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The Global Challenge of the Refugee Exodus

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The horrific terrorist attacks in Paris on November 13, 2015, and those on American soil on September 11, 2001, have much more in common than the involvement of radicalized foreigners and international networks. Both of these events came immediately on the heels—within three days, in fact—of major international agreements to facilitate human mobility between sending and receiving countries. Just as then-President Vicente Fox of Mexico secured a deal for his citizens in the North American labor market days before the attack on the World Trade Center, embattled ministers and heads of states from the European Union met with African leaders in Valetta, Malta, on November 11 to work out a practical redistribution plan for dealing with the mass exodus of refugees trying to reach Europe.

Both of these initiatives to forge international policy cooperation on migration and refugee movements were quickly dashed by seemingly knee-jerk reactions across Western liberal states to temporarily close borders, lock down civil society, suspend rights and privileges, and contravene their own treaties and laws. Labor, trade, and humanitarian considerations were quashed by national security and “public order” exigencies. Fueled by public outrage and political protests, the resurgence of nationalist and populist sentiment following the Paris attacks all but shelved urgent relocation plans for the massive influx of refugees from protracted wars in the Middle East.

Not only did these events cement the link between human mobility and security; they catapulted refugee and migration politics onto the foreign and security policy agenda, prompting a proliferation of intergovernmental and international meetings. The salience of migration in the

security agenda was best summarized by German Chancellor Angela Merkel’s proclamation that “immigration is the largest problem facing Europe in this decade.” The “new security” paradigm has put a spotlight on emerging threats like human mobility, fundamentalism, environmental degradation, smuggling, and terrorism—global issues that cross boundaries.

The movement of impoverished masses making their way to safer shores from regions including the Middle East, sub-Saharan Africa, and Central America, has grown over the past five years, and rose to unprecedented levels in 2014, according to the United Nations High Commissioner for Refugees (UNHCR). The numbers arriving in Europe reached crisis levels in the sweltering political and summer heat of 2015. Personified by the piercing image of a young Syrian boy’s corpse retrieved from the surf by a Turkish soldier, the human toll was inescapable.

Yet the humanitarian narrative was quickly overshadowed by the spectacle of Paris, a symbol of liberty, under assault by Islamist radicalism and terrorism inspired from abroad. This sequence of tragic events showed how swiftly politicization of such issues could upset a fragile balance and move the debate from a humanitarian to a security framework. The sudden shift in the discourse surrounding refugee movements underscored the fluid interests and competing trade-offs of refugee politics in the post-Cold War era.

The terrorist suspects who surfaced in Paris embodied the range of threats facing liberal democracies as they deal with refugees and migration. Among the suspected perpetrators, Western officials identified a disguised or bogus asylum seeker of Syrian origin; a Belgian-born and Western-educated middle-class Muslim of Tunisian-Moroccan origin; and a number of other radicalized EU nationals from ethnic minor-

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ity backgrounds in France and Belgium. These profiles encapsulated the multiple internal and external dimensions of the threats that inform policies on border control, minority integration, and identity politics in the twenty-first century.

The refugee crises of this decade amount to an emerging global challenge facing almost all industrialized liberal democracies, pitting their humanitarian norms against materialist values of survival and well-being. These crises have acutely tested the delicate immigration and asylum policy consensus that largely prevailed across Western countries throughout the Cold War period. Until the political earthquake of 9/11, this equilibrium was founded on the premise that each dimension of immigration policy could be addressed in relative isolation, and that decisions concerning one dimension did not significantly circumscribe the options for others. Since 2001, subsequent terrorist attacks have suggested to some that open economic borders, humanitarian passage, and immigrant integration policies now conflict with the core responsibility of liberal states to safeguard the physical safety of their citizens.

The new security context of the post-Cold War world poses what I have elsewhere called a political “trilemma” when it comes to balancing markets, rights, and security interests in dealing with human mobility. Liberal democracies have struggled with contradictory goals of maintaining open markets for trade and allowing freedoms for ethnically diverse populations while protecting their borders from the security threats associated with global mobility. How can liberal states in an international system reconcile the need to open borders—for the sake of human mobility, demographic balance, sustainable development, global markets, tourism, and human rights norms—with political, societal, and security pressures to effectively protect their citizens and control their borders?

EUROPE’S CHALLENGE

This difficulty has been most evident at the EU regional level, where democratic member states are forced to balance national impulses favoring protectionism with communitarian demands for more cooperation. On what basis might states with different historical exigencies and approaches to migration find their interests merging? Col-

lective action among 28 diverse member states has proved intractable (in instructive ways).

The ongoing European refugee emergency is emblematic of the challenges generated by forced migration. It constitutes an enormous crisis for the vision of European integration. Moreover, assuming that EU integration is representative of the larger globalizing goal of free movement for all four economic factors of production (goods, capital, services, people), its struggles are revealing of the challenges faced by all advanced liberal democracies.

To the extent that achieving the aim of a single market, enshrined in the 1957 Treaty of Rome, rests on the success of freedom of movement, a common immigration and asylum policy is essential to founder Jean Monnet’s concept of a frontier-free Europe. The functional rationale for this goal was that the pursuit of economic and social well-being, within a framework of human rights and democratic norms, would create a rational incentive for states to cooperate and further integrate with each other.

We have seen incremental development of European instruments on the supranational level, such as the Common European Asylum System, the Schengen open borders system, the Dublin system for handling asylum claims, and the cross-border enforcement agency Frontex. This trend has been reinforced by a notable shift since the 2009 Lisbon Treaty toward deferring to the EU on policy decisions. Despite these encouraging signs of cooperation, the current refugee crisis has reopened serious rifts between member states over national borders. As demonstrated by the disputes between French and British authorities over migrants converging on Calais to seek passage to Britain through the Channel Tunnel, and by the abrupt border closures by some eastern and southern European countries, member states have diverged dramatically in fulfilling their obligations.

The disparate perspectives of member states toward humanitarian movements are reflected in the uneven reception of refugees and burden-sharing proclivities among the EU countries. Attitudes have varied widely, from generous Sweden and Germany, Europe’s main economic powerhouses in northern Europe, to the economically embattled countries in the south and east

Cooperation among states on human mobility has been largely based on restrictive policies.

(Hungary, Croatia, Greece, Austria) that have been at the geographic forefront of the crisis. Some countries, like Slovakia and Poland, have taken to specifying the types of people in need that they are willing to help—namely, Christian refugees. Other EU nations such as Greece and Italy have been struggling to avoid saddling their citizens, already exasperated by economic hardship, with the potentially catastrophic burden of massive refugee influxes.

The challenge is faced not only by individual member states (especially transit countries in the south and east) with weak migration infrastructures and beaten-down economies. The core challenge confronts the entire European Union, founded on the principles of free mobility and solidarity. The lack of a comprehensive, common asylum policy (including refugee quotas, reception centers, and a common list of safe third countries) that also recognizes member states' capacities and the public mood is a danger to the entire EU enterprise. At the moment, Brussels risks renegeing on previous steps it has taken regarding human mobility (including the Dublin Regulations and Schengen Agreements). It also risks losing the support of national publics and even some member states, including key ones such as Britain, which are threatening to exit the union altogether because of migration concerns.

IMPERILED PRINCIPLES

The current refugee crisis casts doubts over three major principles inscribed in the conscience of Europeans: free movement of persons, human rights protections, and social harmonization or solidarity. First, a Schengen breakdown, symbolized by the temporary shutdown of national borders (currently allowed for up to 90 days), compromises the principle of a free human mobility zone within the single market. Second, the buck-passing by safe “first-arrival” countries that are sending refugees on to their neighbors represents a serious breach of the Dublin Convention, and thereby jeopardizes the principle of human rights protections. Finally, the nature of a “peoples' Europe,” as set out in the Maastricht Treaty of 1992, stressing the universality of human rights throughout the Union, is in flux. Even if the first two challenges are surmountable, the

looming question is: What kind of Europe does the EU want to be? What is its identity, and where do Muslims fit within the rapidly redrawn lines between insiders and outsiders?

Lurking behind much of modern European identity building has been the ghost of Christendom; and as in the United States, relations with Muslim minorities have become strained. Amid rising anxiety over security, concern about the cultural impact of migrants and refugees has extended beyond perceived threats to language and customs. Fears of radical, anti-Western political culture in Muslim communities are prevalent. These tensions present a serious crisis for democracies. The religious cleavage of secularism or pluralism versus fundamentalism complicates refugee politics and lends some unwelcome credence to the late political scientist Samuel Huntington's contentious and gloomy prophecy about rivalry between “civilizations” becoming the fault line of future conflicts in world politics.

European integration, like globalization, compounds the challenges that refugee and migration issues have long posed to the exercise of sovereignty by states seeking to control territory, identity, and citizenship. The reinvention

of borders has compelled Europeans to rethink fundamental questions of identity—of “us” and “them.” The growing tendency toward restrictive and protectionist migration policies across Europe stems less from demographic changes than from the reactions of policy makers and ordinary citizens to migration in the context of changing borders.

Indeed, the rush to control migration seems initially puzzling in a Europe built on the principle of free movement, dependent on global mobility, committed to maintaining a robust welfare system, and facing a serious demographic crisis of aging populations and falling birthrates. It also runs counter to rising public expectations in the EU, especially among the young generations. Eurobarometer polls of European youths between 15 and 24 years old from 2005 to 2015 found that “free movement” ranked higher in importance than any other motivations for regional integration, including the euro, social protection, and peace. The hardening of migration and refugee controls despite the liberalization of borders for

Policy responses that include detention, deportation, or refoulement represent a slow erosion of liberal norms.

other global economic reasons is one of the contradictions of incomplete integration.

ASYLUM REDEFINED

Refugees have a sacred and separate space in migration politics. And yet, as was noted by a pair of eminent scholars, the late Aristide Zolberg and Astri Suhrke, their forced movements may be defined in at least three ways: legally (as stipulated in national or international law); politically (as interpreted to meet political exigencies); and sociologically (as reflected in empirical reality). Legally speaking, the modern right to asylum has its roots in the aftermath of World War I and the Russian Revolution. Forced to flee by the Bolsheviks and famine, an unprecedented wave of 1.5 million Russians who had been stripped of their citizenship were resettled by the League of Nations.

The humanitarian system broke down under Nazi aggression and its aftermath, until the United Nations took up the task of rebuilding it at the international level with the establishment of the UNHCR in 1950. Since then, the main pillar of refugee protections has been firmly institutionalized in the Geneva Convention of 1951 and its 1967 protocol. The narrow definition of refugees (broadened only slightly in 1967 to extend beyond the original European refugees of World War II) has remained the standard and template for all other international and regional instruments dealing with forced migrations.

Despite the tenacity of these legal standards, political definitions have shifted dramatically from the Cold War ideological competition to the post-Cold War geopolitical preoccupation with religious and ethnic conflict. Nation-states interpret their legal and humanitarian obligations in the context of shifting political and foreign-policy concerns. Cuban and Soviet refugees, for example, are no longer guaranteed asylum in the West.

The extent to which accepted asylum applications to Europe show overrepresentation from countries such as Eritrea, Afghanistan, and Iraq relative to other countries of origin, such as Serbia, Kosovo, Pakistan, and Albania, is striking. The numbers reflect neither legal nor sociological considerations but political affinities. So, too, changes in the types of refugees (which now include, for example, those facing female genital mutilation, environmental calamities, and gang violence) mean that the numbers of people being pushed out involuntarily have increased greatly,

belying limited legal definitions and institutional capacities. Clearly, the contemporary refugee crisis stems from the growing incongruence between narrow and anachronistic legal definitions and evolving political and sociological realities.

While the relative size of these flows is not unprecedented, their compositional breakdown is revealing. In 1945, 20 million European refugees were resettled; today there reportedly are 19.5 million refugees in the world. In contrast to those earlier, mainly European flows, most of today's asylum applicants are fleeing violence and conflict outside Europe. In 2014, the world's largest source of refugees was the Middle East and North Africa. According to UNHCR statistics, one in every five displaced people worldwide came from Syria. More tellingly, the vast majority of refugees in 2014 were from countries in the developing world, such as Ethiopia, Kenya, and Pakistan: Nearly 9 out of 10 refugees lived in such countries, compared with 7 out of 10 a decade earlier.

This period has seen the breakdown of countries in the former Soviet Bloc such as Ukraine or Kyrgyzstan, the collapse of states such as Afghanistan, Iraq, Libya, and Yemen, and the reconfiguration of others such as Sudan, Eritrea, and Somalia. The range of potential candidates for refugee status has been vastly expanded by ethnic and religious conflicts in the Middle East and the wider region (particularly in Syria, Iraq, Afghanistan, and Libya) and in South and Southeast Asia (in Pakistan, Myanmar, and Bangladesh, locus of the Rohingya refugee crisis); war, poverty, and repression in Africa (for instance in Eritrea, Somalia, Nigeria, Ivory Coast, Mali, Burundi, Central African Republic, and the Democratic Republic of Congo); and the fraying of national boundaries elsewhere (prompting migrations of Roma, Kurds, and other ethnic groups).

ABSORBING THE FLOW

The overwhelming displacement of Syrians and Libyans since 2011 has pushed refugees next door, to Jordan, Lebanon, Iraq, Turkey, Egypt, and Tunisia. The absorption of refugees in those neighboring countries, while keeping them as far from Western borders as possible, has also led to further destabilization of already fragile states. However, as these countries have become oversaturated, they have closed their borders, forcing the West to deal with the inevitable diversion of the refugee flow to other regions.

Although in 2015 only 10 percent of Syrians moved to Europe out of the roughly 4 million who have left their homeland, the political challenge now faced by Europe—which has agreed to resettle and distribute 160,000 refugees, according to the last EU relocation plan—is rather minimal by comparative standards. However, while past refugees were settled “temporarily” in close proximity to their country of origin, the current reality is based on long-term projections of permanent absorption. As UNHCR statistics suggest, only 126,800 refugees were resettled in their home countries in 2014—the lowest number in 31 years. This means cost-benefit assessments extend well beyond migration admissions and quotas and must include a consideration of permanent settlement.

Whereas vulnerable people tried to get to the Balkans from Germany during World War II, or fled from Serbian ethnic cleansing in the 1990s to countries such as Hungary, the route today is reversed, as refugees from the Middle East and Africa try to get to Serbia on their way to Austria and Germany. Asylum-seekers headed for Europe often start in Greece, which they can reach via a short boat trip from Turkey. Then they move on through Macedonia and Serbia and into Hungary, where thousands have been crossing the border every day, crawling over or under a razor-wire fence meant to keep them out. Most go from there to other countries in the EU, sometimes paying smugglers to drive them. The danger of drowning has led migrants to increasingly seek land routes to Europe, especially through the Western Balkans.

The unprecedented number of deaths among people trying to reach Europe, which exceeded 2,500 in 2015 alone, reveals that all routes, by land or sea, have been closing. The reintroduction of archaic border fences by countries such as Spain (in its North African territories of Ceuta and Melilla), Bulgaria (on its border with Turkey), or Hungary (on its border with Serbia) has been designed to keep unwanted flows out, and as far away as possible. As a result, refugees seek alternative, dangerous routes through the Arctic Circle via Russia to the Nordic countries, or through harsh deserts, the Gulf of Aden, or the Red Sea to other unlikely countries that are culturally distant, such as Israel, Ethiopia, and Iran; or to others like Jordan, Malaysia, and Pakistan, which are not signatories of the Geneva Convention. And of course, despite the lukewarm reception in some

countries, many still come to Europe. If they are lucky, some make it even farther, to Australia, the United States, and Canada.

GRAY AREAS

As the empirical and political redefinition of refugees outpaces legal definitions, scholars and policy makers alike are forced to reconsider the old distinctions between voluntary (mostly economically driven) and involuntary (humanitarian) migration. It is increasingly apparent that the refugee crisis is also a migration crisis. The elusiveness of policy categories not only deflects institutional responsibility, it neglects the gray areas which include unaccompanied minors and victims of natural catastrophe, trafficking, female genital mutilation, and other forms of discrimination. An untold number of those people fall through the terminological cracks in definitions of protected status.

How long can legal definitions maintain the differences between those who flee persecution on the basis of race, nationality, religion, or belonging to certain political or social groups, and those who flee other life-threatening events such as food insecurity, gang wars (which have driven unaccompanied children from Central America), or economic displacement? The link between climate change and massive human mobility goes beyond boundaries, as do civil strife, sustainable development issues, and other “new security” threats. Population movements are driven by compounding factors. Among the initial sparks for the imploding ethnic and sectarian conflicts in Syria and in Sudan’s Darfur region were severe droughts and other ecological shocks, which aggravated fierce economic competition for scarce resources.

The definition of refugees has expanded in scope and complexity, and so have the potential solutions. Yet legal formulations have not been keeping pace. According to some estimates, there are now approximately 60 million uprooted, forcibly displaced, or stateless persons around the globe (equal in population to some of the larger European countries), most of whom are precluded from seeking the protections of existing legal rights. The scale of this problem obliges states to address the changing notions of refugee status and to align them with empirical realities.

The task for the international community is to uphold and adjust legal standards to meet the times. This involves bridging the enormous

gap between generalized threats such as gang warfare, climate displacement, and food insecurity (which are not covered by the Geneva Convention), on the one hand, and narrowly defined forms of persecution, on the other. It also requires attention to the failure to uphold legal principles ratified by the world community. Policy responses that include detention, deportation, or *refoulement* (the return of refugees to a country where they face persecution) represent a slow erosion of liberal norms set out by international and supranational instruments such as the UN Refugee Convention, the Schengen Agreement, the Dublin Convention, and the Convention Against Torture. They also prevent any meaningful policy fixes.

LONG-TERM SOLUTIONS

Most scholars and observers of the post–World War II period have concluded that liberal principles are embedded in the evolution of the contemporary Western world. The principle of free movement of all factors of production has dominated the prevailing discourse. Globalization and regional economic entities such as the European Union have ensured efficient flows across borders. Liberal markets presupposed Adam Smith’s “invisible hand,” assuming that the international system would neutralize inequalities and find equilibrium if the poor regions could send their impoverished risk-takers to faraway capital-rich ones. Liberal norms for international mobility were institutionalized in the Bretton Woods system, facilitating efficient flows of foreign or guest labor.

In the same spirit of postwar thinking, human rights norms sought to ensure compassionate migration flows. While the Geneva regime instituted refugee protections of non-*refoulement* and nondiscrimination, international human rights instruments guaranteed basic protections to all individuals regardless of citizenship.

But the breakdown of the Cold War system has unleashed new dilemmas for the world, testing the liberal paradigm on which the current migration-asylum equilibrium has rested. The increasing inclination of national governments to view refugee and migration questions through the prism of national security has both compelled and repelled greater bilateral and multilateral coopera-

tion. The security paradigm has disclosed a series of paradoxes and unintended consequences looming in the background of refugee politics.

Before celebrating international cooperation and further integration, we need to recall that unlike other areas of globalization (such as trade), cooperation among states on human mobility has been largely based on restrictive policies. Indeed, with specific exceptions, such as the US Bracero program for Mexican guest workers from the 1940s to the 1960s, cooperation on migration has predominantly existed in the form of prevention. This is also true of refugee policies. In the EU, these have been less about establishing a common European asylum system and more concerned with reducing migration pressures.

Long-term perspectives should factor in lessons learned; international cooperation may be more compatible with national interests than is often presumed. Contrary to conventional theories of globalization and regional integration, cooperation may bolster, not compromise, state sovereignty. International and transnational organizations can serve as an opportunity for increasing, rather than constraining, the regulatory power of nation-states. States may deal more effectively with migration challenges by joining international or supranational institutions like the EU.

The tendency to outsource refugees to other countries that are already crumbling in the Middle East or elsewhere is short-sighted. The presence of 4–6 million homeless and stateless people undermines the goal of helping to stabilize those compromised countries, to which rejected asylum seekers reluctantly return or where they are stranded on the edge of society. It is rather duplicitous to offer development aid and humanitarian assistance, as the European Neighborhood Policy has done, to strategic partners like Ukraine, Libya, Morocco, Tunisia, Egypt, and Turkey—countries hardly known for their civil rights records—to help them monitor migrants and asylum-seekers. Beyond the human toll, the prospective costs, in terms of the further regional destabilization that comes with growing numbers of stateless and displaced persons, are immeasurable.

Finally, the piecemeal attempts to tackle the refugee crisis have belied the externalities of migration policy. The growing interdependence of

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migration with other policy domains means that outcomes are contingent on developments in other areas, from foreign affairs to welfare policy. Long-term solutions require holistic and comprehensive approaches that include diplomatic and military engagement, social and cultural integration, labor and demographic considerations, development aid, and environmental protections. They also require extending burden sharing (beyond financial assistance) to include more affluent countries in the area such as Saudi Arabia, the United Arab Emirates, and Qatar, and outside the region, such as Japan, Singapore, Russia, and the United States.

An alternative to disengagement in unstable regions of the world is population movement outside of them. In today's world, power is no longer commensurate with military might. Non-state actors such as the Islamic State (ISIS), al-Qaeda, and Boko Haram, as well as states with poor military infrastructure, can deploy what the political scientist Kelly Greenhill calls "weapons of mass migration." Global strategies therefore need to attend to the insidious psychological trauma among uprooted, suffering, and marginalized peoples. The antidote to jihadist ideology is to prevent extremism and alienation at home.

Short-term fixes to current crises undermine long-term solutions in an increasingly interdependent world. The double-edged sword of globalization is both a boon and a hindrance to international migration. The expanded regulatory apparatus for migration includes global high-tech surveillance, cross-border intelligence, and real-time databases and information systems that are equally available to sophisticated smuggling networks. Desperate refugees may also rely on smartphones and social networks, a striking feature of the current exodus.

The massive flows of Syrians that dominate today's headlines are fleeing ISIS and a brutally oppressive regime at the same time. Ultimately, amid lagging rates of minority integration by the multicultural societies in the West, they may be abandoned to the alienation and hopelessness that feed radicalization and help terrorist organizations recruit. A responsible and holistic approach to integration needs to address threats including growing populist parties, the radicalization of alienated youths, and domestic violence, along with rising economic disparities. When globalization's own weapons are turned against itself, they threaten to undermine its core liberal values. ■