Humanitarian Politics:

Implications of Agamben's “bare life” for the African Great Lakes Refugee Crisis, and vice versa

Introduction

It is time to stop regarding declarations of rights as proclamations of eternal, metajuridical values binding the legislator (in fact, without much success) to respect eternal ethical principles, and to begin to consider them according to their real historical function in the modern nation-state.

Giorgio Agamben, *Homo Sacer*

The African Great Lakes Refugee Crisis, which began with the Rwandan Genocide in 1994 and ended in 1996 with the expulsion of the refugees by Zaire, was one of the most significant humanitarian crises of the twentieth century. During which tens of thousands died in cholera epidemic and violent clashes between Rwandan factions (Prunier, 4). Giorgio Agamben, in his seminal work, *Homo sacer: sovereign power and bare life*, mentions Rwandan refugees in his analysis of refugee camps as the absolute space of the bare life, or life that has been stripped to its bare biological needs (Agamben, 78). In this analysis, Agamben’s assertion that humanitarianism is separate from politics is central to the creation of this space of bare life. Placing humanitarian organizations within the neoliberal landscape threatens the veracity of this assertion. Analysis of refugee testimonies from the Crisis and documents produces by the French branch of Medecins Sans Frontières (MSF, or Doctors Without Borders)—the only aid organization to withdraw from the Crisis—reveal that MSF France acted through political means and with a political
aim in its work in the camps. This aim was to bring the refugees under its own control as a state, thus neutralizing the threat that refugees present to a neoliberal world.

The non-governmental organizations (NGOs) at work in the refugee camps struggled with moral and safety issues involved in operating them; MSF France was the only NGO to withdraw from the camps (Prunier, 42). The document they produced as a pretext to their departure in November 1994, “Breaking the Cycle”—along with other documents produced later in the MSF’s “MSF Speaks Out” series—offers key insight into the relationship between refugee law and its beneficiaries.

The philosopher Giorgio Agamben posits that refugee camps are the state of exception in which bare life is evinced, making it the biopolitical space that is a “hidden paradigm of modernity” (Agamben, 73). This relies on the condition of humanitarianism separate from politics (Agamben, 71); however, an analysis of the documents produced by MSF France when placed in the context of liberal governmentality (Foucault, 52), indicates that the organization did not operate separate from politics. Quite to the contrary, MSF had the specific political goal of bringing the refugees under the MSF’s own rule as state.

Documents produced by MSF France, first-hand accounts given by Rwandan refugees, and an understanding of MSF France’s place in neoliberal governance illuminate a clear political aim for MSF France: to bring the Rwandan refugees under its own statehood, rather than under the Rwandan state in exile. This analysis calls into question whether any humanitarian action is truly separate from politics. It calls for further comparative and refugee-oriented research, opens up issues about
the politics of North-South humanitarian relationships, and questions whether or not a space of bare life is possible.

This thesis is divided into three main parts: a background and overview of the African Great Lakes Refugee Crisis of 1994 to 1996; an Agambian analysis of refugee law, being, and camps; and a way out through Foucault. The MSF France documents provide a case for examining the relationship between politics and humanitarianism, because the Rwandan state-in-exile presence in the camp highlights MSF’s own political aims. Agamben even points, albeit briefly, to the Rwanda case as an example supporting his thesis that refugee camps are bare spaces. For understanding the liberal world in which MSF France operates, the thesis of this paper relies on Foucault’s lectures, *The Birth of Biopolitics*, as Agamben’s thesis was meant as a continuation of Foucault’s biopolitics.
Part I: Background and Overview

I: Four Decades of Rwandan Refugees

Rwandan refugees have long been a controversial issue in central Africa. While nearly all of the refugees of the 1994-1996 African Great Lakes Crisis were Hutu in ethnicity, the nearly four decades of Rwandan refugees that preceded them were Tutsi, reflecting the shifting political powers from Tutsi to Hutu and back to Tutsi over the decades (Otunnu, 5).

Under Belgian Colonial rule of Rwanda, which began in 1923, Rwandan Tutsis enjoyed special treatment by their colonial rulers. The Belgians, believing the Tutsis to be of superior genetic background, favored them for further education and colonial positions. The relationship between the Hutus and the Tutsis, which had previously been generally peaceful, became tense in this new arrangement, with Hutus generally resenting the Tutsis’ reception of preferential treatment, and the Tutsis generally contributing to the colonial rulers’ cruelty toward the Hutus (Otunnu, 5).

This relationship changed with the rise of the Hutu “counter-elite.” In the 1940s, the Belgian colonial authorities became less sympathetic toward the Tutsis, which was part of a larger shift away from colonial rule happening across the continent,. A new Hutu elite grew out of a coffee cooperative, TRAFIPRO (Travail, fidélité, progrès, or “Work, loyalty, progress”), which provided economic opportunities and leadership training to Hutus. This new elite formed in opposition to the Tutsi elite and gained political favor with the Belgians (Prunier, 44).
In 1959, tens of thousands of Rwandan Tutsis sought refuge in Tanzania, Burundi, Zaire, and Uganda, citing fear of retaliation for decades of their oppression of Hutus, who now held the favor of the Belgian colonial authorities. Then, in January 1961, the Parti du Mouvement de l’Emancipation Hutu (PARMEHUTU, or “Party for the Movement for Hutu Emancipation”) won a huge victory in a UN-monitored legislative election in Rwanda, causing even more Tutsis to flee to Uganda (Otunnu, 7).

Uganda, already stricken by sick cattle, flies, political instability, and the threat of Mau Mau violence spilling over from Kenya, was not interested in harboring Rwandan refugees. When, in early 1961, the Ugandan government heard that tens of thousands of Tutsis were planning to seek refuge in Uganda, they moved quickly to legally prevent them from entering the country. In addition, the Ugandan government moved to confine some of those who had entered in November and December 1959 to a small area near the Rwandan border and forcibly repatriate many others. When African members of the British Legislative Council, which governed British colonies at the time, demanded an explanation from the Ugandan government, the Ugandan government said that it could not accommodate the Rwandans and denied the existence of political violence in Rwanda altogether (Otunnu, 7).

With Ugandan independence in October 1962 (closely following Rwandan independence earlier in July of that same year), a new wave of Tutsi refugees arrived seeking refuge in a new Ugandan state. This time Tutsi warriors called Inyezi came with them and used the campus as bases from which to carry out attacks
across the border, in Rwanda. While the attacks themselves were carried out in Rwanda, they brought greater instability to southern Uganda, as well. The new Ugandan government warned the refugees against conducting attacks from Uganda, expelled several refugees for their *Inyenzi* involvement, moved the refugee settlement locations.

Tutsi attacks from Uganda, into Rwanda, continued into the early 1990s. Meanwhile, Ugandan resentment toward Tutsi/Rwandan presence increased. In fact, Uganda was not the only host to Tutsi refugees. By the early 1990s, 600,000-700,000 Rwandan Tutsi refugees and their children were living in Burundi, Uganda, Tanzania, and Zaire. Thus, in October 1990, when the Rwandan Patriotic Forces—an almost entirely Tutsi army raised in exile in Uganda—pounced and civil war began, the refugee Tutsis had large numbers to draw upon. This civil war continued until August 1993 (Otunnu, 8; Prunier, 54).

I: The Rwandan Genocide

On 6 April 1994, the President of Rwanda, Juvenal Habyarimana, died when his plane was shot down on his return from a meeting in Dar es Salaam, Tanzania. He was returning from a meeting with regional leaders where he had pledged to uphold the peace agreement he had made with the RPF in August 1993 (Adelman, 95).

It remains unclear exactly who shot down the plane. Hutu extremists claimed that it was the RPF, but many of these same extremists were unhappy about the peace agreement, and many in Rwanda and abroad speculated that this extremist group killed the president. The plane crash was the trigger the Hutu extremists had
been looking for to begin the extermination of the Tutsis. A small group of these Hutu extremists opposing the peace agreement were high in Habyarimana’s government. Members of the presidential guard, the Hutu Coalition pour la Défense de la République, and parts of the Forces Armées Rwandaises (FAR) had been planning the extermination of the Tutsis for years. An entire militia, the *interahamwe*, had been formed expressly for this purpose (Adelman 2003, 95).

For roughly a hundred days from 6 April to early July 1994, extremist Hutus in Rwanda killed nearly a million Tutsis and moderate Hutus. When the genocide ended, it was not because of intervention due to the good consciences of the international community or the legal mechanisms of the United Nations. The end of the genocide came about with the victory of the RPF. This invasion by the RPF pushed millions of Hutus into neighboring countries, especially Zaire. Most of them fled out of fear of retaliatory attacks by the RPF, and most were innocent of participation in the genocide (Stedman and Tanner, 1).

I: Overview of the Camps

The Kivu region of Zaire lies just opposite Lake Kivu from Rwanda. In Nord Kivu to the north, the principal city is Goma. In Sud Kivu, the south, the principal city is Bukavu. It is around these two cities that close to two million Rwandan refugees convened. The Rwanda-Zaire border has always been porous—Goma in particular is very connected to western Rwanda socially and economically. Aid workers before 1994 even used Goma as a base for their operations in western Rwanda, crossing the border through a one-man post on a dirt road (Associated Press, 11). From 14 to 18 July alone, somewhere between 500,000 and 800,000 people fled from Rwanda
to Goma, in addition to the several hundred thousand who had fled there earlier that month. The United Nations High Commissioner for Refugees (UNHCR) estimated that a further 500,000 Rwandans were at the border at Bukavu by 20 July (Binet, 32). This type of mass movement is rare; most refugees travel in small groups and slip across borders (Jacobsen, 5). The sheer number overwhelmed aid workers, and this affected their ability to screen and serve the refugees (Adelman, 96).

Exactly how many Rwandans fled is difficult to determine. Prunier says 2.1 million (Prunier, 5), while Adelman says 1.6 million (Adelman, 95). In one of the earliest reports from the UNHCR, the Gersony Report, made three months after the exodus, cited around one million people (Gersony, 3). The speed in addition to the volume of refugees pouring out of Rwanda in June 1994 caused great confusion and prevented the registration of each person to determine refugee eligibility. As a result, many former provincial leaders implicated in the genocide made it into the camps. Some were criminals and perpetrators of genocide, and removing them was no easy task. The refugees resettled according to their home provinces, so many of the same networks of power remained play. UNHCR attempts to remove one of these known killers from a camp in Tanzania caused a riot several thousand people strong. These leaders perpetuated the belief that the genocide had never happened, that it was self-defense, and that if refugees returned to Rwanda, the RPF would kill them all (Eriksson, 57).

Following the UN’s Protocol and Convention Relating to the Status of Refugees of 1951, those who had participated in ethnic cleansing were not refugees. Thus, the UNHCR, MSF, and other prominent NGOs faced the ethical dilemma of
whether to continue to serve camps that also harbored those who had participated in the massacres and who were definitionally not refugees. On 17 June 1994, MSF called the Benaco camp in Tanzania a “humanitarian façade” and a “sanctuary for genocidaires” (Binet, 48). Most, with the notable exception of MSF, decided that they would be doing a greater disservice to the innocent refugees in the camps by pulling out, and thus the genocidaires were treated as refugees in many ways, though in Zaire both Rwandan and Zairian forces made several unsuccessful attempts to remove them from the camps and bring them to justice (Binet, 48).

From 1994 to 1996, these camps were bases for attacks in Zaire and Rwanda, conducted by the genocidaires. They were also targets for the RPF and sites of violence by the Zairian military (Eriksson, 54). The new Rwandan government called for the harboring countries to return these refugees to engage in the healing and rebuilding process as early as August 1994, but the international community and aid organizations resisted these requests. But in mid-1996, the Tanzanian and Zairian governments moved to expel the refugees, and the humanitarians operating the camps complied. Many refugees still feared retaliation attacks, and tens of thousands fled into the forests of Tanzania and Zaire, where the military rounded up most of them for expulsion to Rwanda (Adelman, 98).
Part II: Agamben and the Crisis

II: Legal Framework

According to the United Nations’ 1951 “Protocol and Convention Relating to the Status of Refugees,” a refugee is someone 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, 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.

Thus, if a person is unable to claim the rights of his or her home country for fear of persecution based on race, religion, nationality, or political affiliation, the United Nations grants him refugee rights under this document. This person loses these rights, however, if:

(a) he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes;
(b) he has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;
(c) he has been guilty of acts contrary to the purposes and principles of the United Nations.

The full text of these legal definitions is included here to illustrate the broad nature of both refugee status and its negators, and the challenges these definitions present to implementers and refugees. According to John Eriksson in his influential report, *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, “The legal norms, in a word, are unambiguous. To apply them in the Rwanda case was another matter” (Eriksson: 57). A look at the context and history
of these laws, however, reveals that it is not only the “Rwanda case” that is ambiguous, but the laws themselves.

It is useful here to turn to Agamben to examine the nature of these laws. To understand the modern refugee, Agamben turns to the Ancient Greek concepts of *zoe* and *bios*. *Zoe* is the “bare life” common to all living creatures in Aristotelian philosophy. *Bios* is a way of living appropriate to a group or individuals—for humans, this way of life is political (Agamben, 1). As Agamben notes, Foucault simplifies this to “a living man with the additional capacity for political existence” (Agamben, 3).

Following this line of reasoning, citizenship is essential for *bios* in Western society since the early days of liberal governance and the French Declaration of the Rights of Man and Citizen in 1789 (Agamben, 126). This declaration eliminated the need for a deity to give legitimacy to laws and lawgivers and instead subsumed birth—bare life—to rights—political life—in its first article, stating, “men are born free and equal in rights.” The second article declares, however, that protection of these rights is the responsibility of the state (Agamben, 127). In this gap between the rights of man and their protection by states, refugees emerge, creating a window into the very foundations of modern governance (Agamben, 71).

Hannah Arendt, in *The Origins of Totalitarianism*, famously brings this problem to light: “The moment human beings lacked their own government and had to fall back upon their minimum rights, no authority was left to protect them and no institution was willing to guarantee them” (Arendt, 292). Thus, according to Arendt, certain rights are inextricable from human nature, but mechanisms for their
protection had been subsumed into civil rights, and human rights are rights of last resort (Arendt, 293).

In the wake of the atrocities of the Second World War, the Universal Declaration of Human Rights in 1948 attempted to cover this gap through emerging international governance frameworks by guaranteeing certain rights regardless of nationality. The enforcement mechanism, however, was still approval of this Declaration by individual states (Universal Declaration of Human Rights). Importantly, the United Nations’ 1951 Protocol and Convention Relating to the Status of Refugees emerges afterwards separately as an agreement between refugee-receiving states on how to address these people who have been stripped of their civil rights (UNHCR). Key to this Protocol is their “solely humanitarian and social mission” (UNHCR)—that is, their mission is divorced from politics. Through Agamben’s lens of zoe and bios, this returns the refugee to a state of zoe, or bare life. Thus, humanitarian organizations can only address zoe people, or refugees (Agamben, 133).

II: What is a refugee?

In this framework, we can see how the refugee of the 1951 Protocol reflects this concept of zoe. According to Agamben, international humanitarian organizations address a refugee possessing no bios, because citizenship is necessary for zoe. But what would a person with no bios look like? In other words, what should a refugee look like?

Agamben gives a pithy non-answer to this question. He gives fundraising campaigns featuring “The ‘imploring eyes’ of the Rwandan child, whose photograph
is shown to obtain money but who 'is now becoming more and more difficult to find, alive,” as what is to his mind an obvious illustration of a human life as a bare life (Agamben, 78). A full answer to this question would require more explanation than is reasonable for the purposes of this paper, but further understanding than that which Agamben presents is worth exploring.

Liisa Malkki offers insight into how this image is replicated within the camps through her research with humanitarian aid workers in a refugee camp in Tanzania in the 1980s. She recalls how camp administrators articulated insufficient gratitude from the refugees and expectations that refugees should not be “well off.” She quotes one administrator as saying, “They say that these people are refugees; they should not have all the same rights as citizens” (Malkki: 1996, 383). Others contrasted the condition of the refugees when they first entered the camp—dirty, injured, possessing nothing—and their later condition—generally healthy, building livelihoods—and protested, “These people don’t look like refugees anymore….you will think these are just villagers” (Malkki: 1996, 384). This presents a strange paradox, in which addressing the needs of the refugee is an appropriate and moral action, yet results in the production of an apparently inappropriate or immoral state of affairs; administering to those who deserve a serve by human right renders those same people undeserving of further service. Didier Fassin, in his book Humanitarian Reason, presents similar findings for all recipients of humanitarian aid, highlighting the focus of aid on the world’s poorest and most endangered and the inequality that this implies. He explains that the exchange of aid for displays of gratitude and
humility by its recipient reinforces this inequality, because gratitude can never be commensurate to the aid given (Fassin, 3).

II: What is a Camp?

For Agamben, the camp is the state of exception where fact and law are no longer differentiated, creating the bare life (Agamben, 98). That is, bare life is law. In order to make this issue explicit, we must first unpack “the camp.”

A state of exception is the paradoxical situation in which the law is outside itself; that is, the sovereign has the power to suspend law (Agamben, 18). Such a state of exception manifests itself as a camp when “the state of exception begins to become the rule” (Agamben, 96). In real terms, this type of state of exception comes from states of emergency, in which some laws are suspended. These states of emergency allow the sovereign to take individuals into custody independently of any crimes committed, in order to protect the security of the state. Agamben points to Prussian protective custody laws and turn-of-the-twentieth century Cuba in which for, perhaps, the first time, a sovereign (Spain) created a “concentration camp,” as examples of this state of emergency. The last example, the camp, comes about when this state of exception becomes the rule (Agamben, 95).

In order for this camp to manifest as a space of the bare life, the distinction between fact and law must fail (Agamben, 96). This relies on another paradox: that the state of exception exists because of a dismissal of ordinary law by the sovereign, but the camp is still under the rule of the sovereign, as its existence relies on the sovereign. According to Agamben,

The sovereign no longer limits himself...to deciding on the exception on the basis of recognizing a given factual situation (danger
to public safety): laying bare the inner structure of the ban that characterizes his power, he now de facto produces the situation as a consequence of his decision on the exception (Agamben, 97).

Thus, the camps consist of a space where outside is inside and exceptions to rule are ruled. Agamben highlights the confusion in this, stating, “the very concepts of subjective right and juridical protection no longer made any sense” (Agamben, 97). The conclusion that he draws from this paradoxical perplexity is that, not only are exceptions and rules no longer separate, fact and law themselves are not: the fact of zoe (or bare life) is the rule. The body in the camp is neither a biological nor juridical one (citizen), but the site of sovereign power that operates without distinction between fact and law (Agamben, 97).

Agamben uses the Nazi concentration camps in which the Jews were exterminated as his primary case study for his work. The Nazis had drawn on Prussian legal pretexts allowing for suspension of certain laws in emergency situations to suspend the rule of law to protect “the people and the state” from 1933 until the end of the Third Reich, making the exception the rule regardless of the actual facts of danger (Agamben, 95). Thus, when Heinrich Himmler opened concentration camps for political prisoners in the same year, the camps were already exempt from prison laws. Now, the camps became a space free even from law through this suspension of law, and continual reaffirmation of this exception by officials (Agamben, 96).

Insofar as its inhabitants were stripped of every political status and wholly reduced to bare life, the camp was also the most absolute biopolitical space ever to have been realized, in which power confronts nothing but pure life, without any mediation. This is why the camp is the very paradigm of political space at the point at which
politics becomes biopolitics and *homo sacer* is virtually confused with citizen (Agamben, 97).

In the Nazi concentration camps, Agamben finds no *bios* mediating *zoe*. Because the Jews had been stripped of all rights and legal protections, they lived the bare life, and thus the lack of laws *was* law, or bare life *was* law (Agamben, 97).

But Agamben finds this situation not only in Nazi concentration camps, but recreated in every situation where states institute a sustained space of exception. He points to “The stadium in Bari into which the Italian police in 1991 provisionally herded all illegal Albanian immigrants before sending them back to their country...[and] the *zones d'attentes* in French international airports in which foreigners asking for refugee status are detained” as examples of these camps where the bare life evinces (Agamben, 99). He even points (albeit briefly) to the African Great Lakes Refugee Crisis as an example, saying, “It only takes a glance at recent publicity campaigns to gather funds for refugees from Rwanda to realize that here human life is exclusively considered as sacred life and that only as such is it made into the object of protection” (Agamben, 78). Agamben points to this as evidence of how humanitarian organizations can only address the bare life (that is, the biological needs) of the refugees, calling them a "humanitarianism separated from politics," as mandated by the "solely humanitarian and social" mission designated by the United Nations High Commission for Refugees protocols of 1951 (Agamben, 78). This makes the Refugee Crisis and other refugee situations examples of the bare life,

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1 *Homo Sacer* is, in Roman law, the “sacred man,” or the man who cannot be sacrificed but may be killed on account of his crime. This man cannot be sacrificed, but if someone kills him, he will not have committed homicide (Agamben, 47).
as bare life is the mission of humanitarian organizations, obscuring the separation between fact and law once again (Agamben, 98).

II: Applying Agamben to “the Rwanda Case”

The mission statement of MSF France demonstrates their intention to separate humanitarianism from politics:

Médecins Sans Frontières provides assistance to populations in distress, to victims of natural or man-made disasters and to victims of armed conflict. They do so irrespective of race, religion, creed or political convictions. Médecins Sans Frontières observes neutrality and impartiality in the name of universal medical ethics and the right to humanitarian assistance and claims full and unhindered freedom in the exercise of its functions (MSF Charter and Principles).

This mandate to protect people and remain neutral in conflicts is directly in line with Agamben's assertions that humanitarianism is separate from politics and can only address the bare life. The MSF claims full and unhindered freedom to exercise its mandate, which relates only to the biological needs of "victims of overwhelming fate," to borrow a term from Fassin (Agamben, 47).

In the specific context of Rwanda, this appears to hold true. In reflecting on the Refugee Crisis in its publication, MSF Speaks Out: Rwandan Refugee Camps in Zaire and Tanzania 1994-1995, the organization quotes Nicolas de Torrente, the MSF France Coordinator in Rwanda from August 1994 to March 1995:

The whole approach to the aid camps was based on the bad experience that we had with the Burundian refugees the previous year both in Tanzania and Rwanda. The aid system did not function well--there were breaks in the food pipeline, which caused terrible malnutrition. Our entire approach from the outset aimed to maximize assistance to the Burundian and Rwandan refugees, a systematic distribution to all children less than 5 years old to prevent malnutrition (Binet, “Rwandan refugee camps in Zaire –Tanzania, 12).
As one would expect of a medical relief organization, MSF France addresses nutrition and safety as its main concerns in their document, "Breaking the Cycle," a set of recommendations produced for the international community when MSF was considering suspending its mission in the camps. It counted these as concerns of not only MSF France's operations, but also MSF International and other humanitarian relief organizations, citing similar debates it had witnessed in these organizations ("Breaking the Cycle," 13).

Early newspaper reports of the post-genocide camps are also laden with images of refugees similar to Agamben's Rwandan child with the imploring eyes (Agamben, 78). "Standing amid the dead and dying, the sound of crying babies and the groans of the sick filling the air," writes one journalist (Maclean's, 23). Journalism from the time is rich with both moralizing opinions and the stereotyped image of refugees as being masses of victimized women, children, and the sick (Malkki: 1995, 24). Reporters depict unending waiting and suffering and paint a picture of refugees engaging in four main activities: they “squat,” “line up,” “resign themselves,” and “die” (Davies, 3c). Even refugees within the camps recognized that this was how they were portrayed to the world. Charles Bakundakwita, a Rwandan refugee heavily involved in relief work in the camps, writes of how the image of Rwandan refugees in the popular psyche consists of masses of people, mostly women and children, sick and malnourished, sitting and waiting in their blue tarp homes (Bakundakwita, 6). This compliance with the “expected” performativity of refugee life allows the refugees to be “constituted as victims of an overwhelming fate,” according to Fassin (Fassin, 4).
II: Conclusion

These findings that MSF France’s mandate related only to the biological needs of its beneficiaries and that refugees behaved in a manner that gave evidence to their lives being zoe seem to confirm Agamben’s thesis. That is, humanitarian organizations are divorced from politics, operating only to address the biological needs of the refugees, making the camp a paradigm of the bare life (Agamben, 94). In this paradigm of the bare life, MSF France found itself unable to fulfill its humanitarian mission, and so left the camps. This, however, is a very selective picture of what happened in the camps and a very narrow understanding of MSF France’s role.
Part III: The Way Out

An Agambian understanding of what happened in the African Great Lakes Refugee Crisis is one which ignores documented accounts of refugee life and NGO behavior in favor of finding "the bare life" in this space of human tragedy. The Agambian reading glosses over refugee voices and takes for granted the context of the MSF’s testimony and the place which NGOs occupy in the neoliberal landscape. When viewed together, refugee testimony, NGO documentation, and an understanding of humanitarianism’s place within liberalism allow us to see MSF France’s actions in the camps as part of their role in neoliberal governance. The MSF’s mission was not "solely humanitarian," as they and Agamben insist; rather, it brought these refugees into the state in response to the threat that refugees present for the neoliberal state.

III: Liberalism and Humanitarianism

Liberalism (and, equally neoliberalism\(^2\)) is the political order out of which the French "Declaration of the Rights of Man" and subsequent declarations and understandings of human rights grew. According to Foucault, liberalism is the "veridiction of the market, limitation by calculation of governmental utility" (Foucault, 61). That is, liberalism is a form of governance based on governmental management of the market, which is taken to be the natural expression of man’s freedom. Liberalism came into being in the mid-eighteenth century when the market became the state's focus—it's law and its reason for existence. That is, the doctrine of liberalism the state is entered into a dialectical relationship with the

\(^2\) Foucault views liberalism and neoliberalism as one and the same (Foucault, 78)
market – the market is the measure of society’s well-being and, thus, the function of the state is to control the market. Adam Smith's assertion that the price of a good need be beneficial to both the buyer and the seller is vital to the ethos of liberalism (Foucault, 53).

As James C. Scott painstakingly demonstrates in his Seeing Like a State, this ideal does not just fit into the revolutionary factors at play in the mid-eighteenth century, it is its foundation. Goods that benefit both the buyer and the seller challenged the feudal hierarchy previously in place. Demonstrating this, Scott quotes the cahiers or formal petitions of the Third Estate³ in France just before the French Revolution: "we express our most sincere desire for but one King, one law, one weight, and one measure" (Scott, 31). This desire for a standardization of units of measure was found throughout France and demonstrated a desire for a standardization of exchange. Measures such as "a basket" were common in determining rates of pay and taxation, but the size of the basket easily varied. It was common for feudal lords to demand a larger basket for payment of taxes but use a smaller basket for payment as a means of increasing taxes and revenues. For example, between 1674 and 1716, the size of the main feudal tax unit, the bushel, increased in size by a third. Thus, the quest of the Third Estate for a standard unit of measurement was, in many ways, a desire to be seen as equal under the law, with lord and peasant exchanging under the same terms. Equal rights are intimately connected to equal measure (Scott, 31-32).

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³ Feudal peasants
This standardization was also desirable for Scott’s "high modernists," the intellectuals and planners seeking to centralize the French state (Scott, 6). Large scale and long distance commerce benefitted from a standardization of measure. Because many towns and regions had their own units of measure, trade from town to town had to happen on an individual level, with the terms of a trade negotiated between two differing measures each time (Scott, 32). This equal measure would allow trade to flourish, freeing up the market and allowing each party in the trade to benefit from Adam Smith's ideal: the profit will be at a maximum for the seller and a minimum for the buyer. Thus, Foucault writes, "we find this idea, which will be at the center of the economic game as defined by the liberals, that actually the enrichment of one country, like the enrichment of one individual, can only really be established and maintained in the long term by a mutual enrichment" (Foucault, 54). In a liberal government, therefore, enrichment of individuals is necessary for the enrichment of the state.

According to Foucault, for the liberal thinkers of the period, this arrangement was natural. He cites Kant when he outlines the principles of this arrangement:

First, that men can have relations of exchange with each other individually, supported by property, etcetera, and this prescription or precept of nature will be taken up in legal obligations and become civil law.

Second, nature determined that men be distributed across the world in distinct regions and that within each of these regions they have privileged relationships with each other that they do not have with the inhabitants of other regions, and men have taken up this precept in legal terms by forming separate states which maintain certain legal relationships between them. This will become international law. But in addition, nature has wished that there are not only juridical relationships between these states, guaranteeing their independence, but also commercial relationships that cross the borders between states and consequently make the juridical
independence of each state porous, as it were. Commercial relationships cross the world, just as nature intended and to the same extent as nature intended the whole world to be populated, and this will constitute cosmopolitan or commercial law. This edifice of civil law, international law, and cosmopolitan law is nothing other than man's taking up of a precept of nature as obligations (Foucault, 57-58).

That is to say that the fact of commercial relationships is a countervailing force to the independence-guaranteeing force of international juridical relationships – the cooperative nature of international relationships is produced by the dialectic of juridical independence and commercial dependence at the inter-state level. Foucault here demonstrates that, not only are the principles of exchange natural, they form the basis for civil, international, and commercial law. Thus, it was natural for the framers of the Rights of Man to endow all men with these rights equally: relations of exchange were vital for commercial, civil, and international law.

From this "discovery of spontaneous mechanisms of the economy which much be respected by every government if it does not want to induce efforts counter to or even opposite of its objectives," (Foucault, 61) comes biopolitics. In order for the state to function, it must know and respect these economic mechanisms. The liberal state arms "itself with precise, continuous, clear, and distinct knowledge of what is taking place in society, in the market, and the economic circuits, so that the limitation of its power is not given by respect for the freedom of individuals, but simply by the evidence of economic analysis which it knows has to be respected" (Foucault, 58). This understanding of the goings-on of the population enable a state to govern the population to meet its needs for exchange.
Scott writes about this in terms of legibility with implications for the integrity of the state. Like Foucault, he argues that measures undertaken by the state to understand its population allow the state to manage production and exchange within and outside of the state. These studies and orchestrations are also important for the legibility of the population and the state. "Historically, the relative illegibility to outsiders of some urban neighborhoods...has provided a vital margin of political safety from control by outside elites" (Scott, 54). States have endeavored to map cities or plan new ones in legible ways (for example, grid systems for streets) as a means of understanding their populations or promoting exchange (Scott, 54). Other, non-physical means of accomplishing this include censuses and identification numbers. Plans and measures are part of the toolkit of the state.

According to Foucault, the state is not a thing, but a system of power relations:

The state is not a universal nor in itself an autonomous source of power. The state is nothing else but the effect, the profile, the mobile shape of a perpetual statification or statifications in the sense of incessant transactions which modify, or move, or drastically change, or insidiously shift sources of finance, modes of investment, decision-making centers, forms and types of control, relationships between local powers, the central authority, and so on.

Under this understanding of a state, an NGO easily assumes the role of the state in its mission of protecting and providing for human life. It fosters the economic relations of the refugee, for example, by controlling the distribution of aid with exacting regard for the number of beneficiaries and their nutritional needs.

For the refugee, his existence outside of a state becomes a threat to the state. Agamben writes that refugees represent "a disquieting element in the order of the
modern nation-state" (Agamben, 12). Foucault's description of the independent legal status but porous nature of the borders between separate states allows for the idea of a refugee as threatening the authority and balance of relations of the neoliberal state (Foucault, 57). Fassin writes more explicitly and extensively on European states' hostility to immigrants and refugees, especially non-Western ones. He draws on Derrida to explain that refugees threaten the state's sovereignty because those that are outside the citizenry are considered hostile, and the state closely guards its right to admit or refuse outsiders (Fassin, 135). He indicates that humanitarian missions and security concerns were inseparable (Fassin, 138). "The problem," he writes, "was that the task the state had conferred on the humanitarian organization was primarily one of public order" (Fassin, 139). The humanitarian organization became charged with a task that was, at its core, a function of the neoliberal state. That, in this case, MSF, the humanitarian organization in question, took up that task, indicates that, contra Agambin, humanitarian organizations do, indeed, have the potential for political purpose. Their political purpose is to manage these outsiders for the purposes of preserving the integrity of the state by either taking them under the control of the humanitarian-state or repatriating them to another country.

The humanitarian organization as a state entity is not a radical idea. Fassin writes that in "refugee camps....[the military, humanitarians, and journalists] invent 'mobile sovereignties' as a substitute for failing state authorities" (Fassin, 10). Any account of refugee camps will be replete with examples of aid organizations taking on the roles of the state to organize life within the camps. In the vein of state action,
Scott gives examples of relief authorities using biopolitical measures to make refugee spaces more legible:

When they were free to talk, refugees in Somalia told their interviewers that the new settlement pattern was devised to control dissidence and rebellion, to prevent people from leaving, to 'make it easier to watch the people,' to control the crops.... (Scott, 249).

Fassin writes about the Red Cross's determination to control the flow of goods within Sangatte, a holding center for refugees in northern France awaiting passage to the United Kingdom, to the point of punishing a refugee for selling apples he had had to smuggle into the camps (Fassin, 138). This system of power relations, with the emphasis of biopolitics for economic gain, manifests itself in humanitarian organization and allows for these organizations to assume the role of the state in the camps.

**III: Humanitarian Statehood in "the Rwanda Case"**

In “Breaking the Cycle,” MSF France calls attention to biopolitical and economic concerns. In a section on the “misuse of humanitarian relief goods,” the report states, “One way to control whether the amount of food coming into the camp corresponds with the needs of the given number of refugees is to know the exact amount [sic] of refugees present in the camps” (“Breaking the Cycle,” 10). MSF carried out a census in one camp, but not in the others for security concerns. Instead, they relied on estimates from the Rwandan leaders, who, the MSF charges, were mainly genocide perpetrators. Unable to conduct their own census, MSF France estimated that, in one camp, the Rwandan leaders were over-reporting refugee numbers by over 100,000, but that 24% of the refugees in that camp received insufficient food allocations. They attributed this to the strength of some
prefectures over others, which allowed them to extort more food from aid organizations ("Breaking the Cycle," 10).

Without exact statistics on the population, MSF France was unable to make precise food allocations. "Breaking the Cycle" documents several instances of markets popping up and trade happening with excess rations, saying, "Mostly young men are selling food contained in WFP sacks or UNHCR plastic sheeting on rapidly expanding markets" ("Breaking the Cycle," 10). MSF France attributed this economic activity to the Rwandan leaders and believed that the markets supported the militia ("Breaking the Cycle," 12), although no evidence is given of this.

MSF France’s recommendations for the continued operation of the camps directly reflect these economic and sovereign concerns. These recommendations include:

1. Maintaining of law and order should under no circumstances be done by refugees selected by the leaders many of whom are themselves suspected of having been involved in the genocide.

2. Registration should take place as soon as possible in Bukavu and Goma\(^4\) with as main aim [sic] to ensure that all refugees equally have access to humanitarian relief. The distribution of humanitarian relief should be supervised by independent bodies and not be controlled by those who are suspected of having been involved in the genocide. Smaller camps are to be set up so as to reduce the influence of the leaders on the distribution of humanitarian aid....

3. UNHCR should take upon it more effectively its role of giving protection to the refugees [sic].... ("Breaking the Cycle, 12").

As the second recommendation by MSF France, census and relief control (presumably to eliminate the camps’ black markets) are chief concerns for the NGO. These measures, it believes, will deliver the camps from the control of the Rwandan

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\(^4\) Zairian cities near the Rwandan border.
leaders and into the control of the NGO and UNHCR leaders and allow refugees to “be protected from violence and have unimpeded access to humanitarian aid” (“Breaking the Cycle,” 12). The body of the report, however, only makes one mention of refugees’ insufficient access to aid (“Breaking the Cycle,” 10). Virtually all of the documented instances are, even in the report, attributed to conflicts between the militia and the RPF (“Breaking the Cycle,” 6, 8, 9). MSF France considered members of neither of these groups to be refugees (and thus did not fall under their mandate), and the NGO repeatedly called for their removal from the camps (“Breaking the Cycle,” 2, 12).

Instead, the report focuses mainly on the power structures present in the camps. The MSF France report begins with several pages—comprising a quarter of the report—describing the “Power Structures in the Camps” (“Breaking the Cycle,” 5). The report tells us that the people in camps were often organized into the same *prefectures, communes, secteurs,* and *cellules* and led by the same officials as they had been in Rwanda (“Breaking the Cycle,” 4). These structures aided in food distribution, but the MSF France states that this became a means for government officials to support the militias conducting attacks in Rwanda by simply citing the fact that the leaders’ lists often did not match the numbers or names of people in their *prefectures* and *secteurs,* and that relief food was sold on the open market in the camps (“Breaking the Cycle,” 6).

The MSF France describes the administrative authorities, the militia, the former Rwandan army, the refugees, the presence of international aid agencies, and the authorities in control of law and order in detail (“Breaking the Cycle,” 6). “The
former Rwandan authorities have control on almost all aspects of camp life,” states the report. “It appears that there is close coordination between the former Rwandan government, the military, the civilian authorities, and the militia” (“Breaking the Cycle,” 5). With this swift grouping—with little evidence to support it mounted in the report—all instances of Rwandan leadership are lumped together with the génocidaires and those continuing the attacks from the camps, undermining any positive contributions brought to the camp through any Rwandan leadership.

There is no question that the Rwandan state had reorganized itself in exile and was exercising political control in the camps. Contemporary news reports cite at least 40,000 former Rwandan soldiers living in the camps and tens of thousands of militiamen more who participated in the genocide and then purportedly began to control the refugees through food distribution and intimidation (McKinley, 18; McCreal). “Under the sway of Hutu militia in the camps, most of the refugees refused to return to Rwanda,” writes one journalist for the New York Times. Former Hutu leaders continued to exercise power through the former provincial government networks (Eriksson, 17). The Interahamwe and former government leaders were legally not refugees themselves, according to the Convention of 1951, and MSF France cited their presence as one of its chief concerns when weighing its decision to leave (“Breaking the Cycle,” 2).

Refugee testimony, whilst extremely limited, points to many elements of Rwandan leadership not associated with the Genocide acting in the camps. When Marie Beatrice Umutesi, for one, arrived at Bukavu as a refugee, she found members of the Collective of Rwandan NGOs—a group of Rwandan-founded and –staffed aid
organizations from before the genocide—and they began “looking for ways to make ourselves useful” (Umutesi, 71). There was a sense amongst their group that they must begin to use what resources they had to help those around them. Bakundakwita describes how, after the cholera outbreak in his camp in mid-1994, the UNHCR moved refugees by foot into giant camps. The Rwandan NGOs, on the other hand, rented buses and vans to transport women, children, the sick, and the elderly first, and then the international NGOs started to follow suit (Bakundakwita, 19). Rwandan refugee Pierre Celeste Bilimana expressed this agency to a reporter, saying, “We refugees should be given more responsibility to solve our own problems—we have become professional refugees in the past four months. We know the system, we know our needs, we know each other” (Davies, 3C).

Another major source of concern for the MSF France was the refugee leaders discouraging and preventing Rwandans from returning to Rwanda ("Breaking the Cycle," 8). The organization reports many attacks and killings of people trying or suspected of trying to return to Rwanda ("Breaking the Cycle," 8). It is likely that many such attacks did occur, but the report groups these attacks with refugee leaders warning refugees not to return to Rwanda because of retaliation killings by the RPF, which did occur (Prunier, 37), and calling repatriation leaflets distributed by the United Nations Assistance Mission for Rwanda (UNAMIR) propaganda ("Breaking the Cycle," 7).

Conclusion

Testimony from refugees and an analysis of "Breaking the Cycle," a document produced by MSF France in its debate on its continued presence in the camps of the
African Great Lakes Refugee Crisis, highlight MSF’s statehood, primarily through its struggle for primacy over the Rwandan state already present in exile. Numerous instances, from the struggle for control of aid distribution to conflicting views on the safety of repatriation, demonstrate a contest for rule over the refugees between MSF France and the Rwandan government in exile. MSF France wanted the Rwandan refugees under not just any state, but its own state.
Conclusion

Study of only MSF France documents and a small pool of refugee testimonies demonstrates that humanitarianism is not separate from politics and the camp is not a space of bare life. These conclusions though are only applicable to their particular historical situation. This demonstration of the connection between humanitarianism and politics produces provocative avenues for exploration.

The idea of political humanitarianism is not a radical one. Humanitarian action based on political beliefs and priorities is commonplace, from the structural adjustment policies instigated by the International Monetary Foundation in the 1980s (International Monetary Fund), to George W. Bush’s President’s Emergency Plan for AIDS Relief (PEPFAR) and its controversial lack of funds for contraception (PEPFAR), to Kanye West’s proclamation that “George Bush doesn’t like black people” in response to the lack of relief for victims of hurricane Katrina (Michaels). The analysis presented here, however, draws explicit attention to the inseparability of MSF France’s humanitarianism from its politics by placing it within the context of the neoliberal world in which it operates.

An examination of the politics between Western and Non-Western or Northern and Southern states—especially in relation to Foucault’s assertion that the world outside of Europe operates as the market for expansion for European states—presents a provocative avenue for further study of humanitarian politics (Foucault, 55).

Testimony from refugees within the camps also challenges the image of the camp as a space of bare life. Anecdotes of refugee-led NGOs and refugee-written
newsletters support the idea that they lived a way of life appropriate to man rather than a bare life, which is life common to all living things. As Scott writes, "Human resistance to the more severe forms of social straight jacketing prevents monotonic schemes of centralized rationality from ever being rationalized" (Scott, 348). In a concept he calls *metis*, Scott asserts that humans are highly adaptable and thus act in ways that the state cannot anticipate. Refugee accounts from the Crisis indicate that not only did NGOs inadequately account for this *metis* in their management of the camps, but so did Agamben in forming his bare life thesis (Scott, 198). The first person refugee accounts from the Crisis are extremely limited, but an examination of whether Agamben's assertion that refugee camps bring about the bare life is worth exploring based on these findings.

Another means of exploring Agamben's understanding of the bare life could come from an examination of the differences between Nazi concentration camps, which form the main example for Agamben's arguments, and humanitarian-run refugee camps. The Nazis who ran the concentration camps saw Jewish lives as "unworthy of being lived" (Agamben, 79). This is in direct contrast to the life-saving missions of the MSF and other international aid organizations at work in the Rwandan refugee camps. Without this exterminating aim, Agamben's bleak picture as a camp as a space in which its "inhabitants were stripped of every political status and wholly reduced to bare life, the camp was also the most absolute biopolitical space ever to have been realized, in which power confronts nothing but pure life, without any mediation," it is hard to imagine any other camp as a paradigm of bare life (Agamben, 97). Would not compassion (or even compassion fatigue), or
humanitarian ideals, or the possibility of life after or outside of the camp serve as mediation between power and pure life, between fact and law?

Medecins Sans Frontier’s humanitarian aims in the camps of the African Great Lakes Refugee Crisis were not separated from politics because of their position within the neoliberal world. Instead, the threat refugees present to liberal statehood motivated their policies, and their humanitarianism was a means to become a state for the refugees. Study of only MSF France documents and a small pool of refugee testimonies demonstrates that humanitarianism is not separate from politics and the camp is not a space of bare life. While these conclusions though are only applicable to their particular historical situation, this demonstration of the connection between humanitarianism and politics shows that humanitarian organizations can act as states and calls into question whether any refugee camps could truly be paradigms of *bios*.
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