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Redefining Security In The
Post-Cold War Era:
Germany and The Refugee Crisis

Brigitte H. Schulz

**REDEFINING SECURITY IN THE POST-COLD WAR ERA:
Germany and the Refugee Crisis**

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I. Introduction

For much of modern history, 'security' has been defined principally in military terms. The perceived threat to the well-being of any society thus came from enemy countries sending their armies to invade peaceful neighbors and upsetting the political and economic status quo. Militarily inflicted destruction has been particularly heavy in the 20th century, which Raymond Aron has referred to as the 'century of total war.' Weaponry has become ever more deadly and the distinction between soldiers and civilians ever more blurred. Indeed, the premise of the Cold War was to prevent another outbreak of war in Europe by both sides arming themselves with the means of 'mutual assured destruction.'

In the Cold War era, the superpowers had neatly divided the world between themselves. Under the military umbrella of the United States, Western Europeans began to construct plans for economic and political union culminating in a radically altered vision of the EC-12 beginning on 1 January 1993. For Western Europe, the manaechean world of the post-World War II era thus brought unprecedented progress toward a unified continent. Largely forgotten by the masses in the West was that this continent was divided. The fact that people living in the Eastern half would not be able to partake in the feast was mainly of rhetorical concern. As Simone Veil said in a recent interview: "In the past, we lived between the Atlantic and The Wall. We would shed a tear for the misery of those in the East, but the situation was frozen."¹

¹"At East-West Crossroads, Western Europe Hesitates," The New York Times, 25 March 1992, p. 1.

In the winter of 1989/90 that cozy vision of a united Europe comprised of the 12 western-most states came radically and rapidly undone. Already worried about a huge influx of people from non-European areas, Western Europeans have begun to talk and act like people overrun by foreign hordes from all sides. The whole notion of what constitutes 'security' thus has also changed from a concern about Soviet SS-20 and American cruise missiles to how to maintain the high standard of living within the European Community in light of the real and imagined migrations into the area. Insecurity thus is no longer defined primarily in terms of military hardware but, as Stanley Hoffmann has noted, now "derives from the hardly understood workings of the global economy, and includes poverty, overpopulation, and migration."²

It is our working hypothesis that the collapse of communism in Eastern Europe only hastened the contradictions inherent in the present world political and economic order which manifest themselves, among other things, in an increasing flow of refugees to the rich industrialized countries of Europe, with Germany being the preferred destination. Indeed nowhere else in Western Europe have the events of the last three years been more profound than in Germany, and nowhere else on the continent is the radical redefinition of security more apparent than in the Federal Republic. This paper will thus look at the 'refugee crisis' in Germany, which now dominates opinion polls as the principal threat to the country's safety and well-being.

The term crisis normally connotes a temporary or short-term situation. For the

²Stanley Hoffmann, "Delusions of World Order," The New York Review of Books, April 9, 1992, p. 37.

purpose of this paper, however, we accept Immanuel Wallerstein's definition; i.e., that a crisis is a

circumstance in which an historical system has evolved to the point where the cumulative effect of its internal contradictions make it impossible for the system to "resolve" its dilemmas by "adjustments" in its ongoing institutional patterns. A crisis is a situation in which the demise of the existing historical system is certain and which *therefore* presents those found within it with a real historical choice: what kind of new historical system to build or create.³

The term crisis is thus used in this paper to convey the sense of having arrived at a critical juncture in history, in which roads taken or not taken will profoundly influence the course of future developments.

In the first section of the paper we will briefly trace the history of human migration and refugee flows, with a particular emphasis on the 20th century. We will also look at the institutional mechanisms established for dealing with 'refugees,' both globally and in Europe. The second section takes a look at the situation in Germany with regard to refugees since the collapse of communism in the winter of 1989/90. We will conclude by addressing the question of why the issue of migration has suddenly emerged as a key security issue on the European continent.

II. A Brief History of Human Migration

"Man is a mobile creature, capable of enquiring, susceptible to suggestion, and endowed with imagination and initiative. This explains why, having conceived of the notion that his wants might be satisfied elsewhere, he may decide not merely on going there but also on the means by which his project can be achieved." ⁴

³Immanuel Wallerstein, Geopolitics and geoculture: Essays on the changing world-system, Cambridge: Cambridge University Press, 1991, p. 104.

⁴BJ. Beaujeau-Garnier, Geography of Population, 1966, quoted in: G.J. Lewis, Human Migration, New York: St. Martin's Press, 1982, p. 1)

Migration is clearly an integral part of human history. In fact, before our human ancestors began settled agriculture about ten thousand years ago, migration to hunt for food was the mode of survival. Although lives became settled after the neolithic revolution, human migration persisted in times of emergencies, caused either by natural disasters or warfare. As pointed out by Safa and Du Toit long ago, ultimately migration

today is part of a world-wide process of urbanization and industrialization which has brought about severe dislocations in the national economy of advanced industrialized as well as developing Third World nations. Migration is no longer limited to shifts of families from country to city, but now involves wholesale population movements across national boundaries and into different cultures and economies.⁵

Beginning with Columbus sailing the ocean blue in 1492, an unprecedented trans-continental migration began, which made Europe a net exporter of people for almost five hundred years. Between 1845 and 1924 alone, 50 million people moved to the Western hemisphere, most of them from Europe. At that time the world's population was only slightly more than 1 billion.⁶ The point here is to show that there is nothing unique or new about huge migrations of people. What is new is the creation of nation states and permanent closing of frontiers which turn migrants into 'asylum seekers' and 'refugees' whose case is

⁵Helen I. Safa and Brian M. Du Toit, eds., Migration and Development: Implications for Ethnic Identity and Political Conflict, The Hague: Mouton Publishers, 1975, p. xi.

⁶J. Widgren, "South-North migration and its political and humanitarian implications for Europe," in: W. Linder, ed., The European Challenge, Zurich: Schweizerisches Institut für Auslandsforschung, 1989, pp. 51-52. Lewis, op.cit., p. 35, gives a number of 60 million migrants from Europe alone between 1846 and 1935, with over half settling in North America.

decided upon by impersonal bureaucracies inside the various countries.⁷ Quota restrictions have been standard in most of the world's immigrant nations since the 1930's, thus strictly limiting the numbers of trans-national migrants.

Coinciding with this development has been the rise of absolutist ideologies and virulent xenophobic nationalism.⁸ This has led to a new form of migrant: a person who is forced to leave his/her home involuntarily for reasons of political or national persecution. It is the act of fleeing from political persecution which, in fact, informs the 20th century definition of a refugee; i.e., a person who

as a result of events occurring before 1 January 1951 and owing to 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, unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.⁹

This definition of what constitutes a refugee, as anchored in the Convention Relating to the Status of Refugees, was passed by the international community in 1951. It is already

⁷I am reminded of a news account about a decade ago in which a native American took an Alitalia flight to Rome, went straight to the center of the city, put up his teepee and roped off an area around it for protection. With a growing crowd watching, the native American was approached by a policeman who informed him that camping on the city park was illegal. The native American responded that he had just 'discovered' this part of the world and that this plot of land was now his. He was put on the next flight back to his native America.

⁸As Zolberg *et al.* have pointed out in their excellent study of the global refugee problematic, the recognition of asylum seeking as a special phenomenon originated in Europe several centuries ago, coinciding with the reformation and the emergence of the modern nation-state. See Aristide Zolberg *et al.*, Escape from Violence: Conflict and the Refugee Crisis in the Developing World, New York: Oxford University Press, 1989, pp. 5-18 for an historical overview.

⁹UN refugee convention of 1951, cited in W.R. Smyser, Refugees: Extended Exile, New York: Praeger, 1987, p. 11.

clear from this definition whose protection the world's leading countries had in mind; i.e., Europeans who had become victims of both fascism and Stalinism. In 1951 also the office of the UN High Commissioner for Refugees (UNHCR) was established, initially for a three year period.

Twice in this century European politics had produced huge refugee problems; once in the aftermath of WWI (collapse of the last remaining feudal empires and the Bolshevik revolution), and fascism and WW2. It is estimated that by the mid-20s, there were almost ten million refugees in Europe, while WW2 produced about 30 million refugees between 1939 and 1945. By 1945, 11 million of these were still outside their own countries.¹⁰

Although the UNHCR in 1967 removed the 1951 clause from the refugee convention, the essential original prerequisites for qualifying for refugee status remain. The principal guarantee of safety for a refugee is to be granted asylum, which comes from the Greek word *asylon*, meaning inviolate shelter. Thus people fleeing from persecution ask for asylum in another country, hoping that they will not be returned forcibly. There is actually a prohibition against forcible return called *non-refoulement* which acts as a close corollary to the refugee principle. It is important to point out, however, that neither asylum nor protection from forcible return are guaranteed an individual under international law. People seeking asylum thus are dependent upon the approval of refugee status by the host country.

Until the early sixties, most refugees and asylum seekers in Europe were actually Europeans. Even by the early eighties, two thirds of the 700,000 refugees to Western

¹⁰Zolberg, op.cit., pp. 18 and 21.

Europe came from Eastern Europe.¹¹ Those few non-Europeans who actually managed to acquire refugee status in Europe came principally from Indochina and Chile after the '73 coup. Their arrival was approved in advance since they tended to come through a quota system under the auspices of the UNHCR.

While Europe gradually solved its own refugee problems, there was an utter explosion of situations around the globe which produced unprecedented numbers of people fleeing their homes and seeking refuge elsewhere. Twenty years ago, there were 'only' 2.5 million refugees worldwide. A decade later there were 8.2 million.¹² Today there are 17 million refugees plus another 15 million displaced inside their own countries. Most refugees are in the developing countries: Oceania 110,000, Asia 516,000, North America 982,000, Latin America and the Caribbean 1.2 million, Europe 1.3 million, Africa 5.9 million, and Southwest Asia and the Middle East 7 million.¹³ As these figures reflect, most of the refugee flows are South-South, caused by wars, famines, droughts, floods, etc. In addition, almost 80% of the world's refugees are women and children.¹⁴

While most refugees have moved from one developing country to a neighboring one, there are increasing numbers who embark on a South-North migration. An important

¹¹Zolberg, *op.cit.*, p. 280.

¹²*Die Zeit*, 19 April 1991, Interview with Sadako Ogata, new UN High Commissioner for Refugees.

¹³Undated 1992 Information Brochure published by the UNHCR.

¹⁴*Refugees*, Apr 91, p. 10. Genevieve Camus-Jacques discusses the special problems of this group in "Refugee Women: The Forgotten Majority," in: Gil Loescher and Laila Monahan, eds., *Refugees and International Relations*, Oxford: Oxford University Press, 1989, pp. 141-158.

difference between them and earlier refugees is that their travels have become what experts call 'irregular movements,' i.e., they do not arrive in the North under the auspices of the UNHCR and a quota system that has allowed them entry in advance. Instead, they are the "jet people" who take trans-continental flights to the rich countries of the North and apply for asylum as soon as they arrive at their destination.

One problem in dealing with the massive increase in refugees globally is that the international refugee regime was initially set up to protect European refugees fleeing from political repression associated with dictatorial regimes. Refugee policy in fact emerged as an important element of the West's cold war ideology which served an important propaganda function.¹⁵ The pictures of people fleeing from communism were a welcome reminder to populations in the West that socialism is evil. Refugee policy was thus never based first and foremost on humanitarian principles but instead was deeply embedded in the foreign and domestic policies of the world's most powerful nations. It follows that refugee status was granted on the basis of an assessment of the country from which the person had fled; i.e., from communism or a pro-Western dictatorship. That "Cuban-Haitian syndrome" to this day informs many governments' decisions on who qualifies for refugee status.

¹⁵For example, see National Security Council, "Psychological Value of Escapees from the Soviet Orbit," Washington, D.C., 29 March 1953: "Escape of people from countries in the Soviet orbit inflicts a psychological blow on communism." Quoted in Zolberg, *op.cit.*, p. 273.



It is the group of asylum seekers from the South which led to a growing sense of alarm in Western Europe throughout the eighties. In 1983, 69,000 asylum seekers were registered in all of Western Europe, a number which rose to 103,000 in 1984, 170,000 in 1985 and 200,000 in 1986.¹⁶ By the mid-eighties the flow of refugees from the East had diminished to a mere trickle of a few thousand annually.¹⁷ Instead, Europe was now confronted with a flood of humanity from the southern hemisphere, bringing with it its own

¹⁶Smyser, *op.cit.*, p. 94. The term 'jet people' is borrowed from Chapter 6 in Smyser's book.

¹⁷Only roughly 100,000 citizens of the former Warsaw Pact countries were granted exit tourist visas by their governments for travel to Western Europe in the mid-80s. *Refugees*, April 1991, p. 16. Most of these returned as they often belonged to the privileged stratum in their communist homelands or had to leave behind members of the immediate family to assure that they would return home.

culture and traditions. As Roger Kaplan has pointed out, these new arrivals, having been born into the postcolonial world, have been much less willing to assimilate European culture and cling to their own ways of doing things.¹⁸ This, in addition to traditional European racism and xenophobia, led to a variety of responses on the part of Western European governments in the mid-eighties, all with the goal of somehow limiting the arrival of refugees from the South.

One response was to make it increasingly difficult for foreigners to arrive in Europe in the first place. This meant placing fines on airlines which take on passengers without checking their passports for valid visas. Some countries, such as the United Kingdom and Germany, created so-called 'international zones' at their international airports in which it would be possible to keep asylum seekers under strict detention.

Another response, and one which was most cynically received by the Third World community, advocated the regionalization of the refugee crisis; i.e.,

each region of the world would be responsible for solving its own refugee problems. Western Europe would give asylum to persons from Eastern Europe, but countries in other parts of the world would be the principal agents in solving the problems of their particular region.¹⁹

This meant, of course, that Western Europe was reasonably safe from massive migrations due to the Iron Curtain to the East and oceans to the West and South. It also showed that Western Europe was seeking to keep out those who were racially or ethnically different. In recognition of this, the UN High Commissioner for Refugees convened two special

¹⁸"Through Kofi's Eyes," The Atlantic Monthly, Vol. 269, No. 4, April 1992, pp. 34-47.

¹⁹Smyser, op.cit., p. 101.

consultations with Western European countries in 1984 and 1985, one on "Xenophobia" and the other on "Asylum in Europe." Once again in 1987, representatives from Austria, Belgium, Denmark, France, Germany, Great Britain, Netherlands, Norway, and Sweden met with the High Commissioner in Gerzensee, Switzerland, to discuss the refugee situation. Simultaneously, the European Community sought to come up with a coordinated visa and asylum policy. According to Smyser,

the mood in all European countries was so hostile to asylum seekers and the pressure for agreement so strong that there was a risk that any international standard would be set at the level of the most restrictive country rather than at a more generous level.²⁰

Thus to speak of this as a refugee policy is almost a misnomer. What the EC was really seeking to do is finding ways of keeping refugees out.²¹

The main point here is, however, that the 'refugee crisis' in Western Europe did not begin with the collapse of communism in the winter of 1989/90. It has been a rapidly escalating movement of people from South to North based on what Johan Galtung many years ago called the 'structural violence' which is part of the global economic system.²² This idea that the 'root cause' of the crisis should be located in a fundamentally unjust international economic order is of course completely rejected by the main beneficiaries of this system; i.e., the industrialized countries of the North. Instead, they tend to locate the reasons for massive migration on internal factors having to do with repressive national

²⁰Smyser, op.cit., p. 101.

²¹This point was also made in a recent editorial entitled "Asyl in Europa" in the Süddeutsche Zeitung, 3 February 1992, p. 4.

²²Johan Galtung, "Violence, Peace and Peace Research," Journal of Peace Research, 6 (1969), pp. 167-191.

governments. This position appears to overlook the close interconnection between internal repression and the external environment and to treat dictatorships in the so-called Third World simply as expressions of local political immaturity. The South, on the other hand, has consistently pointed to the West's complicity in supporting repressive regimes as long as these were willing to cooperate in the perpetuation of the existing world economy.

The debate about 'root causes' entered the United Nations about a decade ago, when the General Assembly's Special Political Committee began to debate the refugee crisis. The initial impetus came from a Western insistence to discuss the "mass expulsions" of Vietnamese boat people from their home country. This was expedient for Western governments since these Vietnamese refugees fit nicely into the traditional definition of a refugee as someone fleeing from communism. According to Zolberg, the West German representative took the lead in the UNs deliberations by arguing that "man-made mass outflows were caused by deportation and willful discrimination against groups of people on the basis of race, religion, ethnic, origin, or political views."²³

The South's position was essentially to reject these arguments of the rich industrialized countries and to point to perceived Northern double standards, as in the case of Israel and South Africa. It also called on the rich countries to support the call for a new international economic and information order. On 28 January 1981, the UN General Assembly passed resolution A/RES/35/124 in which it "strongly condemns all policies and practices of oppressive and racist regimes as well as aggression, alien domination and foreign

²³Zolberg, *op.cit.*, p. 260.

occupation, which are primarily responsible for the massive flows of refugees."²⁴ The UN High Commissioner at the time, Sadruddin Aga Khan, also commissioned a report to study the issue of root causes of the refugee crisis, which ended in a strong condemnation of neocolonialism and all of its negative consequences.²⁵

As the South has consistently pointed out, the gap between rich and poor has only widened over the past few decades, in spite of the fact that impressive gains in "human development" have been made in the Third World. For example, "the South's average per capita income in 1987 was still only 6% of the North's, but its average life expectancy was 80% and its average literacy rate 66% of the North's."²⁶ As the United Nations Development Program (UNDP) has repeatedly pointed that, this means that while people now live longer and healthier lives in the South, their economic opportunities continue to be severely limited. Between 1980 and 1987, the Third World's share in global GDP actually fell by 2% from 18.6% to 16.8%. During the same time period, its share of total world population went up an additional percentage point from 74.5% to 75.6%.²⁷ There is no indication that this enormous challenge to overcome economic underdevelopment will be solved anytime soon, especially since millions more enter the labor market each year with little or no prospects of finding paid labor.

²⁴Quoted in Zolberg, op.cit., p. 353, note # 11.

²⁵Sadruddin Aga Khan, Study on Human Rights and Massive Exoduses, UN, ECOSOC, E/CN.4/1503, December 31, 1981.

²⁶United Nations Development Program (UNDP), Human Development Report 1990, New York: Oxford University Press, 1990, p. 17.

²⁷Ibid, p. 25.

II. The Situation Since 1989/90

The end of the iron curtain as a deadly dividing line between Eastern and Western Europe added an entirely new dimension to the flow of foreigners into Western Europe. In 1989 alone, 1.2 million people moved West, mainly ethnic Germans and East German citizens moving to West Germany.²⁸ In one of history's ironic twists, Western Europeans were cursed with the fulfillment of their dreams: the end of the cold war and thus the free travel of their brethren from East to West. For decades, Radio Free Europe and Radio Liberty had beamed the wonders of Western capitalism into East European living rooms, creating the image of bread and honey flowing on the other side. Now the ambitious, the adventuresome and the curious all embarked on the big trek West. In addition, bellicose nationalism was beginning to fill the void left behind by Marxist/Leninist ideology in the East, leading to yet another flow of refugees inside Europe.²⁹

In early 1991, Enrique Baron Crespo, the President of the European Parliament, characterized the situation now facing Western Europe as follows: "There are new pressures on our borders, but no consensus on how to respond to them. Will the European Community become a fortress, or a region of asylum?"³⁰

The situation inside the various EC member countries is actually worse for some than for others. The Mediterranean countries received the smallest number of requests for

²⁸Refugees, April 1991, p. 17.

²⁹Hungary, for example, in the first few months after the collapse of communism in Romania, had roughly 30,000 mainly ethnic Hungarian refugees from there. Hungary, in fact, limits recognition of refugee status to Europeans. Refugees, June 1990, Nr. 88, p. 7.

³⁰29 January 1991 at special colloquium on European Community refugee policy. Refugees, Nr. 83, March 1991, p. 14.

asylum, while the richer countries in the North receive a much larger share. For example, Italy in 1990 received only 4,000 asylum requests, mainly from Albania, Romania, Ethiopia, Somalia, Iran, Bulgaria, and Sri Lanka.³¹ In Portugal in 1989, 156 asylum requests were made and 24 of them received refugee status.³² Spain had 4,000 requests in 1989 and 8,000 in 1990. In 1990, almost half of the applicants came from Eastern Europe, with the rest coming mainly from Chile, Angola, Zaire, Iraq and Iran. Greece is suffering from the collapse of communism in Albania and is inundated by refugees from that country, 14,000 in the first three months of 1991 alone.³³ Of the Northern European countries only Ireland, itself one of the poorest members of the European Community, is not a favorite destination, with fewer than 50 asylum seekers arriving each year.³⁴

In the Netherlands, the number of asylum seekers has grown from 2,000 annually in 1980 to 20,000 in 1990.³⁵ In Belgium, the number of asylum seekers increased from 7,640 in 1986 to 8,115 in 1989, and 12,964 in 1990. In France, the number of asylum applicants rose from 27,600 in 1987 to 34,500 in 1988 and 61,500 in 1989. Between 1984 and 1987, Britain received far fewer applications for asylum in relation to its population than any other West European country. France, second from the bottom, still received five times more applicants per capita than Britain.

³¹Ibid, p. 25.

³²Ibid, p. 29.

³³Ibid, p. 26.

³⁴Refugees, April 1991, p. 32.

³⁵Ibid, pp. 27-28.

Nevertheless some British lawmakers claimed that the country was being "flooded" with asylum seekers. After 1988 the number began to grow from roughly 5,000 to 15,500 in 1989 and 20,000 in 1990, the same number as the much more densely populated Netherlands.³⁶ This clearly shows that the 'refugee crisis' is as much a psychological and political as simply an economic problem. For example, when Queen Elizabeth II opened Parliament on 31 October 1991 and outlined the Conservative government's program, it included a new plan for tightened procedures for asylum applications. The same day, Environmental Secretary Michael Heseltine said on BBC-TV that the government "is very worried about what is happening on the continent of Europe where this wave of people is coming either from north Africa or even from the east of Europe and causing great tensions in many rather similar countries to ourselves." Heseltine stated that the number of asylum seekers to Europe had increased from 5,000 to 60,000 annually "in the past decade".³⁷

III. The Situation in Germany

The Federal Republic of Germany takes in more asylum applications than any other European country; roughly two thirds of total applications filed in the 12-member European Community.³⁸ This is due not only to the magnet of a very high standard of living and an excellent social service system, but also to the fact that Germany has the most liberal asylum

³⁶Ibid., pp. 31-32.

³⁷Boston Globe, 1 November 1991. Heseltine's comments reflect some of the carelessness with which refugee numbers are being used by politicians in Europe these days. The numbers offered by him actually do not correspond with any others the author has seen in conducting research for this paper.

³⁸The Week in Germany, The German Information Center, New York, 17 February 1992, p. 2.

law in Europe, representing a commitment made by the founding fathers of the newly established Federal Republic in 1949 to provide safe haven to all who seek to flee from repression. Thus Article 16 of the German Basic Law (Constitution) simply states that "persons persecuted on political grounds shall enjoy the right of asylum."

Article 116, on the other hand, entitles any Germans who had to flee after WW2 or were expelled the automatic right to a German passport.³⁹ This also granted automatic West German citizenship to any East German citizen between 1949 and the time of unification on 3 October 1990. With the possible exception of the United States, no country used the propaganda effects of refugees fleeing the East more effectively than West Germany. Having itself been made a showcase for capitalism through massive infusions of American capital in the immediate postwar era, the West German *Wirtschaftswunder* became the envy of Europe, but particularly to those who found themselves locked up behind the Iron Curtain. All it took to become a citizen of this miracle country was either to run from one's own communist land or somehow to find German ancestry in one's blood; both qualifications sufficed to get assured access to a passport issued by the Bonn government. *Ausreisefreiheit*, or the right of all citizens to leave their country of origin freely, was one of the central demands placed on the communist Eastern European governments, particularly by Bonn, throughout the Cold War era. Every citizen who was able to leave the East was celebrated as a victory for the West. As shown above, West German policy vis-à-vis non-European refugees was much less generous and for much of the decade of the eighties, the

³⁹Focus On...Foreigner in Germany: Guest Workers, Asylum-Seekers, Refugees, and Ethnic Germans. Facts and Reflections. New York: German Information Center, Nr. X1/91, p. 3.

Bonn government sought to limit access from outside the continent itself.

In addition to these 'refugees' who were welcomed for purely ideological or nationalistic reasons, Germany experienced a massive influx of foreigners who arrived to help rebuild the country's war-torn economy. Unlike powers such as Great Britain and France, Germany lost its overseas colonial possessions after WWI and thus could not rely on a ready supply of cheap labor from its present or former colonial empire. Since the economic miracle required a massive infusion of labor, however, between 1955 and 1968 the West German government recruited foreign unskilled labor and concluded agreements to that effect with the governments of Italy, Spain, Greece, Turkey, Morocco, Portugal, Tunisia, and Yugoslavia. By 1973 these foreign "guest" workers amounted to 11.9% of the paid labor force. These foreigners have become such an integral part of the economy that, according to a report prepared by the German Industry Association, "some areas of public life, such as garbage collection, janitorial services, and gastronomy would collapse" were it not for this foreign labor.⁴⁰

At the time of unification with East Germany there were 5.7 million foreigners residing in West Germany, comprising 7.2% of the population, compared to a mere 1.2% in 1962. Turks were the largest group with 1.7 million, followed by Yugoslavs with 700,000; 500,000 Italians; 330,000 Greeks; and 270,000 Portuguese.⁴¹ Many of these migrant workers have had children born in Germany who are culturally Germans. They have been educated in German schools, speak the language fluently and feel German but are denied

⁴⁰Ibid, p. 4.

⁴¹Ibid, p. 3.

citizenship rights; i.e., they must carry the same passports as their parents' country of origin. This is in stark contrast to the tens of thousands of 'ethnic' Germans who are now arriving monthly from the East whose only relationship to the country is that their distant ancestors came from there. As a rule they do not speak German and are culturally alien yet have an automatic right to citizenship.

The population in the German Democratic Republic was much more homogenously German, although even there some 'guest workers' had been recruited.⁴² As the communist government collapsed in East Germany in 1990, there were 190,000 foreigners in the country, of which 90,000 were contract laborers (59,000 Vietnamese, 15,100 Mozambicans, 8,300 Cubans, 1,300 Angolans, 6,000 Poles, and 900 from the PRC). At the time of reunification in October 1990 the new government urged these workers to go home. Some contracts were terminated in the first half of 1990 and the workers concerned were offered a compensation of DM 3,000. The same offer was extended to other workers who were willing to leave. By the end of 1990, only one third of the Vietnamese and 20% of the Mozambicans remained, while the number of Cubans dropped to below one hundred. In 1990, 10,000 Vietnamese applied for asylum in Germany, over 5,500 in Berlin. That figure was swollen by Vietnamese who had come to other Eastern European countries under similar arrangements, specially the CSFR. Only 2.2% of these asylum applications were accepted by the German government, although few were actually deported.⁴³

⁴²For ideological reasons, their presence in the country fell under the rubric of 'proletarian internationalism' although, as so much else in the country, that was clearly simply a perversion of what Karl Marx had in mind.

⁴³Refugees, April 91, pp. 15-16.

Until the late seventies, the annual number of asylum seekers to West Germany fluctuated between 5,000 and 10,000. Between 1978 and 1980 that figure rose from 33,000 to 108,000. It fell back to 5-digit numbers for much of the eighties, but increased steadily in the latter part of the decade, with 193,000 applications for asylum received in 1990. In addition, over 400,000 ethnic Germans came from the East during the same year.⁴⁴

What these figures show is that Germany takes in many more ethnic Germans, so-called *Aussiedler*, under Article 116 of its constitution than refugees seeking asylum under Article 16. If one looks at the country of origin of the huge influx of refugees, one finds that Europeans once again dominate in this category as well. For example, in 1991 by far the largest number of refugees and thus asylum seekers, came from Yugoslavia with 74,854, closely followed by Rumania with 40,504. 12,056 Bulgarians sought asylum during the same year. Turkey, a fellow NATO country, was the country of origin of another 23,877 refugees. In the Third World category, the number of refugees from Afghanistan and Vietnam was 7,337 and 8,133, respectively. Refugees from non-communist Third World countries came mainly from Iran (8,643), Nigeria (8,358), and Sri Lanka (5,623).⁴⁵

An overwhelming majority of requests for asylum are rejected; 95.6% in 1990 alone. Of the asylum requests in 1991, only 6.9% were approved by the government.⁴⁶ As in other European countries, this does not mean automatic deportation. In 1989, for example,

⁴⁴Refugees, March 91, p. 23) In 1991, 256,112 peoples sought asylum in Germany, of which 6.9% were recognized by the government as being eligible for official refugee status. Der Spiegel, Vol. 46, Nr 3., 13 January 1992.

⁴⁵Der Spiegel, Vol. 46, Nr. 15, 6 April 1992, p. 32.

⁴⁶Der Spiegel, Vol. 46, Nr 3., 13 January 1992, p. 41.

only 6% of those rejected were actually deported, with another 15% leaving on their own accord and the rest simply staying in the country anyhow.⁴⁷

As part of the unification treaty between the two German states, East Germany agreed to take 20% of all asylum seekers. Any applicant who refuses to move automatically becomes ineligible for government benefits. Considering that the economic situation in the East can best be described as dismal, this provision further reveals the hypocrisy of West Germans in dealing with this issue. Applicants for asylum are unable to get work permits for one year, which was just changed in early 1991 from five years previously.

This huge influx of foreigners seeking access to living and working in Germany has begun an intensified series of talks and discussions about how to stem this tide. The German government was instrumental in organizing a meeting of immigration ministers from member states of Council of Europe in Vienna at the end of January, 1991 to discuss the potential exodus from Eastern Europe. On 31 October 1991 representatives of twenty-eight European nations met again in Berlin to agree on a set of short-term measures to reduce the rising number of illegal immigrants to Western Europe. The measures included cracking down on organized gangs which smuggle in people from Eastern Europe, Asia, and Africa; intensifying frontier surveillance; enforcing air travel rules imposed on airlines; and increasing cooperation among themselves in regard to sharing information, equipment, and

⁴⁷Focus On., op.cit., pp. 4 and 5. In terms of a comparison with other EC countries, in the Netherlands, 80% are turned down for asylum but stay in the country illegally afterwards. The situation is very similar in Belgium, which by 1991 had over 90,000 illegal immigrants, many of them rejected asylum seekers who opted to stay in the country. In France, the refusal rate of applications has gone up to about 85% but an unresolved issue is what to do with those applicants whose requests for asylum have been rejected--about 100,000 people. See Refugees, Nr. 83, March 1991, pp. 18, 21 and 22.

training of border forces.⁴⁸

At the December, 1991 EC summit in Maastricht, Holland the Treaty of European Union was agreed upon, which included a common policy on questions of asylum and immigration. In an attempt to harmonize refugee policy, EC interior ministries have even gone to the extent of establishing lists of countries in which citizens are 'safe from persecution.' Thus anyone seeking refuge from that country would automatically be denied the opportunity to apply for asylum.

As a Swiss sociologist, Hans-Joachim Hoffmann-Nowotny, has pointed out, these efforts on the part of Germany and other EC governments is to come up with a refugee policy basically designed to keep people out while simultaneously pushing for the free flow of capital, goods and services can best be characterized as schizophrenic. The European states are seeking to erect a new wall, not of barbed wire and machine guns but instead of computers, bureaucracies and mobile border police seeking to prevent potential asylum applicants to reach the country in the first place.⁴⁹ This attempt to keep refugees out of the country is a clear violation of Article 33 of the Geneva Refugee Convention, which specifically forbids turning a refugee back at the border. Many critics also argue that the refugee debates going on in the EC will make a ping-pong game out of the human beings seeking to cross from one EC country to another. Poland was even forced in March 1991 to sign an agreement with the EC in which it committed itself to take back refugees who reach

⁴⁸Boston Globe, 1 November 1991.

⁴⁹"Europa - Fluchtborg oder Festung?" Süddeutsche Zeitung, 5 February 1992, p. 9.

Western Europe via its borders. That this could become a big problem for Poland, already strapped with huge economic and political problems, can be seen from the fact that, according to German Interior Ministry officials, more than 6,000 persons were detained during the first seven months of 1991 trying to cross illegally into Germany along the country's 265 mile frontier with Poland.⁵⁰

This agreement with Poland is actually in line with the so-called Schengen II agreement of 15 June 1990, in which each signatory⁵¹ agreed that whatever refugee arrives in a given country first becomes the permanent responsibility of that state. In other words, a Moroccan arriving without proper paperwork in Spain with the intent of asking for asylum in his desired destination, Germany, will never be able to reach his asylum country of choice. Spanish authorities will be able to decide whether or not the refugee deserves to be granted asylum. Should the refugee nevertheless leave Spain and try to get to Germany, he would be turned back by both French and later German border guards since he would be considered solely Spain's 'problem.' The refugee would also have no access to any type of EC appellate mechanism. Since Schengen II appears to be a serious violation not only of the Geneva Refugee Convention but also the European Human Rights Convention, it has elicited a lot of debate in Western Europe and only France has officially ratified the agreement to date.⁵² Germany is expected to ratify the agreement in June, 1992. Debate is currently

⁵⁰Boston Globe, 1 November 1991.

⁵¹Initially the Schengen Agreement included five core European countries: West Germany, France, and the Benelux. Schengen II now also includes the four Southern European EC members Portugal, Spain, Italy, and Greece.

⁵²"Bausteine der Europa-Mauer," Süddeutsche Zeitung, 5 February 1992.

raging in the country on how this will affect Article 16 of the Basic Law, which grants anyone the right to seek asylum. Clearly, the forces interested in restricting this right are hiding behind this EC clause in order to limit access to the Federal Republic.

The question of limiting asylum is actually a burning one all over the EC at the present time. Given the small number of applications which are approved for asylum and the ever larger number of people arriving, the question which has emerged is to what extent existing immigration laws need to be revised or radically changed. As was recently stated by a group of experts from NGOs:

The principal complicating factor in the European refugee picture is to be found in the movement of people for reasons other than persecution and fundamental threats to their life and liberty...It is clear that these movements are posing complex challenges to governments. But it is also clear to many of us that it is the failure of states to develop appropriate policies in the area of immigration--rather than massive abuse--that is threatening the asylum system.⁵³

There are thus some who think that it is the lack of opportunities to immigrate to Western Europe which forces many to take the route to applying for political asylum, blurring the traditional distinction between a migrant and a refugee. As stated above, European countries have adamantly opposed the idea of the current world economy as being responsible for 'structural violence' which forces human beings into exile to flee from economic underdevelopment and the political repression which tends to be its twin.

The disparities between the standard of living in Eastern and Western Europe, though not as pronounced as those between the North and South, also are considerable. In addition, the conversion from a centrally planned to a market economy is not going either as smoothly

⁵³"NGO Forum," Refugees, March 1991, p. 34.

or as rapidly as had been hoped in both East and West. For example, Poland's GDP dropped 11.6% in 1990 and another 9% in 1991 and industrial production 24% and 11.9%, respectively. In 1991 net wages dropped 8.9%, while inflation slightly exceeded 60%. In addition, there are 2.2 million registered unemployed persons.⁵⁴

In Hungary in 1991, GDP dropped by 4.6% and industrial output fell 21.5% from the previous year. While in January 1991 there were 100,000 unemployed persons, that number had shot up to 440,000 by January 1992, amounting to 8.15% of the labor pool. Inflation in 1991 was 35% and the population's overall purchasing power has fallen by about 8% since 1990.⁵⁵

The biggest worry of all is what will happen in the former Soviet Union. At a World Bank colloquium on February 27-28, 1992 on the former Soviet Union, a participant described "the Russian pessimist as the one who believes things cannot get worse, against the Russian optimist who argues, yes, they can."⁵⁶ Another participant warned that the situation "is not just grim but potentially cataclysmic."⁵⁷ If the situation continues to deteriorate in the former Soviet Union, estimates range from a few tens of thousands to 25 million who will come West, using Eastern European countries such as Poland, Hungary and CSFR as temporary stopping places. The former Soviet Union has a workforce of 170 million. At the January 1991 Vienna conference of the Council of Europe, the Soviet

⁵⁴Transitions: The Newsletter about Reforming Economies, Washington, D.C.: The World Bank, Vol. 3, No. 2, February 1992, p. 9.

⁵⁵Ibid., p. 10.

⁵⁶Ibid., p. 3.

⁵⁷Ibid., p. 1.

representative, Dr. W. J. Scherbakow, estimated that 1.5 to 2 million may leave to go West. He emphasized that these would be economic refugees.⁵⁸ This is in addition to the millions of ethnic Germans who will continue to flood into the fatherland of their ancestors. In 1991, for example, 5,690 non-Germans stemming from the former Soviet Union sought asylum in Germany under Article 16, as opposed to 147,320 who arrived as *Aussiedler* under Article 116.⁵⁹ According to a recent Soviet estimate, about two million ethnically German citizens, along with about ten million non-German family members, are expected to leave for Germany if conditions continue to deteriorate.⁶⁰ In fact, the German government has been urging Russia to restore an ethnic homeland "in the traditional settlement areas" for this group in order to prevent a mass exodus. This policy of encouraging ethnic Germans to stay in Russia by making living conditions more palatable there has been matched by \$130 million contributions made by the German government over the past two years to build schools and other cultural institutions for these Germans.⁶¹ This is a clear reversal of both the letter and intent of Article 116 and reflects the growing worries of the German government about being inundated by waves of immigrants from the East.

As the economic picture in Eastern Europe continues to deteriorate, questions have also begun to emerge as to how much longer Eastern Europeans will tolerate peacefully this

⁵⁸Refugees, April 1991, pp. 14-18.

⁵⁹Der Spiegel, 15/1992, 6 April 1992, p. 32.

⁶⁰Galina P. Morozova, "Zavisimost' Migratsionnykh y Narodnochozyaistvennykh Protssessov Kak Osnova Migratsionnoy Politiki," Sotzis (Journal of Sociological Research), Moscow, 10/91, pp. 92-93.

⁶¹"Bonn Urges Russia to Restore Land for Its Ethnic Germans," The New York Times, 11 January 1992, p. 4.

situation. According to the UN Economic Commission on Europe the overall economic output of Eastern Europe alone has dropped by roughly 25% in last three years. The Commission predicts that social unrest will increase rapidly all over the region.⁶² Václav Havel, the president of the CSFR, has written about the political developments in his own country under the title "Paradise Lost."⁶³ There is a clear sense in the East that the peaceful revolutions of the winter of 1989/90 will be followed by economic and political chaos and the possible end of the democratic experiment itself.

The agreement signed with Poland in March 1991 was clearly an attempt on the part of Western European governments to use the country as a buffer zone against increasing numbers of people coming from the East. Germany is currently trying to get other Eastern European countries to sign a similar agreement, which would create a new Iron Curtain in Europe, an invisible but highly effective line to keep people out. Some in the former West Germany have cynically begun to call for rebuilding The Wall, but this time ten meters higher.

III. Conclusion

As we have sought to explain in this paper, the so-called 'refugee crisis' in Europe is really two distinctly separate yet intimately interwoven crises involving, on the one hand, the economically underdeveloped regions of the South, and on the other the postcommunist societies of Eastern Europe and the former Soviet Union. As we tried to show above, over

⁶²New York Times, "U.N. Report Warns on East's Slide," 3 December 1991.

⁶³Vaclav Havel, "Paradise Lost," The New York Review of Books, April 9, 1992, pp. 6-8.

the past decade Western European governments sought to keep out those who threatened this idyllic situation from the South, while the East was safe behind the iron curtain. The following are some very preliminary concluding thoughts on this very fluid and complex security issue in Europe.

1) Why has the worry about refugees exploded to near crisis proportions now, despite the fact that people have been coming in increasing numbers throughout much of the eighties? Perhaps as long as the world's deadliest border existed and Europeans had to worry constantly about the possibility of a nuclear holocaust, other worries were put on the backburner. The refugee now has clearly replaced the dangerous communists as the new enemy who is threatening to destroy Western Europe's treasured way of life. In that sense, this 'crisis' is as much psychological as it is political or economic. In fact, when one compares the number of refugees in Europe to those cited above for the Third World, the numbers are shamefully low.

2) Structural changes in the production process associated with the third industrial revolution have made human labor increasingly unnecessary. Throughout the 80s, unemployment in the EC hovered consistently around 10%, in some countries even higher. In spring of 1990, as communism in Eastern Europe collapsed, unemployment was 16.1% in Spain, 15.6% in Ireland, 9.8% in Italy, 9% in France, 8.1% in Belgium and Netherlands, 7.9% in Denmark, 7.5% in Greece, 6.4% in the UK, 5.1% in Germany, 4.6% in Portugal, and 1.6% in Luxembourg. The average unemployment rate for young people under 25 was even higher: 16%. The three worst offenders were Spain with 31.5%, Italy 28.9%, and

Greece 24.8%.⁶⁴ Clearly the golden years of expansion in Europe are over and EC economies can no longer absorb a large influx of new laborers, particularly if they are unskilled.

3) The situation in post-unification Germany has also changed dramatically. By the beginning of 1992, unemployment in the Eastern part of the country already reached 16.5%, or 1.34 million people. Overall, Germany now has over three million people unemployed, the highest number since the days of the Weimar Republic.⁶⁵ Recent opinion surveys show that roughly 50% of all employees in the East worry about losing their jobs within the next year.⁶⁶ By mid-1992, almost one quarter of the workforce in the former GDR was still working in former state-owned enterprises for which private investors had yet to be found.⁶⁷

4) The flow of refugees from the East has added an additional worry in that they tend to be highly educated and willing to work for significantly lower wages. This will drive down the general salary structure in Western Europe, especially in places like Germany, where the average hourly wage is now the highest in the world at \$25.14.⁶⁸

⁶⁴A Community of Twelve: key figures, Luxembourg: Office for Official Publications of the European Communities, 6-7/1991, pp. 14 and 17.

⁶⁵The Week in Germany, German Information Center, New York, 7 February 1992, p. 4.

⁶⁶Wages in the Eastern part of the country are still only roughly half of those in Western Germany. By 1995 projections are that this wage differential will be reduced to workers in the East making 85% of those made in the old FRG. This will further eliminate any competitive advantage due to lower production costs and thus will put further pressure on jobs. Der Spiegel, 18/1992, 27 April 1992, p. 24.

⁶⁷The Week in Germany, *op.cit.*, pp. 4-5.

⁶⁸Norbert Walter, "The Wages of German Success," The New York Times, May 22, 1992, p. A29.

5) The reawakened nationalism in the East is also beginning to infect Western Europe. Western Europe over the years has had to deal with nationalities problems of its own: Italy (Tirolia); Spain (Basques and Catalans); France (Corsica); Britain (Irish); Belgians (Flemish and Waloons). These problems are apt to grow more serious as the continent is rocked by a growing xenophobia; coupled with the insistence of various Eastern European nations to exercise their right to national self-determination.

6) The dilemmas and contradictory interests faced by Western European governments have become particularly apparent with regard to the civil war in Yugoslavia.⁶⁹ Germany, in particular, has reasserted itself as a major European power in its involvement in that conflict and became the major force inside the EC for an early diplomatic recognition of Slovenia and Croatia in December 1991 and Bosnia and Herzegovina in April 1992. It has also become the major recipient of refugees from Yugoslavia as discussed above. There is now a clear worry in Germany that the experiences in Yugoslavia will be duplicated in other parts of Eastern Europe.

7) There is growing doubt now among Western Europeans that the vision of a United States of Europe as embodied in the 'Europe 92' slogan will materialize. There are too many challenges and too little agreement as all pursue their own selfish goals. There is also a growing sentiment that a united Europe will benefit mainly its most powerful member; i.e., the Federal Republic of Germany. In addition, the dream of a Europe with free movement of people across national boundaries now has turned into a nightmare, as the specter of

⁶⁹See "Europeans' Hopes for a Yugoslav Peace turn to Frustration;" and "Spain's Nationalists Press for Independence," The New York Times, 22 Sept 91.

illegal aliens is haunting Europe. All of this has begun to undermine the tremendous movement toward a united Europe as embedded in 'Europe 92' as well as in the decisions reached at the Maastricht summit.

8) The flow of refugees from the South will continue as long as present global economic system continues in its present form. In addition to the structural problems associated with the international division of labor established through European colonialism, the South now has become a net exporter of capital to the North. For example, in 1988 alone the net outflow from poor to rich countries amounted to \$40 billion.⁷⁰ In terms of the EC, its subsidies for farm exports at rate of approximately \$14 billion annually further decrease the opportunities of the South to compete in the global market.⁷¹

9) The lack of democracy in the third world is largely the result of Western policies which have supported their economic self-interest over democratization, the status quo over the possible emergence of popular governments, which have tended to be leftist and anti-Western, at least at the rhetorical level. With the end of the cold war, Western governments will need to learn that democratic governments in the South, even if they are anti-North, ultimately will serve the interests of the people in both North and South. A Third World government committed to the satisfaction of basic needs will do more to stem the tide of South-North migration than one which has the most pro-Western position on free trade, the operations of TNCs, etc. A commitment to popular democracy in the South will also mean

⁷⁰A Human Face for Europe, Luxembourg: Office of the European Communities, March 1990, p. 59.

⁷¹Die Welt, 13 September 1991.

ending the tremendous flow of weapons now being shipped there. Finally, it will mean recognizing the essentially economic source of conflicts in that part of the world and thus ending the militarization of the entire region for selfish ideological and economic reasons.

10) The nature of the new migrants to Europe has also changed. They appear to be less willing to adopt European customs. Good examples include the Rushdie affair in England, and Muslim girls and veils in France.⁷² The European mission civilisatrice has been replaced by an emphasis on multi-culturalism and ethnic pride. Young people from the postcolonial Third World no longer come humbled by their own culture but proud of it. This will make assimilation of non-Europeans even more difficult, as traditional European insistence of superiority is increasingly coming under attack.

11) Europeans will be an ever smaller part of the world's population. Between 1968 and 1992, the global population grew by almost 2 billion. This is more than lived on the entire globe in 1930. The world's population grows by 200,000 a day and adds the size of the entire population of Europe in five years. By the year 2020, only 5% of the world's population will be European. A West German ecologist and author, Herbert Gruhl, has argued that Western Europe has to count on hundreds of millions of people fleeing their ecologically and economically devastated homelands in the years to come. This exodus to the rich countries in the North will also seriously destabilize the political and social order in Europe.⁷³

⁷²On France, see the insightful article "Through Kofi's Eyes," op.cit.

⁷³Herbert Gruhl, "Die Menschheit ist am Ende," Der Spiegel, Vol. 46, No. 13, 23 March 1992, pp. 57-59.

12) The question as to what effect this will have on the liberal democracies of Western Europe is, at its core, the real threat of the refugee crisis, which is only in its nascent stages now. Xenophobia is on the rise in Germany as well as in other Western European powers. As European history has amply shown, this phenomenon normally is associated with victories for the right wing at the polls and voting booths. The latest *Länder* elections in Germany in May 1992 were no exception, in which the far right Republican Party was able to gain seats on the Berlin city council as well as in the parliaments of the states of Schleswig Holstein and Baden Württemberg.

13) These changes in the political mood will also affect the rights to asylum, which should be seen as a cornerstone for any democratic country. As noted by a group of NGO representatives:

Will the right to asylum survive the pressures on it in the 1990s? That is the challenge to Europe. Refugees cannot simply be treated as an illegal immigration problem or a social evil like drug trafficking and terrorism. But against the background of massive global concerns with war, poverty, famine and injustice, and with growing uncertainties about the orderly social development in central and eastern Europe, western European governments grow more and more nervous about the forced migrations of increasing numbers of persons. At such a time, the right of asylum--always fragile--needs vigorous defence.⁷⁴

The future of Germany thus will also once again be closely tied to the future security of Europe and the world.

⁷⁴"NGO Forum," Refugees, March 91, p. 36.