

The Humanitarian Condition

Physical movement is the natural, normal given of human social life; what is abnormal, changeable, and historically constructed is the idea that human societies need to construct political borders and institutions that define and constrain spatial mobility in particular, regularized ways, such that immobility becomes the norm.

—Noel Salazar and Alan Smart, “Anthropological Takes on ‘(Im)Mobility’”

After their second flight from Somalia to Kenya, Isha and her remaining children rejoined the survivors from Caliyow Isaaq’s family and Sheikh Axmed Nur’s family in the Dadaab refugee camps, where they became “official refugees,” a legal category that exists in the contemporary world to manage and contain people out of place. Before returning to their story in chapter 3, here we examine what it means to be a refugee in the contemporary world.

Refugees are distinguished from other diasporic, mobile, transnational, and displaced people by law and by policy. A specific set of international and national laws defines the category of refugee, and a specific set of policies directs the administration and legal movement of people who are formally

recognized as belonging to this legally defined category. To many Americans, the figure of the refugee is one of pathos: a person stripped of an identity, a country, and a culture, dependent upon the largesse of humanitarian agencies and the wealthy donor countries that fund them for sustenance and care. Anthropologist Michel Agier describes the refugee as living “at the outer limits of life—physical, social, political and economic—almost dropping out of the common space that should naturally connect all human beings.”¹ The refugee’s life, he says, is “a form of *no longer being* in the world, for a certain time or forever.”² Philosophical and social science scholarship on refugees locates their exclusion from the international order of state structures as the basis for their liminal status, an apolitical existence theorized most influentially by Giorgio Agamben as the quintessential example of “bare life.” Agamben argues that the origin of state power rests on the ancient Roman category of *homo sacer*, the figure whose expulsion from political life makes clear the political structures of belonging. Agamben’s description of *homo sacer*—the person stripped of community, belonging, sociality, and identity, and reduced to bare life—offered a striking and useful image for a generation of scholars writing about contemporary refugees.³

While such an image departs from the actual experiences of many refugees in ways I explore later, the conceptual reduction of refugees to icons of bare humanity serves several purposes in the contemporary world. In a series of groundbreaking publications, anthropologist Liisa Malkki demonstrated how the treatment of refugees as people out of place affirms the legitimacy of an international order of nation-states in which everyone must belong somewhere.⁴ Because their forced border crossing renders refugees effectively stateless and thus threatening to territorial sovereignty, the world’s political powers define them as people who must be contained and managed, a problem to be solved by international institutions whose function it is to maintain the global order of nation-states.⁵ The result is the creation of an “international refugee regime” consisting of an interconnected set of humanitarian institutions, policies, protocols, and practices that direct the management of people who, through forced displacement across an international border, are no longer nationally rooted as citizens.⁶

The image of refugees as bare humanity stripped of an identity and a home provokes concerns about moral responsibility for their care, a task often understood as based on an ethic of a shared humanity and undertaken by the humanitarian institutions that support the international refugee regime.⁷ About half of the world’s refugees are cared for, administered, and contained in refugee camps—the central node in the refugee regime—until they can return home or are accepted for resettlement in another country. As places

that both sustain and constrain people out of place, refugee camps enact the tension between repression and compassion, as anthropologist Didier Fassin has noted, based in a moral economy “oscillating between sentiments of sympathy on the one hand and concern for order on the other hand, between a politics of pity and policies of control.”⁸ Refugee camps provide food and rudimentary shelter, as well as basic health care and sometimes education, but deny residents the right to self-determination, mobility, economic activity outside the camp, and participation in democratic decision making or self-governance. To the contrary, the humanitarian institutions that manage refugee camps desire their charges to remain passive, silent, apolitical, grateful, and dependent, while in turn benefiting from the representation of refugees as hapless victims because such an image is useful for attracting the charitable support of donors.⁹ Refugees carry an iconography of destitution that inspires moral questions about the relationship between shared humanity and charity, an imagery unprovoked by other kinds of immigrants (such as tourists and guest workers). Thus refugees are a particularly compelling and confounding object of humanitarianism: they are simultaneously threatening and pitied, feared and revered as figures of base humanity, subject to judgments about their legitimacy as innocent victims and their worthiness for humanitarian charity and rescue.

The story of how Somali Bantus living in Kenyan refugee camps navigated the international refugee regime to gain resettlement in the United States demonstrates the limitations and condescending assumptions built into the portrayal of refugees as passive recipients of charity who have lost their place in the world. While the decision by the United States to accept almost 12,000 Somali Bantus for resettlement was heralded as a triumph of the humanitarian ethic of rescue and care by the UNHCR, the U.S. government, and the American media, in their own accounts Somali Bantus claim to be authors of their fate and creative strategists of their life trajectory. Their story challenges presumptions that African refugees in refugee camps are highly dependent on humanitarian largesse and “lacking a capacity for enterprise.”¹⁰ But, as we shall see, their ability to craft a path toward resettlement required careful navigation of the multiple, competing, and overlapping tensions of refugee identity. This chapter reviews the assessment by the U.S. government and UNHCR of Somali Bantus as worthy humanitarian subjects. Chapter 3 juxtaposes the image of Somali Bantus as dependent victims promoted by UNHCR and the United States with the version of their “rescue” told by my Somali Bantu interlocutors.¹¹ The contradictions in these accounts raise uncomfortable and difficult questions about the nature of humanitarianism and the role allotted to refugees in tales of global humanitarianism.

The International Refugee Regime

Contemporary scholarship on the history of the refugee as a figure of pathos, fear, or rescue identifies the post-World War II demographic upheaval in Europe as the foundational moment for the emergence of an interlinked international bureaucratic apparatus for identifying and controlling refugees. Although sociologist Saskia Sassen suggests that prior to the twentieth century, population movements within Europe followed a pattern defined primarily by labor migration and the term “refugee” only referred to French Huguenots who fled France after the revocation of the Edict of Nantes in 1685, historian Peter Gatrell traces the massive population movements in Europe that accompanied war and conflict between European empires prior to World War I.¹² Small nongovernmental organizations (NGOs) and humanitarian organizations addressed the needs of certain European refugee groups prior to World War I, but the large-scale movement of people in Europe did not immediately precipitate an international crisis because so many Europeans found new homes in America. Between 1881 and 1930, 27.6 million people, mostly from Europe, arrived in the United States.¹³ America’s liberal immigration policy until the early twentieth century offered free entry to anyone in good health, an open-door policy that narrowed only with the Chinese Exclusion Act of 1882, making Chinese the first ethnic group subject to immigration restrictions in the United States.¹⁴

“World War I marks the beginning of a period when the modern European state and its politico-military project create the setting for massive refugee movements on a scale hitherto not seen,” writes Sassen.¹⁵ European states were consolidating nationalist identities during this era, exchanging populations in a bid for nationalist homogeneity and pushing out those viewed as undesirable or not belonging, especially Jews.¹⁶ Hannah Arendt famously labeled those forced from their homes by totalitarian movements during this era, most especially Jews, “the scum of the earth,” arguing that “they were received as the scum of the earth everywhere” because of the power of totalitarian movements to disintegrate the concept of inalienable human rights everywhere.¹⁷ The corresponding growth in anti-Semitism in the United States meant barriers to entry for Jews in the years leading up to and during World War II.¹⁸ Engaged in its own process of national consolidation around a particular identity based on a specific construction of whiteness, the U.S. government implemented increased restrictions on immigration in the 1920s that privileged northern and western Europeans through an assignment of quotas by national origin for immigrant admissions, precipitating an even greater crisis in Europe as eastern and southern Europeans faced new barriers against

their admission to the United States.¹⁹ These barriers meant that many Jews attempting to escape Europe during World War II were refused admission.

Post-World War II Europe was a landscape of displaced people; millions of Europeans had been uprooted from their homes and had no place to go. President Truman committed to the creation of the International Refugee Organization in 1946 to manage the situation of Europe's displaced population, precipitating a political battle in the United States about the country's responsibility to assist and offer entry to Europe's displaced people.²⁰ While the initial focus of refugee relief organizations operating in Europe was repatriation, growing Cold War concerns shifted attention to protecting and resettling rather than repatriating people fleeing communism. Despite the anti-Semitism and anti-immigrant sentiment that characterized American views of refugees during and after World War II, the United States accepted about 350,000 refugees from 1945 to 1950.²¹ Scholars suggest guilt about the Holocaust and the efforts of the American Jewish lobby confronted American anti-Semitism and concerns about Jewish links to political subversives, eventually tipping the American refugee debate in favor of a more welcoming policy for those fleeing communist countries, including Jews.²²

The creation of the UNHCR in 1949–50 replaced the International Refugee Organization and was followed by the 1951 Convention Relating to the Status of Refugees, an attempt to codify a definition of and protections for refugees. Signatories to the 1951 convention could limit the definition of a refugee to people in Europe, thus excluding groups like Palestinians who were displaced in the 1948 war.²³ The United States initially refused to contribute funds to the UNHCR or to sign the convention because it did not want to be held accountable for helping refugees,²⁴ although it did ultimately sign the 1967 Protocol Relating to the Status of Refugees, which expanded the protocol for refugees to the global arena and which became the basis for refugee admittance policy in the United States until 1980. The familiar language of the convention defines a refugee as a person who, “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, is 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.” A key feature of the convention and protocol was the principle of nonrefoulement, an agreement that refugees could not be forced to return to the places they had fled in order to escape persecution.

The creation of these instruments for managing people forced to flee their home countries left in place a profound contradiction that continues to this

day to constrain the ability for self-determination of people escaping persecution. The mandate of the UNHCR was simply to offer protection to people who had fled their home countries (in accordance with the convention definition) through granting a formal designation of refugee status, which protects those so labeled from being forcibly returned to the place from which they fled. It is an administrative designation, intended to categorize and identify people out of place and to offer refugees protection in a way that would minimize their presence as a problem for states. (The preamble to the convention makes this last point clearly in “expressing the wish that all States, recognizing the social and humanitarian nature of the problem of refugees, will do everything within their power to prevent this problem from becoming a cause of tension between States.”) At its inception, the UNHCR provided no logistical support to refugees; this was the purview of other NGOs, which had taken over the management of refugee populations in Europe after World War II from the Allied military forces.²⁵ Only gradually did the UNHCR mandate grow to include responsibility for setting up and managing refugee camps.

Refugee camps exist because the principle of nonrefoulement is not matched by a legal right to asylum for those officially designated as refugees; refugees cannot be forced to return to their home countries, but no other country is obligated to take them in.²⁶ Camps, as warehouses for those in refugee limbo, thus exist to care for, contain, and monitor people designated as refugees and to ensure that they do not attempt to settle or assimilate into other countries outside of legal channels for immigration. The emergence of the international refugee regime after World War II is thus most fundamentally about protecting the global system of national sovereignty by containing and monitoring people out of place because they have fled across an international border. It is not about supporting the rights of refugees to self-determination. Emphasizing this point, anthropologist Shahram Khosravi, who himself lived in refugee camps after fleeing Iran, wryly observes, “Refugee camps constitute the most significant characteristic of the modern nation-state.”²⁷

It is worth noting that the creation of the international refugee regime as a form of protection for national sovereignty accompanied decolonization and the postcolonial consolidation of newly independent countries firmly within the nation-state model. Thus, at the very moment that former colonies were transitioning to independence, former colonizers were working to ensure the hegemony of an international structure to control population movement, enforce the nation-state as the only form of internationally recognized political belonging, and make certain that they could retain supreme authority over who crossed their borders. Like the “murderous humanitarianism” that

colonial powers employed in the age of colonialism, the contemporary international refugee regime can be recognized as a postcolonial continuation of colonial policies of containing, boundary making, and control.²⁸ Historian Peter Gatrell notes that by the turn of the twenty-first century, over half the world's refugees were located in Africa, where anticolonial struggles, Cold War proxy wars, and struggles over control of resources produced massive refugee flows following the end of colonial rule. "The experiences of countless refugees in the African continent have been bound up with the refugee camp," he writes, arguing that the bureaucratic approach to containment and control by humanitarian institutions that is the hallmark of the contemporary international refugee regime emerged in postcolonial African refugee camps.²⁹

Following Malkki's ethnographic and theoretical work on the emergence of the international refugee regime to manage people dangerously out of place, more recent ethnographic research on refugee camps offers a sharply critical view of their purpose and role in the contemporary world and the treatment of those who live there. Critics argue that the international refugee regime exists to protect the wealthier countries in the global north, which fund the humanitarian agencies that manage the camps, from the movement of people in the global south, where the majority of refugees originate and the majority of refugee camps are located.³⁰ As of 2012, four-fifths of the world's refugees live in poorer countries in the global south, with Pakistan, Democratic Republic of the Congo, and Kenya hosting the most refugees per gross domestic product. Although scholars argue that the movement of refugees across borders in the global south is often linked to political and economic practices of wealthier, powerful countries in the global north (such as Cold War-era support for abusive leaders, structural adjustment policies mandated by donor governments that enabled land alienation from poor farmers, support for multinational corporations that use violence against local populations, or conflicts fueled by the extraction of resources valued by the global north), governments in the global north desire what geographer Jennifer Hyndman calls "strategies of containment": practices that humanitarian agencies utilize to keep refugees away from the borders of donor nations in the north and close to the borders of the countries in the global south from which they have fled.³¹ Critical scholars thus argue that the international refugee regime and its humanitarian practices are based on a fundamental inequality that grants power to the global north (and the staff employed by humanitarian agencies funded by a few countries in the global north) over people in the global south who are fleeing persecution, war, or disaster.³²

Currently, the overwhelming orientation of the international refugee regime is to warehouse and repatriate refugees rather than to enable permanent resettlement outside the refugee camp in another country. Rising neoliberal concerns in donor countries in the 1980s about welfare dependency resulted in an emphasis on repatriation rather than third-country resettlement, producing a new context where, according to law professor and former deputy high commissioner of UNHCR T. Alexander Aleinikoff, “refugee law has become immigration law, emphasizing protection of borders rather than protection of persons.”³³ For the past two decades, the UNHCR has requested resettlement for only about 1 percent of the total number of refugees administered in UNHCR refugee camps, while the number of refugees living in such camps for over ten years continues to grow.

Although initially envisioned as a temporary measure to protect and contain people who have fled their home countries, refugee camps now appear to be a permanent fixture of the global landscape. Like those at Dadaab, many camps house people whose families have lived in them for three generations. Yet the humanitarian management of refugee camps continues to rely on the logic of camps controlled by humanitarian agencies as temporary responses to crises, rather than permanent residential locations where residents participate in governance, have free mobility, and have universal opportunities for education and economic activity. Despite their longevity and size, refugee camps do not appear on maps, are not factored into population statistics of host countries, and are treated as zones of exclusion within rather than as part of the countries in which they are located. This fallacy is a collective form of denial and fantasy that only serves the interests of countries who do not wish to allow refugees to cross their borders.

Describing the international refugee regime in such harsh terms challenges the conventional and popular perception of humanitarianism as motivated by a charitable impulse to help people in need on the basis of a sense of a shared humanity. Certainly, many who choose to work for the humanitarian agencies that manage refugee camps do so from an altruistic ethic of mutual humanity and genuine care and bring an enormous personal commitment and ideology of hope to their jobs. The point is not that they are confused or misinformed; it is, rather, that the broader system is set up to maintain inequality, disempower refugees, and protect the borders of the global north, in addition to providing care for displaced people while global powers determine where they will be allowed to go. As political scientist Jenny Edkins says, “The role of humanitarian intervention can be seen as a tightening of a global structure of authority and control.”³⁴

Somali Refugees, Dadaab

When Somalis began arriving in large numbers in Kenya after 1991, the Kenyan government provided land for refugee camps but, at the insistence of UNHCR, ceded to it responsibility for camp management, which, in turn, subcontracted to other NGOs for services in the camps (such as CARE, Médecins Sans Frontières, and others).³⁵ The UNHCR holds sole authority for recognizing and registering refugees (although this task was also subcontracted to other NGOs under the management of UNHCR). New arrivals are interviewed in order to distinguish between “legitimate” refugees, who are granted admission to the camp and ration cards for food, and “fakers,” who are denied ration cards and the right to live in the camp. Camp policy forbids Somali refugees with ration cards from leaving the camp boundaries to travel or engage in economic activities outside the camps and requires their participation in regular head-count exercises within the camps designed to ensure control over the distribution of ration cards. Originally built in 1991–92 to house 90,000 refugees, by 2012 Dadaab was home to over 460,000 refugees, including some who had been there since its inception.

Anthropologists and other scholars working in refugee camps describe them as “space(s) of exception” that offer “a unique setting for the arbitrary exercise of power” where refugees, as recipients of charity, have no rights or legal claims, and “everything is possible for the people in control.”³⁶ Ethnographers describe the refugee camps at Dadaab as a zone of “supreme power” wielded by UNHCR and other humanitarian agencies whose staff actively reduce resident refugees to life in its barest form.³⁷ Detailed, on-the-ground ethnographic studies of the Dadaab camps provide ample evidence of these claims, documenting the ways in which camp policies and practices disempower refugees, who are often treated with contempt and condescension and denied any voice in democratic decision-making processes. Camp administrators offered researchers explicitly antidemocratic explanations about their resistance to refugee participation in the governance of the camp.³⁸ Jennifer Hyndman, who worked in the Dadaab camps in the 1990s, describes her shock at the neocolonial hierarchy of camp life, where expatriate administrators lived separately from the camp in an exclusive, well-guarded compound where they were served by poorly or uncompensated refugees, while local staff lived on-site in small dwellings and had unchecked authority. She describes the specter of foreign camp administrators carrying out head counts in ways that camp residents resisted, and how the power hierarchy between them allowed the former to label the latter (namely the Sudanese and Somali

resident refugees who objected to the administration and management of such forms of ordering and labeling) as uncooperative and difficult. Based on her two years of research in the Dadaab camps in 1999–2001, anthropologist Cindy Horst reported that camp management was characterized by corruption, a lack of accountability, and a condescending view of refugee aid as charity that allowed camp staff to distribute ration cards and other services in an authoritative, demeaning way.³⁹

Refugee studies scholars and activists Guglielmo Verdirame and Barbara Harrell-Bond conducted a detailed review in 1997 of the conditions of UNHCR refugee camps in Kenya and Uganda, and their published exposé offers a devastating portrait of UNHCR management of the Kenyan refugee camps that housed Somalis, charging UNHCR and its subcontractors with allowing discrimination against Somali Bantus, exploiting refugee employees by paying them minimal incentives rather than salaries, withholding food as a form of control, engaging in humiliating, degrading practices toward refugees by treating them as potential liars and cheats, utilizing various strategies to keep refugees from being able to get ration cards in order to minimize the number of people with refugee status, withholding information about asylum applications and procedures to which refugees are legally entitled, and denying any right of appeal for administrative decisions about refugee status or asylum applications.⁴⁰ Echoing Philip Gourevitch's charge in his *New Yorker* article about the humanitarian industry that "humanitarians . . . enjoy total impunity," Verdirame and Harrell-Bond conclude that "camps are spaces that are virtually *beyond the rule of law* and in which the life of refugees ends up being governed by a highly oppressive blend of rules laid down by the humanitarian agencies and the customary practices of the various refugee communities" (such as Somali racism against Somali Bantus).⁴¹

Scholars' complaints about the management of the Dadaab camps were not just about administrative corruption, authoritarianism, and condescension but also took note of the extreme insecurity that pervaded the camps. Banditry, assault, and rape occurred frequently both inside the camp and outside the perimeter of the camp where refugees had to travel to get water or firewood or to move between the camps that made up Dadaab. Jeff Crisp's 1999 report on Dadaab's rampant insecurity acknowledges a few policies introduced by UNHCR in an attempt to better protect the people living there, but Cindy Horst's 2006 ethnography concludes, "The Dadaab camps do not naturally provide economic and physical security to the refugees who live there. On the contrary, the camp organization itself serves to exacerbate feelings of uncertainty and insecurity."⁴²

Somali Bantu friends now living in Lewiston, Syracuse, and Hartford hold profoundly unhappy memories of life in the Dadaab camps. Some, like Sheikh Axmed Nur's son, could not find words to describe life there. Abshirow, whose photograph in the velvet dinner jacket so delighted the slide show audience, told me, simply, "It was so horrible that it is undiscussable. No one should have to be in such a place." My former research assistant Abdulkadir described how he lived on the perimeter of the camp with his wife and children for years after they were denied the right to live inside before finally being granted refugee status because a BBC report exposed the appalling living conditions of Abdulkadir's family and others, who lived in makeshift dwellings made of tree branches, dependent on begging food from camp residents. Many of the memories people shared mentioned the sexual abuse of women, the almost arbitrary decision-making power of camp administrators, and their ill treatment as ethnic minorities by their fellow Somali refugees.

The racism experienced by jareer minorities in Somalia persisted in the camps. Isha's son Iman recalled the taunts of "adoon!" from jileec camp residents he endured every week when he visited the camp market, his family obligation as the youngest child. The first Somali Bantu man to graduate from high school in the camp recalls arriving at school one day to find his desk defaced by graffiti in black marker with the phrase "JAREER but smart." The teacher told the culprit to clean it up, which he did with a razor, permanently destroying the desk surface. The young jareer men who determined to use their time in the camp to study, like Sadiq, recall their fury at how they were treated by their fellow Somalis, who barred them from the paying camp jobs controlled by Somali camp staff, mocked them in public, and belittled their academic accomplishments. Somali Bantus in the United States say that while UNHCR and its contracted agencies administered the camp, the few Somali staff employed by the agencies acted as gatekeepers for the limited number of paying jobs available to qualified refugees. Revealing a small arena of refugee control, one Somali Bantu told me, "The whites [running the camps] just worked their jobs. They just make their money but they don't know anything. They hired whomever their Somali employees said to hire." When one Somali Bantu friend received the highest score on a qualifying exam for a paying camp position to register deaths, Somali applicants who scored lower told the authorities he would be killed if he was awarded the job. Although the authorities offered the position to him at his own risk, he declined it. Researchers and Somali Bantus alike describe how racism against Somali Bantus continued unabated in the Dadaab camps.

U.S. Resettlement

Although warehousing and repatriating refugees remains the priority for UNHCR and its primary funders, UNHCR will facilitate resettlement applications for selected groups and individuals.⁴³ Countries can choose to accept refugees for resettlement according to whatever principles they wish, and thus the history of refugee resettlement in the United States has been closely tied to U.S. political interests. From 1945 to the mid-1980s, the United States accepted more than 2 million refugees, over 90 percent of whom came from communist countries because the U.S. government used the offer of refuge, through presidential parole power, as a political tool against communism.⁴⁴ Those accepted included 40,000 Hungarians after the 1956 Soviet invasion, nearly 800,000 Cubans after the Cuban revolution, 100,000 Soviet Jews in the 1970s, and, after the fall of Saigon, 1.5 million Vietnamese and Cambodians.⁴⁵ Refugees fleeing authoritarian regimes supported by the United States during this era, such as those of several Central American countries, were rarely admitted through official channels.

The large number of Indochinese and Soviet Jewish refugees admitted into the United States from 1975 to 1979 precipitated a restructuring of American refugee admittance policy, resulting in the 1979 creation of the Office of the U.S. Coordinator of Refugee Affairs and the passage of the Refugee Act of 1980. The act replaced the presidential ad hoc practice for admitting refugees with a baseline quota for refugees, initially set at 50,000 per year, and gave Congress a role in identifying refugees for admittance. Most significantly, the act extended the definition of a refugee beyond someone fleeing from communism and laid out a formal system for greater coordination among the UNHCR, State Department, Department of Justice, and the court system for deciding which refugees to accept.

While many refugee activists heralded the 1980 Refugee Act as a victory for humanitarianism because refugee admissions were no longer to be exclusively tied to American political interests, a combination of factors soured American enthusiasm for admitting refugees after the passage of the act.⁴⁶ Hundreds of thousands of Cubans, Haitians, and Indochinese arrived in 1980, their numbers augmented by other immigrants from many countries, and American host communities were uncertain about and increasingly unwilling to commit to supporting more new arrivals.⁴⁷ Concurrent with the passage of the act, when President Reagan assumed office in 1980 he dropped the number of refugee admissions from 234,000 in 1980 to 173,000 in 1981, to 70,000 in 1985–86. The concerns about welfare dependency that characterized political

rhetoric during the early 1980s extended to include refugees as well, stoking the anti-immigrant/antirefugee sentiments that remain powerful today.

During the heyday of U.S. refugee resettlement (1945–80), hardly any of those admitted were African (in 1980, Africans constituted less than 2 percent of admitted refugees⁴⁸), a pattern that continued into the 1990s as overall refugee admissions continued to shrink while refugee flows in Africa grew. By the late 1990s, members of the Congressional Black Caucus, some of whom participated in NGO-hosted trips to African refugee camps during the 1990s, stepped up their lobbying efforts to raise the ceiling on African refugees accepted for resettlement.⁴⁹ In the 1970s the caucus had protested the virtual open-door policy offered to Cubans while hundreds of thousands of Haitians were deported, suggesting a racist refugee policy was in effect. In the 1990s, when caucus members protested the generous admittance policy for those fleeing the Balkan wars while keeping the door closed for Africans, the U.S. government responded to this embarrassing criticism by asking the UNHCR to identify a discrete group of Africans who might qualify for resettlement.⁵⁰

The UNHCR identified two African groups as resettlement priorities: the Sudanese “Lost Boys” and the “Somali Bantus,” describing both as extremely vulnerable groups who could not be returned to their home countries. In 1999 the United States offered both groups P2 status, a resettlement designation given only to groups “of special humanitarian concern.”⁵¹ As plans got underway to bring the Somali Bantus to the United States, the resettlement program announcements in UNHCR publications and the American media introduced them as a “persecuted minority” with a history of slavery who had no other place to go. Somali Bantus seemed to offer a perfect profile of innocent victims whose history resonated with American shame about slavery and pride about the civil rights era, a point noted in an issue of UNHCR’s *Refugees* magazine devoted to the Somali Bantu resettlement program in advance of their arrival in the United States: “Ironically, their existence had many parallels with former slaves in America’s deep south until that country’s 1960’s civil rights movement changed history.”⁵²

The Somali Bantu issue of *Refugees* described their history of ill treatment and subjugation in Somalia, their persecution during the war, and their lack of resettlement alternatives: “For a decade the U.N. refugee agency tried to find a new country for approximately 12,000 so-called Somali Bantu, a group whose ancestors were seized by Arab slavers from their ancestral homelands, who continued to be widely discriminated against and victimized in their ‘new’ home in Somalia prior to the war and who vowed they would not return to that country even if peace is restored.”⁵³ The magazine described failed

UNHCR efforts to resettle the Somali Bantus in their “ancestral homeland” in Tanzania in 1993 and Mozambique in 1997, efforts thwarted by the budget constraints of those governments. According to the magazine, the rejections left the Bantus dispirited and without hope, until news arrived of the U.S. offer to accept the group, initiating “a breathtaking journey from a semi-slave past to a future of unlimited freedom and choice.”⁵⁴

Refugee activists heralded the announcement of the Somali Bantu resettlement program as a triumph for humanitarianism. In her review of the decision-making process to offer P2 resettlement to the two African groups, legal scholar Heidi Boas argues that the resettlement offer demonstrated that the power of interest groups and the ethic of humanitarianism had at last become more significant than foreign policy objectives in the decision about who would receive refuge in the United States.⁵⁵ Boas suggests that a humanitarian ethic, rather than national self-interest, must have motivated the resettlement offer because the Somali Bantus brought no relevant skills, education, resources, family ties, or international significance to the United States and would need “round the clock help in navigating through a culture so different from their own” after their arrival.⁵⁶ Lamenting this same conclusion, the Center for Immigration Studies, a partisan anti-immigrant organization, criticized the offer of refuge to Somali Bantus as indicative of a shift from foreign policy and national interest to a “global human rights agenda” as the guiding force of U.S. refugee resettlement.⁵⁷

Affirming the humanitarian theme, news reports across the United States promoted an image of American benevolence in choosing the Somali Bantus for resettlement. Newspaper accounts described the Somali Bantus as utter victims in desperate need of rescue: the *New York Times* described the Bantus as living at the very bottom of the bottom of the barrel in Dadaab, while the Somali Bantu issue of *Refugees* described them as submissive, intimidated, and charmingly naive and a UNHCR source told the *Washington Post*, “The Somali Bantus are the closest thing you will find to a people who are stateless.”⁵⁸ News reports described their mistreatment and extreme discrimination by Somalis, emphasizing their darker complexion as compared to ethnic Somalis, a theme repeated in other reports as well despite its inaccuracy.⁵⁹ Descriptions such as “Africa’s lost tribe” (*New York Times*) and “among the most persecuted people on earth” (*National Geographic*) highlighted the group’s vulnerability and history of exploitation as descendants of slaves.⁶⁰ The news article titles affirm the humanitarian impulse: “Somali Bantu, Trapped in Kenya, Seek a Home” (*New York Times*); “US Opens Arms to Bantu Somalis” (*Christian Science Monitor*); “Following Freedom’s Trail” (*Newsweek*).⁶¹

Because of their illiteracy, lack of education, rural background, and history of persecution, Somali Bantus were widely described as particularly needy and unprepared for modern life. News accounts revealed acute fascination with a primitive-meets-modern theme, demonstrated in the repeated contrast between Somali Bantu prewar life and the life that awaited them in the United States. “Most have never seen a light switch or telephone, or even a building that wasn’t made of mud,” reported *Newsweek*. *Refugees* magazine explained, “They are sturdy farmworkers with few other skills, who have never turned on an electric light switch, used a flush toilet, crossed a busy street, ridden in a car or on an elevator, seen snow or experienced air conditioning.” The *New York Times* described them as “almost completely untouched by modern life. . . . They measure time by watching the sun rise and fall over their green fields and mud huts.”⁶²

A Horatio Alger undercurrent accompanied their characterization as contemporary primitives. The Somali Bantu issue of *Refugees* called them “a lucky few” and a *New York Times* article lauded the United States as “A Place of Miracles” for the refugees, while the Center for Immigration Studies complained that Somali Bantu refugees won “the jackpot” with the “dazzling” opportunity to come to America.⁶³ While celebrating the “dazzling” opportunity afforded by the resettlement plan, news accounts and policy documents nevertheless predicted that, because of their backwardness and lack of exposure to modern technology, the transition to life in the United States would be difficult and challenging for resettled Somali Bantus. Reporting on the plans to prepare Somali Bantus for their journey to the United States, *Refugees* magazine said they would receive a crash course in cultural orientation and basic survival skills for adapting to American life, although the *Newsweek* article cautioned, “What happens next is surprisingly unclear. . . . Some relief officials worry that the government isn’t doing enough to ready the Bantus for life in America, and that those who are unable to find jobs will wind up trading one kind of poverty for another.” The article ends with a quote from a Somali Bantu man: “‘I hear the government lets you keep a cow wherever you want in America,’ he says with obvious pleasure. ‘I need a cow, because I need fresh milk.’” The reporter concludes, “Imagine his surprise.”⁶⁴

Security Is the Top Concern

Despite the abundant accolades celebrating the humanitarian basis for the Somali Bantu resettlement program, security protocol remained the top concern in its management. Assuaging any doubts about the legitimacy of Somali Bantu refugees as worthy recipients of humanitarian charity in the post-9/11 age of suspicion, U.S. news reports confirmed that upon their arrival, Somali

Bantus would be “one of the most heavily screened groups of prospective immigrants to the US.”⁶⁵

In Kenya’s refugee camps, UNHCR (and its subcontractors) have absolute authority over which cases are referred and then approved for resettlement, an assessment of legitimacy determined through interviews by administrative and contracted staff. As the number of refugees seeking resettlement has grown while the desire of potential host countries to accept refugees for resettlement has shrunk, the UNHCR interview process has become saturated with suspicion and an orientation toward rejecting resettlement applications. Verdirame and Harrell-Bond reported that according to an authority in Dadaab at the time of their study in 1997, the UNHCR had denied 75 percent of the resettlement applications of refugees living there.

After the 1999 U.S. State Department announcement of the Somali Bantu resettlement plan,⁶⁶ interviews to confirm the legitimate claim to refugee status and persecution of Somali Bantus living in Dadaab got under way. Even though Somali Bantus were given a P2 group designation for resettlement, refugee resettlement protocol still required validation of every single person included in the group resettlement plan. Somali Bantu applicants had to pass a series of tests to be accepted as part of the resettlement program, after which they were transferred to another refugee camp in northern Kenya, Kakuma, for further processing. To the consternation of refugee activists and humanitarians in the United States, as well as the refugees themselves, the process ended up taking five years because of repeated delays prompted by security concerns.

The repeated post-9/11 suspensions of the Somali Bantu resettlement process provoked angry denunciations of the U.S. government’s commitment to humanitarianism by refugee activists who argued that the case for resettlement for this group had already been made and that the refugees selected for resettlement had already been verified and confirmed. Bill Frelick, director of policy for the U.S. Committee on Refugees, argues that U.S. refugee resettlement post-9/11 dramatically shifted away from the humanitarian ethic that was supposed to guide the offer of resettlement following the 1980 Refugee Act to a new “security model” in which “refugees often came to be regarded with deep suspicion, sometimes seen as being terrorists themselves or as being the sea in which the terrorist fish could hide and swim. Fear of terrorism often exacerbated preexisting xenophobic and racist tendencies.”⁶⁷ Whereas during the Cold War years refugees were viewed as heroic, freedom loving, and politically valuable, Frelick says post-9/11 refugees are suspected of colluding with terrorists: “Under the security paradigm, refugees are devalued to the point where providing asylum or intervening to provide source-country

solutions are trumped by the desire to keep terrorists out.”⁶⁸ In his February 12, 2002, testimony to the Senate Judiciary Immigration Subcommittee about the post-9/11 suspension of refugee resettlement, Frelick expressed his frustration: “I will hasten to add that very few of the groups that I would mention would be ones that would [be] unfamiliar to the State Department. We have been in discussions with them for years on some of these groups, Somali Bantu in Kenya, for example, or the Baku Armenians in Moscow, and I’d have to say that the response has often been bureaucratic, passive, and at times downright uncaring and cynical.”⁶⁹

In the same Senate hearing, Leonard Glickman of the Hebrew Immigrant Aid Society added that the State Department had appeared to be reforming the resettlement process, then said,

It sort of ground to a halt this end of the summer, this past fall, and nothing has happened, and I think one of the most startling examples of that is the Somali Bantu. I mean, it was clearly identified as a group that were in need of resettlement, in need of the protection of the United States. Everybody was on the same page, including PRM [U.S. State Department Bureau of Population, Refugees, and Migration], that this was a group that—and UNHCR, that this was a group that needed our services, and not a single Somali Bantu has arrived in the United States. It’s outrageous.⁷⁰

Defending the resettlement policy and reminding the activists that Somali Bantu resettlement depends on U.S. generosity, Gene Dewey, the newly minted director of PRM, cautioned the Senate subcommittee, “Perhaps only in America are the people and its leaders capable of waging a major military campaign while keeping the imperatives of humanity both in assistance and refugee admissions at the top of the national agenda.”⁷¹ In fact, refugee admissions were not a priority that year, when the United States filled far less than half of the 70,000 slots designated for refugees. Despite the fact that the Somali Bantu had already been accepted and screened for resettlement, they were given none of the 2002 slots and only 803 of the 70,000 slots in 2003.⁷²

A U.S. State Department document with the subtitle “Case Study of Processing Complexity and Unforeseen Delays” confirms that security concerns caused the repeated delays in the Somali Bantu resettlement process.⁷³ The first planned visit to Kakuma refugee camp by Department of Homeland Security officers for reverification was canceled because of ongoing post-9/11 fears of insecurity for U.S. personnel in the camp, and then processing was further delayed by a corruption scandal involving camp staff and administrators who were accused of selling slots in the Somali Bantu resettlement program to Somalis. About the repeated delays, the State Department report

explained, with no hint of irony, “This lag necessitated a new round of security and medical clearances, because such clearances are good only for a limited period.” New security concerns, and then flooding, further delayed the review of new cases until 2004, by which time the processing of most Somali Bantu had taken five years.⁷⁴

The penultimate step in the resettlement process was a final interview in Nairobi, after which Somali Bantus either boarded a plane to the United States or were rejected and sent back to Kakuma refugee camp with no right to appeal their rejection. By the time a person reached the interview in Nairobi, he or she had already been verified by UNHCR staff as a member of the Somali Bantu “persecuted minority group,” reverified by a special UNHCR reverification team in 2001, rescreened by the International Office of Migration for the transfer to Kakuma refugee camp, cleared by U.S. Department of Homeland Security staff in Kakuma for the trip to Nairobi, and approved by an FBI background check and a health screening, becoming the most heavily screened immigrants in American history.

Conclusion

The humanitarian lens focuses on refugees as innocent victims of political struggles not of their making, reduced to bare humanity, dependent on charity. During the Cold War, the American offer of refuge was a political act wrapped in a discourse of moral responsibility for those fleeing communism, including Southeast Asians abandoned by the U.S. withdrawal from Vietnam. As the Cold War drew to a close, refugee activists hoped an apolitical form of charitable humanitarianism would replace the old political calculus, identifying the offer of refuge to Sudanese Lost Boys and Somali Bantus as an indication of such an orientation.

As the number of refugees continues to grow, and as security concerns pervade the U.S. refugee resettlement process, refugee activists and scholars debate the criteria that should be used for determining resettlement priorities. Some, like anthropologist David Haines, criticize the withering American commitment to accepting refugees, betraying what he chidingly calls an “on-the-run morality,” a concern shared by many scholars arguing for an expansion in American refugee admissions.⁷⁵ Other writers attempt to define a new ethics of resettlement humanitarianism in a world complicated by mobility of all kinds, seeking to draw clear lines between those eligible for resettlement because they are fleeing physical persecution and those ineligible because they are fleeing starvation resulting from economic policies or disasters that have destroyed their livelihoods.⁷⁶ Those who advocate for the rights of people to move in search of safety or a better life for any reason at all reject

such a distinction, while noting that those most at risk for starvation after an economic or environmental disaster are usually those most marginalized by their governments.⁷⁷ Anthropologists studying shifting trends of asylum in Europe ascertain the rise of a new moral discourse reshaping resettlement bureaucracy, suspecting a new hierarchy of suffering and rescue is taking shape that prioritizes the ill as most worthy of asylum, while barriers to other asylum applications continue to grow.⁷⁸

Imagining refugees as problems to be solved because they are people temporarily out of place whose liminality threatens international order, whose dependence requires charitable support, and whose lack of citizenship means they lack political rights and claims obscures the fact that refugees are always going to be active political agents intricately connected to and engaged in international affairs. Anthropological studies that critically deconstruct humanitarian practice reveal its basis as a technology of power wielded by powerful sovereign nations against the mobile, reliant on inaccurate assumptions, images, and moral discourses. As mobility increases because of the forces of modernization and globalization, and as new generations continue to come of age in refugee camps, it seems clear that the mobility associated with seeking refuge is no longer an aberration to be reconciled with international order, but rather may be *remaking* international order. Sociologist Zygmunt Bauman calls refugees “the waste of globalization,” but they are also icons of globalization. Humanitarianism, as a technology for managing people out of place, thus loses its discursive luster as charity based on compassion and becomes recognized, instead, as a political act of control and domination.⁷⁹

Somali Bantus appeared to fit the image of the perfect refugee, described in UNHCR publications and American news reports as apolitical victims living in a premodern state of feudal serfdom. Yet, as the previous and next chapters show, this image is a fabrication, crafted out of the image of innocent victimhood required by the international refugee regime and the savvy political foresight of the Somali Bantus themselves. Despite the *New York Times*' claim that the Somali Bantus are “almost completely untouched by modern life,” their history is shaped by forces associated with modernity. Colonial battles and the slave trade brought their ancestors to the Jubba Valley early in the past century, after which the history of U.S. and European involvement in Somalia helped to define their valley as an object of international development interest, to support and fund a land reform program that would disenfranchise the farmers living there, to maintain as a Cold War ally a regime that engaged in significant human rights abuses and held little popular support, to support the massive weaponization of the country, and then to topple that regime. Theirs is a story of entanglements with very modern phenomena, and their

liminality as refugees in Kenya is tied to the particular history of Somalia's engagements with its foreign donors.

In chapter 3 we turn to the story Somali Bantus tell of their journey to America. This story is far, far more complicated than a simple tale of humanitarian generosity extended to helpless, dependent victims.