We Are All Refugees

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When we think of durable solutions for refugees we first think of return to country of origin through voluntary repatriation. This solution has been favoured by UNHCR and is the one which intuitively makes the most sense. The most reasonable solution to the refugee problem is to try to return refugees to a situation that existed before the upheaval which caused them to flee. Return through voluntary repatriation attempts to reconstitute the past by re-integrating the refugee into the community that existed for the refugee before exile.

On the other hand, if the situation in the country of origin cannot be so reconstituted, the durable solution of asylum involves integration and adaptation into a society that is foreign to the refugee. Attempts at integration and adaptation focus on trying to reconstitute, in another context, the community atmosphere that existed for the refugee in the country of origin. Voluntary repatriation to community in the country of origin is the ideal solution; asylum attempts to transfer that ideal elsewhere.

The durable solutions of voluntary repatriation and asylum assume that the refugee needs some form of roots, some form of community. The obvious solution of return to country of origin envisions a return to the original community. The durable solution of asylum assumes that the refugee will eventually integrate into the host country in such a way that the original community will be reconstituted as much as possible. Both voluntary repatriation and asylum postulate a need for community on the part of the refugee.

In a brief essay in an earlier issue of this journal, I indicated my uneasiness with Gervase Coles' argument for a return to community.[1] I argued that the notion of community is not as static and problem-free as Coles would have us believe, and that recent communitarian

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[1] Warner, D., 'The Community of the Refugee,' 3 *IJRL* 731–4 (1991).

criticisms of liberalism have been unclear in their definitions of community and the implications of its meaning. Here, I will try to develop further my analysis of communitarianism by looking at the need for community and the assumptions behind that need. At a time when many European countries are reacting strongly against refugees in the name of preserving their communities, it is important to review what community and home mean, both for the refugee and eventually for the community into which the refugee will be integrated. Earlier, I called into question the meaning of community; here I call into question discussions on the need for community; the first essay questioned what is a community, this essay questions what is the search for a community.

The implications of community and home can be analysed in light of the differentiation between refugees and non-refugees. By focusing on the differences between refugees and non-refugees, the differences between the two groups are accentuated, and eventually also the differences in their needs and desires. Following the categorization of one group as refugees, rather than non-refugees, we can say that the community for one group may not be the same as for the other. Refugees, having lost their identity because of upheaval and exile, have a different need for community and home than do non-refugees who continue to live in their country of origin. The very categorization of someone as a refugee implies that their loss of identity is distinguished from and opposed to the identity problems of those who have not lived through upheavals causing exile and refugee status. By focusing on the similarities between the need for community of refugees and non-refugees, however, the differences between refugees and non-refugees will appear to be less dramatic than is sometimes suggested.

Similarities and differences between the needs for community of refugees and non-refugees are predicated on fundamental distinctions. For the purpose of asylum, the legal differentiation between refugees and non-refugees is crucial, which explains continuing debate about the refugee definition. The narrow and broad approaches, symbolized by the 1951 Convention/1967 Protocol on the one hand, and the 1969 OAU Convention and the 1984 Cartagena Declaration on the other hand, have specific advantages and limitations. The narrow definition allows that once a person has been determined to be a refugee, and not an economic migrant, international refugee law can serve its protective function. The narrower the scope of refugees, in other words, the greater the depth and resources of protection for that group. The disadvantage is that the full weight of protection falls to a limited category. The broader definition obviously includes more people and is flexible enough to deal with situations not envisioned when the

original definition was drafted. Its disadvantage is that, because of its flexibility, it carries less weight with respect to the depth of international protection. More people can be included, but they may be less protected. The narrow definition affords a limited group maximum protection, the broader definition allows a wider group limited protection.

These well-known arguments have been presented in numerous fora, and the 'Great Debate' goes on: Should the 1951 Convention be amended? Which definition has priority? The central issue is the scope of those to be included in the category of people recognized as refugees. The act of categorization necessarily implies that refugees possess certain characteristics, or are in a certain position, that clearly separates them from others, if only for legal purposes.

But how valid is the basis of this debate, and the 'separation' of refugees from others into a specific category? The definitions of refugees highlight the otherness of refugees, for which there are certainly valid historical and political reasons. People were placed in a specific category as refugees at a time when many were defenceless. Refugees were not separated as much as they were recognized as being in a situation without adequate protection. But this otherness, this opposition to those who were able to protect themselves (or to avail themselves of government protection), was part of a specific upheaval that occurred in a particular time and place. The physical situation of those categorized as refugees after World War Two was strikingly different from that of those who were able to avail themselves of government protection. The differences between insiders and outsiders were manifest and the legal necessity of recognizing the separateness of a group was obvious.

Without prejudicing the necessity of placing certain persons in the category of refugees because of the manifest differences between those who do and those who do not have protection, and the legal importance of differentiating between refugees and non-refugees for reasons of asylum, an opposite track in the relationship between refugees and non-refugees is nevertheless feasible, and there are implications beyond legal definitions. Although refugees were and are recognized as a specific category of people distinct from others, current literature on our (post) modern situation shows striking similarities between the universal condition and the plight of refugees. Going beyond the specificity of the legal definitions, we can discern the universality of the refugee situation, and how the otherness of refugees can be refuted without prejudicing the need of certain people for international legal protection. This does not entail our re-integrating refugees into a universal category, but seeing how those outside the refugee category are similar to refugees. The situation of the refugee becomes the basic

norm and we, the outsiders, disclose our similarity. The differentiation between refugees and non-refugees diminishes as we see the important ways in which we are all refugees.

Homesickness and Homelessness

William Connolly describes one aspect of modernity, homesickness, and its relation to politics through the writings of Nietzsche. Connolly states quite forthrightly that 'Modern thinkers . . . demand a solution to homesickness',[2] and in explaining the basis of this homesickness, he points to certain basic aspects of the human condition that have been unfulfilled since the death of God. Connolly posits this modern predicament, as defined by Nietzsche, in terms that are very close to the outsiders' traditional understanding of the discontinuity of the refugee experience:

> The drive to establish commonalities and to seal them in truth is well grounded in the human condition as Nietzsche defines it. It is grounded, first, in the essential incompleteness of the human before it is given social form; second, in the practical requirements of coordination among beings whose activities would not mesh without social rules enforced by moral and civil sanctions; third, in the restrictive provision of socially established identities in any structures way of life; fourth, in the character of beings who must reduce much of the common life to implicit rules, routines, habits traditions and recipes to avoid overloading their limited capacities of conscious reflection with too many explicit rules and conventions; fifth, in the dense medium of language through which a common world of standards and judgments is crystallized; *sixth, in the psychic disturbance which wells up when the conventional character of socially established identities, implicit standards and explicit norms is exposed.*[3]

The problem which intrigues Connolly, and on which he focuses his discussion of Nietzsche, is the extent to which the posited basic urge to find a home in the world can be called into question. That is, the modern search for community may be a nostalgic search that has no solution. I have previously criticized Gervase Coles for his lack of clarity in defining the community referred to when he speaks of the refugee's right to community; here the criticism is that the very notion of community as an ultimate solution may be wrong, as indeed may be the very notion of an ultimate solution and the search for it.[4]

[2] Connolly, W.E. *Political Theory & Modernity*, Oxford, Basil Blackwell, (1989), p. 137.

[3] Ibid. p. 138; emphasis added.

[4] In *An Ethic of Responsibility in International Relations*. Boulder Colo; Lynne Rienner, 1991, at p. 128, I wrote: '[R]esponsibility as responsiveness means piercing the veil of the state and piercing the hermetic seal around its borders . . . [O]ne could imagine borders being like permeable cell walls allowing people to move in and out freely until an equilibrium—homeostasis—is achieved.' In reply, Hathaway commented that, 'Liberal absolutism of this kind,

Connolly goes on to say:

These requirements and demands demarcate the human as the 'herd animal.' They join with one additional feature to fix it as the 'sick animal.' For if the human is the animal which requires social formation and coordination to fix itself and its conduct, it also encounters elements of resistance in itself to any specific form imposed upon it. It thus becomes the animal which requires reasons to live this way rather than that and then demands that these reasons too have their reasons. *Its sickness resides in its quest to reach the end of a trail which has no terminus.*[5]

Thus, whereas we feel that we should have a home or be at home, just as people feel that the best solution for refugees is repatriation, the search for a home is infinitely more complex than a territorial integration. The search for a home and shelter in refugee language is usually a physical problem. But the search for a home is a more profound search, that is not necessarily tied to a specific place. Connolly quotes Nietzsche on the modern wish to find a home in the world and the separation of the physical sense of home from the feeling of being at home:

We who are homeless—Among Europeans today there is no lack of those who are entitled to call themselves homeless in distinctive and honourable senses: it is to them that I especially commend my secret wisdom and gaya scienze . . . We children of the future how could we be at home in this today? We feel disfavour for all ideals that might lead one to feel at home even in this fragile, broken time of transition. The ice that still support people today has become very thin; the wind that brings the thaw is blowing; we ourselves who are homeless constitute a force that breaks open ice and other all too thin 'realities'.[6]

The homeless, therefore, are not necessarily those without territorial place, although the two can be easily confused. As Connolly stated concerning homesickness in another context, 'It is a homesickness that construes correspondence between the scope of troubles and a territorial place of action to form the essence of democratic politics. It is nostalgia for a politics of place.'[7] In his essay on Nietzsche,

with its implied advocacy of constant social flux and volatility of community, may simply not be consistent with the human need for meaningful solidarity.' See Hathaway, J.C., 'Reply to Warner,' 5*Journal of Refugees Studies* 169 (1992). However, Hathaway has misconstrued the human need for community and the ability of the individual today to fulfil that need. My description of mobile, issue-specific communities points to the difficulty of finding a final, permanent, stable community. Connolly's invocation of Nietzsche's homesickness is one step further away from the kind of stability implied by expressions like durable solutions and right to community.

[5] Connolly, above note 2, p. 138; emphasis added.

[6] Nietzsche, F., *The Gay Science.* Translated by Kaufmann, W. New York, Vintage Books, (1974), n. 377, p. 338, quoted in Connolly, above note 2, p. 141.

[7] Connolly, W.E., 'Democracy and Territoriality,' in *Millennium: Journal of International Studies*, Vol. 20, no. 3, Winter 1991, p. 464.

Connolly further develops this nostalgia by redefining it in these terms: 'The demand for self-knowledge presupposes a fit between inner life and the public resources of language, between the structure of desire and the logic of articulation.'[8] The transposition of the territorial place takes place when the mind/body dualism is theoretically realized within one's own community. That is the nostalgia in Coles' version of community, apparently a community wherein the desire for self-knowledge can be most easily integrated and fulfilled.

Connolly examines Nietzsche's position that this drive for integration/self-knowledge can never be fulfilled, either by remaining in or returning to a specific place, or in some individual search for self-knowledge. In Connolly's exegesis of Nietzsche, the situation of modernity is such that even if we were able to remain within the pre-modern understanding of community, we would still be strangers to ourselves. Connolly cites Nietzsche:

> 'Self-knowledge' simultaneously lifts the self to a more complex level of social subtlety and subdues that which does not fit into the elevator: 'So we are necessarily strangers to ourselves, we do not comprehend ourselves, we have to misunderstand ourselves, for us the law, 'Each is furthest from himself' applies to all eternity—we are not 'men of knowledge' with respect to ourselves.'[9]

It is this notion of 'strangers to ourselves' that characterizes Nietzsche's description of the modern condition that is so similar to discussions of the refugee situation. When we talk of durable solutions for refugees, in terms of voluntary repatriation or integration and adaptation in exile, we assume that there has been some form of disjuncture between a 'normal life' and the refugee situation. Once the durable solution has been enacted, we assume that there is some form of finality to the situation, that normalcy has returned. We assume that the return to place through repatriation will naturally lead to fulfilment through articulation and integration, just as we assume that integration and adaptation will serve the same function in a foreign country after exile and asylum. Connolly, through Nietzsche, is saying that this is not so. Even though the refugee has been disjoined from his or her traditional place, the disjuncture between self and 'home' existed before flight and will exist after flight, whether there is voluntary repatriation or asylum. It is this disjuncture which causes the refugee and non-refugee to be similar. If the refugee is searching for a 'home', so are we all, 'we' being those who have not been forced into exile.

[8] Connolly, W.E., above note 2, p. 148.

[9] Nietzsche, F., *On the Genealogy of Morals.* Translated by Kaufmann W. and Hollingdale, R.J. New York, Random House, (1969), section 1, p. 15, quoted in Connolly, above note 2, p. 149.

Connolly's analysis of Nietzsche and the politics of homesickness opens up new avenues of reflection. It questions the radical split between the situation of the refugee and the non-refugee by allowing us to see that we all have a certain homesickness that cannot be fulfilled. No matter where we are, even in our countries of origin, we are all strangers to ourselves. But where does this realization lead us? On the one hand, it should lead non-refugees to have more compassion for refugees, in that instead of having sympathy for them, we can empathize with them. Secondly, in terms of solutions, it allows us to realize that while certain physical solutions are preferable, namely, voluntary repatriation, the situation of the individual today in longing for a 'politics of place' is not a final solution to homesickness. Durable solutions are one crucial level of protection that cannot be underestimated. But, in Nietzsche's terms, we should not stop at these 'solutions' in our analysis of the refugee situation, for the very nature of solutions is more complex than traditional refugee vocabulary allows. Durable solutions are solutions to one level of problem, just as legal definitions serve one level of problem, such as asylum. We should recognize the limitations of these solutions.

All this may be comforting to the refugee, but it should be frightening to the non-refugee. If we realize that we are similar to refugees, we also must realize that the protected home that distinguishes us from refugees is only an illusion. I repeat Connolly's description of the sixth grounding of the drive to establish commonalities according to Nietzsche: 'The psychic disturbance which wells up when the conventional character of socially established identities, implicit standards and explicit norms is exposed.' The finiteness of identity is at the core of the modern identity crisis. If we are to take the situation of the refugee seriously, as we take our own situations seriously, then we should not be condescending to those who have been physically uprooted. We are all caught within the tensions and uncertainties of modernity, whether we are categorized as refugees or not. The categorization of others as refugees allows us to ignore the dynamics and uncertainties of our own existence. We explain certain psychic trauma by the refugee experience, and, in a way, cast off the demons which exist in each of us. 'They' have these insecurities or syndromes because of their experiences; I should not have them because I have not had similar experiences. I can only sympathize with the refugee; I cannot empathize.

What would happen if the refugee interviewed the government official? Would the official be able to comprehend that many of his or her deepest longings were the same as those of the refugees, but without the physical dislocation? Would UNHCR field officers understand that their own doubts were the same as the refugees'? Perhaps

the government official and the UNHCR field officer do understand, and that is why they have chosen their professions.

To say that we are all refugees is to say that we are all strangers to ourselves. To categorize certain people as refugees suggests that we deny the refugeeness inside us all, or deny the 'normalcy' that is part of all refugees. Categorizing people as refugees serves an important legal function. It allows millions of people the right to international protection which they may otherwise not enjoy. On the other hand, the categorization delimits one group from another, creating insiders and outsiders. This brief essay has argued that the bridge between the two groups is shorter than one may imagine, and that the solution to the 'refugee experience' may be more complex, as, indeed, is the solution to our own existence.