India and Government of Bangladesh during Begum Khaleda Zia’s period took initiatives to discuss the problems of the return of Chakma refugees and decided to set up a joint task force headed by the two respective Home Secretaries
for the early repatriation of these refugees living in the camps of south Tripura. According to S. Bhattacharya:

Here two factors must have played a vital role: first, the ever increasing financial burden for India never accepted any outside help by Indian or foreign NGOs etc., and second, the realization of the truth that Bangladesh also wanted an early solution to the problem. To give a concrete shape to these friendly gestures 400 families comprising 2,500 persons were sent back. This process ended on 22 February 1994. Upendra Lal Chakma, the President of the Hill Chittagong Refugee Welfare Association, wanted that refugee repartition should not be hurried upon and that an absolute peaceful situation should prevail in the CHT. (S. Bhattacharya 2001, 322).

According to Sanjoy Hazarika, the Chakmas were internally displaced in four groups.

Firstly; internal displaced within CHT, secondly; another 80,000 Chakmas are to be found concentrated in the southwest of Mizoram, the Indian state that is sandwiched between Burma and the CHT, thirdly; the recent arrivals located in Tripura are 50,000 in numbers, fourthly; group of Chakma consists of those displaced by the Kaptai Dam reservoir in 1964, who were forced to fend for themselves when the erstwhile government of East Pakistan failed to pay compensation. About 30,000 of these Chakma “development refugees” ended up in the Cachar and Lushai hills (which later became the Mizo Hills, and then the state of Mizoram). At least 20,000 more left for the Arakan hills in Burma, where they are now settled. (Sanjoy Hazarika 2002, 3)

In addition to this, there were systematic attempts by All Arunachal Pradesh Students’ Union (AAPSU) of Arunachal Pradesh to drive out the Kaptai Dam (1957-62) victims settled in Arunachal Pradesh. Despite the Indian Supreme Court directives against the anti-Chakma drive, (B.S.Chimni 2000, 505-514) the Arunachali leaders and agitators continued their campaign to repatriate these refugees. (USCR: Bangladesh, 2000)
Despite the goodwill and cooperation of both the governments, the process of repatriation in 1995 and 1996 could only be characterized as slowly-moving, but it took a new turn when Sheikh Hasina came to power. It became also easier for her to take decisions because all the three seats from CHT were won by the Awami League. On 23 June 1996, the Awami League under Sheikh Hasina’s leadership set up a new government. This inaugurated an aura in India-Bangladesh relations, especially or at least so for the CHT is concerned. Negotiations between the National Committee on CHT and Parbatya Chhatragram Jana Samhati Samiti (PCJSS) continued throughout the period and finally an historic CHT peace accord was signed on 2 December 1997 with a view to establishing peace, stability and development in the region. This accord signed by Abul Hasnat Abdullah and Jyotirindra Boddhipriya Larma, The issue of repatriation of Tripura refugees figured prominently. It was stated that all the refugees stranded in south Tripura camps would be taken back to their homes and would be given the necessary help and incentives for starting their new lives. Moreover the accord was expected to empower the indigenous people in certain areas by devolution of power through the following measures:

1. Establishment of a Ministry of CHT Affairs, which is to be headed by one indigenous person from CHT.
2. Creation of Regional Council for the entire CHT with a two-thirds majority of indigenous people in representation.
3. Widening the areas of functioning of already existing Hill District Councils by adding new subjects under its jurisdiction.
4. Creation of an independent Land Commission to resolve the dispute over land rights acting as tribunal for hearing the complaints and dispossession of lands.
5. Withdrawal of military camps from the CHT region except the cantonments.

(Mrinal Kanti Chakma 2001, 356)

Five years have passed since the accord was signed between the government and the JSS but the future of the accord is uncertain as the promises given by the Bangladesh government have not been fulfilled.

In fact, from the very outset, mistrust plagued the JSS leadership. J.B. Larma’s relationship with the government on the issue of Regional Council’s leadership and its composition was under strain. Although the Regional Council is viewed as the key body for implementation of peace
accord it took the JSS almost two year to accept its chairmanship. (Mrinal Kanti Chakma 2001, 356)

One could see the fate of Chakma refugees in the post-1997 years as the Peace Accord became more prone to the violation of human rights. They were repatriated forcefully from Indian territories and when they went back to their home in CHT, they found their homes had disappeared. They were compelled to live in hutment areas and temporary transit houses provided by the government; even the agricultural land owned by them was already occupied by the Bengali Muslims settlers with the support of local administration and military officials. In contrast to this, the state administration considered this 1997 accord to be responsible for the main success of the return of some 65,000 refugees who fled their homes in CHT and had taken shelter in Tripura in 1986 and deposition of arms and ammunition by the armed cadres of the JSS. On top of this, from the official point of view the rehabilitation of the returnee refugees according to the accord is almost complete, rations are still being given despite expiry of the stipulated period of one year and they are being helped with cash and kind for resettlement. (M.K. Chakma 2001, 356) But in reality, USCR: Country Reports: Bangladesh 2000, reported the facts revealed by the UN Working Group on Indigenous Populations.

The situation of more than 60,000 Chakmas and other Jummas who became internally displaced during the last three decades also remained unresolved at the year’s end. Many still did not have access to land, education, and other social services. Most of these displaced people are now living in remote and inhospitable hill and forest areas without a decent livelihood and with no access to health care facilities.

While assessing the post-repatriation situation in CHT by the returnee refugees it has been observed that according to a press release issued by the Returnee Jumma Refugee Welfare Association (RJRWA) on 25 July 1999 at Khagrachari,

40 villages of the refugees and the lands of 3,055 families are still under the occupation of the settlers and military authority. The RJRWA started a law-suit in the Dhaka High Court against the government of Bangladesh for failing to fulfill its written agreement with them that was signed on 9 March 1997 at Agartala, Tripura. They further complained that the settlers who had forcibly occupied their houses and lands had been receiving rations and other facilities from the various government-run programmes since the date of their settlement in 1979 under the government-sponsored transmigration programme. It had been also reported that the settlers are
also receiving support from many Islamic NGOs operating in the CHT region (Cited in M.K. Chakma 2001, 357-58).

However as a part of the rehabilitation work of the repatriated *Jumma* refugees and the internally displaced people of CHT, a nine-member Task Force Committee was formed by Representatives from JSS, RJRWA, Members of the three Hill District Councils, Member of the Parliament from the CHT region, representative of the twenty-fourth Infantry Division of the Bangladesh Army and Divisional Commissioner of Chittagong Division. There were reports of serious controversy over the identification of internally displaced persons among the members of the Task Force Committee. Ironically, it was reported that the ruling party members of parliament from CHT and some other members of the committee wanted to include the non-indigenous people of the settlers’ families in the internally displaced people’s list as they were also displaced because of prevailing disturbed situations. The logic behind this could be that due to repatriation of Chakma refugees in CHT, the Bengali Muslim settlers were also displaced. But, the JSS and RJRWA members opposed this stance and held that it went against the terms and spirit of the accord. The committee could not reach any decision on the issue even after several meetings being held, which ultimately led to a stalemate situation with regard to rehabilitation activities of the repatriated refugees and the internally displaced people. The government unilaterally made a list of the internally displaced people that shows now that there are at least 1,28,364 internally displaced families in the CHT of which 90,208 families are ‘tribal’ and 38,156 are ‘non-tribal’ (M.K. Chakma 2001, 358).

VI

It is said that according to the accord a Land Commission was to be instituted to settle down the disputes regarding the land and cases between the indigenous people and the settlers in CHT. But in practice nothing has happened, as it is yet to be made functional. A report of *Daily Star*, English daily from Dhaka, reveals that the Land Commission Bill is on its way to be passed in the parliament of Bangladesh after three years of signing of the accord. According to M.K. Chakma who is the victim of this internal displacement and also an activist:

Considering the huge number of cases and resource constraints of the expected Land Commission it is hard to believe that it will be able to resolve the disputes or provide social justice to the dispossessed indigenous people in an effective and speedy manner. Some observers believe that the top-to-down adjudication of land disputes will merely justify the claims of the influential people in rural areas at the expense of the powerless poor. (M.K.Chakma : 358)
According to the accord, the implementation of withdrawal of Army camps from the CHT is yet to begin in a true sense, because according to the government report, only 62 out of 500 camps have been withdrawn till May 2000. The existence of more than 100 Bangladesh Rifles paramilitary camps in CHT provides a feeling of constant threat and sense of insecurity among the returnee IDPs. Moreover, the accord is silent about the time frame of withdrawal of the military camps and perhaps that is yet another flaw in the accord. But one cannot ignore the fact that in the event of crisis the direct or indirect involvement of military forces can hamper the establishment of a democratic process not only in CHT but also over all in Bangladesh.

Moreover the internal strife and split in the indigenous movement of CHT could be self-suicidal if the egoistic attitudes and personal vested interests of the leaders dominate the cause autonomy of the CHT region. A section of youth supporters among the students and women’s front in the bush war days are now demanding ‘full autonomy’ under the banner of a new party – United People’s Democratic Front. Against this background the future of the accord hangs on balance. Thus continuation of escalation of low intensity conflict and terrorist activities or mass killings or that matter any violent method to achieve its objective means nothing except lengthening the chain of displacement, further bloodshed and immense human sufferings as well violating human rights on our own hands. To avoid this, there is a need for regeneration of all the positive forces from all sides and corners especially within and along with international sympathy.

Predicting something about the destiny of Chakmas as refugees or the internally displaced people is very difficult. It will not be easy for Bangladesh or for that matter, even for India, to cope with the repercussions, in case these Chakmas take arms or join hands with those who have faith in violence to resolve their problems of survival and security. Looking at present circumstances in CHT, Bangladesh and overall, at the problems of the Indian sub-continent especially when it is challenged by a chronic disease like cross-border terrorism no one is secure and safe. Thus the peace and tranquility of the CHT region is equally vital for the peace security of other south Asian states and its people.
Bibliography


Environmental justice and internal displacement in post-apartheid South Africa

Maano Ramutsindela

Introduction

Environmental justice literature has been variously concerned with the location of waste sites adjacent to people of colour (Bullard 1994, Foreman 1998) and with the racial stereotypes that influence the provision of services (Alston 1990, Cutter 1995, Pulido 2000). Beyond this, that literature oversimplifies options for people who are located or have already settled in poor quality environments. The question we ask is whether the removal of such people to areas, which offer a better quality of life, could contribute to environmental justice or whether we should maintain the ‘all removals are bad’ dogmas. This question is pertinent to countries such as South Africa that have been subjected to harsh realities of politically motivated internal displacements on a national scale (Surplus People Project 1983). Over the last three years or so, South Africa has experienced the re-emergence of processes of removals, especially in townships. In this paper I analyse the rationales for, and the process of, removals in a democratic South Africa, and assess these against notions of environmental justice and human rights.

Fighting environmental injustice, upholding human rights

Various studies, particularly in the US, have pointed to the unevenly distribution of environmental risks (Bullard 1994, Cutter 1995). At the local scale, that skewed distribution has often been associated with racism. For instance, a study commissioned by the United Church of Christ in the US in 1987 found that, ‘race was a more predicator of where commercial toxic waste facilities were located in the United States than were a variety of measures of income, property values, and proximity to market’ (Goldman 1996, 127). Findings of this nature led to the emergence of movements that culminated in what has become known as the Environmental Justice Movement (EJM). One of the ideals of the EJM is to create an environment in which people, irrespective of colour, class, gender, etc., will share environmental risks and burdens. That is to say that environmental justice is


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conceptualised in terms of racial discrimination, hence there has been a tendency to use environmental racism and environmental injustice as synonyms. Pulido (2000, 33) has suggested the use of white privilege as an analytical concept because ‘it allows us to see how environmental racism has been produced – not only by consciously targeting people of colour – but by the larger process of urban development … in which whites have sought to fully exploit the benefits of their whiteness.’ In Pulido’s view, environmental injustice is manifested in residential patterns, land use and industrial development.

In broad terms, the EJM is supportive to issues of human rights as it seeks to promote a healthy environment for marginalized communities. Practically, this requires the establishment of legal instruments and policies that guide future location of waste sites while promoting remedial and compensatory measures to victims of environmental injustice. As the Rio Declaration has reaffirmed, a healthy environment is a basic right of all the earth’s inhabitants. The question remains, though, how that right could be realised by people who are already located in poor quality environments. A common answer seems to be to compensate affected communities and, in the case of developing countries, to improve the provision of services (McDonald 2002). This, I argue, does not sufficiently address the plight of those whose living conditions cannot be improved by sheer provision of services. I draw experiences from South Africa to shed some light on this.

The South African experience

Notwithstanding the debate on the uniqueness or otherwise of South African experiences, a point can still be made that experiences in that country are useful for our broader conceptualisation of issues of forced removals and environmental justice, and how belated compensatory measures could be developed and implemented. It is now common knowledge that pre-1994 forced removals in South Africa placed the poor non-white communities in marginalized areas. Rightly so, those removals were condemned by the United Nations as a crime against humanity – as part of the international campaign against apartheid. Conservative estimates put the number of people forcibly removed between 1960 and 1983 to three and a half million (Surplus People Project 1983). The majority of these ended in the so-called homelands. After all, one of the major goals of forced removals in apartheid South Africa was to establish ‘homelands’ as ethnically based political units. Of course, a sizeable proportion of non-whites, particularly Africans, remained in townships outside towns and cities. Unlike officially defined Internal Displaced Persons (IDPs), victims of apartheid-era removals were not registered for any assistance, despite the heavy losses they incurred. The state claimed that compensation was given in the form of alternative land for resettlement. Arguably, that land was generally of inferior quality as most communities were resettled into
degraded land in the ‘homelands.’ Furthermore, overcrowding there led to further environmental degradation. The situation was no better in urban areas where non-whites were considered temporary residents. The end results have been the mushrooming of informal settlements that pose a serious challenge to ideals of a healthy environment.

The question of compensation to victims of apartheid-era removals has come to the fore in a democratic South Africa, and the problem of unregistered displaced persons looms large. In terms of South Africa’s constitution, people who were removed from their land on racial grounds have the right to land restitution (South Africa 1996). That is to say that land restitution aims to compensate the victims of land dispossession by means of alternative land, payment of compensation, priority of access to government housing and land development programmes, or alternative relief comprising a combination of measures (Ramutsindela 2002). By its very nature, land restitution demands the registration of claimants, a process that has proved complex, as most Africans were not registered at the time of removal. Whole communities have to be reconstructed and registered as a Common Property Association (CPA). Current trends in restitution cases do not suggest a significant movement of people to original land, leaving the problem of how to improve the environmental conditions of victims of forced removals unresolved.

The solution to that problem is pertinent because the South African constitution upholds the principle of the right to a healthy environment. The new government has determined that one way of solving squalor conditions, especially in townships, would be to remove people (Gauteng News 2001). In the broader literature on IDPs, such removals would fall in the category of development-induced displacement. As in many cases, the South African government’s attempts to remove people in the name of development resonate with political imperatives. Politically, almost all government programmes in present-day South Africa are presented as necessary for addressing the legacy of apartheid. In this sense, the removal of people from informal settlements is seen in government circles as a logical way of helping those who were neglected by successive white minority governments. Besides, such removals are viewed as a means towards creating a healthy environment. The case of removals of people from the township of Alexandra in Johannesburg illustrates this.

**Bringing environmental justice to Alexandra**

The history and geography of Alexandra should be understood in the context of apartheid social engineering I have sketched above. Though its apartheid status is similar to that of other townships, the origin of Alexandra reveals some salient features. Following its proclamation as a white freehold township in 1905, whites showed little interest in settling in
Alexandra. Unsurprisingly, it was proclaimed a Native Township in 1912. Though the township was designated an area for occupation by blacks in 1912, it retained its freehold status; allowing blacks to have freehold in Alexandra. The Peri-urban Board undermined the freehold status of Alexandra in 1958, when it aimed towards reducing the population of that township. This was done by removing workers who were employed elsewhere rather than the north of Johannesburg; control of residence and movement in Alexandra and the imposition of higher local tax (Personal Communication with Abueng Matlapeng, 16 October 2001). The implication of higher taxes was that most residents who could not afford new tax rates had their properties expropriated. According to Unterhalter (1987, 74), ‘the rationale for the destruction of the urban African freehold areas lay in the stricter enforcement of influx control in the 1950s. It was plainly impossible to confer the status of “temporary” sojourner” on people who owned land and houses.’ The official thinking was that urban Africans, including those in Alexandra, should be made temporary residents in ‘white’ South Africa.

It could be argued that the loss of property by Alexandra residents during apartheid constitutes injustice. Rightfully so, former residents of Alexandra (in some cases descendants of those residents) successfully laid land claims with the post-apartheid government. As of March 2002, R86 400 000 was paid in compensation to 1 565 land claimants from Alexandra (South Africa 2002). In land restitution cash payments imply that the claimants cannot be given their land back for different reasons, the obvious one being that huge financial investments have been made to land being claimed. For Alexandra, cash payments to victims of apartheid did not address the living conditions of present day residents in that township. The freehold status of Alexandra did not lead to ‘orderly development.’ Instead, the township experienced the development of massive informal houses over the years. Some of these are built on the banks of the Jukskei River. This raises the question of what must be done to bring environmental justice to Alexandra.

Conceptually, at issue is whether removals could be considered one of the mechanisms for improving the quality of the environment in which the poor and marginalized live. If removals are an acceptable option, the logical question becomes whether the quality of life of people removed would be improved. Case studies on development-induced displacement have provided mixed messages. On one hand, there are those who conclude that development-induced displacement lead to impoverishment. On the other hand, others have pointed to positive results. In his analysis of development-induced displacement, Scudder (cited in Kibreab 2000, 295) has argued that, ‘the aim of resettlement should be to raise living standards above pre-location levels. Mere restoration of previous standards of living will only exacerbate the condition of the majority.’ For their part, environmental justice studies have tended to advocate for anti-removals.
In the case of Alexandra, communities were resettled into two areas, Braamfischerville and Diepsloot, with distinct environmental qualities. A full discussion of the case studies has already been documented (Ramutsindela forthcoming). For the purpose of the discussion of this paper, I relate the case studies to notion of environmental justice. Three issues of environmental justice can be identified from the recent removals of residents from Alexandra. These involve the rationales for, the process of, and the results from removals.

**The rationales**

Though it was originally established to house 70 000 people, Alexandra was home to 350 000 people who live in 4 000 formal houses and 34 000 shacks in 2001 (Molefe 2001). Besides such population density, the area has repeatedly experienced floods from the Jukskei river, and the devastating floods in 2000 put the question of risks involved beyond doubt. Furthermore, there have been reports of the outbreak of cholera in the area. As it happened, conditions such as these have often been used in the construction of the metaphors and rationales for government intervention. Unsurprisingly, the Gauteng Provincial Government began to remove informal dwellers in Alexandra in 2001 as a way, in government’s view, of bringing a ‘better life to all.’ The South African Human Rights Commission (SAHRC) and other interested parties supported the ‘good intentions’ of moving persons living in unsafe and unhealthy conditions to a more environmentally safe area.

**The process**

What seems to be at issue in the Alexandra removals is not so much whether removals were necessary or not, rather, it is how the process was carried out. Critics point to the lack of communication, the use of unprofessional (Wozani) private security staff, the dumping of people in the open, the use of transit camps and the removal of people to give way to other victims of removals. Reports of violation of human rights during the relocation prompted the SAHRC to investigate the nature and impact of the relocations of people in Alexandra, Diepsloot and Braamfischerville. In its fact-finding mission, the SAHRC found the following: people had not been properly consulted about the move; unnecessary force was allegedly used; children had been removed from schools without any plans in place to ensure that they were absorbed into schools in the new location; personal belongings were dumped in the streets or pavements opposite the yard to which they were allocated; people were relocated to areas without proper sanitation and electricity; several families were removed into one yard where they were told that they would have to share the available limited space with owners of those yards; some owners alleged that they had not been informed about people who would be moving into their yards; there was no evidence of the Housing Department monitoring the situation; and people’s shacks were demolished and they were not provided with building
material to erect new shacks in areas to which they moved (SAHRC 2001). According to the SAHRC (2001) the manner in which the removals were carried out violated the rights of the very people who were being assisted. Critics condemned the removals as reminiscent of the old apartheid days, more especially because people were dumped in the open veld where there were no basic facilities (Taylor 2001).

**The results**

Those who were moved to Braamfischerville think that the resettlement area is better than Alexandra, while those in Diepsloot think that they are worse off than before. At face value, the differences between the two destination areas could be ascribed to the location of those areas. Braamfischerville is found south-west of Johannesburg and form part of the South Western Townships (SOWETO). Diepsloot is located to the north-west of Johannesburg, an area that apartheid policy-makers wanted to make NORWETO (North Western Townships), following the same logic that guided the establishment of SOWETO. It is important to note that those who were moved to Braamfischerville were provided with formal houses – the so-called RDP (Reconstruction and Development Programme) houses. Indeed, those relocated to Braamfischerville not only agree that the removal was important for their safety, but also feel that the destination area is better than Alexandra in terms of basic facilities. Nevertheless, residents think that Alexandra had good transport facilities and is close to the city.

Removals to Diepsloot were a complex matter, not least because Diepsloot itself has been home for waves of squatters who had been removed from north of Johannesburg since the early 1990s (Benit 2002). One part of Diepsloot, Diepsloot One, has remained a shantytown while the other part, Diepsloot West was developed into sites and services. Over time the boundary between the two sections have become blurred with the mushrooming of shacks. Those removed from Alexandra in 2001 found themselves living in the shacks in Diepsloot as the promised better living conditions were still to be developed – if they will ever be. Unsurprisingly, the majority of residents in Diepsloot were unhappy about the relocation; complaining about lack of proper planning and that they were dumped in Diepsloot. Most of them felt that Diepsloot is not better than Alexandra. This is understandable since people who were relocated from Alexandra to Diepsloot were not provided with government houses like those in Braamfischerville. The case of Diepsloot confirms the view that development-induced removals can actually lead to underdevelopment – and therefore cannot be said to development orientated.

Findings from Braamfischerville and Diepsloot are common among studies on development-induced displacement. What is instructive, though, is that removals can impact differently on people removed from the same area. The scope for progressive research therefore would be to
work towards policies that secure the improvement of the quality of life of those removed. The blurring of categories of IDPs would certainly help towards developing that research agenda.

Conclusion

In this paper I have attempted to tease out the blending of issues of internal displacement and environmental justice, using South Africa as a case study. Given public and scholarly opinion on development-induced displacement, we are faced with the vexed question of how to work towards improving the quality of people and their environment, particularly in places that are already heavily depressed. Could removing people be a viable option? And what would the implications be? More crucially, the paper raises the question of mechanisms that are necessary for addressing the needs of displaced persons long after the displacement has occurred.

References


Surplus People Project, 1983. Forced removals in South Africa, the SPP Reports, 1, Cape Town.

THE UNHCR’S POST-COLD WAR CONFRONTATIONS:
INTERNALLY DISPLACED PEOPLE AND THE CHALLENGE OF
PROTECTION

Maria T. Camilleri

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The United Nations Charter promotes international cooperation especially in situations of humanitarian crises, while simultaneously encouraging human rights and democratic principles. Article 2(7) draws a barrier to all nation-states from entering the sovereign domain of any country or any territory within its jurisdiction. Within this writing, the internal displacement referred to as Internally Displaced People (IDPs) of the Post-Cold War Era does not refer to what was termed as internal displacement in World War II. While the initial definition of internal displacement was a reference to the disbursement of people throughout Europe due to the major multinational military encounter of the mid-20th Century, the present concept is difficult to grasp as it refers to refugees within their own sovereign borders.

The UNHCR mandate does not specifically refer to internally displaced people (IDPs) per se, but does delegate the responsibility of monitoring population movements to this office. There maybe various reasons for the lack of such specificity. The first is the most obvious. At the time of the office and mandate’s formation, the concept of IDPs as it is referred to in the Post-Cold War Era, was not in existence. In addition, very little space was allotted within the mandate since the office was not to exist past a three-year life span. Therefore, careful wording for future extensions would have been deemed unnecessary. Yet it cannot be denied that the substantial language of the mandate that was passed by General Assembly Resolution 428 in 1951, was specifically

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created to facilitate the requirements of *displaced people* in sovereign, outer limits of their territory of origin, who are commonly referred to as *refugees*. Proceeding resolutions of the General Assembly have formally extended the UNHCR mandate to facilitate *displaced populations* within the region of their own domicile on multiple, but specific occasions.\(^4\)

The introductory page of the Division of International Protection’s September 1994 report on the UNHCR’s *Operational Experience with IDPs*, best exemplifies an *IDP* in the words of Leonardo Franco, Director of UNHCR International Protection:

> “They have been called ‘refugees in all but name.’ Casualties of armed conflict, targets of ethnic or religious persecution, or victims of a breakdown of law and order. They have been driven out of their homes but they have not sought, or have not succeeded in reaching safety in another country. Millions of *IDPs* throughout the world live scattered in the jungle, huddled in camps or hiding in the anonymity of urban slums. Their masses cover the dark side of the world refugee problem” (UNHCR 1994, Foreword).

According to Bennett, Director of the Global IDP Survey, even the use of the expression *IDP* implicates a traditionalist or conventionalist viewpoint implicating *borders* for which governments are responsible for who lies within. Yet what has been witnessed in the Post-Cold War Era is that in most cases, populations have become *internally displaced en masse* specifically by the very government in charge of their protection and welfare and are often utilized in conflict as “a shield for insurgent activities and are subject to harassment and human rights abuses” Bennet 1998, 5).

While statistics in the year 2002 place the *IDP* figure world-wide at approximately 20-25 million people (double the figure for refugees), this number could be as high as 30 million, as these are approximate figures since this type of refugee population is state internal, making it difficult, if not impossible, to ever really know how many people have actually been displaced within their own territory (UNHCR 2000). There has never been any specific internal census of *IDPs* within regions and it is in this context that figures representing refugee populations are much more accurate, as people in refugee camps must register and are individually accounted for when

assistance is requested of the UNHCR\(^5\) as well as by the UNHCR for request of food supplies (WFP) and other services/supplies not provided by this office. While respecting the sovereign integrity of the countries in which IDPs are assisted, the charters/mission statement of humanitarian organizations such as the UNHCR and the International Committee for the Red Cross specifically indicate a total respect for the sovereign integrity of the countries in which they assist IDPs, thus also accepting an obligation to focus upon any possible human rights violations in over 50 countries where IDPs exist today.\(^6\)

**A. The Origin of the UNHCR’s IDP Post-Cold War Involvement**

In a letter dated November 14, 1991, United Nations Secretary-General Javier Perez de Cuellar sent a challenge through an invitation to UNHCR High Commissioner Ogata to integrate the traditional operations of the UNHCR *within* the on-going conflict of the Former Republic of Yugoslavia for the alleviation of the suffering *internally displaced* population, evident within the text, “...to assist in bringing relief to needy internally displaced persons affected by the conflict... [which]... involvement... may also have a welcome preventive impact in helping to avoid the further displacement of population” (Goodwin-Gill 1999).

The political connotation for many IDPs victimized by internal civil strife is much more tangible and comparative to the status of a *stateless person* within a deteriorating nation. While they do not possess even daily necessities, they are refugees trapped within their own land, unable to obtain a refugee status as their containment within their own sovereign border supersedes international legal factors. Perhaps the best description of a *stateless person* is described within the context of a particular situation by David A. Korn (1999) in his publication regarding the plight of internal displacement.

He recounts a situation where Dr. Francis Deng, first appointed by then United Nations Secretary General Boutros Boutros-Ghali in 1992 as his special representative for IDPs, was inspecting the Eastern portion of Tajikistan in the early 1990s as part of his project to collect information regarding internal refugee populations. Apparently, more than half a million people had become

\(^5\) Discussion on October 20, 2002 with E. Muscat, senior registered nurse residing in Malta, who volunteered as a nurse for one year in Somalia in 1996, and who spoke of devastating humanitarian conditions where tents were desperately needed and eventually supplied by the UNHCR when exact figures were taken and submitted. She was very shocked as to how long refugees had to be supplied with plastic sheeting as it took months for tents to actually arrive and be assembled.

\(^6\) Report of the Chairman and the Ranking Minority Member, Committee on Foreign Relations, p. 1.
IDPs in Tajikistan following the internal conflict in 1991 which eventually led to independence. When Dr. Deng proceeded to ask a group of IDPs if they had any message to relay back to their "leaders" in the capital, a displaced woman responded, "We have no leaders there" (Korn 1999, 7). As a growing number of IDPs are unwilling to acknowledge a new government entity nor its authority over them, so too have new governments refused to recognize IDPs as their citizens and therefore take responsibility for their safety or welfare, within their newly constructed sovereign state.

The alienation of government to citizen and citizen to government is a consequential effect of the struggle for recognition by various minorities in areas experiencing internal violence resulting from racial, ethnic, religious, or cultural diversities ignited during the Post Cold War era. Dr. Deng’s experience, in being offered a one sentence explanation as to why groups of IDPs around the world have neither been re-settled, re-integrated, nor even recognized as nationals of a new state by the new government in power, can be summarized in; "These are not our people" (Korn 1999, 7). Just as one of the elements of sovereignty between nation-states is recognition, the first step towards internal disintegration is the dispossession of responsibilities by government authorities, encompassed by a void of mutual respect/recognition by both sides, thus ushering in a life of “destitution and indignity,” particularly for IDPs (Cohen & Deng 1998b).

B. The Guiding Principles: The Beginning of Formal Direction

While the Geneva Conventions of 1949 and the additional protocols of 1977 are the primary basis by which IDPs are encompassed within the sphere of international humanitarian laws, these regulations were established for people in conflictual situations during an era when conventional war was the standard. Yet, the IDP crisis of the Post-Cold War Era comprises conflicts that are beyond the boundaries of rules and laws of the past, therefore leaving a substantial void in the legal arena in regards to internal displacement as it is experienced today. Bennett best describes the situation of internally displaced people with the statement that, “… the plight of IDPs serves to highlight the growing redundancy of the legal apparatus available for their protection” (Bennett 1998, 5). In addition, he also believes that the principle of “presence equals protection” no longer has validity as violence has erupted in areas represented with United Nations’ presence by various agencies in difficult humanitarian conditions (Bennett 1998, 6).

Dr. Francis Deng, former Sudanese diplomat, lawyer, and professor at New York University, after personally visiting and witnessing various difficult IDP situations - the remnants of the
Post-Cold War conflicts - devised a guidebook, referred to as The Guiding Principles, in response to the void of viable international protection specifically available to the internally displaced. His findings, first referred to as Compilation and Analysis of Legal Norms, were presented to the 51st session of the Commission on Human Rights in 1996, and encompass the principles found in international human rights, humanitarian and refugee laws. The Principles address 3 phases of displacement: 1) norms which apply prior to internal displacement, 2) norms which are relevant during displacement, and 3) norms which pertain to return and reintegration to place of origin. The document’s Conclusion specifies “gaps and grey areas in the law” which should specifically address this plight, such as: 1) the need for an expressed right not to be unlawfully displaced, 2) to obtain access to protection and assistance during displacement, and 3) to enjoy a secure return and integration (Office of the United Nations High Commissioner for Human Rights 1998, iii).

1. The Rationale Behind the Multi-Purpose Study on IDPs

There were many reasons for conducting this multi-purpose study. The first was to construct a basic but firm, general understanding of the rights of the internally displaced, thus acknowledging their international presence and plight, while permitting specific rights that nation-states would recognize and collectively adhere to. For IDPs, this document serves as confirmation of their rights within the realm of the international community, while enhancing advocacy measures with their own governments. Meanwhile, this guide would allow governments the opportunity to transfer these written principles and present them before national legislatures for eventual incorporation within their domestic legislation, as well as serve as an aide memoire of their obligations to IDP populations. For international organizations rendering assistance within the framework of complex humanitarian crises, such as the UNHCR and various NGOs, The Guiding Principles serve as a guide for assistance to IDP populations, as well as act as an impetus for the formulation of their own organizational guidebook, such as the one compiled by the UNCHR for field operations staff to best assist internally displaced populations (Office of the United Nations High Commissioner for Human Rights 1998, iii).

Dr. Deng’s mandate, the development of “legal and institutional frameworks” for internationally recognized protection for this particular section of the population, would also serve as instruction and direction to governments who could and would only recognize this category of people under the general rights everyone holds within the sphere of international humanitarian law. Being sometimes an unknown yet significant figure of a conflict-ridden population, IDPs require a unique set of standards and specific rights which would be significant to the governments in
which they reside and to the IDP population itself which required “effective protection, assistance, and reintegration support” (Cohen & Deng 1998b, vii, viii).

As Special Representative for the Secretary General, Francis Deng was faced with various conflicting opinions from the international community regarding his assignment for the assessment of IDPs and the eventual development of The Guiding Principles. Apprehension emerged from the belief that creation of a new instrument would undermine what was already in existence, namely, international human rights legislation. Yet what Dr. Deng was able to exemplify through his research was the fact that IDP populations, although encompassed within the umbrella of humanitarian regulations, are a unique section of a war-effected population and most often marginalized. In addition, international humanitarian law had what he referred to as “gaps” and “grey areas” that could not sufficiently support the particular requirements sought by those internally displaced\(^7\). Because they were not in existence at the time of the drafting of human rights legislation, their plight could not and was not directly addressed.

### 2. Controversies to the Formal Adoption of the Guiding Principles

Should The Guiding Principles be another legally binding instrument? Dr. Deng’s intentions for the formulation of the document was for the Principles to work as an international guide but without the formality which a document must undergo to be legally binding under United Nations auspices. Dr. Deng so well understood the political implications of the United Nations system, that he had even initially requested to be named a Special Representative to the Secretary General rather than a rapporteur, as a Special Representative would be responsible to make suggestions and advise the commission while the term rapporteur contains an overture which can imply the creation of decisions which can ultimately be intrusive upon the sovereignty of a nation-state.

Therefore, Dr. Deng believed that The Guiding Principles had the potential of becoming “controversial, expending much time for adoption and ratification, without any knowledge as to where such a process may lead.”\(^8\) His emphasis was on the urgency for structured guidance while still considering it a formal document yet not for legal UN adoption. He required the means by which to circumvent the obstacles that could arise with formal presentation of the document. His second purpose was to present the finished product to the Commissioner of Human Rights, the Inter-Agency Committees and to the UNHCR High Commissioner, Mrs. Ogata, who had long

\(^7\) Interview with Dr. Francis Deng, February 2, 2002 in London

\(^8\) Interview with Dr. Francis Deng, February 2, 2002 in London
been an advocate for the development of such formal regulations.\(^9\) By February 1994, Mrs. Ogata clearly stated her stance on the *IDP* situation and the development of a legal framework for protection:

\[ \text{“I believe the U.N. Commission (on Human Rights) in its work to strengthen protection of the internally displaced must seek to bring about a convergence of refugee law, international human rights law and international humanitarian law… Each has a useful contribution to make to the protection of the internally displaced… It is only through such convergence that the lacuna in the law can be addressed”} \text{ (Cohen & Deng 1998a, 73).} \]

The response to *The Guiding Principles* was surprisingly overwhelming by individual governments. Although neither legally binding nor intended for formal adoption, many states requested the legal adoption of these *principles* into law. Dr. Deng believed that no policy should be “rigid or unchanging.” Approximately 90% of *The Guiding Principles* is based on hard law while the rest is newly developed theory, allowing room for the creation of common ground. Dr. Deng continued to emphasize that the nature of the document should remain free from the United Nations legal process, otherwise consensus could evolve for formal adoption and ratification, which could stifle the purpose for which the Principles were created. Legal adoption and ratification is a process which entails years of work and nation-states generally place reservations before accepting the legal framework.

There was also an apprehension that these rules could become legally binding through practice and customary law, yet it was emphasized that *The Guiding Principles* are not only a set of regulations and rights for those already displaced, but they are intended to be a useful tool for prevention. Dr. Deng was interested in three vital aspects – assistance, protection, and prevention – admitting that he was most influenced in the prevention factor through the UNHCR’s Post-Cold War Era’s shifting view towards prevention.\(^10\) In its 1993 *State of the World’s Refugees* report, the UNHCR stated that its mandate actually promoted the theory of prevention with the statement, “… to manage ethnic diversity in a way that promotes tolerance within and beyond national borders” (UNHCR 1993, 22).

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\(^9\) Interview with Dr. Francis Deng, February 2, 2002 in London.

\(^10\) Interview with Dr. Francis Deng, February 2, 2002 in London.
3. The Implications of the Guiding Principles Towards the UN and Other UN Agencies

In addition, Dr. Deng witnessed how isolation and lack of development are very strong contributory factors in the realm of internal displacement. Young men, displaced during and after a conflict, become rebels in their desperation and those who return to an area after displacement can be a source of potential trouble because they no longer have a place within their community which has been changed through war. Some governments are actually glad to see them leave.

Upon completion of The Guiding Principles, Dr. Deng had three possibilities in mind regarding the best manner in which the UN could aid the IDP population. The first was for a new agency to come into being, the second was for the UNHCR to extend their mandate and accept IDPs within their permanent jurisdiction, and the third was for a collaborative approach between agencies. When the prospect of such a venture was presented to Mrs. Ogata, she was very concerned as she realized that if she accepted such a new prospect for the UNHCR – automatically - she would be accepting responsibility of approximately another 25 million people on top of the refugee figures for which her organization was already responsible. It appeared to be an enormous task for one agency. Even when Richard Holbrook had gone on a mission to Angola, he too came back advocating to the Security Council that full responsibilities for the care of IDPs to be delegated to the UNHCR. Yet while discontent was again realized by the interagency turf wars, where agencies were determined to share in both the prestige and funding that would accompany the new role, the UNHCR under Mrs. Ogata had remained cautious.11

From the 20-25 million IDPs world-wide, the UNHCR’s temporary mandate only placed a fraction of those figures under their jurisdiction at any one given time. In 1996, the UNHCR was responsible for less than 5 million IDPs, with only 1.53 million actually receiving assistance. A majority of the remaining figures were assisted by UN agencies such as UNICEF, World Food Programme, UNDP, and WHO, “yet none have the protection apparatus and mandate of UNHCR” (Bennett 1998, 5).

In 1997, Dennis McNamara, working as the Director of the UNHCR Division of International Protection, reported to the 48th Annual Meeting of the Executive Committee that, “official rhetoric and political reality” were suffering a serious breach and if not rectified, would inhibit

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11 Interview with Dr. Francis Deng, February 2, 2002 in London.
the UNHCR from performing its mandate of protection.12 Acknowledging the diversity in terms of varied assistance, in July 1997 in his reform program, Kofi Annan had already specifically referred to the “challenge of providing protection, assistance, reintegration and development support for IDPs as an example of a humanitarian issue that falls between the gaps of existing mandates of the different agencies” (Bennett 1998, 5).

The UNHCR remained ambivalent even when new High Commissioner Lubbers came into office in January 2000. Ruud Lubbers contemplated the concept of the UNHCR accepting the role of IDPs, but felt that the UNHCR could only do so with certain conditions, especially since it lacked funding for such an undertaking. The idea of the UNHCR as the sole supporter of the IDP population had dissipated.13 Due to monetary constraints, Lubbers’ immediate attention returned to sustaining the more traditional role of the UNHCR as dictated by its mandate. Donor fatigue had set in by the time Ruud Lubbers took office and even traditional, essential services were being re-accessed and trimmed.14

II. CASE STUDIES OF CASCADING DIFFICULTIES: EMPHASIS ON THE FORMER REPUBLIC OF YUGOSLAVIA

Due to the civil war which raged from the early to mid-1990's in the present-day fragmented former Yugoslavia, clarification of border lines were essential in order to distinguish the three classes of people fleeing the internal uprisings: IDPs, stateless persons, and refugees within newly forming states.15 The vital importance to these lines of clarification are essential to further the survival, protection, and maintenance of IDPs, refugees, and stateless persons, especially since these divisions are essential factors in the determination of national status, identity, and overall survival. Only under the application of International Humanitarian Law do both the refugee and the internally displaced person find similar leverage, and only within this framework do the internally displaced find any legal recourse. The UNHCR is powerless in determining or

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13 Interview with Dr. Francis Deng, February 2, 2002 in London.
14 Interview of Jeff Crisp in his office on February 23, 2001 at the UNHCR Headquarters in Geneva, Switzerland.
15 Views of the author from her person experiences working with internally displaced populations in Bosnia (Chapellina) in June 1998.
rendering expeditious, long or short-term aid to IDPs because of its formal mandate, without specifically receiving temporary extensions of its mandate via the United Nations.

Population upheavals in the Post-Cold War Era resulted in civilians fleeing to protected grounds during outbreaks of civil war, and within the Former Republic of Yugoslavia, were subjected to actions of ethnic cleansing, as proven by the Serb campaign in Bosnia-Herzegovina, where such acts later proceeded to the level of genocide (Mills 1995, 107). In addition to creating a vast number of refugees, ethnic cleansing has been responsible for the enormous disruptions within territories and states producing internally displaced populations by the millions. While the 1995 Dayton Peace Accords may have officially ended the violence, the repatriation of both refugees and IDPs continues as “… major unfulfilled provisions” (Cohen & Deng 1998b, 175).

The various regions of the Former Republic of Yugoslavia are prime example of how this sectioned country’s population has suffered every form of humanitarian distress derived from its massive population movements. As the struggle for nationalism was politically motivated, in a similar manner, population displacement has political overtures that should be addressed if any long-term or permanent solution is to be found. While humanitarian assistance is not posed for tackling the underlying political issues of a humanitarian emergency that results in massive population disbursement, what was quite evident in the Former Republic of Yugoslavia is that, “misplaced humanitarianism and political ineffectiveness” only served to perpetuate a deteriorating situation into a crisis (Cohen & Deng 1998b, 177).

Coercive internal displacement has become a trademark in the Post-Cold War Era as figures of IDP populations in 1982 were estimated at 1.2 million in 11 countries while by 1997, the estimate came closer to 20 million in 35 countries around the world (Cohen & Deng 1998b, 1). The perpetuation of IDP populations is a matter of international as well as domestic security since it is difficult for regions to become stable with ongoing internal unrest and IDP populations are a perpetuation to a nation’s instalbility and its viability for post-war reconstruction. Since 1990, all conflicts have been internal, with the exception of the invasion of Kuwait by Iraq. Internal conflicts manifest a territory’s “crisis of national identity” as well as deterioration of the country’s most essential sovereign elements, provision of protective measures, “life-supporting assistance” and the upholding of human rights - without which a nation faces forfeiture of its rights against international intervention (Cohen & Deng 1998b, 5-6).

Politics dictated the preceding months of the war in the Balkans, when the 1991 census data on Croatia and Bosnia-Herzegovina became the blueprints for the upcoming conflict as it provided
intricate and vital information, specifying the breakdown of the three major ethnic classifications within each commune area, supplying the “raw material for displacement” (Cohen & Deng 1998b, 179).

A. SREBRENICIA: The Greatest Challenge

Within the Former Republic of Yugoslavia, and particularly in Srebrenica, UNHCR officials were apprehensive about being intertwined within the political turmoil. Although accountable to both ECOSOC and the General Assembly for the specific purpose of alleviating the office from direct contact with the “…politically charged atmosphere of the United Nations…,” the UNHCR framework was specifically and originally embodied to be of a “non-political” nature yet unable to be so since protection, especially in the realm of IDP protection, pits the UNHCR in direct conflict with government entities (Goodwin-Gill 1999, 224).

The disturbing and catastrophic consequences of Srebrenica in 1995, often referred to as the worst genocidal massacre in Europe since World War II (Gentile 1999), is a tragic event as both Dutch Peacekeeping forces and the UNHCR, although present and on the scene, were rendered helpless in a situation which at the time was assessed to be within the realm of ethnic cleansing but not genocide. With the war in the Balkans spreading, by 1993, Srebrenica - a town which comfortably accommodated a general population of 8,000 people - was attempting to survive with a figure closer to 40,000. When violence began to be directed against the town in April 1993, what kept people from relocating yet again was the formal recognition of this spot as a “safe area” by the United Nations’ Security Council. Unfortunately, this area eventually was respected as much as the other similarly marked “safe areas” before it; an enclave doomed to fall to opposing factions due to inadequate peace-keeping forces in the area. Even a Canadian peacekeeper in 1993 remarked that, “…his troops had a moral obligation to defend the population, but he was unsure they had the means to do so if the town came under renewed attack” (Gentile 1999).

It was United Nations Security Council Resolution 819 of April 16, 1993 which confirmed Srebrenica as a safe area in order to avert any possibility of genocide, including ethnic cleansing. In addition, this document also rendered the UNHCR with a specific mandate for this region in the paragraph, “…UNHCR to use all resources at their disposal within the scope of the relevant resolutions of the Council to reinforce the existing humanitarian operations in the Republic of Bosnia Herzegovina in particular Srebrenica and its surroundings,” and to support the new status...
of the area, ordered “...to take immediate steps to increase the presence of UNPROFOR in Srebrenica and its surroundings...”\textsuperscript{16} Yet by July 1995, there were only 429 Dutch peace-keepers in the area, of which only around 200 were actually \textit{infantry} while the rest were part of the humanitarian support and medical division (Honig & Both 1996, 6).

In addition to questioning the reason behind having a force of only 200 peace-keepers by July 1995, the other question is how effective was the force in place? U.N. Security Resolution 819 also specified that Serbia and Montenegro (The Republic of Yugoslavia) immediately cease the military supplies being made available to Bosnia-Serbs\textsuperscript{17} as Srebrenica became a demilitarization zone when a “cease-fire agreement” of the enclave was agreed upon – but in reality not enforced - between the Serb and Muslim populations. The Dutch peace-keeping troops were assigned to oversee the “…disarming of the Muslim soldiers within the enclave” (Honig & Both 1996, 6).

After all, it was the United Nations that promised to safeguard the Muslims of Srebrenica as an incentive for them to remain in the \textit{safe} compound and ignored all warning signals when Serb troops first invaded the town in 1993.\textsuperscript{18} In reality, the UN’s attempts to contain \textit{IDPs} for purposes of humanitarian aid and protection actually assisted the goal of ethnic cleansing as the basis for placing sections of the population within an enclosed territory served to pinpoint areas within Bosnia where the “unwanted” population congregated, and since without proper military backup, managed to transform them into vulnerable targets.

While about 8,000 men and boys were systematically killed within a period of 4 days in July 1995, and by August 2001, approximately 4,500 bodies have thus been recovered from mass graves and throughout the wooded region of eastern Bosnia.\textsuperscript{19} One report specifically stated that, “Humanitarian motivation and political ambitions drove the Netherlands to undertake an ill-conceived and virtually impossible peace mission.”\textsuperscript{20} According to the research of Honig and Both, when the Serbs entered the enclave, “All that stood between the Serbs and the refugees (referring to IDPs) was a thin blue line of Dutch peace-keepers (Honig & Both 1996, 35).

The United Nations mandate to the Dutch peace-keepers was as ambiguous as their actual mission in Srebrenica. Because the town had eventually been established as a \textit{demilitarized zone},

\textsuperscript{19} “Mass Grave Holds Srebrenica Victims,” August 2, 2001, CNN report on \url{www.cnn.com}
\textsuperscript{20} “Srebrenica Report Prompts Protest,” April 11, 2002, CNN report on \url{www.cnn.com}
the Dutch peace-keepers engaged in neutralizing the area by assisting the removal of weapons from Bosnian Muslim soldiers. Yet the United Nations Resolution, Security Council Resolution 836 of June 4, 1993, especially the contents of paragraph 5, stood in utter contradiction to the terms of a demilitarized zone and proved to be a contributory factor to the already existing turmoil in the region (Honig & Both 1996, 5). The United Nations Security Council reaffirmed Srebrenica as a safe area while realizing, as described within the following paragraph, that the peace-keeping forces within the area would not withstand a Serb attack, and therefore attempted to utilize the existing Bosnian military to sustain the U.N. peace-keepers in fulfilling their mandate for the provision of protection as well as humanitarian assistance:

“… to that end of the mandate of UNPROFOR, in order to enable it, in the safe areas referred to in Resolution 824 (1993), to deter attacks against the safe areas, to monitor the cease-fire, to promote the withdrawal of military or paramilitary units other than those of the Government of the Republic of Bosnia and Herzegovina and to occupy some key points on the ground, in addition to participating in the delivery of humanitarian relief to the population as provided for in Resolution 776 (1992) of 14 September, 1992.”

B. Changing UNHCR Strategies with Concentration on the Balkan Region

The UNHCR’s involvement in the Former Republic of Yugoslavia from the early stages of the war, often placed the office in a precarious position. Mrs. Ogata’s appointment as the new High Commissioner in February 1991 could not have been better timed. Mrs. Ogata’s emphasis on “emergency preparedness” proved beneficial and providential as by June 1991, the Balkan crisis had begun and it was through her efforts that the organization regained legitimacy and respect within the international community, to the extent that nation-states depended upon its quick response to the complex humanitarian emergencies. As a senior staff member commented in regards to Ogata’s innovative emergency procedures, that she was able to overcome the previous image of the UNHCR, whose image was portrayed as being, “irrelevant in Europe and the former Soviet Union” (Cohen & Deng 1998b, 206).

While the UNHCR earned a new-found respect within and outside the United Nations arena, its budget was quickly supplemented by various donor countries, primarily European countries, whose shores and borders were facing overwhelming numbers of asylum-seekers from former Eastern bloc nations and thus, “pushed UNHCR to help stem the hemorrhage of refugees on the continent (Cohen & Deng 1998b, 206).” The UNHCR’s assignment for supporting IDP populations did not always stem from a purely humanitarian angle.

The office was utilized as a political tool to encourage containment (refugee prevention) by assisting the dispossessed within their own territory, hoping that such would serve as a method of prevention and/or deterrence for internal populations not to add to the already heavy refugee and asylum flows, as manifested in the initial letter of Perez de Cuellar, signaling the UNHCR’s impetus for direct, internal involvement. It becomes further evident that donor countries, anxious on the question of prevention, are not apprehensive about post-conflict restoration as they are on alleviating refugees/asylum-seekers from their territory during the points of crisis. They do not seriously consider that lack of development opportunities will stagnate the return process for both refugees and IDPs, and even possibly ignite another war. Mrs. Ogata’s own words state that, “Donor states are generous with funds at the time of crisis, and monies were always donated when there was an urgent need, but they have never funded development projects within the post-conflict timeframe.”

While material supplies to IDPs in the Former territories of Yugoslavia were a means for crucial humanitarian assistance, it also became a means to facilitate the operations of ethnic cleansing which was an ultimate goal of both Serbs and Croats (Cohen & Deng 1998n, 207), especially through the establishment of safe havens – originally intended to support the role of protection. As the UN adopted the position that scattered internally displaced people were much more vulnerable to the consequences of the conflict, Jeremy Ginifer, who examined the possibilities of partial disarmament as a favorable action towards protection of IDPs, was too convinced that, “Displaced people are difficult to protect. They are mobile, awkward to track… This makes them physically vulnerable unless they are congregated where they can be protected” (Dubernet 2001, 188-189).

Control of national frontiers, coupled with outside intervention whether humanitarian and/or military, have been explained as justifiable actions by the international community in the Post-

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22 Interview with Mrs. Sadako Ogata at her office in New York City at the Ford Foundation, May 20, 2002.
Cold War Era, but without any set pattern or timeframe. Intervention to combat mandatory migration required a three week period for the military to arrive in Iraq and Rwanda, while it took a timetable of three years before the military was sent into Bosnia. Borders surrounding Rwanda and Iraq continued to be “porous” during the conflict, while Bosnian IDPs experienced a “closed trap” syndrome, whereby proper protection was not allotted on the basis that there existed a lack of freedom of movement, hence earning the phrase, “incarceration of the victims” (Dubernet 2001, 192).

While UN action dictated that practices of prevention of civilians from free access to enter and exit areas in Bosnia, Sarajevo, and safe havens for means of protection, as “anti-humanitarian” actions, particularly when restriction of movement and activities prevented UN staff from fulfilling their mission which included contacting authorities regarding abuses of basic human rights (Cohen & Deng 1998b, 200). Meanwhile, as the UNHCR strongly condemned the actions of Bosnia Serb Nationalists regarding their tactic of “one-way humanitarian corridors” - which refers to allowing access for escape on a haphazardous very limited basis - it found itself committing similar transgressions. In that case, as described by Jessen Petersen of the UNHCR, carved “one-purpose corridors” were created for the express purpose of not allowing any of the internally displaced to escape to serve as the best method of containment for the purposes of protection and humanitarian assistance. This is a result from the trend of Western nation-states for containment, rarely endorsing movements, “…especially when flight entails seeking asylum” (Dubernet 2001, 168). Such controversy is now specifically addressed in Francis Deng’s Guiding Principles in Principle 15 under the subtitle of “human rights law” where it is specified that an IDP cannot be arbitrarily detained (Office of the United Nations High Commissioner for Human Rights 1998, 5).

C. Questions Relating to Protection and Support

There are remaining controversies and questions as to why the crises in Somalia, Rwanda and Bosnia were of such intensity and why they were prolonged events where intervening nation-states encountered more problems than solutions. One theory attempts to establish that the adversity encompassed by field/humanitarian workers first began in the “ethical and humanitarian dilemmas” when trying to establish methods for the allocation of humanitarian aid while balancing matters of protection and obtaining contact with the affected population they were sent to assist. Analysis of such a three tier responsibility within a complex humanitarian emergency promotes a distinct division of responsibilities between the humanitarian and political
dimension (Dubernet 2001, 35-9. While air drops of food and medical supplies suppressed the possibility of starvation and disease, a negative secondary effect of aid was the removal of leverage ability for application of tougher political pressure which could have resulted in “more vigorous action” especially since it is a fact that massive shipments of the aforementioned supplies were often diverted to military factions, rather than to the internally displaced civilian population for whom it was intended (Cohen & Deng 1998b, 207). Crucial and basic humanitarian supplies should have been better utilized as bargaining chips to the United Nations’ advantage for the population at risk.

Approximately 8 months after UNHCR began the extension of it mandate to assist IDPs in Yugoslavia, Commission on Human Rights Special Rapporteur Tadeusz Mazowiecki reported the “inadequacy of protection” while the UNHCR’s modus operandi remained concentrated on the massive humanitarian relief program for which it was launched, whereby protection was no longer the central role (Goodwin-Gill 1999, 227). Goodwin-Gill writes that the strategy for “pre-emptive assistance as a tool for preventive protection,” was falsely constructed as the political agenda in the territory had spiraled out of control and was not centralized to one party, forcing the actual delivery of such material assistance to be compromised by an impartial military contingent, whereby in most cases, the UNHCR bartered “substantial quantities of relief” in exchange for access to a territory (Goodwin-Gill 1999, 226-227).

Along with the controversy surrounding protection, also enters the question about responsibility. The United Nations’ position has firmly recommended that, “stronger national institutions would reduce the risk of dependence on external assistance and ease coordination difficulties between government and agencies” (Dubernet 2001, 184). In the combined research of Francis Deng and Robert Cohen, they conclude that national institutions not only require the support of international organizations such as the UNHCR, IOM, and even the OSCE, but such organizations ought to be bound to observe and supervise the efficiency and feasibility of these national institutions especially within IDP affected areas (Cohen & Deng 1998, 262).

It has become obvious from the conflicts in Iraq, Rwanda, Bosnia and Kosovo that “government structures” are often responsible for compulsory displacement within a territory. Yet, the conflict struggle in Somalia in 1992, indicative of the Post-Cold War struggles, proved to be even more desperate as national structures were totally absent, therefore making it virtually impossible for any central figure to claim authority over any displaced population. While Somalia, like Afghanistan, has traditionally operated on a tribal system, the United Nations system, which is based on the theory of centralized authority, was responsible for the severity and continuation of
the conflict as conclusions emerged that, “…persistent Western attempts at maintaining a central
government were indeed part of the problem,” - in addition to an academic/NGO report concluding:

The failure of the UN mission in Somalia is to a large degree
the extension of a bankrupt donor policy which for decades
has supported and reinforced overly centralized governments
in Mogadishu whose legitimacy came primarily from the
barrel of a gun. The U.N. and donor governments have
spent the last year (1993) obsessing over the re-creation
of a centralized authority in Mogadishu. This has greatly
exacerbated the conflict (Dubernet 2001, 185).

The actions of aiding the evacuation of the town population, would be viewed within the
international community as the UNHCR – and thus the UN - having sanctioned and actually
aided in the tactics of ethnic cleansing.\(^2\) Best exemplified in this case, is the on-going conflict
between providing \textit{protection} vs. rendering humanitarian assistance, whereby the UNHCR was
cought “between the devil and the deep blue sea,” threatened with an opportunity of creating
\textit{IDPs} rather than assisting them (Goodwin-Gill 1999, 227). The Dutch Peace-keeping forces,
responsible for preserving the region as a \textit{safe area} or \textit{safe haven}, served to increase the volatility
of the situation through non-action which resulted in the expulsion of 23,000 Bosnian women and
children during the period of July 6-16, 1995, and claimed the lives of approximately 7,500
Muslim men and boys (Honig & Both 1996, 19). Such a case in point illustrates the disparity
between the UNHCR awaiting orders as adverse when it acts upon the right to enter and serve a
population without question.

\section*{D. Funding Controversies for IDP work}

The readiness and quick response to the Balkan crisis earned the UNHCR an immediate doubling
in budget, which was quickly utilized as by 1993, $500 million – or half of the UNHCR’s annual
budget, was being spent on the Yugoslav crisis alone. The concentration of efforts to respond to
the widening Balkan crisis prompted Mrs. Ogata to refer to herself as, “the desk officer for the

\(^{23}\) Interview conducted on May 3, 2000 with Lyndal Sachs, UNHCR Public Relations Co-ordinator at
the UNHCR office in London located at Millbank Tower.
former Yugoslavia,” while a UNHCR official referred to the intent and zealous programs sponsored via the UNHCR in the regions as, “a state within a state” (Cohen & Deng 1998b, 206). By 1994, the UNHCR rendered an accounting of its IDP interventions, mostly unorthodox and primarily in Bosnia, having been actively engaged:

“In circumstances of armed conflict and/or massive violations of human rights, UNHCR activities have involved assisting the safe passage of civilians through front lines; facilitating, in acute life-threatening situations, in cooperation with the International Committee of the Red Cross (ICRC), the organized evacuation of civilians; intervening with local authorities to prevent the involuntary return of the internally displaced to areas of danger; facilitating genuine freedom of movement, including the possibility for persons in danger to seek asylum; and promoting the right of the internally displaced to return - or not to return - voluntarily to their homes. Elsewhere, …UNHCR has participated in mediation and reconciliation efforts between returning displaced persons and local residents.\(^{24}\)

Therefore, it is with certainty that relocating/repatriating refugees and IDPs to their place of origin became very tedious and time-consuming work for the UNHCR, as it relied on its humanitarian programs and own funding sources for the purposes of resettlement and whatever minimal development they could offer. As mentioned, European states desired to influence the work of the UNHCR with monetary gestures during peak periods of crisis, concerned with limiting asylum applications within their own territory. Their secondary intent may possibly have been humanitarian, but their initial objective was self-interest; asylum-seekers become a costly venture to maintain while applications are being processed and even more expensive to deport when applications are rejected, in addition to considerations that a country must make regarding its own national security.

The response to the UNHCR to alleviate the humanitarian crisis was met with such enthusiasm that the statistics from the United Nation’s Consolidated Inter-Agency Humanitarian Assistance

Appeals of 1995 verified that the appeal for the Yugoslav crisis was met by over 100% of the requirements tendered but not to other countries which suffered similar internal turmoil, such as Angola, Sudan, Somalia, Sierra Leone, Iraq and Afghanistan. In contrast, these countries received less than 50% of requested assistance, substantiating the fact that funds were much more plentiful in areas affecting European territory, with the intention of containment of the massive population flows throughout the continent (Cohen & Deng 1998b, 207).

The success of each UNHCR mission is dependent upon the funding of donor countries, therefore “discrepancies” in the giving process have a direct impact. In 1999, while the US government pledged an increase in monetary support as a preventive measure towards averting disasters such as Rwanda, $15 million was committed to the conflict in Sierra Leone, while at the same time, $13 billion was spent on Kosovo. Other Members of the United Nations’ donor governments donated an average of $207 per person towards the 1999 Kosovo/Yugoslav UN Appeal while an average of $16 per person was rendered towards the UN Appeal for Sierra Leone; “…life in one country clearly held greater value for donor governments than life in the other” (Terry 2002, 23).

With previous crisis situations, donor funds to the UNHCR required a regimented system of figures to ensure the monitoring of assistance to recipients. Yet in the Balkan crisis, for the first time, the abundant availability of resources rendered the UNHCR more time to concentrate their efforts on the mission rather than on administrative book-keeping and classification of victims, thus “it was never a priority for the UNHCR” (Cohen & Deng 1998b, 207). Although in this situation, all war affected victims – both refugees and IDPs – received whatever facilitations were necessary without legal distinction, based on actual requirements and regardless of their status as over time it became evident that “…more resources did not necessarily translate into adequate protection” (Cohen & Deng 1998b, 207) as witnessed with the fall of safe havens such as Banja Luka, Bihac and Srebrenica. The problem to funding IDP projects became evident only in the post-conflict era.

These causes and effects further justify the assistance of UNHCR to IDP populations more, importantly in a preventive capacity rather than after the fact. If IDP populations are rendered with the assistance and protection required, they will not eventually become refugee populations. Therefore, if the UNHCR is entrusted with the overall care of refugees, it has an international obligation to render assistance prior to the fact and avoid as many refugee situations as possible.
This obligation to the international community should override the lacking of any formal mandate and justify the UNHCR’s mission within a sovereign territory.\textsuperscript{25}

Although multiple United Nations agencies and offices specialize in the various and often complex Post-Cold War’s new humanitarian emergencies, experts sent into the field obtain a first-hand view of the tribulations and consequences encountered by forced, mass migration and population movements. Such was the experience of Dr. Francis Deng beginning in 1992, in fulfilling his mandate to further the understanding of IDP populations and their plight. His initial report reflected a more institutional, bureaucratic comprehension of the situation, suggesting that if states were to become key players, their essential role for combating the IDP crisis would be best reflected through a closer working association with the United Nations body (Dubernet 2001, 171). Years into the crisis, by 1998 when he and Roberta Cohen published the compilation of extensive research conducted on IDPs, they arrived at what perhaps can be judged as the ultimate conclusion:

\begin{quote}
“It is essential to consider the views of the internally displaced in designing and implementing programs for them because they know better than anyone else how to meet their protection and assistance needs” (Cohen & Deng 1998a, 260).
\end{quote}

\textsuperscript{25} Details of interviews held at UNHCR Headquarters in Geneva, Switzerland in February 2001.
References


INTERNAL DISPLACEMENT AND OTHER FORMS OF FORCED MIGRATION:
ARE REFUGEES AND IDPS SO DISTINCT?¹

Priyanca Mathur Velath²

This paper essentially seeks to locate the unique position of the Internally Displaced Persons (IDPs) among other forms of forced migrants, through a constant comparison with refugees. It then draws attention to the neglected category of the Development-Induced Displacees (DID) and argues for their rightful position within the category of IDPs drawing particular attention to the situation of DIDs in India to validate this claim.

First a conceptual understanding of terms like migrants, voluntary and involuntary forms of migration is undertaken to understand where the categories of refugees and IDPs stand. Then how governments and inter-governmental bodies try to contain these categories within strict definitions is examined. This is followed by an overview of the numerical dynamics behind both these categories. Finally an attempt to understand the causes behind the creation of these two groups is made.

The second section of this paper turns its attention to Development-Induced Displacement and tries to liquidate attempts to draw distinctions between IDPs and DIDs. Through examples of the condition of DIDs in India, it argues that they too undergo violation of human rights at the hands of their own governments within the borders of their own states and thus need to be treated as IDPs.

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Concepts and Categories

To understand the differences between refugees and IDPs, we need to first begin by conceptually clarifying our understanding of who a refugee is. To begin with a refugee is essentially understood to be an involuntary migrant. But there are basic conceptual differences between the term ‘migrant’ and refugee. A migrant is one who leaves his home for opportunity while a refugee is one who does so out of fear; a migrant travels to escape poverty and stagnation while a refugee travels to escape persecution, conflict and perhaps death; a migrant seeks opportunity while a refugee seeks haven; a migrant does not ‘wish’ to return home while a refugee cannot ‘dare’ (Weiner 1985 445).

The roots of this dilemma may be theorised as being contained in the fact that international migration arises in a world divided up into nation states, in which remaining in the country of birth is still seen as a norm and moving to another country a deviation. It has also been analysed that states regard migration as problematic and thus seek to improve control by dividing international migration into categories. Castles (2000) categorises migration into various types viz., temporary labour migrants, highly skilled and business migrants, irregular migrants, refugees, asylum seekers, forced migrants, family members, and returnees. As he says the “problems of comparison arise not just because statistical categories differ, but because such differences reflect real variations in the social meaning of migration in different contexts (2000, 270).

Migrants again have been variously classified. A voluntary migrant is one in whose decision there is an element of choice and who is sometimes referred to in refugee literature as an ‘economic migrant’. A natural disaster migrant is one who is forced to flee his home area in the onset of a natural disaster or calamity. Usually, in natural disasters short term relocation does happen except for e.g., in Chernobyl. A refugee, on the other hand, is considered as an involuntary migrant for whom because of the onset or threat of some externally imposed conflict it is impossible to continue life as he/she had known it to be if he/she had remained back home (Hugo and Bun 1990, 21) An IDP is essentially understood as one who is forcibly displaced from his homeland, but is relocated within the boundaries of his state, due to either conflict, natural disaster or some development project of the state. So both IDPs and refugees fall under
the category of involuntary or forced migration while ‘economic refugees’ come under that of voluntary migration.

The essential problem of classifying and distinguishing between voluntary and forced forms of migration is that their spheres are not exactly distinct and many a times overlap. Conceptually refugees are considered as a separate category distinct from IDPs because they have the important quality of being outside their country of origin and IDPs do not meet this qualification. But both are forms of involuntary migration. It is ironic but before the disintegration of the USSR all those who fled within it from one republic to another were considered as IDPs. However, after the collapse of the Soviet Union with these republics being elevated to independent states these same people became refugees (Hansen 1996,6). During the 1971 Indo-Pakistan War all those who fled to India from Bangladesh were given refugee status. But with the end of the war and the creation of the independent state of Bangladesh they were asked to return to their homeland and all those who stayed behind are today regarded as economic migrants who are trying to enter the labour market of India. Thus IDPs of today become refugees tomorrow and refugees of today become economic migrants tomorrow without any migration at all.

Let us initiate our understanding of the differences attributed to these conceptual categories by first seeing their different definitions.

**Mutually Exclusive Definitions ?**

IDPs are noted to be the largest “at risk” population in the world, yet arriving at an appropriate definition for them has been quite a slow and complex task (Cohen and Deng 1998,17). The refugee definitions very explicitly excluded internally displaced groups. The principal and current legal definition of a refugee as contained in the 1951 United Nations Convention Relating to the Status of Refugees outlines a refugee as one 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…”
The scope of this basic definition was expanded by the Organisation of African Unity’s 1969 Convention on Refugee Problems in Africa to include more flight-inducing factors like ‘external aggression or occupation, foreign domination or events seriously disturbing public order…’ and the Cartagena Declaration’s additional criterion of ‘massive violation of human rights’.

The 1951 definition of refugees applies only to those persons who are outside their country of origin for the various reasons described. This definition does not provide protection to those who have been internally displaced because of law and order problems, denial of human rights, and insecurity of food, land and water caused by forces beyond their control. The 1969 OAU Convention covers persons displaced by ethnic strife, civil disorder, religious riots and persecution. However, it does not apply to persons who have been displaced by natural and man-made disasters, or by the denial of food, land and water security.

The 1992 Report of the Secretary General of the UN had identified IDPs as

“persons who have been forced to flee their homes, suddenly or unexpectedly in large numbers, as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters, and who are within the territory of their own country”

This was a notable development as it included those fleeing from natural disasters and who would not qualify under the refugee definition and who desperately need international assistance. There are often occasions when people caught in a natural disaster may also be at the receiving end of government’s discrimination, neglect or violation of human rights. For e.g., the case of the politically suspect Tigreans, who in the drought and famine ravaged Ethiopia of the mid-80’s, were forcibly relocated by the government under the guise of natural disaster response. Similarly during man-made disasters like nuclear or chemical accidents because of persecution, neglect and violation of human rights the internally displaced need attention and care. Also, say in a case like a development project like a dam under construction, if many people are forcibly relocated without sufficient compensation, proper resettlement and respect for their human rights it becomes a man-made disaster and the displaced population warrant international attention. The 1992 UN IDP definition addresses these causes.
But it makes the mistake of confining all cases of internal displacement to be ‘sudden’ or in ‘large numbers’. In Colombia, displacement is often in small numbers so as to escape attention; the Iraqi governments uprooting of Kurds went on for a considerable period of time over three decades. The military Junta in Burma and the Mengistu dictatorship in Ethiopia have forcibly moved hundreds and thousands of people at times with considerable advance notice (Korn 1999,12). The term ‘forced to flee’ in this definition also made too simplistic an assumption as there are many cases of internal displacement to the contrary. For eg., Bosnian Muslims, many IDPs in Myanmar, Iraq and Ethiopia did not flee but were expelled from their home on ethnic, political and religious grounds.

Over time the UN’s Special Representative on IDPs developed a working definition for them (also used by the Global IDP Survey). This current working definition, the broadest one in use at the international and regional level, describes an IDP as

“Person or group of people who have been forced to flee or to leave their homes or places of habitual residence as a result of, or in order to avoid, in particular, the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border”.

The qualifier ‘in particular’ indicates that the list is not exhaustive and thus allows circumstances other than those listed to be taken into account: for instance, natural or man-made disasters, like development- induced displacement where coercion is involved. It has been argued that the construction of hydroelectric dams especially, be considered as a “human-made disaster” and therefore that those displaced by it fall within the definition in the Guiding Principles (Cohen and Deng 1998,16-17).

It also does not intend arbitrarily to exclude any serious future situation. Generally, the definition would not include economic migrants, refugees returning under UNHRC programmes or those receiving adequate state compensation and protection following natural disasters or relocation for development programmes. This is a cumbersome definition but it tries to encompass all aspects of internal displacement because the debate on the definition of IDPs is still ongoing. People may be forced to flee because of war (civil or international), disasters (natural or man-made), or
development (industrialization or famine). But while in Chechnya displacement is caused by armed conflict, in Nigeria development is a greater problem; a person forced to migrate from war in Afghanistan is no less desperate than a family displaced by less speed by drought in Haiti. However, if everyone who ever fled their homes for whatever reason was included then the global figure for IDPs would probably exceed 100 million (Global IDP Survey, 1998). So the boundaries of the category IDP are still fluid and its numbers even more.

Nonetheless, The UN definition as modified above, recognizes that the reasons for displacement are often complex and interrelated, and that persons uprooted by natural disasters and also development projects may be persecuted and discriminated against, and thus be of special concern as IDPs. This definition tries to strike a balance between too narrow a framework that risks excluding people and one so broad that it could prove to be operationally unmanageable. (Cohen and Deng 1998,18)

The Scene that Numbers Reveal –

An overview of refugee and IDP numbers also assist an understanding of the dynamics of these two categories. Internal displacement is not a new phenomenon but statistics and figures reveal the real picture behind the scenes. Despite the visible decline in estimates of IDPs, the reality is that there is actually no full count of IDPs simply because they are not documented.

The list of refugee-sending countries may be on the increase, from 50 in 1990 to 63 in 1994. But worldwide refugee figures are on the decline and those of IDPs are increasing, peaking at 27 million in 32 countries in 1994 (Schmeidel 1998). In fact, in the first part of 2002 IDP estimates had shot up to 25 million from the figures of 5 million in the 1970s. This upward trend of internal displacement was visible from 1982 till 1994, ignoring the short decline in 1998 and 1989. After 1995 IDP estimates did drop but the number of countries reporting IDPs kept increasing. Besides the gap between the IDP and refugee figures kept widening with almost twice as many IDPs, 19 million, as refugees, around 10 million, in 1996. Today IDPs simply outnumber refugees by two to one. In fact in June 1994, the then UN High Commissioner for Refugees, Sadako Ogata, in her address to the World Bank, had stated that about 10,000 people every day flee their homes and either cross international borders or become displaced in their own countries.
Country and regional statistics add more colours to the picture. The African continent takes the biggest piece of the cake, an astonishing 13.5 million. While Sudan, Angola and the Democratic Republic of Congo (DCR) have IDP populations in the millions, Uganda, Nigeria, Burundi and Somalia have either surpassed or are nearly reaching the half million mark. Besides, across the globe from Columbia to Indonesia and Turkey to Afghanistan IDP figures are in the millions. Iraq, Azerbaijan, Sri Lanka, Burma and India form a list where over half a million IDPs are displaced by conflict. But what needs to be noted that even in countries like Burundi or Lebanon where IDP numbers do not reach the millions the ratio of the displaced to the national population is still quite high (NRC 2002, 16, Petterson 2002, 2002, 115).

Though there are some similarities in the growth of refugees and IDPs, the growth of internal displacement has been found to be more variable because of shorter displacements and estimation problems particularly prior to the mid-1980s. Besides the notable decline in official IDP numbers is simply because of lower estimates being officially reported. Similar undercounting is also present in refugee estimates wherein some Palestinian refugees and some refugees in western industrialized countries are excluded. What is important is the fact that smaller numbers or populations of IDPs escape unreported or unnoticed because they either blend with the not displaced population or do not seek out camps for assistance. This in no way underestimates the scale of the problem of internal displacement. It perhaps seeks to highlight the reality that only a part of the population fleeing internal turbulence is fortunate enough to cross international borders and many remain trapped within. Besides, it should also kept in mind that while IDP numbers generally exceed those of refugees, it is often the same countries that report the highest numbers for both kinds of displacements (Schmeidel in Hampton 1998,28-29).

The Indian subcontinent has been much plagued by the causes of internal displacement especially national disasters like droughts, floods, earthquakes and cyclones. In addition to this the colonial industrial policy of the British Government of the planned destruction of Indian industries in the nineteenth century is believed to have displaced at least 35 million people (Fernandes and Paranjpye 1997,7) In India, if causal factors are restricted to dams, mines, wildlife sanctuaries and industries then the conservative estimate of the number of people displaced from 1950-1991 is about 2,13,00,000 (Fernandes 1994,24). In 1994 the government of India admitted that 10
million people displaced by dams, mines, deforestation and other developmental projects were still ‘awaiting rehabilitation’, a figure regarded as very conservative by most independent researchers. (Petterson 2002,16).

While the national disaster management division of the Agricultural ministry records specific information on casualties, crop loss and houses destroyed, the number of IDPs due to disaster is not recorded. It is a well known though sad fact that tribal make up 40% of the total number of IDPs, though only 8% of the total Indian population. Figures are not available for urban displacement caused by building public services and infrastructure. When the Indian Government drafted a National Rehabilitation policy in 1994, it accepted a figure of 15.5 million as the total number of development displaced people. It added that in the absence of subject-specific study, it is not possible to outline the problem of displacement in all its dimensions. It was not even possible to arrive at an approximate figure of displacement for the country as a whole.

Floods, droughts, cyclones and earthquakes strike various states of India affecting an average of 63 million people every year. Floods alone displace more than 30 million people. In 1996/97 more than 29 million people were affected by drought in 33,357 villages spread across 4 states, while more than 2.6 million were affected by cyclones and depressions. The government and other independent reports estimate casualties in terms of the total affected, but none of these estimates indicate the total number of IDPs (Hampton 1998,143-46).

**Why Refugees and IDPs are Created?**

After numerical estimates let us turn our attention to reasons for flight. Internal displacement is quite a recent post-cold war phenomenon. The creation of refugees definitely has a longer history. It is ironical how the causes behind both these marginalized groups are very similar, simply occurring at different times. Conflicts have been behind the creation of both refugees and IDPs. Its simply that the creation of refugee flows was more the result of inter-state conflict while IDPs are often the spill overs of intra-state conflicts. Both categories are however not mutually exclusive. The causes behind refugee flows are not merely intra-state conflicts. Today many refugees are the creation of conflicts within the borders of a state. Similarly intra-state conflicts are also pushing many IDPs to flee across the borders of their own nation making them refugees.
Lets examine these causes a bit deeper. Most instances of IDP flows in the 1970s and 1980s incidentally occurred in regions which were the locus of proxy cold wars e.g., Ethiopia, Somalia, Afghanistan etc. The end of the cold war did see returns and resettlement. But in places like Somalia and Liberia, with the presence of increasing arms, ethnic and clan warfare broke out. In Africa, wherever levels of aid from the two erstwhile superpowers was highest, violence leading to displacement was also visibly higher. There were also outbreaks of internal conflict unaffected by all this e.g., in Sudan, Sri Lanka, Iraq and Turkey. With the number of ethnic groups in the world today far outnumbering that of nation states, ethnic discontent is a factor that is bound to create conflict and lead to further displacement. Besides, as Francis Deng points out “it is never the mere difference of identity based on ethnic grounds that generates conflict, but the consequences of those differences in sharing power and the relative distribution of resources and opportunities..the role of political leadership at all levels, from local to national is pivotal..” (Cohen and Deng 1998,3). This is often accompanied by severe and pervasive human rights abuse e.g., the genocide of Tutsis in Rwanda, the atrocities by the SLORC in Burma etc.

Besides, it is very difficult to identify a single cause behind the creation of IDPs. They are usually many which also overlap. For example in Asia, unlike Europe, ethnic conflict is only one of the several causes of conflict (Korn 1999, 25). But it is important to simply note here that one must comprehend causes to gain a wider and deeper understanding of the phenomena of internal displacement in our attempts to tackle it.

**Development – Induced Displacement – A Misunderstood Category.**

At this juncture one should return to a significant type of displacement, which perhaps has not been sufficiently understood in forced migration studies i.e., Development-Induced Displacement. One cannot help bring attention to the fact that there are nearly 10 million people being displaced by development projects like dams and other infrastructure projects each year according to the World Bank. Yet, Development-induced Displacees (DID) are officially not counted as IDPs.
So one also needs to ask whether it is valid and just to draw a qualitative distinction between development displaces and IDPs? Internal displacement is usually identified as a sudden phenomenon and as such then DIDs are not considered as IDPs because development projects are usually planned. But this should not be considered as a disqualifying criterion as the DIDs usually have no role to play in either the planning or decision making in the making of its project or its rehabilitation package. Besides with DIDs permanent displacement from one area does not necessarily ensure permanent resettlement elsewhere. In are many cases of multiple displacement in India.

The payment of adequate compensation to those displaced by development projects is theoretically taken as the disqualifier in their claim to be termed as IDPs. But in countries like India, where the level of compensation among a majority of development induced displaces is unjust, there is a valid claim for them to be considered as IDPs in need. There are many other cases too where none pf the promised compensation is received by the displaced e.g., a case of petroleum exploitation in Oman (Chatty 1994). Besides, simply the fact that compensation is given should not be used to distinguish the development induced displaced (DIDs) from IDPs. What needs to be really examined is whether the promised compensation is really given; whether it is adequate etc as in most cases it is not. The reality of rehabilitation packages is a different story all together as can be seen in the case of the Sardar Sarovar Project in India. More often than not DIDs get caught in Cernea’s spiral of impoverishment post displacement. They are mostly denied the right to information with regard to the real rehabilitation package and also the right to decision making with regard to it. Any such forced resettlement, which is accompanied by inadequate compensation and participation, should qualify as internal displacement.

Besides Principle 6.2(c) of the Guiding Principles reads:

“The prohibition of arbitrary displacement includes displacement: (…..) (c) In cases of large-scale development projects, which are not justified by compelling and overriding public interests (…..)”

Development projects are sold on the logic of development for national interest. But in most countries like India they operate on the perverted rationale of making the poor and marginalized sections of the population, who get displaced, sacrifice their livelihoods, for the so –called ‘greater good’ i.e., the supposed benefits of that project to the entire nation. It is believed that
Despite the displaced becoming worse-off and such costs being taken into account, the project or policy might generate positive net benefits (Penz 2002, 4). It is such reasoning that makes leaders like Jawaharlal Nehru, India’s first Prime Minister, speaking to villagers who were to be displaced by the Hirakud Dam in India in 1948, say “If you are to suffer, you should suffer in the interest of the country.”

If the ‘greater good’ or the ‘interest of the country’ means the ‘public’ sphere or the whole population of that area and not just the elite then the costs can be justified. For e.g., in a country like India, where 80% of rural household have no electricity, any project that seeks to electrify rural areas can be deemed to be in the national interest. But if the displaced are neither properly resettled nor given appropriate alternative means of livelihood, their human rights get violated and so-called ‘public’ or ‘national’ interest gets compromised (Peterson 2002, 17). But it is always seen that the benefits of the project, if any, never percolate down to them and benefit only the wealthy and the politically powerful. Even the World Commission on Dams concludes that large dams “produce benefits that accrue to groups other than those who bear the social and economic costs (WCD 2000, 120). To that extent they can be rightly termed discriminatory and this puts another point forward in qualifying them as IDPs.

**DIDs in India – Rights in the Constitution, Rehabilitation Policy and LAQ 1894.**

From the international sphere we now move to specifically the situation of the DIDs in India to gain an understanding of the scale and nature of the problem of DID in India, the weaknesses of existing policies, the new draft policies and the difficulties they pose for implementation.

While refugees have an international legal and institutional system of protection to depend on, IDPs only have their own state’s legislation policy with regard to land, rehabilitation and resettlement to depend on (if any). In India the Draft National Rehabilitation Policy and the Land Acquisition Act of 1894 are the only legal bases making the state liable for compensation. The LAQ has come under much flak for being a bit too out dated. Along with the Ministry of Rural Development (MRD) policy’s second draft (1994) titled ‘Draft National Policy for Rehabilitation of persons displaced as a consequence of acquisition of land’ which is expected to be national
policy, there have been parallel policies drawn up by the National Thermal Power Corporation (NTPC, 1993 – the first displacing agency to have rehabilitation policy), Coal India (1994) and the Water Resources Department (WRD 1994 – now at its third draft; the biggest displacing agency).

Besides, apart from the National Policy Draft, states like Maharashtra, Madhya Pradesh, Gujarat and Orissa have also indulged in policies and legislations for R&R on their own. However despite the flurry of activity on paper, “it is a cruel joke that for 50 years the (Indian) Government did not wish to promulgate a National Policy on R&R for serving its own people or discharging its constitutional responsibilities.” (Fernandes and Paranjpye, 1997,1).

Post-independent India’s project of nation-building, founded on extensive and rapid development projects found a convenient ally in the colonial Land Acquisition Act of 1894 which allowed compulsory acquisition of land from private citizens for the common or public good also termed as ‘national interest’. It is in pursuance of this principle of ‘eminent domain’ by the Indian State that property rights of the State come to infringe on the rights of the rights of IDPs. A person who’s land is acquired under the provisions of the LAQ 1894, who is forced to uproot himself and put down roots in an alien and hostile environment, has no legally enforceable right except for the right to be compensated for the land that he has lost.

Unlike refugees, IDPs are legitimate citizens of their state and are entitled to the fundamental rights guaranteed to them by the Indian Constitution. Article 19 (e) of the Indian Constitution guarantees to its citizens the freedom “to reside and settle in any part of the territory of India”. Article 21 lays down that “No person shall be deprived of his life or liberty except according to the procedure established by law”. Thus when land is acquired by the state Art 19 and 21 “turn into paper rights” (Vaswani 1992).

The Right to Freedom in Article 19 (5) grants the state the authority to curtail a citizen’s right to move freely and reside within the territory of India by “making any law which imposes reasonable restrictions on the exercise of any of the rights conferred by the said sub-clauses either in the interests of the general public or for the protection of the interests of any Scheduled Tribe”. It is this “interest of the general public” that gives direction to the principle of eminent domain,
and is cloaked variously, even arrogantly as public or national interest or good. And this public purpose in not even vaguely or loosely defined in the LAQ 1894 (Dhamgamwar in Fernandes & Paranjpye 1997,113)

When the State takes away land, depriving CPR-dependent communities of their livelihood on the assumption that the natural resources are state property “..the right the state has appropriated to itself goes counter to the citizen’s fundamental rights”(Fernandes 1997,48). With regard to this right to habitation in any region of India, it should also be noted that while in the case of displacement due to natural calamities and political interest, IDPs have the possibility of returning to their original domicile, for project-related IDPs this possibility does not exist. Besides it is ironical that while Article 19(d) allows the state reasonable restrictions for the protection of the interests of any Scheduled Tribe, the 29th Report of the Commissioner of Scheduled Castes and Tribes had noted that 40% of those displaced till 1990 were tribals!

In Francis Coralie vs Union Territory of India, the Supreme court had ruled that ‘life and liberty’ would include not merely an animal like existence but something more than physical survival. The right to life includes the right to live with dignity and all that goes along with it. In addition to adequate nutrition, clothing and shelter over one’s head, the ruling included facilities for reading, writing, and expressing oneself in diverse forms. On personal liberty the court had said that the expression is of the widest amplitude and it includes the right to socialize with family and friends. But displacement causes complete disruption of the traditional socialisation process (Kothari 1996). To quote Michael Cernea, “Displacement by its very nature is a disruptive and painful process. Economically and culturally it creates a high risk of chronic impoverishment that typically occurs along one or several of the following dimensions: landlessness, joblessness, homelessness, marginalisation, food insecurity, social disarticulation” (1996,20).

The right to life includes both the right to livelihood and the right to work (Olga Tellis vs, Bombay Municipal corporation 1985 3SCC 545). Most of the IDPs are resettled inalien environments away from their farmlands when all the working skills they perhaps had was farming. Loss of work and therefore wages on other people’s lands or loss of land-related work e.g., making plough carts etc is not considered, nor is the work of say artisans who serve people living on the land e.g., tailors, cobblers, shopkeepers (Dhamgamwar 1997). Besides both the NTPC
and MRD drafts state that displacing agency should create jobs for the DPs beginning from the construction stage but neither mention how the project authority will ensure that the DPs even get the unskilled jobs that, the draft admits, goes mostly to outsiders. No preference is given to them and they cannot claim any legal right to be employed there (Fernandes 1997,430.

Until recently landless labourers and artisans who lose their jobs because of development-induced displacement are not entitled to any compensation except for house plots. Also, as Thukral notes,”the process of rehabilitation itself is leading to more displacement” e.g., to rehabilitate the Sardar Sarovar Project oustees the Gujarat government is buying private land from absentee landlords willing to sell; but in the process, labourers who were engaged in the field for years have been rendered jobless (1992,24).

For the LAQ 1894, payment of compensation seems to be only ancillary to the basic aim of taking away privately owned land for a public purpose. Nehru’s famous statement on the tribal policy had promised respect for culturally and socially vulnerable groups but in practise policy planning devalued and and applied reductionist legal and economic categories to define how the tribals and others, who may get displaced, should be compensated. The LAQ 1894 makes only the state liable for cash compensation which legalizes the gross injustice and social violence in reducing rights and interests into claims and complex systems into monetary compensation (Kothari 1996).

The LAQ now being a century old now needs to be changed as India’s population has now dramatically increased to occupy almost every inch of land - there is no ‘free’ land to be had. The LAQ compensation is calculate on the market price of the land, on the price of the tree as wood, on the price of the house as it stands. It neither takes replacement costs into account like the value of the produce of the trees, fruits, fodder, fresh air, soil conservation etc. nor computes above the actual cost of the actual cost of the land i.e damage to it by air, soil, water pollution or loss of access. Thus the government promises land but is unable to provide land, so in most cases the land allotted as compensation is of lesser value than its cost. Most of those affected are not even allotted the bare minimum.
The government’s actual ability to fulfill its promise of a maximum of two acres of land to Tehri Dam oustees and a minimum of five acres to those of the Sardar Sarovar is quite in doubt. The Maharashtra government had openly admitted that it did not have revenue land for rehabilitating and had therefore released 2,500 acres of forest land. The Madhya Pradesh Government too has expressed its inability to find land for everyone. Besides, in the LAQ 1894 only the government could acquire land but now the public sector can acquire it directly and the private companies through the government “with limited land and so many claimants, resettlement seems to have become a game of musical chairs (Thukral 1992,25).

Even if land is available mere allocation is not enough. In the Koyna and Nagarjuna projects people were unable to subsist on the land for more than two generations. Moreover LAQ1894 was enacted when the role of the state in promoting public welfare and economic development was negligible. It is not in consonance with present socio-economic realities as ironically the welfare and development oriented state of today needs much more land than the colonial state of yesterday.

Thus the ‘land for land’ policy for resettlement and rehabilitation is deeply flawed. Market value compensation is not only calculated at later and different states but also insufficient as a medium of cost-benefit analysis for the IDPs. Besides the compensation is given at the rate prevailing at the time when the government issued notification. The IDPs are unable to purchase alternate land of a comparable quality at the current spiraling prices. Besides, while many DPs had been cultivating their land for centuries, they did not have any patterns or legal documents so were entitled to no compensation. The costs would be higher if the social and environmental impact on the DPs and the losses they suffer within their informal economy were considered. Cash returns are anyway useless in the hands of these vulnerable groups as they are unable to handle it and it is usually squandered or wasted in useless purchases. Cash payment is also useless when the IDP is illiterate and incapable of wise investment. Besides, the state is under no obligation or responsibility to rehabilitate or resettle the displaced with cash payment. It is anyway a laughing stock that one be paid in cash for giving up a way of life! (Fernandes and Paranjpye1997).

The principle enunciated for rehabilitation intends to provide a quality of life superior to that enjoyed by the displaced persons so as to reduce the trauma involved in displacement. But the
subsistence allowance for the DP is small and fixed below the poverty line so while the physical act of displacement occurs only at one point of time, it sets off a spiral of social and economic impoverishment which is compounded by psychological trauma as the IDPs now are landless, jobless and foodless. Production systems are dismantled, close knit kinship groups scattered, long established relationships disrupted, traditional sources of employment lost, market links broken, customs related to child care, food security, intra-community credit transfers dissolved, systems of social hierarchy and leadership lose credibility, and ancestral symbols, shrines, graves, monuments and an entire sense of history and cultural identity get lost. More than a decade after the completion of the Ukai Project there was nothing for the displaced to occupy themselves with. The death rate had increased among the Narmada oustees in Parveata in Gujarat. Besides, unless the displaced are rich or big landlords or politically powerful, without proper resettlement they find themselves in a state of pauperism and are forced to join the legions of migrant labour flocking to urban slums in search of work in the cities.

Even during natural disasters the more severely affected have been those who are weak and poor because they lack the economic stability, skills and educational qualifications to migrate to safer areas. The reality of the oustees in both development-induced displacement, and natural disasters is the same – in both a whole generation suffers. The difference is that development projects are planned in advance so displacement can be minimized and rehabilitation can be planned. But in reality neither is done.

Among the vulnerable groups comprising IDPs women occupy an unenviable position. Most studies have shown that women are the worst sufferers as no special provision is made out for them. Women, being primarily responsible for household chores in rural India, like collecting food, fuel, water and fodder are most anxious about how to meet these needs after displacement e.g., in Singrauli they had complained that even though life prior to displacement had been hard at least at that time there was water available from the river. But now water is monopolized by the dam and is anyway polluted. Very few women own property or have land-pattas in their name, therefore they are seldom entitled to compensation e.g., The Narmada Water Disputes Tribunal (NWDT), in its award, defined the family to include husband, wife, minor children and other persons dependent on the head of the family like a widowed mother. It stated that every
major son be treated as separate family. What then happens to a woman who is the head of the family or a single woman or a widow with minor children?

The vulnerability of the IDPs is further exploited when multiple displacement occurs. When each rehabilitation is undertaken project-wise by independent authorities who have little or no coordination between them the same people find themselves displaced more than once, each time as the result of a different project e.g., Singrauli, Korba, Tehri (where the oustees were rehabilitated at Jolly Grant, from where they are again going to be removed for the proposed Dehradun Airport); those displaced for the New Mangalore port are again going to be displaced for the Konkan Railway; the Kabini dam oustees to be relocated again for a biosphere reserve. The IDPs right to life, liberty and habitation is violated not once but repeatedly.

When project authorities become insensitive in their coordination responsibilities and cause multiple displacement, particularly when a project is spread two or more states, responsible inter-state coordination can hardly be expected. For e.g., in the case of the Pong Dam, the oustees were forced to shuttle between the two states of Rajasthan and Himachal Pradesh in vain.

Those displaced or to be displaced have a legitimate right to know what is going to happen to them and to participate in the decision making of the project. But this rarely happens. “Neither the draft recognizes the basic principle of the right of the DPs to be involved in the decision concerning the project that displaces them. …not even the right of the DPs to be involved in the policy concerning rehabilitation is recognized…much less is the people’s right to have a share in the ownership of the project recognized” (Fernandes 1997,41). The drafts were not put forward for public debate but instead secured by the NGOs through informal channels.

Project reports contain minimal information concerning displaced persons. Oustees of the Chaskaman in Maharashtra did not know why the dam site had been changed nor were they clear about their rehabilitation rights. In Hirakud, the oustees had no idea how their lands had been evaluated or their compensation calculated. In the Sardar Sarovar Project in Madhya Pradesh, people were not only uniformed but often deliberately misinformed about the project and their future. As Dhagamwar notes, “Independent India has become a socialist democratic republic.
The government of such a state is required to consult people before taking major steps (1997,122).

Problems of displacement begin well before the actual dislocation takes place. The knowledge of future displacement is enough to instill in people a feeling of insecurity and a fear of the unknown. Moreover, IDP ignorance is often coupled with middleclass apathy, lack of awareness, insensitivity in downplaying the trauma and having the audacity to say that it is an inevitable sacrifice (Fernandes and Paranjpye 1997,5). Thus one of the most important factors that tends to be overlooked is people’s opinion. Do they want it? Do they see it as a solution to their problems? The study of the Baliraga Dam exemplifies one of the rarest cases where it is possible to construct a dam for irrigation with full participation of the people and without any displacement.

Naturally, along with awareness comes the IDP’s consciousness about their right to object and resist. In the 1920’s Senapati Bapat had organized the first resistance in the state of Maharashtra. The oustees of the Thalveyshet Fertiliser Project, villagers of the Nha va Sheva, whose lands were acquired to build the Jawahar Port, were able to organize themselves with the help of their leaders into a strong political lobby and also get reasonable compensation for their lands.

The state does not grant a right to IDPs to object but it is a very concessional one. LAQ 1894 confers on the displaced a right to object which however is limited as it needs to be exercised within one month of the receipt of the notice and on the following objections viz., more land has been acquired than necessary, acquisition will destroy historical monuments or places of public interest or that it will desecrate religious buildings; object to the omission of one’s name from the list of persons having an interest in a particular land; later object to the low quantum of compensation etc. But these grounds are very difficult to evoke without exactly knowing how much of land is acquired and for what purpose. If the landholders were to know of it in advance they may be able to object successfully. But he does not know and cannot know. Besides people have neither the right nor the time to object when the government exercises power to take away land for emergency purposes.
Besides, World Bank approval has become a major factor in formulating Resettlement and Rehabilitation (R&R) policies. As the IRBD is a major actor in supporting development projects and as India is beholden to it for credit, her R&R policy drafts are sent to it for approval. The Government of Rajasthan is reported to have sent its state policy draft to World Bank officials (The Hindu, 6th February, 1997). Also the R&R policy of India clearly admits than in view of the strict conditionalities imposed by the World Bank and other funding agencies it would be necessary to have a common National Policy for Rehabilitation. The Ministry of Rural Development’s Draft mentions the gravity of a situation where funders withdraw support from projects like the Narmada. This exposes the possibility that the Government as a whole was moved not by the plight of the displaced persons but by pressure from the funders.

The state is thus responsible for full and comprehensive rehabilitation as a precondition to displacement, and if it cannot assure this, it is committing an unconstitutional act. The Ministry of Rural Development’s first draft’s tone was sympathetic to the displaced persons although it did not recognize many of their rights. It recognized displacement as a reality and exhibited a sense of guilt about the price that displaced persons pay. But both the sense of sympathy and guilt are missing in its second draft which clearly shows that the government has taken displacement for granted. Also, both the drafts are applicable only to the future DPs and not to the millions displaced and not rehabilitated since 1951. Neither recognize the right of the DP to be rehabilitated.

The Oxford Dictionary has defined Rehabilitation as “to restore to the original” and the Chambers dictionary defines it as “to reinstate, to restore to former privileges, rights, rank etc. But rehabilitation is granted more often than not as an act of reluctant generosity than as an entitlement or a right (Kothari, 1992, Fernandes 1994). The People’s Alternative drafted by the NGOs after consultation with thousands of DPs is based on this right (NCPR 1995). It insists that the displaced have a right to total rehabilitation. Its starting point is that rehabilitation policy cannot take displacement for granted and instead should be the basis for a search for non-displacing and environmentally friendly alternatives. For this displacement and rehabilitation have to be understood as a continuum – a process that begins long before people are actually ousted and ends well after resettlement.
Conclusion

Thus we have been able to see that while there are formal and legal distinctions between different types of migration there are many attempts to make artificial distinctions about the experience of displacement. It is not an easy task to confine categories of displaced people within separate boundaries as more often than not they tend to spill into each other. While some of these differences can be accepted as genuine one can also clearly see many similarities particularly between the categories of the refugee and the IDP. What stands out is the sheer neglect of some categories like Development-Induced Displacees. All cases of DID where the level of compensation or participation is unjust an as such the act of displacement is clearly a form of persecution should be treated as IDPs. Such categories need to be more sufficiently addressed, researched and understood in forced migration studies and given their rightful place within the category of the internally displaced.

References


THE IDP PROBLEM-SOLUTION MODEL:
PERSPECTIVES ON THE DOUBLE STANDARDS OF POLICY AND
INTERNATIONAL HUMANITARIAN REGIMEND

Desire Timngum

Abstract

The internally displaced people’s problem-solution model asserts that debates on internally displaced people have focused more on the nature of protection, rather than on the socio-political and humanitarian assistance or international protection imbalance between different forms of forced migrants. This approach to IDP problem further hints that while everyone may be involved in the problem-solution of internally displaced people in Africa either directly or indirectly, the international humanitarian regime continue to exonerate certain categories of forced migrants from international protection. The double standard perspective of international refugee law may have profound implications to the protection of internally displaced persons. Therefore there is a need to underscore the social, economic, cultural and political rights of internally displaced persons within mainstream international humanitarian protection regime. The model sums up that the problem of the internally displaced may be minimized, if not circumvented depending on how their socio-economic and political imbalances are conceptualized and substantiated within the ranks of states and non-state actors. And that a comprehensive and a sustainable policy on internally displaced people can only begin to register realistic concerns if everyone’s involvement in the IDP problem and solution is factored in and critically articulated.3


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3 This paper borrows heavily from numerous conflict situations in Africa.
Introduction

According to Global IDP project, the African continent produced about 13.5 million internally displaced persons at the end of 2001 (mostly from Angola, Sudan and the Democratic Republic of Congo) (Global IDP project 2002). Containing or managing the IDP crisis in Africa appears to be a bone of contention between states and non-state actors. The apparent focus of contention appears to be around a credible regime that can protect internally displaced population. Solutions to internal displacement issues may be confronted by the following questions: How can states reconcile their territorial sovereignty with in-country protection? How can states honour their commitment to implementing international refugee legal frameworks? What methods are applicable for humanitarian institutions to gain access and understand specific needs of scattered people? Who provide resources to sustain the needs of IDPs and under what conditions or mandates? How can NGOs remain neutral and focus their attention on the provision of humanitarian assistance to IDPs? And what mechanisms should be used to ensure the integration of IDPs? Flanked by these numerous issues the model attempts holistic, analytical and critical approaches to the IDP problems as well as participatory solutions methods.

The IDP problem model

According to Cernea in 1996 population displacement brings with it unimaginable risks of impoverishment such as landlessness, joblessness, homelessness, marginalisation, increased morbidity and mortality, food insecurity; loss of access to common property; and social disintegration. Cernea’s conceptualization of the ills of population displacement suggests that unless a critical examination of IDP issues is undertaken their resettlement and integration may be problematic. Therefore, the IDP problem-solution model operates on the premise that states, humanitarian agencies, NGOs, Rebel Groups, policy makers, researchers, academics, rebels and IDPs may be engaged in one way or the other in facilitating the worsening socio-economic situations of IDPs. However, to begin any envisaged sustainable solution processes to internal displacement states and non-states actors need to reexamine contractual and non-contractual dispositions aimed at restoring the dignity and self-confidence of the internally displaced.
States, sovereignty and the internally displaced

States are perceived to be principal actors in enhancing or seeking solutions to internally displaced (Mertus 1998). The objective of giving sustainable meaning to the lives of IDPs may be hindered by the presence of borders, territorial integrity and state reactions to victims of mass influx (Goodwin-Gill 2000). States may assert autonomous discretionary powers over humanitarian operations within their borders. Which is why in-country protection mechanisms may be complicated. However, if we condone territorial sovereignty as a legitimate determinant rationale in the protection of IDPs then what will be the faith of the international refugee regime? Can the concept of sovereignty take precedence over the lives and survival of IDPs? Or is it a systematic strategy or ploy for states to assume protection status in order to punish dissidents or non-conformists?

In this light state role in the protection of internally displaced persons and refugees becomes increasingly altered or eluded. This may be evident in the strict interpretation of the refugee definition expressed in the 1951 UN Convention Relating to the Status of Refugees, the 1967 Protocol and the 1969 OAU convention relating to specific aspects of refugees in Africa. The refugee status determination process in the 1951 UN convention sets benchmarks or requirements for consideration. To qualify as a refugee “a person must flee persecution,” “must be out of their country of origin” and “most be unwilling to avail himself/herself to their home government” for protection. The 1951 UN Convention on refugees speaks more to persecution without regards to foreign aggression, human rights, and other situation seriously disturbing public order as articulated in the 1969 OAU Convention. The non-expression of internal displaced persons in international refugee frameworks may provide a window of non-recognition of internal displacement by African and third world countries.

Accurate information on IDPs in Africa appears rare due to attempts by some politicians or political pundits to undermine internal displacement. Before 1990 information on the crisis of internal displaced people in Sudan was thin. When hunger crisis seriously displaced people in Sudan in 1984 President Nimeri refused to admit the crises nor provided any information on the situation of IDPs. Even the ongoing Chad-Cameroon pipeline which started in 1995 have displaced indigenous populations and the governments of both Cameroon and Chad have not acknowledged any IDP issues as well as their presence within the borders of the two nations (Timngum 2000).

Media coverage on IDPs appears hindered by harsh press laws. The Zimbabwean crisis have seen foreign and local journalists or press organizations legally excluded from reporting anything ill
about the government or anything that can tarnish the image of the state. The Zimbabwean press laws that may prohibit reporting that incites or promotes public disorder or public violence as deemed by the state include; Public Order and Security Act and Access to Information and Protection of Privacy Act. This move suggests that the government of Robert Mugabe may go extra length to undermine IDPs human rights violations within his country so long as the media can present the country’s positive image at the international political and economic scenes.

Even direct humanitarian assistance or emergency aid operations in rebel held areas may be hindered by states. In this circumstances government officials may see aid as a political issue and as a way to arm the opponents rather than a humanitarian gesture. Where aid delivery might not be hindered the government’s consent appears paramount. In the case of Sudan direct aid provision to IDPs is restricted and access to IDP sites is either denied or carefully monitored by government officials. In Zimbabwe aid deliveries to opposition strongholds has been hindered or brought under the direct controlled of the Mugabe regime. Government’s actions suggest that humanitarian aid is more likely to be used to gratify political concerns and punish non-conformists.

Furthermore, some African states continue to breed forced migration across and within their borders due to human rights abuses (arrest, imprisonment without trial, no freedom of expression, extra-judicial killings, poor democratic processes), oppression, conflicts and development induced displacement in the Democratic Republic of Congo, Rwanda, Sierra Leone, Liberia, Angola, Somalia and Burundi.

State-driven development projects are seen to have contributed heavily to internal forced migration trends in Africa. As a consequence “those evicted are often prevented from organising resistance, and are specifically targeted by those wishing to take up their homes or lands and are never able to claim restitution rights to the housing or land from which they were evicted” (Leckie 2002, 21). Policy makers and human rights activists may be arrested, detained, imprisoned and killed. To use the case of Nigeria, in 1995 the Nigerian military ruler Sani Abacha executed Ken Sara-Wiwa and eight other minority rights activists for protesting against the multinational shell for its continuous contribution to internal displacement in the Ogoni land. Even the 1,050-kilometer Cameroon-Chad petroleum pipeline project have been criticised by human rights activists for the forced displacement of indigenous population (Amnesty International 1999).
Inter-state conflicts in Africa also continue to produce internal displacements. The Democratic Republic of Congo’s conflict has involved troops from five countries such as Rwanda, Uganda, Angola, Namibia, and Zimbabwe. The conflict in Ivory Coast has been blamed on Mali and Liberia for their support to the rebels. Cross-border conflict between Cameroon and Nigeria over the Bakassi peninsular has also resulted in the displacement of the internally displaced.

The north-south asylum responses may impact on the right to seek asylum. Industrialist states have adopted policies of containment, border control (that is pre-departure border controls, common visa regimes and sometimes visa requirements for nationals of countries deemed to be refugee producing) penalties to airline carriers, arrest and imprisonment of asylum seekers traveling on fake passports, safe third policy, temporary asylum based on humanitarian grounds (this may be seen as a calculated attempt to substitute refugees laws), and resettlement as solutions to keep asylum seekers out of their borders. These policies, which are ‘seemingly contrary to traditional approaches to the problem of displacement’, have affected refugee flows from Sudan, the Democratic Republic of Congo, Sierra Leone, and Rwanda (Mooney 2001).

The right to seek asylum after the 9/11 attacks in New York appears to be difficult. The ugly changing phase of the world political system suggests that the world is gradually and steadily moving towards harmonizing terrorism laws, which might have adverse effect on asylum and IDP crisis. A globalized terrorism legal regime threatens asylum and may contribute to the total number of internally displaced persons. Some states may be cracking down their opponents or making it difficult for them to seek asylum across their borders under the unfazed banner of terrorism. Faced with precarious asylum dilemmas one may question whether the human rights of citizens within a state are still under protective considerations? It may appear that draconian laws to track down so-called terrorists may provide a systematic leeway for states to evade or violet human rights of the internally displaced persons.

IDP rights at stake include the right to return guaranteed under Article 1C of the 1951 UN convention relating to the status of refugees, where international protection may cease to be provided to refugees who have re-availed themselves to the protection of their governments, or people who have voluntarily reestablished themselves to places where they left. Furthermore, Article 13(2) of the 1948 Universal Declaration of Human Rights (UDHR) also expressed the right of everyone to leave and to return to his or her country of origin. Article 12 of the 1966 International Covenant on Civil and Political Rights also signals freedom of movement
The right to return may be regarded as a cessation clause to Convention refugees. If refugees enjoy the right to return can African states extend the same rights to the internally displaced? It appears that internally displaced persons may not enjoy such rights within some states if they are considered non-existent and any attempt by victims of displacement to return may witness unprecedented opposition by government forces. To use examples from some countries, in 1996 Burundi security forces massacred refugees returning to Burundi. In Sudan rival armed groups and government forces threatened to target IDPs if they attempt to return. The 1994 genocides in Rwanda opened a new chapter of suspicion where Rwandan government disagreed with the international community on the basis under which IDPs should return.

**Rebels, warlordism and IDPs**

Rebels and warlords may aggravate the IDP problem or their situations in various ways. First areas that fall under the control of rebels or warlords are usually considered no go zones for humanitarian organizations or access is restricted. This means that attempts to provide assistance to IDPs may be blocked. Responses to humanitarian organizations may be unconvincingly rhetorical (they may perceive humanitarian agents as spies for the government). Where humanitarian aid may be allowed its distribution is monitored and controlled by rebels. Unruly relief control by warlords and rebels obfuscates accuracy and effectiveness of emergency aid distribution to the internally displaced. Strict aid provision suggests that aid may not be targeting the right groups nor responding to specific IDP needs and preferences.

Secondly IDPs may be subjected to sexual exploitation, rape, mass murder; and children soldiering. Human rights abuses may continue unabated mainly due to the lack of security or the presence of law enforcement officers and human rights organizations to monitor human rights violations and legal conformity. In 1999 a study conducted by non-governmental organizations found that 120000 children were either forcefully or voluntarily recruited to form part of the military in Algeria, Angola, Burundi, Congo, the Democratic Republic of Congo, Liberia, Rwanda, Sierra Leone, Sudan and Uganda (Pan African News Agency 1999).

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4 Human rights watch in 2000 observed that 350,000 internally displaced were forced into camps in and around the Burundian capital to act as human shields.
**Humanitarian protection regime vs internally displaced**

Humanitarian institutions may also contribute to the plight of IDPs. Relief operations appear existent largely on a piecemeal basis. Direct funding and financial assistance to IDPs remain lacking even within the ranks of the United Nations. Procedural constraints continue to hinder service delivery to IDPs. Poor service delivery exposes IDPs to lack of sufficient shelters, health care, communication facilities, safe drinking water, food, and transportation. Though in 1992 the UN set up a humanitarian office in Geneva to deal with IDPs it appears that there are no clear procedural mandates on the protection and assistance to IDPs.

It would appear that relief operations may only be complete if sustainable strategies to access IDP region are established. So far humanitarian organizations may have failed to address this issue. For example, in 2001 it is estimated that humanitarian assistance in DRC did not reach 1.6 million IDPs because of security conditions in South Kivu (Human Rights Watch 2001).

Aid as a weapon of peace and not a weapon of war appears bleak within humanitarian organizations and international community. Averting or addressing root causes of conflict appears to elude humanitarian agencies that appear to intervene only when the conflict situation has protracted. Inaction on the part of humanitarian actors to avoid war suggests that humanitarian organizations will always find it difficult addressing humanitarian needs of IDPs if nothing is done at the initial stages to prevent conflict from protracting and degenerating.

Another fundamental disparity that may play into IDP crisis appears to be the difference that exists between international Humanitarian agencies and the local civil society and NGOs when it comes to peace building and implementation processes. It appears there is little cooperation and understanding between international and local NGOs over leadership and control of IDP crisis. Little advocacy work on IDPs continues to be poorly planned, coordinated, and monitored by local NGOs in Africa.
Policy makers, academics, researchers and the questions of the internally displaced

The IDP problem-Solution model argues that livelihood issues of internal displaced people appear to be evading the microscopic view and assessment of policy makers, academics and researchers. Different schools of thought continue to perceive the internally displaced differently, IDP definition remains an ever-present issue and circumstances leading to IDP protection remain a mystery and a rhetorical imbalance. Fundamental questions that continue to gnaw the imagination of policy makers; academics and researchers remain at the level of whether the internally displaced are different from Convention refugees? And how the internally displaced can be protected without any recourse to state autonomy or sovereignty?

To substantiate definitional meaning of forced migrants, Holbrooke in 2000 argued that there is no distinction between refugees and internally displaced due to common forced migration factors such as persecution, conflicts, human rights violations or other issues seriously disturbing public order. To him the main issue at stake is to comprehend why refugees may enjoy international protection under the 1951 UN refugee Convention while internally displaced persons are sidelined. Other school of thought hold that internally displaced should be distinguished and treated as a separate category of victims since they may still be under the protection of their national governments and have not crossed international boundaries.

For Holbrooke’s conceptualization of IDPs to hold sway the definition of refugee under the convention needs to be expanded to include the internally displaced. Realistically it may be problematic to some signatory states that may have violated every single or some article(s) of the refugee convention. Contemporary, some states in the north or south are beginning to more restrictive to asylum. These restrictions suggest a situation where burden sharing is fast becoming burden shifting and responsibility sharing is gradually becoming irresponsibility sharing and commitment is drifting towards non-commitment to refugee protection. Thus a redefinition of refugee to include internally displaced may provide a leeway for some states to abandon their international obligations to refugees.

Secondly the guiding principles on IDPs are yet to be binding as compared to the refugee convention and implementing governments may not adopt the principles. This indicates that policy makers may continue to draft laws without much emphasis to legal binding obligations and

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5 Holbrooke is the US permanent representative to the United Nations on promoting Peace and security: Humanitarian assistance to Refugees in Africa.
reactions such as what should be done to states that do not comply with their international obligations and responsibilities? And who should monitor these principles and under what mandate?

Thirdly, academics and researchers appear to do little work to bring the plight of IDPs to public scrutiny. Limited knowledge on the political, social, cultural and economic world of IDPs remain unexploited or studied. Multi-nationals also appear to dictate research trends and projects that suit their political persuasions. Academic research appears increasingly influenced by donor agencies rather than socio-politico-economic merit of the IDP experiences or realities.

Lastly it appears comprehensible that determining the total number of IDPs, or establishing their locations in government or rebel-controlled areas is difficult. Faced with these constraints policy-oriented research involving IDPs may not be accurate because of lack of quantifiable data (Jacobsen 2001). Furthermore, due to difficulties accessing research sites some researchers may rely on data collected by local organizations or research assistants without any mechanisms to verify the reliability of research findings. Inaccurate research findings suggest that the real world of the IDP will remain in limbo unless there is a change of research methods, objectives, instruments and analytical ability. If we consider IDP numbers as determinants to effective relief supply or relief policy formation then researchers appear to have failed to live up to statistical challenges.

Policy makers, researchers, and academics may continue to have ethical considerations differences in social science research, especially on how to monitor researchers in the field vis-à-vis the respect for research ethics. While we may agree to disagree that ethical issues in research need to be considered we should at the same time note that research ethics delimits the kinds of issues or questions to be asked. Faced with these research constraints some researchers may avoid any questions that will raise ethical issues and by so doing important issues concerning IDPs remain unexamined.
Internally displaced persons and host community conundrum

Being a displaced person requires shelter and land but this appears to be a bone of contention between the host community and the internally displaced. The host community may resist the provision of agricultural land to IDPs for competitive reasons. The host may also perceive IDPs as factors of environmental destruction and criminal activities. Negative perceptions or representation of IDPs may expose them to crimes, armed robbery, rape, violence and human rights abuses. For example, in Sudan appears to be constant targets for bandits. In South Africa IDPs are blamed for economic problems and as people who contribute to lack of work opportunities (Sinclair 1998).

Internally displaced: an enemy of self

IDPs may present a potential threat to peace and security of the host country. Those who might have committed war crimes, genocide or non-political crimes, and are excluded from international protection under Article 1(F) of the 1951 Refugee convention may have adverse effects on the protection of other camped internally displaced. They might encourage others in camps to take up arms against the state. To reflect the Kibeho crisis of 1994 in Rwanda, the Rwandan Patriotic Army murdered hundreds of women and children in camps because Rwandan government regarded camps as sanctuaries to people who committed genocide and were rearming to destabilize the country.

Furthermore criminals who have committed serious crimes and are afraid of being arrested may disappear into a larger community. Even if humanitarian assistance may be made available to them it will be difficult to locate them. In such instances relief supplies end up remaining obscured, ineffective, inconsistent and not targeted. In KwaZulu-Natal in South Africa spontaneous movements before and after 1994 of internal displaced persons posed a humanitarian problem. It was difficult to locate IDPs because some may disappear into the bushes and return when there is calm, some leave in formal structures with relatives, some squat in backyards, and some become integrated within the local community (Timngum 2002).

IDPs also present leadership problem. They may not unite under one leadership because of different cultural and political backgrounds or biases. Mass movement impacts on social structures and IDPs may find themselves in strange environments. Thus reconstituting under one leadership is problematic because of hegemonic traditional and linguistic preferences of various IDP communities. Failure to form a strong leadership among internally displaced may impact on
humanitarian assistance, in that aid provided may end up in the hands of the powerful few. This may become a stimulant for further refugee reprisals or conflict (Keen and Wilson 1994).

**The IDP solution model – two way approach?**

This model explicitly and implicitly attempts hardnosed solutions to the increasing problematic issues facing IDPs in Africa. This remedial approach engages states and non-state actors and underscores their fundamental roles in substantiating and critically analyzing IDP crisis as well as seeking sustainable solutions. The model provides challenging socio-economic and political implications to the study and understanding of IDP problems. Furthermore it opens a forum for the conceptualization and substantiation of the existing policy guidelines on internally displaced people.

**African states Versus IDPs: rules of engagement**

The IDP solution model hints that for the IDP problem to be resolved African states will have to be committed in signing and respecting international human rights and humanitarian laws. Respect for international, regional and local agreements or treaties should be incorporated within national or domestic laws to make the agreements legally binding. The guiding principles on internally displaced persons should be viewed as an international agreement and need to be implemented at the national level. Country-based mechanisms need to be developed to scrupulously pursue, monitor and evaluate the principles.

African states must be prepared to accept and take responsibilities for their actions. There must be a resounding acknowledgement of the IDP problem and its effects or consequences to the economic, social and political development of the state. Acknowledgement of IDP crisis should be substantiated with resounding efforts and solutions.

States should provide or facilitate the collection of a coherent and objective statistical analysis of IDPs within their territories. A comprehensive numerical assessment of IDPs and their locations may determine how much aid is needed and how to touch base with them.

States should institute or encourage need assessment strategies on IDP situations whether in IDP spontaneous movements or mass flows. This may allow for constructive, sustainable, and meaningful aid that responds to the preferences and needs of the internally displaced.
States need to have political and economic will and determination to address root causes of conflict, such as human rights violations, development-induced displacement factors and other related intolerances that may displace people. African states may need political disarmament thus embracing sound democratic ethics. Bottom-up decision-making approaches should be introduced to allow grassroots population invigorates institutional changes or economic recovery mechanisms.

States need to reconcile their sovereignty and territorial integrity with the need to sustain the lives of those in danger. Thereby making aid provision mechanisms more direct and accessible. States should introduce micro finance projects to empower internally displaced persons to be self-reliant. This initiative will help in poverty alleviation and encourage peaceful-oriented economic survival strategies or a better standard of well being in IDPs.

African states must learn the biblical dictum of “love your neighbour as yourself”. This may encourage forgiveness, pardon and amnesty to all. Political victimization or threats to arrest and imprison or kill those who have committed non-political crimes need rethinking. The threat to arrest and imprison anyone makes their security precarious and may push to fight back using any means available. Stopping this threat may be way to silence the cycle of population displacement.

African states need to reconsider burden sharing. Increased financial and economic cooperation is needed to assist neighbouring countries deal with refugees and the internally displaced people. Financial regional cooperation mechanisms need to be established. Sufficient Compensation (monetary) is needed to cater for the needs of the resettled population. Material support to IDPs must be the priority of regional economic co-operations.

Any development project must be people-centered. Community solidarity should be encouraged. States should set up HR commissions, and courts to monitor their activities. This may introduce some form of accountability where bilateral agreements or actions may be checked.
**Humanizing the rebels**

In view of humanizing the rebels on IDP issues this model suggests that since it is difficult to force rebels to put down their arms or to disarm them educational methods should be used to inculcate a culture of responsibility in them. Rebels should be educated on the basic principles of human rights before, during and after any conflict. Rebels need to understand the rights of IDPs as well as their commitment to them in their areas. Education may be introduced to ensure that rebels understand the limits of their actions as well as recognizing the rights of the displaced.

Human rights organizations and local NGOs should be seen as active actors who can bridge the consensus gap between rebels and the government. Through NGOs peace missions may be initiated and an assessment of the living conditions of IDPs or human rights violations may be monitored and reported. Peace negotiations and agreements must address root causes of conflict. Any peace accord signed must be within structured international humanitarian laws backed by sanctions. This may be a step towards peace building and stabilization. This may only be possible if there is strong respect to the terms of any agreement entered into. Therefore long-term peace mechanisms and strategies to avoid conflicts need to be on the agenda of any public discourses.

Financial support to the rebels should be stopped. This means that their financial sources should be blocked and their sponsors charged with crimes against humanity.

**Rethinking humanitarian protection regime**

The United Nation High Commission for Refugees needs to be more actively involved with implementing partners. There is a need for UNHCR to identify and create links with urban and rural NGOs to ensure that a more direct and active role in refugee protection is undertaken. Alliances should be underlying factors of protection especially in refugee producing countries, weaker states, or countries devastated by wars and conflicts. Humanitarian regime needs to rethink how their actions can be monitored and evaluated. Security of IDPs must be set within the framework of human rights laws. Though we might agree that the guiding principles on the protection of IDPs are founded on the basic international legal humanitarian construct, NGOs and the civil society should develop strategies to push the agenda from within. NGOs need to understand what the guiding principles are and what their roles are towards the implementation phase. It is apparent that NGOs may incorporate some guiding principles into their development agendas thereby giving punctuated meaning to the development and implementation of policies that may help to alleviate the plight of the internally displaced.
Trans-national corporations should incorporate human rights legal procedures as preconditions for development aid provision. Any aid project that might displace people must be people-centred from the pre-planning, planning, implementing and evaluation phases. There must be an understanding that aid cannot be effective and constructive if it has long-term repercussions to those in need of help.

Increase cooperation is needed between NGOs at all levels. Trans-national Corporations should play a major role in fostering or boosting local NGOs networks. NGOs need to be part of IDP policy formation and implementation. Local NGOs should build lobbying mechanisms with government bodies to ensure that policies undertaken should not have detrimental effects to the internally displaced.

Re-orienting policy makers, academics and researchers

The IDP model suggests that for policy makers to formulate proactive policies for IDPs public rhetoric or discourses need to focus more on humanitarian protection strategies rather than on definitional interpretations. Through this method relevant policy planning, implementation, monitoring and evaluating structures on internally displaced may be developed.

Policy makers need to bring state institutions together to provide sustainable substance or sophisticated measures on how international and regional treaties can be implemented. The fundamental objective will be to evade the status quo where policies are usually designed without implementing or enforcement strategies. Policy makers need to think more critically how to deal with states that do not honour their international and regional obligations.

Academics and researchers need to rethink beyond donor expectations in their academic and research aims and objectives. Research or academic work should be propaganda free and research findings based on objectivity. A sustainable solution to IDP crisis depends on situation realities, thus any misleading findings are bound to mislead policy design and implementation.

Researchers need to develop strategies on how to verify research findings especially if data collection and analysis were conducted by local NGOs or research assistants due to lack of access to research sites.
Research gaps on IDPs need to be filled. Their numbers, geographical location, movements, socio-economic experiences, relations to host, states, refugees, illegal immigrants, migrants and humanitarian organizations, social, cultural and political construction and formations, integration strategies, resettlement experiences need to be on the research agenda.

Root causes of conflict need to be top on the agenda. Addressing root causes is a step towards any peace process and a gateway to the end of protracted cycle of IDPs. Their social networks as well as their survival strategies need to be examined.

**Host community: understanding IDPs**

The solution model observes that for the host community to provide a haven for IDPs, they need to understand who they are? What are their needs? How can they be met? What are their responsibilities towards them? What are their rights and obligations towards the host community? What is the role of the state, humanitarian organizations and the civil society in general towards them? These are pertinent questions, which the host community needs to understand if they have to be key players in the protection of IDPs. My model underscores that a clear analysis of the above-mentioned questions might divert any mutual suspicion that appears existent among them to mutual understanding and responsibility.

Integration of IDPs depends on the roles the host community. This may be effective if the host community and the displaced are put in the front line of decision-making mechanisms. The objective here will be to peacefully address and resolve the concerns or differences of IDPs and the host community.

Aid provision should be a two-way than a unilateral process, and it should be located within the mainstream of societal solidarity and mutual benefit. Through this method local actors may be brought on board or play key roles in sustainable aid supplies. Remittance to host societies as well as countries of origin should be encouraged to deal with IDP crisis. Remittance per se if properly managed might lead to economic development, cultural and social networks and job creation activities.
Educating Internally Displaced Persons

The solution model presents internally displaced persons as victims of circumstances. They find themselves under the patronage of government, host community and the rebels. Their confused state tends to present psychologically torture. In the midst of trauma they might turn to be an enemy of self because they do not understand for a second where their loyalty lies. A remedial process under this model suggest that IDPs need to be educated on their basic rights and the responsibility of state and non-state actors towards their socio-economic and political development. The mass media should be used to communicate to IDPs. Information design should take into consideration rural as well as urban settings. The language of communication should be more targeting to different communities. IDPs should be encouraged to speak for themselves and they should at all levels form part of policy formation when it concerns them.

Religion should be seen as a tool to rejuvenate and reactivate a spirit of hope in IDPs. They should be taught reconciliation strategies. The biblical context in which IDP conflicts can be examined further underpins the increasing need for the end of the cycle of violence and a different way to conceptualize and articulate conflict from other perspectives.

IDPs should be encouraged to form or develop social network systems between them and refugees or migrants. This will help to bring them out from the world of isolationism to the world of reality where common and different causes of migrations and socio-economic experiences are exchanged.
Reflections and Conclusion

The IDP problem-solution model demonstrates or suggests that state and non-state actors may be confronted with multiple complications in protecting IDPs or providing them with humanitarian assistance because of the following:

- Conferences on IDPs are organized in settings, which cannot offer participants with opportunities to live the experiences of IDPs or to understand the seriousness of the IDP problem.
- IDPs are quite often exonerated from conferences that concern their issues. State and non-state actors turn to speak for the IDPs instead of giving them a voice to represent their experience. Realistically speaking we cannot make any legitimate claim to the experiences of IDPs in limbo.
- Research continues to be a handicap tool in understanding internal displacement as well as some humanitarian issues confronting the internally displaced people.

To sum up, the IDP problem-solution model presents a classical situation where everyone may contribute to the plight of IDPs and tactical solutions. The solution-oriented model holds that the international refugee regime is still to find space and time to establish IDP protection mechanisms. The model suggests that the guiding principles on IDPs might remain a ceremonial paper work if states and non-state actors are not committed to the implementation phase. The model ends by pointing out that the world community may only give substance to the IDP problem if burden sharing is giving more realistic activism and responsibility.

References


Timngum, D. 2000. *Conceptualizing development projects and population displacement in Sub-Saharan Africa: a critique of Chad/Cameroon pipeline project*. Paper presented to the Forced Migration and Refugee Studies course on development induced displacement and population resettlement management, Graduate School for the Humanities and Social Sciences, University of the Witwatersrand, Johannesburg.


PERMANENT IMPERMANENCE: DILEMMAS OF LONG-TERM DISPLACEMENT IN SRI LANKA

Cathrine Brun

Introduction

Politically and socially constructed categories – like internally displaced persons (IDPs) – are easily taken for granted and understood as natural categories. Researchers, policy makers, assistant agencies and the people affected by displacement can all potentially contribute to transform labels into categories that are taken for granted. As researchers, one of our roles should be to challenge such taken-for-granted attitudes and policies related to internal displacement. How can we contribute to discussions about the formation of categories and definitions by deconstructing, questioning and changing their meanings and contents? My work in Sri Lanka looks at the local understandings of the IDP category and how it affects policies and the lives both of the internally displaced and their hosts (Brun 2003 a, b).

In Sri Lanka there is a visible discrepancy between the intentions behind the IDP category and the way the displaced are labelled on the ground. The IDP category was established to secure rights and protection for those displaced who have not crossed an internationally recognised border. However, ascribing someone the status of an IDP may also separate the displaced from their cohabitants and, far from preventing discrimination, may actually give rise to it. The IDP category is not a neutral and static category, but develops particular meanings locally that may not correspond with the intentions of its makers.

This paper explores the outcome and unintended consequences of applying the IDP category in situations of prolonged displacement by making reference to one particular case in Sri Lanka.

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3 As a field of research, refugee studies has been criticised for contributing to this taken for granted understanding of refugees (Hyndman 2000, Malkki 1995, Zetter 1988).
**War, forced migration and labelling of the internally displaced**

Politics of belonging and identity and the forced and voluntary movement of people have been crucial elements of Sri Lank’a’s violent civil war in which there is a strong ethnic dimension. Of Sri Lank’a’s approximately 18 million citizens, about 6% are Indian Tamils, 7% are Muslims, 12% are Sri Lankan Tamils and 74% are Sinhalese, in addition to a small number of other groups (Rotberg 1999). Despite the fact that the war is not immediately about ethnic differences, it is often presented as an ethnic conflict fought between the predominantly Sinhalese Sri Lankan Armed Forces (government forces) and the Liberation Tigers of Tamil Eelam (LTTE).

Together with displacement, the war has since 1983 been marked by conventional warfare and killings, suicide attacks, bombing of economic targets, and political violence, resulting in profound and rapid social changes in people’s lives. Displacement of people and loss of livelihood represent one of the major social, economic and human costs of the war. By the end of 2000, between 750 000 and 800 000 were living as IDPs in Sri Lanka, while the same number of people were living as refugees and asylum seekers abroad. It is estimated that up to 1,7 million people have been displaced one or more times since 1983 (Danish Refugee Council 2000). In addition to those who have been forced to leave their homes, the societies they leave and those receiving the displaced are likewise affected by displacement and articulate feelings of upheaval.

One specific and protracted case of displacement is that of the northern Muslims of Sri Lanka. During one week of October 1990, 75,000 Muslims - the entire Muslim population in the LTTE-controlled areas of the north – were expelled from their homes and had to leave the region. The majority arrived in Puttalam District, in the North Western Province where they were warmly welcomed by a large Muslim population. Based on the experience of more than ten years of co-existence between the internally displaced and their hosts in this area, I discuss the formation and some consequences of the IDP category.

‘Internally displaced persons’ has become a well established term in Sri Lanka, it is a commonly used term by politicians, and newspapers give considerable attention to the situations of the IDPs. The term came into common usage through the myriad of institutions, committees and organisations – governmental, nongovernmental, and multilateral – working with displacement and assisting groups of IDPs. There was an early interest in internal displacement in Sri Lanka by the international humanitarian community. The UNHCR started their work on the island in 1987 to assist returnees from India, but subsequently focused on IDPs, and today they are a main international actor dealing with internal displacement.
Additionally, the Sri Lankan government acknowledges the responsibility for the IDPs and provides assistance. In Puttalam the government’s official policy has been that the northern Muslims are living temporarily in Puttalam as IDPs until they can return to their places in the north. Although there is a ceasefire between the warring parties since February 2002, the displaced in Puttalam are still reluctant to return, and their displacement is considered as permanent by many of those affected, a situation that has exposed many dilemmas of long-term displacement.

The different actors involved in situations of displacement are all part of forming an understanding of what internal displacement is. Such processes are commonly understood as ‘labelling processes’ which means to designate some people as internally displaced people in order to define who should be eligible to assistance (see Wood 1985, Zetter 1985, 1991). In Sri Lanka, a concrete activity of the labelling processes is the extensive counting and registration of the internally displaced, both by the government and other organisations. Counting and registration are important activities in order to obtain knowledge about the extent of challenges and needs. However, counting has also commonly been criticised for being repressive because it tends to hide other characteristics of the IDPs than their needs.

In Sri Lanka, however, the counting has not only been repressive. Counting has also increased the knowledge about the IDPs. In the particular case of internal displacement I studied, more information was available about the IDPs than about the local population. This knowledge about the displaced contributed to strengthening group identity as well as to organise the IDP-community towards more unified interests than the local people could provide for themselves. The effects of the counting was also the emergence of the displaced as a relatively strong group in Puttalam, which again left the host population with a feeling of being threatened by the presence of the internally displaced, especially after realising that the displacement would be protracted.

However, strong identities as displaced also contributed to give the locals strong identities as locals or hosts that in turn have created unity and understanding among the locals. The IDP and host categories, although created by the humanitarian regime, also develop particular local meanings at different locations and commonly also itself becomes social categories and identities. In Puttalam, the separation between the categories of displaced and hosts was also emphasised by segregated residential areas for the two groups; IDPs in camps and settlements and the host population dominating the towns and villages. In protracted displacement when camps and settlements develop into sites resembling neighbourhoods, a clear residential segregation develops, which again may contribute to the persistence of the IDP category. Labelling create social categories and specific physical structures and ways of organising the
living conditions for the displaced. Hence, although the ‘IDPs’ ceases to exist as a category for particular humanitarian attention, in protracted situations of displacement, internally displaced do not cease to be a social category.

The authors of labels are commonly understood to be the once determining the rules or access to particular resources and privileges. In order to secure the entitlements, people often have to adjust to such categorisations to be successful in their dealings with the institution concerned. In protracted situations of displacement, when people have lived as displaced for many years in a kind a permanent impermanence, they may be considered and consider themselves as categories of need. However, most agencies dealing with displacement tend to phase out when new displacement situations and new emergencies appear in other areas.

Although displaced people adjust to the categories in order to be entitled to assistance, this does not mean that the internally displaced and other actors involved are passively accepting the IDP category. In Sri Lanka, the category has been formed and transformed in the interplay between the different actors involved and has created specific local understandings of what an IDP is. When less entitlements were left in the IDP status, the dominant understanding of IDPs as a category of needs, changed into an understanding of IDPs as being ‘out of place’.

Being a category of needs – and ‘out of place’ make IDPs dehistoricised and depoliticised categories. If de-linking IDPs from their context – both from their past – and from a future and at least in the Sri Lankan context tend to hid the political meaning of this category – especially related to ethnicity. By identifying the displaced as ‘out of place’ and being internally displaced till they can return; the authorities do not have to deal with problematic issues of changing ethnic compositions in favour of the minorities in the area where they live as IDPs. These two understandings have other implications for the situation of the internally displaced and their hosts as well. They contribute to making stereotypes and standardised images of the people connected with the IDP category and express power relations that lead to processes of exclusion and inclusion. Additionally, such stereotyping tends to conceal other properties and power-relations.

**Local outcomes of the IDP category**

Andrew Shacknove (1985) claims that ironically, for many persons on the brink of disaster, refugee status is a privileged position. In contrast to other impoverished people, refugees – and increasingly also IDPs – are entitled to many forms of international assistance. This means that labels include some and exclude others. In this section I briefly discuss to types of exclusions involved in the labelling process. First, the tendency that labelling someone IDPs
tend to exclude the hosts. Second, how by being defined as an IDP, people are excluded from rights that their cohabitants enjoy.

**Exclusions of host populations**

Since the mid 1980s emphasis has been given – in the literature – to the role of the host population in crises of displacement (Chambers 1986, Harrell-Bond 1986). However, still host populations, who are closely affected by forced migration, are often overlooked. They may not have had to move, but welcoming large groups of forced migrants may create considerable burdens and bring dramatic change to their lives. The IDP category may contribute to the conceptual and actual separation of host populations from forced migration processes and their non-recognition by humanitarian agencies. One effect of the exclusion of some groups in a situation of forced migration is, as mentioned above, the strengthening identities and consolidation of differences between those who are included and those excluded from a category. Such identity formations may give rise to antagonism or hostility against the internally displaced, which is often expressed by host populations in Sri Lanka.

The separation between IDPs and hosts in Puttalam also meant that authorities and aid agencies largely neglected the role of the hosts in the integration processes. The hosts, who were crucial for easing the situation for the northern Muslims when they first arrived, played a minor role in the displacement process after the NGOs and local government institutions had started their work. The hosts have had little influence on the outcome of the displacement process after the first stage of arrival, and have, for example, had no sayings in the location of large settlements of displaced people.

Welcoming displaced populations does not only have negative consequences. There were many positive effects of the arrival of the displaced population in Puttalam. The arrival gave a push to the local economy, with new types of economic activities emerging; increased numbers of self employed, new enterprises, and new industries, followed by expanding business networks. Because of increased demand for goods and the increased availability of labour, the agricultural land and production also increased, and Puttalam has become one of Sri Lanka’s main producers of onions and other vegetables. However, the development of the economy could not absorb all those who were suddenly searching for employment. As elsewhere, the pressure on the labour market affected the poorer segments in the host community the most. Local casual workers, known as ‘coolies’ felt excluded from the labour market because IDPs who received rations could afford to work for lower payment. Simultaneously, the prices of goods – both food items and other consumer goods – have increased, while wages in general have stagnated or even declined. People living on the edge of self-reliance were increasingly in danger of not having enough for their subsistence.
Many landless local people who relied on casual work for their livelihoods, felt equally displaced from ‘their’ livelihoods: a feeling intensified by the increased pressure on common property resources, particularly firewood, water and fish. A main conflict dimension, to which I return below, between hosts and IDPs has been access to fishing resources.

The local people felt overwhelmed by the arrival of the displaced people from the north, and the insecurity experienced after the arrival of the displaced people was related to the feeling of impending war. The northern Muslims came from the war zone; they had lived with the LTTE and some had supported the LTTE, facts that created some fear among local people. Additionally, many local people felt that the displaced people were much stronger and more powerful than they themselves were. The displaced received support from the ministers and politicians, from international and local assistance agencies, from affluent Muslims elsewhere in the country, as well as from Muslim organisations abroad. Moreover, as mentioned above, because of the counting and the labelling processes, the displaced people appeared very well organised. When displaced people outnumbered the local people in some areas, the feeling of being colonised and losing control was strongly expressed by local people.

Protracted displacement changes the meaning of the categories of IDPs and hosts. ‘Host’ implied – in the beginning of the northern Muslim’s stay in Puttalam – a welcoming attitude. But being a host also gives a temporary dimension to the situation, and the welcoming attitude diminished when the situation did not come to a rapid end. Another understanding of being a host developed after some time in Puttalam; that the displaced became freeloaders and that the hosts involuntary carried the burden of their presence. Many local people instead talked about their experience of being displaced, because they no longer had control over their homes and livelihoods. Feelings underscored by being excluded from influencing the settlement process of the displaced and the access to assistance. Despite such feelings on the part of the hosts, uneven power-relations have developed between the locals and the displaced. Very few northern Muslims possess any land for other purposes than residence, and a majority of the northern Muslims work as casual labourers for local landowners. Additionally, as I discuss in the next section, the displaced do not enjoy the same rights as their hosts in Puttalam.

One important change in Puttalam has been demographic shifts, and in particular the changed ethnic composition following the arrival of the northern Muslims. The area where 65,000 northern Muslims arrived is among the few areas in Sri Lanka where no ethnic group forms an absolute majority. In 1990, when the northern Muslims arrived, out of a total local population of approximately 90,000, there were 44% Muslims, 44% Sinhalese, and 12% Tamils. However, with the arrival of the northern Muslims, the ethnic composition changed considerably. If the IDPs were included in the population statistics in this area, there would be 64% Muslims, which would form the majority ethnic group in the area. Sinhalese would constitute 28% and Tamils 8% of the population.
**IDPs and exclusions from social and economic rights**

In protracted situations of displacement, the IDP status of displaced populations seems to create a state of permanent impermanence: they are out of place and only waiting to return to their home place – an attitude often advocated by Sri Lankan authorities wanting to return the displaced in order to restore the apparently pre-existing ethnic balance. However, during this waiting game IDPs are not regarded as local residents of the place where they live and consequently are excluded from rights enjoyed by their cohabitants – their hosts.

Many displaced people in Puttalam express an ambivalent attitude to the IDP status. On one hand they want to maintain the status in order to secure the right to be assisted to return to their homes in the north. On the other hand, they want to establish their lives at the place where they live, and do not want to be considered as second-class citizens. This ambiguity is also affected by the changing status they experience as internally displaced persons, and that only a few aid agencies are now attracted to this area. After being displaced for so many years, the people themselves have started to question their attachment to place: where do they belong, and where do they want to continue to live their lives?

The understanding of IDPs as ‘out of place’ has created some specific outcomes for the northern Muslims. This is basically based on the location of the IDPs; that they do not find themselves within the administrative boundaries – the division, district and province – where they are registered as residents. Hence, the relationship between the individual and the state does not function as it should because they are out of their ‘places’, and the local authorities at the place where they live as IDPs are not willing to take responsibility for them. After more than ten years of displacement there are few entitlements left in the IDP category, but at the same time, by still being labelled IDPs and understood as IDPs by themselves, the hosts and other actors involved they are excluded from some rights as other cohabitants enjoy.

These rights are related to political, legal and social and economic rights. Here, I emphasise issues related to social and economic rights.

The northern Muslims experienced a fundamental deprivation of rights when they were forced to leave their home areas. The IDP category should be a way of securing their rights even though they have been forced to move. However, having moved and being conceptualised as ‘out of place’, there is considerable confusion about belonging and responsibility. This was made clear after a cyclone that affected the Puttalam District during the celebrations of the end of the Muslim fasting month in December 2000. Those displaced whose houses were damaged by the cyclone, could not get any support from the national Social Service.

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5 For a discussion on legal and political rights, see Brun 2003.
Department responsible for relief after natural disasters, because the IDPs were already on a compensation scheme, namely the food rations. People pleaded with the local authorities for support to rebuild their houses, but the local authorities were not willing to give any support because the IDPs were not local citizens. There appeared to be no willingness by the authorities to solve this problem.

In general, however, the northern Muslims have been relatively easy to support, and very well cared for compared with internally displaced people located other places in Sri Lanka. They are living in a safe area, and can easily be reached. Strong organisations, both among the northern Muslims themselves, political parties (mainly the Sri Lankan Muslim Congress) and religious organisations have been supporting their case. The World Food Programme (WFP) and the government have given food rations since 1991, and many people have become dependent on these rations. Ration cards, which are basically their ID-cards as internally displaced and tell what kind of ration they are entitled to, are issued by the local government servant, the Grama Niladari, who represents the lowest geographical level government servant. While as IDPs they belong to the north in most cases, they depend on the local authorities for rations – and the acknowledgement of their status as IDPs.

The WFP, which funds the major part of the rations, started to phase out their activities during 1999. Those displaced who have bought land in displaced people’s settlements would gradually lose the right to receive WFP rations. Instead they are given ‘government rations’, which are less than the WFP rations. However, the implications of losing WFP rations are symbolically very important, because it is seen as the last symbol of the international community’s acknowledgement of the northern Muslims as IDPs. The phasing out of the WFP is therefore regarded as losing an important marker of their status as IDPs, and challenges the understanding that IDPs represent a category of need.

The WFP states that the northern Muslims are now fully integrated, meaning they are self reliant. They claim that the IDPs are living under good conditions, which some of them are (interview with WFP Colombo February 2001). Other agencies also claim that the northern Muslims in Puttalam are integrated (Danish Refugee Council 2000). However, because they are not considered ‘full members’ of the Puttalam community – they still belong somewhere else – there are still restrictions on their access to livelihood, which clearly shows that they are still not fully integrated. Most government jobs, for example, are offered to people in the district where they are registered. Government jobs for the Muslims are therefore mainly located in the north, and people have to commute on a weekly basis to obtain these jobs. The same problem can be found with respect to other livelihoods, like fishing, which as mentioned above is one of the most important livelihoods in Puttalam. When the displaced people came,
local fishermen fishing the lagoon, invented or arguably resumed, an old tradition of dividing the lagoon into different areas, where people from one village do fishing in one part of the lagoon. The system restricts the displaced fishermen’s access to the lagoon because they are not formally registered with any of the local administrative bodies; they still ‘belong’ to the north. Also because they are not local citizens in Puttalam District they cannot obtain membership in fishing societies in Puttalam. The fishing societies are responsible for distributing government subsidies for boats, nets and engines, they run fishermen’s banks, and are central units for controlling who can do fishing in an area. For IDPs who want to fish, there has been little additional support, only a few have managed to buy boats themselves, and many displaced people are excluded from fishing.

**Concluding remarks**

Due to restrictions in access to economic and social rights and the separation between the IDPs and their hosts, protracted displacement may not in all ways lead towards local integration. In this paper I have discussed some issues related to dilemmas of long term displacement, and especially the formation and transformation of categories. Despite considerable attention and much work on disseminating the Guiding Principles on internal displacement in Sri Lanka, there are two common understandings of what an IDP is: First, IDPs are understood as categories of need, and second, they are considered as being out of their ‘native’ places and only temporarily present at the place of displacement. Based on these understandings I have shown that labelling lead to processes of both inclusion and exclusion. Although people included in the label may access entitlements that secure their survival, they may be excluded from other and more durable entitlements. The IDP category is not a neutral category, only existing till the IDPs no longer are in need of assistance and protection. In protracted situations of displacement, the humanitarian category transforms into a social category, commonly strengthened by segregated neighbourhoods, access to local resources and power relations.

Of the many dilemmas involved in working with protracted internal displacement, a crucial one is therefore the formation and use of the category of internal displacement. Clearly, we do need categories and definitions of internal displacement if we are to assist people. Categories are vital to avoid the normalisation and passive acceptance of forced migration, to distinguish between forced and voluntary migration and to highlight the injustice meted out to the millions of forced migrants in the world. As researchers on internal displacement, one of our key roles should be to discuss the unintended consequences of categories and the way labelling affects people’s lives and to work to improve systems of categorisation in order to assist the displaced in ways that can make them lead independent and democratic lives.
References


The origin of my research may be traced back to the summer of 1994 at which time I served as assistant to the UNHCR Legal Advisor for the Americas in Geneva. The turmoil in Rwanda and the plight of the Haitian refugees overshadowed the problems related to internally displaced persons (IDPs) in Central America. Although field reports consistently attested to the clamour for restitution of land and the lack of legal aid by IDPs in Guatemala, questions arose regarding UNHCR response in relation to its mandate. First, there was concern as to whether these were development issues rather than humanitarian concerns, and second, whether the mandate extended beyond refugee protection to that of IDPs themselves. I was disturbed by the injustice of UNHCR and State policy to provide assistance to returning refugees and collective IDPs (CPRs) seeking property restitution, while largely excluding dispersed IDPs who constituted the majority of the displaced in Guatemala. Although the land issue retained primary interest during the peace process, the Peace Accords failed to include any guarantee of land reform based on expropriation, thus there has been no change whatsoever in land distribution.  

I sought to undergo a review of the consequences of the failure by the State and International actors to integrate dispersed internally displaced persons via land distribution. I propose that this omission is indicative of the underlying protracted conflict which was not resolved by the Peace Accords; we now witness the transfer of the conflict to hundreds of local disputes and re-emergence of protest marches that include thousands of men, women, and children calling...
for the right to food, land, housing, etc. This paper seeks to reveal the complexity of peace consolidation and prevention of second-generation displacement in a context in which the rule of law is weak and socio-economic wealth remains inequitably distributed. I first review provide an overview of the historical background and elaboration of the Peace Accords. I then present problems relating to the weakness of the judiciary in order and then present a case addressed by the national conciliation agency in order to illustrate the problems relating to conflict resolution.

**Historical Background**

Internal displacement in Guatemala has been continually ongoing since the colonial epoch. The liberal reforms of the 1870’s resulted in the expropriation of indigenous lands and forced eviction that has yet to cease over a century later.\(^4\) Indigenous lands were nationalized and/or sold off to the coffee exporters. Peasants were forced to farm small parcels in the highlands (e.g. Quiche) while providing seasonal labor for the coffee plantations in the lowlands. These people formed seasonal labour needed for the expanding export crop plantations. Debt peonage evolved into a vagrancy law (1934) that required landless to work for others at least 150 days per year. Revocation of this law occurred in 1945, and in 1952 Arbenz enacted the Law on Agrarian Reform that distributed 10% of private lands and 280,000 national lands to 138,000 families. A military coup supported by the CIA and the United Fruit Company commenced a 36-year civil war that decimated the countryside. The epoch of military rule brought about a counter reform, in which peasants in the zone between Izabal and Ixcan were evicted and large tracts of land were distributed to military officials, politicians, and other elites. Scorched earth tactics resulted in the deaths of 200,000 people, destruction of 440 indigenous villages, internal displacement of 1 million persons, and external displacement of 151,000 refugees. New groups were brought in by the Army as part of a specific state policy to divide communities and break ethnic or other group identification. The Commission on Historical Clarification has characterized these actions as constituting ethnocide.

Displacement has and continues to occur as a result of multifarious causes: in the past causes were internal conflict and ethnocide, at present forced evictions, development-based evictions, and displacement due to natural disasters constitute the root of new migration. However, the failure to provide a permanent solution for the displacement linked to the civil war reveals that this continues to be a source of continuing concern. The Inter-American Commission of Human Rights confirms that although the refugees and CPRs have been resettled, a substantial portion of dispersed internally displaced persons have not received

attention. Instead they remain poor, marginalized and anonymous. There has been no significant change in land distribution in the last three decades, in spite of the war and the Peace Accords. Indeed, land conflicts submitted to the Presidential Office for Legal Assistance and Resolution of Land Conflicts (CONTIERRA) have increased from circa 300 in 1999 to a grand total of 1,103 in 2001.

Some observers have argued that IDPs are resettled in urban areas and do not wish to return to rural areas. In contrast, it would appear that many IDPs do not return due to fear of repression upon return and the fact that there is a state of economic repression in the rural areas that render return unfeasible. Many of the shantytown inhabitants actually engage in agricultural activity, thus belaying the notion that they are no longer be interested in land restitution. In spite of limited fertility, surrounding plots are invaded and cultivated in order to provide some degree of security of food.

If forced eviction was the root cause of migration, then until restitution of land is provided, IDPs will continue to be victimized.

The Peace Accords

The Peace Accords were heralded as the starting point for a renewed social contract between the State and society. They are considered to be especially noteworthy because they extend beyond traditional realm of cease-fire arrangements and highlight the need to address the root causes of the conflict, such as racism, socio-economic inequity, and human rights abuses.

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5 Comision Interamericana de Derechos Humanos, Quinto Informe Sobre la Situacion de los Derechos Humanos en Guatemala, (OEA/Ser.L/V/II.111 Doc. 21 rev. 6 abril 2001). It states that although the government promised to purchase 23 fincas for dispersed IDPs, it only purchased 4 fincas in 1999.

6 It is estimated that 65% of land is held by 3% of agro-exporters and large landowners. Small farms make up only 11% of the total. Instead, land fragmentation on account of demographic pressures, exhaustion of land, deforestation and other types of environmental degradation are rising. UNDP estimates that the amount of families with direct access to land actually diminished in the past twenty years, from 61% to 49%. In the same period, the percentage of rural peasants working for others increased from 22% to 33%, the percentage of peasants renting land increased from 8% to 17%, and the landless increased from 22% to 33%.

7 UNDP: GUATEMALA: LA FUERZA INCLUYENTE, see footnote 2, estimating that 40% of the economically active urban poor engage in agriculture activity.

8 SANTIAGO BASTOS & MANUELA CAMUS, SOMBRAS DE UNA BATALLA, 84 (Guatemala: FLACSO 1994).

9 In comparison, IDPs who flee to shantytowns in Colombia are given access to government land programs based on how recently they have been displaced. This is based on the erroneous assumption that with the passage of time IDPs will have somehow found permanent solutions to their plight, regardless of a lack of support from the government or international community. Instead of solving problems, hundreds of thousands are forced to live deprived of basic services and necessities in squalor with little hope for the future. Instead of being referred to as IDPs, they eventually become “disposable people”, marginalized by both the state and the society.
However they do not carry the force of law, nor do they create legal rights. They also do not have a set time period for implementation. At present, international and national actors state that the peace accords remain stagnated. Both the Arzu and Portillo governments failed to pursue implementation of the accords, preferring instead to uphold the status quo. Others have stated the sheer breadth of the Accords themselves rendered implementation within a short time period to be impossible.

International actors were frustrated by the society’s failure to vote in favor of constitutional reforms in 1999 which would have rendered legal weight to some of the guarantees in the Peace Accords. The abstention by the majority of the population clearly indicated a low level of confidence in state institutions and severe weakness of civil society. This in turn resulted in displeasure by international donors, further weakening the viability of the Peace Accords. It is likely that the Peace Accords will be abandoned in favor of a new program espousing similar guarantees. Although it is true that many have lost faith in the Accords, many peasants who were empowered by learning about their human rights and constitutional rights via dissemination by NGOs will be greatly disillusioned should the Peace Accords be declared void. The Accords provide new vocabulary, values, and information to the people. To declare these norms to be worthless may prove to be a symbolic loss for marginalized groups that felt that it articulated their own sense of worth.

One of the most important themes within the accords is the need for greater access to land.

The Agreement on Socioeconomic Aspects and the Agrarian Situation signed between the Guatemalan Government and the Guatemalan National Revolutionary Unity (6 May 1996), Chapter III, addresses the agrarian tie to development:

"The solution to the agrarian and rural development problems are essential and unavoidable to solve the situation faced by a majority of the population that lives in rural areas and that is the one most affected by poverty, extreme poverty, inequities, and the weakness of state institutions. The modification of the system for ownership and use of land must strive to include the rural population in the economic, social, and political development. Thus, the land will become-for those who till it – the basis for economic stability, the groundwork for their progressive social welfare, and guarantee their liberty and dignity . . .

The changes accepted by the parties will allow the country to effectively use its citizens’ capabilities, particularly the wealth of its Indian people’s traditions and cultures . . . It is essential that the state increase and reorient its efforts and resources toward the countryside; and to support an agrarian modernization in a sustained manner to achieve greater justice and efficiency. “
The government committed itself to sponsor credit systems and mechanisms, marketing, agrarian legislation and legal protection, registry improvement, labor relations, technical aid and training, agrarian resources, and organization of the rural population. The absence of any reference to expropriation is a clear indication what agrarian reform is not intended to include. It addressed access to justice concerns by calling for the creation of “swift judicial or non-judicial procedures to solve lawsuits related to land and other natural resources” and “compensation mechanisms for farmers, peasants, and communities undergoing situations of extreme poverty have been or may have been dispossessed for reasons not attributed to them. . . or the municipalities, communities, or individuals whose properties may have been usurped, or adjudicated in an anomalous and unjustified manner through mechanisms involving abuse of authority.” Regarding compensation, direct restitution procedures have yet to be adopted. The lack of espousal of a serious land redistribution policy thus far has rendered this Accord illegitimate in the eyes of the rural groups.

The Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict (17 June 1994) specifically addressed the needs of refugees, returnees, and internally displaced persons. The agreement calls for recognition of their right to voluntary, secure, dignified return to their place of origin or place of choice, with opportunities for full social, economic, and political integration. The uprooted are expected to participate in decision

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10 The Agreement between the government and the Permanent Commissions of Guatemalan Refugees in Mexico of 8 October 1992 set forth an international juridical frame of reference which included *inter alia* the Universal Declaration of Human Rights, the CCPR, CIREFCA, Conclusions 18 & 40 of the Executive Committee of UNHCR, and Resolution 1991/5 of the UN Sub-Commission on Prevention of Discrimination of Minorities. It set forth that refugees would be able to freely elect the location for their residence, however in practice the refugees were pressured by the Army and the Chamber of Agriculture to accept less fertile lands. Another guarantee regarding the right of non-discrimination, including socio-economic rights, was rendered ineffective in practice. Refugees claiming provisional, full title ownership, or notarized to land were to have their rights verified by the National Institute for Agrarian Transformation (INTA). Many had lost their property records during the war and were dependent on the government to confirm their claims. Unfortunately, INTA suffered from widespread corruption and “lost” a significant number of files thereby inhibiting return. Problems arose from the fact that INTA had declared much of their lands to be abandoned and thus issued new titles to new communities had been brought in by the Army as upon their absence. Speculation rendered astronomical purchase prices, and rewarded large landowners for their coercive tactics during the war that had enabled them to amass large landholdings via displacement. Refugees whose lands were unoccupied reclaimed their possessions without problems. Those whose lands had been occupied by others had to wait for the government to sort out which community would keep the property and which would be resettled elsewhere. Of interest is that the agreement points out that should court action be required to resolve the conflict, the returnee could opt for resettlement elsewhere. Indeed, given the amount of occupations and double titling, many refugees chose resettlement rather than endure expensive, lengthy processing within a court system in which they had no faith. The current value of the lost property provided a discount for credits for new purchase. Landless refugees were offered credits for land purchase.
making of return and development. With respect to land rights, the Accord calls for a reversal of the INTA policy to declare land “voluntarily abandoned” and provide restitution and/or compensation. In addition, the State is to adopt a strategy for legalization and award of land titles.\textsuperscript{11}

Indigenous People may refer to the Agreement on Identity and Rights of Indigenous Peoples. It calls for the elaboration of administrative and legislative mechanisms for award of title, protection, restitution, compensation, recognition and recovery of communal, collective, and individual tenure rights. However there is no indication whether restitution is to be made in kind or in monetary form, how restitution is to be established, e.g. oral evidence, colonial title, etc., neither is there a date for validity of restitution claims. The State is expected to recognize indigenous rights to access to lands and resources to which they have historically depended on for their subsistence, (wood cutting, springs, etc.) or spiritual activities. The agreement calls for suspension of prescription terms that can result in forced eviction of indigenous people. The indigenous people are to participate in the use and administration of natural resources on their land. They should be consulted prior to exploitation of natural resources on their land and be granted compensation for losses. Supplementary titles must be suspended when addressing property claimed by indigenous people.\textsuperscript{12}

Concern arose due to the lack of legally binding status of the Accords. Donors were afraid that upon a change in regime, much of the policies within the Accords would be abandoned. In order to change the character of these provisions, draft constitutional reforms were drawn up to transform the Peace Accords into law. Unfortunately, the reforms were rejected by referendum in 1999. In March 2001, MINUGUA declared the peace process, in particular the socio-economic guarantees, to be completely stagnated, querying its own mandate given that “it is difficult to verify something which is not happening.”\textsuperscript{13}

\textsuperscript{11} The Letter of Understanding between the Government of Guatemala and UNHCR Relating to the Voluntary Repatriation of Guatemalan Refugees called for the government to allow permit landless refugees access to land and registration in like manner to other nationals. It also guaranteed the right to recovery and registry of land, or in the alternative compensation of land similar in quality and location to that previously owned or occupied (including registry) for those who were formerly land owners, claimed rights to land, or occupied land. Letter of Understanding between the Government of Guatemala and the Office of the United Nations High Commissioner for Refugees Relating to the Voluntary Repatriation of Guatemalan Refugees (13 November 1991).

\textsuperscript{12} It is to promote the number courts to address land cases and provide expedited procedures for settlement. Agrarian law and indigenous norms is to be taught in the law schools. Legal aid is to be made available for land claims. Free translation is to be made available for legal matters. Indigenous communities are to receive information regarding land rights and legal mechanisms. Discrimination against women in this regard is to be eliminated.

In October 2000, a series of marches organized by indigenous and rural groups were held across the country in which demands were made for land distribution (taking into account indigenous norms), provision of title for housing in invaded property, implementation of ILO Convention Nr. 169, amendment of article 39 in the Constitution on private property, and respect for freedom of association. Additional concerns regarding the need for minimum wage, ongoing forced evictions, and misuse of donor funds by land agencies were also presented. The government was accused having ignored the Accord on Socio-Economic and Agrarian Situation and engaged in “agrarian repression”. A poll revealed that only 6% of Guatemalans considered the Peace Accords to be of continued importance. Key problems include lack of financing for the land programs. President Portillo wryly announced to a group of demonstrators that he did not even have dirt in his ears to distribute to the landless. In addition to large-scale organized protests taking place every year since the adoption of the Peace Accords, there are smaller demonstrations by single communities who travel to the capital together to place their demands (sometimes hitching rides, by bus, or even on foot). The vision of the undernourished children and adults willing to stand in front of the buildings for days on end, waiting for a response by the President, the Congress, or the various land/housing agencies is a heartbreaking testimony of the devastating effects of government inaction. It is estimated that two-thirds of the rural population in Guatemala is food insecure, thus hunger is an ongoing problem. By 2001, the march had grown to include 50,000 peasants, all of whom linked the clamour for land to the right to food. The march was accompanied by invasions of farms which provoked immediate reaction by the Government and landowners (the latter utilizing repressive tactics). Although the peasants called for expropriation of land for distribution, the President noted that such action would only result in a return to violence. Instead, the President offered the following concessions:

1) An additional Q20 million for the Land Fund
2) Implementation of the Law on Catastrego

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14 Poll conducted by Vox Ciudadana, quoted by Miguel Gonzalez Moraga, "FRG no priorizo la paz en su agenda”, in PRENSA LIBRE, 29 December 2000.
15 CNOC was exasperated with the stagnation of conflicts in CONTIERRA, 620 credit requests in the Land Fund, and 200 requests to issue titles for property in the Ministry of Agriculture. It is believed that there are over 600 land titles in dispute. The Land Fund claims to lack sufficient funding for the purchase of properties, stating it needs Q500 million. As a result of the protests, it received Q100 million to finance the purchase of farms for rural groups. The government established a high level commission to negotiate possible solutions between CNOC (National Coordinator of Campesino Organizations) and CACIF (Coordinating Committee of Agrarian, Commercial, Industrial and Financial Associations) to the demands, but by December it was declared a failure by CNOC due to its lack of mandate to make decisions or implement accords. The rural, indigenous, and human rights groups are facing a wave of repression in terms of threats, harassment, arrest orders, and even assassinations. The Land Fund claims to have resolved 357 cases while 411 are under investigation.
16 In July 2001, 250 peasants from Chahal, Alta Verapaz took over the Land Fund in protest to excessive delays responding to their applications. "Ocupan FONTIERRA” in PRENSA LIBRE 4 July 2001.
3) Creation of a Commission to discuss peasant demands, inter alia reorganization of the Land Fund, the creation of an expropriation program to distribute land to peasants, creation of an administrative Indigenous Institute & Institute of Indigenous Labor, and reform of the Labor Code

The peasants responded that the creation of the commission was a mere stalling tactic; they would prefer the government to take actual measures. Dialogue is viewed as an instrument of repression rather than peace. In the next section, we turn to the justice system.

Confidence in the Justice System

![Figure 1](image.png)

Figure 1: The Arm of Justice: UN Rapporteur on the Independence of Judges & Lawyers Mr. Param Coomaraswamy diagnosing a multiple fracture. Reprinted with permission of Prensa Libre

A society’s level of confidence in the legal system is directly linked to its legitimacy and effectiveness. In Guatemala, the legal system is considered to serve elites and biased against indigenous people thus there is a loss of legitimacy. In turn, delays in processing of cases, lack of presence in rural communities/inaccessibility to rural peasants, and inability to enforce decisions also reveal a lack of effectiveness. Thus, regardless of some judicial reform efforts
there has been a significant decline in faith in the justice system. According to the Latinobarometro 2000 & 2001, 72% considered that there are no equal opportunities for access to justice, 73% stated that there was no equality before the law (indicating a degeneration from 1996, in which 60% of the people did not believe they were equal before the law). Over half believed that the courts discriminated against indigenous people. There is a perception that the courts are incapable of exhibiting impartial, objective determination of claims. Indeed, 52% exhibited little or no confidence in the judiciary (approximately on par with the 1996 figure of 51%). It is deemed to be a weak institution, only 10% identified the judiciary as being one of the most powerful entities in the nation, thus there is no perception of a balance of powers. Given that the judiciary is considered to be the remedial mechanism for marginalized groups and individuals, its weakness reflects the vulnerability of those who depend on its functioning.

It is interesting that within the Latin American region as a whole, as of 2002 only 10% identified equality and justice as the meaning of democracy, while only 3% identified the rule of law as its definition. Thus, there is an increasing discrepancy between the society’s perception of the role of law and its institutions in building democracy as opposed to the view held by international monitors. Marginalized groups appear to focus on equity within the socio-economic sphere as the basis of democracy as opposed to political/legal equality. The lack of interest in the legal system may in part be derived from either a lack of awareness that international human rights and constitutional rights do address socio-economic rights, and/or the understanding that the state institutions rarely implement these rights in practice. In addition, the judicial reforms have not addressed the poverty issues which lie at the root of access to justice problems. Thus, there is an increase in resort to placing demands pertaining social justice via political channels, i.e. protests, rather than filing claims in the courts or administrative agencies.

An interesting juxtaposition is the data regarding rights and duties, while 59% described Guatemalans as being quite or very demanding of their rights, only 25% characterized Guatemalans as being conscious of their rights and duties (a deterioration from 1996 in which 53% to have little or no understanding of their rights). Thus the people admit lack of knowledge about the law and failure to do their part to implement the law with respect to abiding by duties. This reveals an issue of primary relevance to social capital. Without knowledge of legal rights, marginalized groups are limited in their ability to call upon the State to be accountable for violation of international human rights instruments or even the Constitution. Exposure to human rights promotes networking among marginalized groups and

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18 Latinobarometro 2002 press release.
links to NGOs or international actors which may assist them in placing demands or formulating solutions.

The society appears to share blame for the predicament of the justice system, with respect to upholding the law, 87% considered Guatemalans to be only a little or not at all law abiding (indicating a degeneration from 1996, in which 67% of the people held such opinion). In sum, the society’s lack of concern for adapting its behaviour in conformance with the law may be explained in part by the lack of legitimacy of the law itself as well as the institutions charged with its implementation: a total of 81% felt little or no protection whatsoever by the labour law. Thus, norms are deemed to be unenforceable in practice and the legal system is identified with the interests of the dominant social groups divided along ethnic/class lines.

Due to the fact that there is no specific procedural remedy for use in forced eviction cases, some peasants have turned to the right of *amparo*, a remedial mechanism against arbitrary actions by authorities that threaten to violate constitutional rights. *Amparos* originating from property disputes are usually based on violation of Article 39 on the right to private property, Article 67 on indigenous lands, and/or Article 12 on the right to defense of the individual and his rights (due process guarantee). In practice, the majority of *amparo* cases are thrown out without review on the merits. Problems arise from lawyers filing *amparos* without having exhausted ordinary remedies. Although it may be that some lawyers may be unaware of the ordinary remedies, they may decide to pursue *amparos* given the emergency nature of evictions, the excessive delays of the lower courts, and the possible fear that the lower judges are not objective. Given the reluctance of the courts to recognize *amparo* claims within

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19 Article 12 of the Guatemalan Constitution: The defense of the individual and his rights are inviolable. No one can be sentenced or deprived of his rights without being summoned, heard, and tried in a legal procedure before a judge or a competent and pre-established court. No individual can be tried by special or secret courts or through proceedings that are not legally pre-established.

Article 39: Private property is guaranteed as a right inherent in the individual. Any person can freely dispose of his property according to the law. The State guarantees the exercise of this right and will have to create those conditions that enable the owner to use and enjoy his property in such a way as to achieve individual progress and national development in the interest of all Guatemalans.

Article 67 of the Constitution: “The lands of the cooperatives, native communities, or any other form of communal possession or collective agrarian ownership, as well as the family heritage and popular housing, will enjoy the special protection of the State, credit assistance, and preferential technology which may guarantee their ownership and development in order to insure an improved quality of life to all inhabitants. The native communities and others which may own land that historically belongs to them and which they have traditionally administered in special form will maintain that system.”

20 There are a variety of civil and criminal procedures that may be invoked in the event of forced eviction, depending on the actor at hand. Should the judiciary issue an eviction order, it may be challenged via *impugnation*, this procedure is also valid for actions against decrees or other laws determining boundaries, expropriating property, etc. One may also file a nullification action, Article 613 Civil Procedure Code or a *reposition* claim, as established in article 402 of the Criminal Procedure Code.
eviction settings, there is a need for a speedy, objective mechanism designed specifically for forced evictions. The Constitutional Court seems most concerned about minimizing abusive use of the *amparo* (which is often cited as a problem) and is reluctant to consider the substantive demands regarding abuse of power by state actors, in particular the judiciary.\textsuperscript{21} This is worrisome given that it is the judiciary that issues eviction orders and places penalties for usurpation charges. Corruption and lack of knowledge of international standards regarding the rights of squatters and customary possessors result in arbitrary evictions that needs to be reviewed. In addition, it will not address private actors as the *Amparo* law does not grant it jurisdiction (with the exception of private law entities and organizations which have been recognized by the law, such as political parties, associations, syndicates, cooperatives, etc.) Because private security groups conduce many evictions from rural *fincas*, this is precisely the area that requires attention.\textsuperscript{22}

Regarding indigenous issues, the Constitutional Court issued an advisory opinion in which it declared that ILO Convention Nr. 169 is not in violation of the Constitution.\textsuperscript{23} The Congress ratified the instrument although stating that the Constitutional Guarantees should have priority over the Convention’s standards, in spite of the fact that the Constitution itself places the international norms above the constitutional standards.\textsuperscript{24} It is clear that the Congress’ key

\textsuperscript{21} See e.g. Expediente No. 440-92, 9 March 1993, Gaceta de la Corte de Constitucionalidad. In this case the justice of the peace issued a possession order on behalf of Juan Valdez Cubas, and accompanied the police to a property occupied by Mr. Jose Gerardo Aycinena Ochoa. Mr Ochoa did not have his registry documents on him, and thus was promptly evicted. A later investigation revealed that indeed the justice had confused properties, and Mr. Ochoa filed an *amparo* claim (based on violation of his constitutional rights to property Article 12 and defense (due process), Article 39. The First Instance Civil Tribunal denied Mr. Ochoa’s *amparo*, noting that Mr. Ochoa should have used ordinary civil procedures. Mr. Ochoa appealed to the Constitutional Court. The Constitutional Court agreed with the tribunal, pointing out that in spite of his *de facto* eviction, his legal right to the property remained intact; hence he should pursue ordinary remedies. Magistrate Rodolfo Rohrmoser Caldeavellano issued a dissent in which he criticized the court’s lack of response to be a clear case of abuse by the judiciary in light of the palpable damage to Mr. Ochoa’s constitutional rights.

\textsuperscript{22} See e.g. Expediente No. 172-91, 3 October 1991, Gaceta de la Corte de Constitucionalidad. Mr. Falvio Anibal Gramajo Ovalle was prevented from entering his property by a private security service (*Vigilancia e Investigaciones Privadas-VIP*) acting on a court order upholding an eviction request brought by Lucido Fernandez Caseres and Edgar Rene Cardillo Chavez. The Judge of Champerico recognized that the private security group had confused properties, and Mr. Ovallo filed an *amparo* with the First Instance Tribunal of the Department of Retalhuleu, claiming violation of his constitutional rights to defense and property. The Tribunal denied the *amparo* stating that Mr. Ovallo should have pursued ordinary penal procedures. Mr. Ovallo appealed to the Constitutional Court that denied amparo as well, stating that since the agents were non-state actors, amparo was an inappropriate remedy.

\textsuperscript{23} Expediente 199-95, Corte de Constitucionalidad, 18 May 1995.

\textsuperscript{24} Article 46 notes that international human rights treaties and agreements ratified by Guatemala take precedence over municipal law. However, article 44 notes that in the event of a conflict between an
interest was upholding the private property guarantee, which some Guatemalans as “the fundamental basis of civilization”, blaming land usurpation for the climate of legal instability and ensuing lack of investment in Guatemala. The Constitutional Court has held that individual possession even by a member of the group disqualifies land from its communal character, thereby rendering Article 67 inapplicable. Many indigenous communities in Guatemala divide the land among individual families in terms of possession in order to prevent dispossession by outsiders, but ownership is held in common. Indeed, most tribes have community review of sale of possession rights, thereby diminishing the individual characteristic of possession. It is strange that the Constitutional Court would prioritize possession over title rights. Ironically, the effort taken by indigenous people to protect their land rights results in further dispossession by the State.

CONTIERRA:

Presidential Office on Legal Assistance & Resolution of Land Conflicts

The government of Guatemala created a conciliation mechanism (CONTIERRA) to address property disputes and to promote both inter and intra communal linkages as well as linkages to State entities and the corporate sector (bonding, bridging and linking social capital). However, it faced serious difficulties fulfilling either function as a result of the lack of a substantive land redistribution program or property restitution legislation. Thus when reviewing the obstacles to social capital below, it is important to keep in mind that these are not causes but rather consequences of the inequitable structural background within Guatemala.

Although it is often assumed that intra-community disputes may be easily resolved due to an underlying basis of common norms, background, and network, a common phenomenon in Guatemala is low levels of trust at the community level. One of the most prominent complication affecting the conciliation proceedings is the prevalence of intra-community divisions. After 36 years of war, the society is in dire need of mechanisms by which to restore community harmony. Conflicts have divided villages, groups, and families. Specifically within the context of displaced persons, such groups are often treated as outcasts: either international treaty and the Constitution, the latter would take precedence. But see The Vienna Convention on the Law of Treaties; Article 27 prohibits a State from invoking its internal law to avoid international obligations.

25 Expediente 1250-96, 30 July 1997, Gaceta de la Corte de Constitucionalidad. This is similar to the practice of New Zealand’s Maori Land Court, which converted Maori customary communal land to Maori freehold land which was deemed to be held by individuals under common law and thus could be transferred to non-indigenous people. IAN BROWNLIE. 1991. TREATIES AND INDIGENOUS PEOPLES, p.5, footnote 7 (U.K.: Clarendon Press 1991).
traitors who left the community, former subversives, or persons espousing new social norms or old claims which threaten the local order. The low levels of trust at the communal level is largely due to extreme competition for land to meet subsistence needs, as well as diverging goals within the community and external influences.

We may note that the level of interpersonal trust in Guatemala in 2001 was calculated at only 14%. This data highlights the importance of not overestimating the ability of the society to engage in dispute resolution activities separately from the State, NGO, Church, or international organization. When a society suffers from fissures at the community level, strategies for reconstruction of social capital may require assistance from outside actors. The goal of restored harmony requires forgiveness and inclusion, both characteristics prompted by ADR, as well as substantive justice in the form of a large-scale land distribution to diminish competition for survival which inhibits cooperation.

Yet, the lack of social trust is an impediment to conciliation by outside actors. Sub-divisions within groups may be prompted by the counter party as a means of moving the negotiation in his/her direction, or by third parties who have an interest in the dispute. Examples include persons with rival land claims or political parties seeking to prove CONTIERRA ineffective; this was especially true in 1999 on account of the elections. In addition the emergence of a new community leader (political, social, or religious) seeking to assume control of the group may also provoke separation. Division may be evinced by sudden refusal to cooperate, reversal of position, dilatory tactics, and aversion strategies (i.e. non-appearance on scheduled meeting days). This phenomenon is not unique to Guatemala, similar problems occur in Colombia as well as other countries undergoing protracted conflicts in which there is competition over resources at the heart of disputes.

In some cases, CONTIERRA is initially unable to identify the source of fragmentation and further investigation is required. In other cases, CONTIERRA utilizes the division as a tool, in order to pressure a leader from within to grant concessions to the other party or to allow the measurement of the territory in dispute in order to attain a final solution. This contradicts the institutions aforementioned non-intervention strategy. In general, CONTIERRA’s conciliators were very committed to consulting communities as a whole and avoiding strategies which focus on leaders because of their awareness that a leader’s interest may well be in direct contrast to that of the community at large. In this respect, the conciliators sought to uphold democratic principles which empower all individuals within a community.

\[26\text{ Latinobarometro}\]
In contrast, AID/IOM conciliation mechanisms created “Power Maps” which identified community leaders for targeting of conciliation discussion and development. Targeted actors included those who have more power, who are most objective for decision-making, and who are believed to demonstrate willingness to negotiate. By focusing on the leaders, they hope to reach the whole group. In some cases leadership divisions can extend to the women and children of a group, the wife of one leader antagonizing the wife of his rival. Leaders assume that they will hold authority until their death or replacement by an internal coup, but IOM/IDEAS seeks to teach them about democratic choice within the community. CONTIERRA conciliators seemed bemused by this policy, given its obvious flaws when considered contextually. They note that leadership is a complicated, illusory notion, sometimes the leaders are invisible and there are a myriad of sub-divisions in every group. In some cases, the leader's interest is contrary to that of his people as he may be motivated by personal gain. If they were to only listen to the leaders they may obtain a false perspective of the conflict and the needs of the community. CONTIERRA states it is important to work on inter-personal relationships.

In many cases, groups sub-divide as an indirect result of the excessive delays in resolution of their conflicts. The transference from one institution to another is a frustrating process which prompts people to blame each other, lose hope, and seek other directions. Excessive delays in processing cases open the door for opportunists to combat accords they are not in favor of. In various cases, an accord signed in CONTIERRA but stalled in the Land Fund would be disavowed by parties and result further fractioning within the community. One factor to consider is the inability, or rather unwillingness, of the state to organize the land agencies in such manner to effectively respond to demands for land credits (as well as the lethargy in adopting reparation legislation) results in diminishing social capital. Peasants have no incentive to organize themselves into committees to apply for land credits (let alone restitution), or even explore conciliation mechanisms, if they know that the State’s own institutions remain inoperatively tangled in a bureaucratic mess.27

The case below provides a good example of how low levels of social trust and confidence in the State form a cycle of distrust, as exemplified by the severity of intra-community division and suspicion of a State initiative to resolve the case by innovative methods.

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Case Study: Tampur Panzos, Alta Verapaz

“La peor cuña es del mismo palo”, “The worst chock is from the same piece of wood.”
Guatemalan expression

Figure 2: The River Polochic: An idyllic scene: children bathing. Photo by Cecilia Bailliet

Intra-community leadership divisions have not been sufficiently explored in internal displacement literature. In Guatemala, it is a major cause of conflict and forced eviction. The case of Tampur, near La Tinta/Panzos, department of Alta Verapaz provides an interesting example of how such problems evolve and serve to block conflict resolution initiatives. The case reveals the heritage of years of violence as composed by a deep level of lack of social trust combined with a lack of confidence in the State as well as international organizations.

Panzos was the site of a terrible massacre in 1978 in which the q’eqchi peasants protested against usurpation of their communal property by powerful landowners by way of supplementary titling. The peasants were never consulted and they lacked knowledge and resources to attain a proper legal defense. The landowners solicited the assistance of the governor of Alta Verapaz who in turn requested the assistance of the Army. On 29 May 1978, hundreds of men, women and children gathered in the main plaza of Panzos to protest their dispossession. The Army deemed the peasant protests to be engaged in guerrilla activity (an incorrect conclusion according to the CEH) and the soldiers fired upon the crowd which responded using their machetes; a total of 53 people died. The military remained in control of Panzos and repressed all leaders seeking restitution of land. The river Polochic was
continually filled with bodies and no new protests were held until 1996. The Commission for Historical Clarification characterized this case as a patent example of the judicial system’s inability to protect the q’eqchi peasants’ right to property and the landowners use of the State, including the armed forces, to resolve land disputes in their favor by way of terror.28

After the end of the war, property disputes remained ongoing. A q’eqchi community of 210 families had been granted collective title to land by INTA near the River Polochic. They worked the land for twenty years. In December 1996, the Junta Directiva hired an NGO to measure and divide the land into individual plots, thus commencing a “liderazgo” scandal which would bring ruin to the community. The Junta Directiva was accused of engaging in corruption and taking the best plots for themselves. The Tampur community broke into two groups, each following a different leader. Three hundred persons forcibly displaced part of the population by setting fire to their homes and attacking them with weapons. Four houses were burned and three other homes were destroyed by machete. The sub-group of 45 families (Tampur II/Cantiha) fled to the highlands and the remainder (Tampur I) took over their property and animals and planted corn on the land. The PDH was contacted and the police responded, but they could not enter the property because Tampur I threatened to attack them with arms. Violent attacks between the two groups continued for years. Tampur II offered to sell their plots to Tampur I in order to attain some compensation for their eviction. Tampur I refused the offer because the Land Fund would not finance their purchase. Tampur II then tried to sell their plots back to INTA, which responded that the plots had been issued to a collectivity, hence it was their duty to return to the land. Tampur II stated that they would only return if they attained full restitution of all of their property. Tampur I asserted that this was impossible as part of the property had already been distributed to the younger generation. At one point, Tampur II verbally renounced their titles to the land. Although under formal law this is not necessarily binding, it should be remembered that under indigenous law oral statements are enforceable. This may well be one factor why the court was avoided, and conciliation pursued, although may not necessarily have paid much heed to the oral promise. INTA tried to reconcile the groups, but these efforts proved fruitless. It called upon the displaced to return to the land, and noted that neither group right of indemnification.29 It stated that Tampur I would be allowed to keep its crops which it planted and Tampur II would return. The communities were called to “observe good conduct, peaceful living, and social participation.” Tampur II wrote to CONTIERRA in January 1998 in order to seek solution to the conflict. They stated that their time in displacement had worsened their state of “misery, hunger, nudity, and uncertainty”. They claimed to be subjected to intimidation and threats.

29 INTA Act. No. 21-97, 19 Nov. 1997, on file with CONTIERRA.
They requested recognition of their legal title to the usurped land, the need for aid in order to build houses, and attain economic development. They also wanted protection from the community of Tampur I. Although CONTIERRA responded positively, the conciliators did not visit Tampur I because Tampur II warned them that they learned that Tampur I was planning to hold them hostage for one month without food. When a meeting was eventually called, Tampur I did not show up.

In 1998, the wrath of God appeared to have descended in the form of Hurricane Mitch, leaving the evictors without roofs for their houses and resulting in further displacement due to the flooding of the River Polochic. Tampur I suffered from disease, lack of adequate shelter, and lost crops and animals. Symbolically their source of contact to other communities was eliminated, as the bridge over the River Polochic had been destroyed. They eventually wrote a letter to CONTIERRA in which they claimed repentance for the displacement of Tampur II and indicated willingness to allow them to come back. They admitted that Tampur II had a legal right to the property. In view of the national calamity, they sought to espouse serenity and unity in order to survive. They promised to cease engaging in acts of violence and resentment. The extreme degree of animosity between the parties seemed irremediable, however the natural disaster served to coerce the stronger party to reconsider and make some concessions. One is left to wonder whether this may be characterized as a case of “divine conciliation”.

Unfortunately, Tampur II was unmoved by Tampur I’s new found revelation. Tampur II was suffering from even more severe malnutrition, disease, and illiteracy. At the second meeting, Tampur II decided to avenge itself for the disrespect Tampur I exhibited previously and they flatly rejected the offer to negotiate.

Further meetings were pursued. In compensation for the lost land, Tampur II requested alternative land by the mountain. Tampur I refused the request. The conciliation was highly charged, as the parties accused each other of engaging in intimidation, material damage, and disrespect. Tampur I offered to give back the land in exchange for roofing materials in compensation for the measurement and improvements they made on the land. Tampur II requested crop seeds and oil. As a part of the negotiation strategy, CONTIERRA requested CEAR/FONAPAZ to provide roofing and seeds to the respective groups as a form of compensation for their hardships and in an effort to embark upon a new beginning. IOM offered to pay for the roofs. This was a shift away from the traditional non-coordination between the various state institutions. Because rural peasants have little or no resources to bring to mediation, their capacity to reach an agreement may be limited. This is particularly true in the case of land conflicts which are often single issue disputes in which it may be
difficult to make exchanges due to the lack of available property or other resources.\(^{30}\) CONTIERRA sought out the resources of other agencies and international organizations in order to increase the chance of settlement.

At the time of our visit, the children appeared to be diseased, malnourished, and visibly aged by poverty. None attended school, they spent most of the day sitting in the square of the town surrounded by flies or swimming in the river. The communities were encouraged to understand that there is a link between their conciliation and the access to state resources for development, thus highlighting the link between the establishment of a base level of social trust and access to a network of support at the vertical level to emerge from poverty.

![Figure 3: Tampur I collecting roofing materials provided by CEAR/FONAPAZ](image)

Photo by Cecilia Bailliet

Although an accord was reached in December 1998, complaints regarding arson, theft of crops, and threats continued to be received. Ironically, upon delivery of the roofs and the seeds, the groups began to bicker about what each had received. Each group believed that the other received the better end of the deal, even though they had been given exactly what they had requested. They surrounded CONTIERRA staff and inappropriately accused them of corruption. It appears that a byproduct of their distrust of each other was increased suspicion of State’s intentions, thereby revealing the negative impact of weak social trust on linking initiatives by the State.

The CONTIERRA staff was devastated by the response but considered it to be the possible intervention by a manipulator who wanted to assume leadership over the community by disparaging CONTIERRA. The resolution of a conflict by outsiders can have profound implications on actual or potential leaders who feel that they have been usurped of their role in the community or who somehow have something to gain from the continuity of the conflict. Sometimes, these persons may be “invisible” leaders, hence it is difficult for outsiders to understand where the influence is coming from. It certainly did not help that this was an election year, in which political parties have much to gain by disgracing the current regime’s institutions. Thus CONTIERRA is reluctant to pursue a leader focused strategy.
The conciliators note that there are so many sub-divisions within communities, a leader-focus strategy will only further politicize the conflict. In their opinion is better to meet with all members of a community. CONTIERRA staff stated that they believed that both Tampur I & II are in dire need of psychological counseling to rid the deep anger and resentment they have towards each other. IOM offered the opinion that they needed basic human rights education in order to recuperate lost human dignity, balance their self-esteem, remove notions of superiority/inferiority, and understand that human rights includes duties towards each other.\textsuperscript{31}\contiterra was forced to withdraw from the case due to threat of violence and coercion by the peasants.

Eventually, the local mayor was brought in to resolve the case. His success highlighted the importance of a decentralized approach to conflict resolution at the local level. Local entities who understand the underlying political/economic interests and have daily interaction with the parties at hand are more likely to attain sufficient trust of the people in order to elaborate a solution. One the important aspects of this case is the fact that the physical and psychological isolation of the Tampur communities, in particular Tampur II which was displaced, inhibited the elaboration of social trust. Each community retained internal cohesion based on their distrust and fear of the other community, thus evincing “anti-social capital” which complicated conciliation.\textsuperscript{32} This is also linked to the notion of “amoral familism”.\textsuperscript{33} The inability of the communities to exhibit trust towards each other relegated them to a prolonged experience of social exclusion. They proved reluctant to help each other improve their mutual situation, and in turn were unable to elaborate a viable link to the State and international agencies sent to assist them rise above their extreme poverty. The problems regarding internal leadership divisions and lack of social trust inhibited the attainment of improved confidence in the State on the part of the community. The result was rejection of a genuine effort on the part of the State to provide reparation support in order to permanently resolve the dispute and improve their standard of living.

In conclusion, the Tampur case demonstrates that there should be a base level of social trust in order to effectuate successful State intervention or interaction. Because this is rarely present in post-settlement situations, the ability of ADR to combat anti-social capital and

\textsuperscript{31} Interview with Mario Hernandez, IOM, & Jorge Mario Galicia, IDEAS, 28 May 1999.
\textsuperscript{32} On anti-social capital, see Catherine Campbell, ”Social Capital and Health: Contextualizing Health Promotion with Local Community Networks” in STEPHEN BARON, JOHN FIELD & TOM SCHULLER, SOCIAL CAPITAL: CRITICAL PERSPECTIVES p. 182, 194 (U.K.: Oxford University Press 2000).
\textsuperscript{33} Situations of amoral familism involve strong ethnic loyalties and familial attachments inhibit peaceful dispute resolution with outsiders, there are no links outside the group.
promote a growth of social capital may well be limited in the absence of an accompanying land distribution program to meet the basic needs of those competing in order to survive.

There is a tendency to reject the State as the appropriate actor to intervene due to its limitations on account of elite pressures, lack of resources, etc. As mentioned previously, I believe that there is a need to pursue State-society initiatives given that many peasants expressed the desire to see the State to fulfil their democratic expectations as the source of maintenance of stability within the society. The State should not be totally excluded from the field of dispute resolution, because it remains an essential component of its very function.

In addition, Harriss warns that the calls for civic engagement, “self-help” by marginalized groups deflects the need to look at structural inequities and raises additional concerns:

“... that ‘local associations’ and NGOs, which are brought into such a focus ... are not necessarily democratically representative organizations, nor democratically accountable, and might be attractive because although they appear to offer the possibility of a kind of democracy, through ‘popular participation’, but without the inconveniences of contestational politics and the conflicts of values and ideas which are a necessary part of democratic politics. The ‘anti-politics machine’ sits in the wings ...”

Such programs may allow local elites to meet their own needs over the weaker members within the community.

Hence, support by Donors of NGO or local associations may be based more on a wish by donors to avoid transferring funds to a State plagued by corruption than genuine knowledge that the NGO or local association is truly representative of the needs and interests of all or even most of the marginalized groups and individuals. Regardless of the existence of

34 JOHN HARRIS, DEPOLITICIZING DEVELOPMENT: THE WORLD BANK AND SOCIAL CAPITAL p. 8-9 (LeftWord 2001). He criticizes civic engagement initiatives as sometimes appearing to expect “...the most disadvantaged people to pull themselves up by their own bootstraps, in a way which is remarkably convenient for those who wish to implement large-scale public expenditure cuts.”

35 However it is important to keep in mind that the weakness of the state also permits repression to be pursued by local actors, as aptly pointed out by Trygve Bendiksby: “Repression in Guatemala is a complex pattern of local power balances and patron-client relationships, which cannot be reduced to an emphasis on the will and shortsightedness of the Guatemalan elites.” Trygve Bendiksby, Justice and Cultural Diversity in Guatemala: An Analysis of the Rights of Ethnic Groups in Guatemala Based on Two Liberal Approaches to Justice in Multicultural Democracies 21 (Oslo: NUPI 2000). The range of actors which benefit from preserving the power balance status quo is vast, covering military officers, landowners, and local leaders who fear loss of economic resources as well as social importance in the event of change. Aggressive stances trickle down from the capital to rural outbacks. Hence, the need to create mechanisms to enhance a culture of dialogue and mutual respect is rendered particularly urgent.
community associations and NGOs, there is a need to improve transparency and accountability within the State in order to engender realization of function as protector of the society, settler of disputes, etc. The State cannot and should not be replaced by the society. Greater emphasis should be placed on pursuing networks between the State, international organizations, NGOs, the Church, etc. to improve the design of strategies for conflict resolution. In addition, international donors must improve their follow-up of the institutions they sponsor; fear of receiving charges of interference does not justify inaction in the face of an institution’s corruption, failure to fulfil its mandate, or lack of capacitation. CONTIERRA’s conciliators appear to have a genuine interest in attaining a final solution and require the support of international donors to pressure the elites to allow them to pursue their jobs effectively.

The Case of Los Cimientos

This case involved a k’iche community which had cultivated unoccupied land and obtained legal title from President Cabrera’s land grant program in 1909. Ixil families claimed that the land pertained to their ancestors under municipal title prior to the arrival of the K’iches (although they had not cultivated the land). They asserted a historic right to the land and claimed that the K’iche title was invalid because they had not purchased the land from the Ixils. The courts backed the K’iche title and granted orders for the forcible eviction of the Ixils. The K’iches were violently displaced by the Army in 1981 and remained so until 2002. The Army gave possession of the property to a group of Ixils, “the Chajuls”, who lived in model villages and participated in the PACs for six years. The K’iches called for resettlement of the Chajuls. The government claimed that the dispute was a result of misaligned boundaries rather than title conflict.

Holley argues that this case serves to demonstrate how the State manipulates the concept of indigenous rights to disempower the Mayans. The State deliberately sought to prevent the re-establishment of autonomous Mayan community, thus it chose to support the Ixil customary claim to land over the title held by the K’iches, thereby promoting further sub-division, distrust, and hostility among Mayan groups (The Army was concerned regarding the K’iche’s limited cooperation with it.) However, the K’iches attained significant international attention and support.

An NGO, CERJ, pursued the case on behalf of the K’iches to the Inter-American Commission of Human Rights. The Commission announced the near settlement of the case which would grant recognition of the K’iche’s title and provision of compensation, prompting criticism by Stoll that

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this did not reflect the mutual victimization and complexity of interests at stake.\(^{38}\) In July 2001 the K’iches (totaling over 300 persons) were violently evicted and forced to flee once more after a group of armed men burned 97 homes, brutalized the men, raped two women, and kidnapped six children. One year later, they remained displaced and lacked housing, food, and medical assistance.\(^{39}\) Hence, international mediation efforts proved unable to implement a solution. As correctly identified by Stoll, this appears to be largely due to the perception that instead of promoting impartial consideration of human rights concerns the international community focused on the victimization of the K’iche community but failed to recognize the interests and needs of the Chajuls as mutual victims of war and manipulation by the Army.

Due to their precarious state, the K’iches indicated that they were willing to renounce their claim to the land if the government will provide them alternative property. The State, via CONTIERRA, confirmed the K’iches’ title. However, it was pointed out that there was a clear lack of political will at the local level to resolve the conflict. According to Stoll, the Chajul’s former Mayor expressed fear that the community would consider him to be a traitor to their interests should he relinquish the land. The government finally obtained a new finca, San Vincente Osuna, located in Santa Lucia Cotzumalguapa, Escuintla to resettle the K’iches. The Mayor of the Chajuls apologized for the injuries suffered by the K’iches, gave them a picture of San Jose and Santa Maria, and signed a final accord. President Portillo unconsciously evoked images of “Alice in Wonderland” by characterizing the accord as “the most significant act of reconciliation in the post-war period.”\(^{40}\) The outcome was the inverse of the Commission & CONTIERRA’s proposed solution due to use of power tactics and prevalence of impunity. However, final peace was attained via provision of alternative land. This case indicates the contradictions within transnational dispute resolution: there are limitations to the effectiveness of international dispute resolution mechanisms which are not sufficiently “embedded” in the local area to understand and address the intricacies of local disputes, and there are also complications at the local level due to the unwillingness of local leaders to make concessions due to fear of loss of prestige, legitimacy before the people, and perhaps pressure from outside interests.

An institution which is intended to engage in preventive peace building must address the root causes of conflict, often related to unfulfilled human needs. In the case of Guatemala, inequitable land distribution is one of the factors resulting in an ongoing food crisis affecting the rural population. As previously mentioned, land conflicts are often characterized as single-issue disputes; final solution requires the provision of alternative land to a party. In spite of CONTIERRA conciliators’ genuine interest in attaining permanent resolution of property

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\(^{39}\) “Pobladores de Los Cimientos, Quiche, Fuera de su territorio desde hace un año” in Guatemala Hoy 24 June 2002.

\(^{40}\) “Ponen fin a añejo conflicto por la propiedad de la tierra en Los Cimientos, Quiche” in Prensa Libre 3 October 2002.
disputes, they proved unable to produce effective output in the majority of cases due to the lack of political will on the part of elites to promote land redistribution or restitution and the lack of resources to fund such programs in a land market marked by lack of regulation and excessive speculation.

As the war did not result in an overthrow of the landowning elite body, neo-feudal structures within the rural area remain intact. Because the economic elites wish to retain their hold on both land for export crops and cattle as well as cheap labor, they are antagonistic to any initiatives to change land distribution. Large landowners suspect redistribution as a threat to their livelihood, given that peasants who attain enough land to feed their families and provide some income will no longer work as seasonal workers paid under minimum wage. Given the adamant refusal of the state to engage in expropriation of under-used properties or properties obtained illegitimately prior to, during, or after the war, and the impact of deforestation of forest land, soil degradation, etc. there is a scarcity of alternative land to stimulate exchanges. In addition, the lack of resources of rural peasants render their ability to participate in exchanges almost null. From the outset, such a setting would objectively be considered unlikely to successfully apply ADR. Rather than blame ADR or courts for being ineffective, it is necessary to remedy the structural inequities which render completion of its mandate difficult.

In addition, I take issue with the criticism offered by international donors and monitors that the failure of the Peace Accords may be attributed to the weakness of society as evidenced by the lack of participation in elections and referendums. It appears that the failure of the Peace Accords is largely due to lack of political will and resources made available by the State and the international community to enact structural changes, e.g. redistribution of land, to remedy

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41 Although Salvesen suggests that an effort should have been made to implement legislative reforms soon after the Accords are signed in order to act on political momentum and existing international. I question whether it actually would have been possible. The Congress demonstrated particular adeptness at stalling and irregularly amending almost all legislative initiatives which would have an impact on economic distribution of resources. This has prompted USAID to terminate certain programs related to implementation of the Peace Accords. See Hilde Salvesen, “Guatemala: Five Years After the Peace Accords: The Challenges of Implementing Peace p. 32 (PRIO March 2002) at <http://www.prio.no>

42 Recommendations by elites include punishment of usurpers, reeducation of peasants on forms of presentation of demands in a State of Law, fulfillment of the registry system, and definition of the alternatives to be pursued by the State and the landowners. This perspective seeks to uphold the formal legal system, in particular the right to private property thus leaving little room for the change of the status quo. Danilo Rodriguez, “Movimiento Campesino y Estado de Derecho”, SIGLO XXI 14 April 2000. In his opinion, “CONTIERRA is a tiny sailboat trapped in the middle of a giant storm”. Workshops should be set up in all land conflicts in order to “neutralize the great confrontation that is coming”.

the severe inequity which inhibits civic participation/social capital. One may consider the conclusion offered by Steven Holtzman, a social scientist within the Post-Conflict Unit of the Social Development Department at the World Bank: “... (transition) requires a flexible outlook as to how to best facilitate a sustainable integration of displaced populations without expecting them to return to a pre-conflict status quo.”\(^{43}\) In practice, the transition policy pursued within Guatemala appeared to have no effect whatsoever on land distribution or the situation of dispersed IDPs.

CONTIERRA was limited in its ability to stimulate trust between the rural society and the State, due to the lack of land reform and the limitations of the executive land agencies, inefficiency, lack of coordination, and insufficient resources. This signals that the institution which is capable of realizing IDPs right to remedy and restitution is not the court nor CONTIERRA, but actually the legislature. The reluctance of the State to implement extensive land distribution/restitution programs has left peasants feeling particularly betrayed due to their raised expectations pursuant to the Peace Accords. Such trust required substantive output beyond mere promises, because demands were unfulfilled the peasants have radicalized. Many peasants now characterize the process of negotiation as a mere stalling tactic intended to wear down the poor, hence they turn to measures outside the law, land invasions, road blocks, and protests as “effective presentation of demands”.

Development agencies must recognize that support for market-assisted land reform in a neo-feudal context marked by speculation, lack of regulation, low resources, and gross inequities between the negotiating parties (peasants vs. landowners) is bound to fail and only promotes a rise in rural violence. The Land Fund should abandon the model of direct negotiations between landless peasants and powerful landowners given that has proved to be nothing more than a forum for manipulation due to power and knowledge imbalances between parties. Regulations should be adopted in order to establish a functioning land market and eliminate speculation. Equity interests in land on account of labour on the land, historic title, customary possession should be recognized and given a value to be calculated when determining the purchase price of property. Donors should provide more funding to the Land Fund and related agencies. The land agency’s own lists of IDPs should serve as a basis to form a reparation program for IDPs. Given the lack of social trust and civic confidence among IDPs on account of their isolation, past experiences, etc., a strategy must be designed to locate and reintegrate IDPs within stable communities with access to support to services offered by the State or international agencies. Such strategy would allow dispersed IDPs to create social networks in order to cooperate with each other as well as vertical institutions.

In spite of its clear resistance to the idea, the government and donors must re-evaluate the resistance to expropriation of under-utilized land in order to establish an effective property redistribution program. Peasant organizations are calling for recognition of their call for redistribution via expropriation and restitution of property wrongfully distributed during the war.\(^{44}\) It is important for international donors to dismantle the neo-feudal structures founded on the inequitable distribution of property by promoting effective restitution/redistribution to internally displaced persons, indigenous people, and landless peasants in conformance with the relevant civil, political, and socio-economic human rights norms. The past is linked to the present: the current increase in land invasions at present is due to the unresolved clamour for land which was one of the root causes of the civil war. Thus, conflict prevention is needed due to failed conflict resolution.

Prosecution of those persons who have egregiously violated rights via scorched earth tactics during the war and illegitimate takeovers of land is essential for the reestablishment of the rule of law and the triumph of justice within the nation. Those who amassed properties during the conflict must provide reparation to the dispossessed. Unless those who wrongfully appropriated land are required to return the property to their rightful owners by way of court action, or convinced to do so through a compromise solution, internal displacement will remain an ongoing problem. Resistance to expropriation initiatives and prosecution of those who illegally appropriated themselves of land during the war actually supports the neo-feudal structure.

Modernization of justice programs should promote the adoption of responsive action by courts in order to combat inequitable actions conducted by State and Non-State actors amounting to violations of human rights. Legislation should be adopted to grant the judiciary mandate over cases involving violations of human rights conducted by non-state actors. Lower courts should be held accountable for upholding forced evictions. It may be beneficial to consider the creation of specialized tribunals to receive cases pertaining to forced evictions. In view of the pressures placed on the national legal system ratification of the Rome Statute establishing the International Criminal Court may increase the possibility of attaining justice.

One is left with the concern that the Guatemalan State’s elaboration of ADR in the land arena coincided with the rise of demands by displaced persons, indigenous groups, landless peasants, and rural workers based on claims linked to violation of their human rights (e.g. forced eviction, coerced sale of property during the war, remuneration for labor, the need for

recognition of customary land claims, etc.). The state became inundated with claims it was unable or unwilling to redress. The international community and marginalized groups clamored for improvements in the justice system precisely at a time when expectations for redress for violation of civil and political rights as well as socio-economic inequity multiplied as a result of the Peace Accords. As time passes, demands are increasing and CONTIERRA is as overwhelmed as the courts. Plans for creation of agrarian tribunals reflect the traditional cycle of return to formal mechanisms when informal mechanisms are unable to resolve demands effectively. However, the creation of remedial legal or quasi-legal mechanisms requires reforms within the economic and political systems to succeed.
Appendix
Friday 7 February
08.00 - 09.00 Registration
09.00 - 09.45 Opening by Julie Feilberg, Pro-Rector, NTNU
Welcome by Ragnhild Lund, The Research Group on Forced Migration, and the launch of the research network on Internal Displacement
Kristine Storholt, Research Council of Norway: Welcome and introduction to research networks
Oddhild Günther, Norwegian Refugee Council: IDP research and NGOs
Andreas Danevad, Global IDP project: Introducing the global IDP survey
09.45 - 10.45 Francis Deng: Research needs and research challenges on internal displacement
10.45 - 11.15 Coffee break
11.15 - 13.00 Cecilia Bailliet, Karen Jacobsen, Birgitte Refslund Sørensen: Research on IDPs: state of the art and a research agenda.
13.00 - 14.30 Lunch
14.30 - 18.00 Paper presentations, parallel sessions, I and II
19.00 Reception and dinner

Saturday 8 February
09.00 - 12.30 Paper presentations, parallel sessions
12.30 - 14.00 Lunch
14.00 - 14.45 Howard Adelman: The place and possibilities of IDP research in refugee studies
14.45 - 15.15 Astrid Suhrke: Reflections on regime change
15.15 - 15.30 Questions
15.30 - 16.00 Coffee break
16.00 - 16.45 Erin Mooney: When does displacement end?
16.45 - 17.30 Discussion and conclusion

Sunday 9 February
09.00 - 14.30 Excursion to the Falstad Memorial and Centre for Human Rights.
## Parallel sessions

### I: Living with displacement

**Chair:** Haakon Lein

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<td>Sense of belongingness of Maduranese IDP in Indonesia: Going home or going away from home?</td>
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<td>15:00–15:30</td>
<td>Esra Erdem and Neset Özevin</td>
<td>Internal Displacement and Gendered Economic Strategies in Turkey</td>
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<td>15:30–16:00</td>
<td>Roseline Achieng'</td>
<td>Langas or &quot;Home away from Home?&quot; - the Social Construction of Place by Internally Displaced Kikuyu women of Burnt Forest - Kenya</td>
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### II: Researching displacement: methodological issues

**Chair:** Rannveig Bremer Fjær

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<td>Andreas Danevad / Greta Zeender</td>
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<td>Evaluation of health needs to a migrated population</td>
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### III: Dynamics of displacement

Chair: Birgitte Refslund Sørensen

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### IV: Global Issues: policies of internal displacement

Chair: Greta Zeender

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